

LIBRARY
UNIVERSITY OF TORONTO
130 St. George Street
Toronto, Ontario
M5S 1A5
Canada
Tel: (416) 978-2811
Fax: (416) 978-2812
www.library.utoronto.ca

LIBRARY
UNIVERSITY OF TORONTO
130 St. George Street
Toronto, Ontario
M5S 1A5
Canada
Tel: (416) 978-2811
Fax: (416) 978-2812
www.library.utoronto.ca

LIBRARY
UNIVERSITY OF TORONTO
130 St. George Street
Toronto, Ontario
M5S 1A5
Canada
Tel: (416) 978-2811
Fax: (416) 978-2812
www.library.utoronto.ca

LIBRARY
UNIVERSITY OF TORONTO
130 St. George Street
Toronto, Ontario
M5S 1A5
Canada
Tel: (416) 978-2811
Fax: (416) 978-2812
www.library.utoronto.ca



ELEMENTS
OF
MORAL SCIENCE.

BY JAMES BEATTIE, LL. D.

Professor of Moral Philosophy and Logick in the Marischal
College and University of Aberdeen.

IN THREE VOLUMES.

VOL. II.

PHILADELPHIA:

PUBLISHED BY HOPKINS AND EARLE.

Fry and Kammerer, Printers.

1809.

speaking as he thinks; and it is easy, like walking forward. One may walk backwards, or sideways; but it is uneasy, and a sort of force upon nature: and the same thing is true of speaking one thing and thinking another. It is also natural for us to believe what others seriously tell us. We trust the word of a man of whose veracity we have had experience; but we also credit testimony previously to such experience; for children, who have least experience, are most credulous. It is from having had experience of the dishonesty of men, and of the motives that tempt them to it, that we come to disbelieve or distrust what they say. In general, when we doubt a man's word, we have always some reason for it. We think that what he says is incredible in itself; or, that there is some motive or temptation which inclines him in the present case to violate truth; or, that he is not a competent judge of the matter in which he gives testimony; or, lastly, we distrust him now, because we know him to have been a deceiver formerly.

1027. Faith in testimony often rises to absolute certainty. Of places and persons whom we never saw, and of whom we know nothing but from the testimony of others, we believe many things as firmly as we believe our own existence. This happens, when the testimonies of men concern-

ing such places and persons, are so many, and so consistent, that it seems impossible they should be fictitious. When a number of persons, not acting in concert, having no interest to disguise what is true, or to affirm what is false, and competent judges of what they testify, concur in making the same report, it would be accounted folly to disbelieve them; especially if what they testified were credible in itself. Even when three, or when two witnesses separately examined, and who have had no opportunity to concert a plan beforehand, concur in the same declaration, we believe them, though we have had no experience of their veracity; because we know, that in such a case, their declarations would not be consistent, if they were not true.

1028. With regard to an impossible thing, we should not believe our own senses, nor consequently human testimony. If we were to see the same man double, or in two places at the same time, we should think, not that it was so, but that something was wrong in our eyes, or that the appearance might be owing to the *medium* through which we saw it. Miraculous facts are not to be ranked with impossibilities. To raise a dead man to life, to cure blindness with a touch, to remove lameness or a disease by speaking a word, are miracles: but to divine power as easy, as to give

life to an embryo, make the eye an organ of sight, or cause vegetables to revive in the spring. And therefore, if a person, declaring himself to be invested with divine power, and saying and doing what is worthy of such a commission, should perform such miracles, mankind would have the best reason to believe, that he was really sent of God, and that every thing he said was true.

1029. As the common people have neither time nor capacity for deep reasoning; and as a divine revelation must be intended for all sorts of men, the vulgar as well as the learned, the poor as well as the rich, it is necessary, that the evidence of such a revelation should be fit for commanding general attention, and convincing all sorts of men; and should therefore be level to every capacity. Now there is no kind of evidence, consistent with man's free agency and moral probation, which is likely to command universal attention, and carry full conviction in religious matters to the minds of all sorts of men, except the evidence of miracles, or extraordinary events. Some facts seem extraordinary which are really not so. Such are the tricks of jugglers, of which when we are told the contrivance, we are surprised to find it so easy. Other facts seem extraordinary to those only who are ignorant of their

causes: and such are many things in electricity, magnetism, and chemistry. But the miracles recorded in the gospel are quite of a different kind. They were such as no power of man could accomplish; and of so particular a nature, that every person, present at the performance, who had eyes, ears, and common sense, was as competent a judge of them, as the most learned philosopher could have been. Of these miracles our Saviour not only performed many, but also imparted to his disciples the power of doing the same. If it be asked, what evidence is sufficient to establish the truth of a miraculous event, I answer, that every event admits of proof from human testimony, which it is possible for a sufficient number of competent witnesses to see and to hear.

END OF MORAL SCIENCE.

CONTENTS.



PART II.

NATURAL THEOLOGY.

	Page
Introduction.	1

CHAPTER I.

Of the Divine Existence.	6
----------------------------------	---

CHAPTER II.

Of the Divine Attributes.	18
-----------------------------------	----

APPENDIX.

Of the Incorporeal Nature of the Soul.	29
Of the Immortality of the Soul.	37

PART III.
MORAL PHILOSOPHY.

Introduction. 61

PART FIRST. OF ETHICKS. 65

CHAPTER I.

Of the general Nature of Virtue. 67

CHAPTER II.

The Subject continued. Miscellaneous Observations. 94

CHAPTER III.

Of the Nature and Foundation of Particular Virtues.

SECTION I.

Of Piety, or the Duties we owe to God. 121

SECTION II.

Of the Duties Men owe to one another. 136

SECTION III.

Of the Duties which a Man owes to himself. 144

PART SECOND. ECONOMICKS.

Relation of Husband and Wife,—Parent and Child,—Master and Servant. Of Slavery, particularly that of the Negroes.	161
---	-----

PART THIRD. POLITICKS. . . . 245

CHAPTER I.

Of the general Nature of Law.	247
---------------------------------------	-----



ELEMENTS
OF
MORAL SCIENCE.
PART SECOND.

NATURAL THEOLOGY.

INTRODUCTION.

407. **N**ATURAL theology explains what human reason can discover concerning the being and attributes of God. It is a science of boundless extent; but we must confine ourselves to a few general principles. In respect of certainty it is equal to any science; for its proofs rise to demonstration: in point of dignity it is superiour to all others; its object being the Creator of the universe: and its utility is so great, that it lays the only sure foundation of human society and human happiness. The proofs of the Divine Existence are innumerable, and continually force themselves upon our observation; and are withal so clear and striking, that nothing but the most

obstinate prejudice, and extreme depravity of both heart and understanding, could ever bring any rational being to disbelieve, or doubt of it. With good reason, therefore, it is, that the psalmist calls the man “a fool, who saith in his heart, there is no God.” Without belief in God, a considerate person (if it were possible for such a person to be without this belief) could never possess tranquillity or comfort; for to him the world would seem a chaos of misery and confusion. But where this belief is established, all things appear to be right, and to have a benevolent tendency; and give encouragement to hope, patience, submission, gratitude, adoration, and other good affections essential to human felicity.

408. That men, from education, or from nature, might have some notion of duty, even though they were to harden themselves into atheists, can hardly be doubted: but that notion would, in such men, be wholly ineffectual. From the fear of shame, or of human laws, the atheist may be decent in his outward behaviour; but he cannot act from any nobler principle. And, if at any time, he could promote (what he takes to be) his interest, by the commission of the greatest crime, it is plain that there would be nothing to restrain him, provided he could conceal his guilt;

which any man might do occasionally, and which men of great wealth or power could do at any time. Atheism is utterly subversive of morality, and, consequently, of happiness: and as to a community, or political society, of atheists, it is plainly impossible, and never took place in any nation. They, therefore, who teach atheistical doctrines, or, who endeavour to make men doubtful in regard to this great and glorious truth, THE BEING OF GOD, do every thing in their power to overturn government, to unhinge society, to eradicate virtue, to destroy happiness, and to promote confusion, madness, and misery.

409. On what human reason discovers of the divine nature is partly founded the evidence even of revelation itself. For no pretended revelation can be true, which contradicts what, by human reason, is demonstrable of the divine perfections. We do not prove from scripture, that God exists; because they who deny God, deny the authority of scripture too. But when, by rational proof, we have evinced his being and attributes, we may then ascertain the truth of divine revelation, or detect the falsehood of a pretended one. When we have, from the purity of its doctrine, and the external evidence of miracles, prophecy, and human testimony, satisfied ourselves of the truth of the christian revelation, it becomes us to believe

even such parts of it as could never have been found out by human reason. And thus it is, that our natural notions of God and his providence are wonderfully refined and improved by what is revealed in holy writ: so that the meanest of our people, who has had a christian education, knows a great deal more on these subjects, than could ever be discovered by the wisest of the ancient philosophers. That many things in the divine government, and many particulars relating to the divine nature, as declared in scripture, should surpass our comprehension, is not to be wondered at; for we are daily puzzled with things more within our sphere: we know that our own soul and body are united, but of the manner of that union we know nothing. A past eternity we cannot comprehend; and a future eternity is an object by which our reason is astonished and confounded: yet nothing can be more certain, than that one eternity is past and another to come.

410. In evincing the being of God, two sorts of proof have been employed; which are called the proofs *a priori* and *a posteriori*. In the former, the being of God is proved from this consideration, that his existence is necessary, and that it is absurd and impossible to suppose that he does not exist. This argument is fully dis-

cussed by Dr. Clarke, in the first part of his excellent book on the evidence of natural and revealed religion. The proof *a posteriori* shows, from the present constitution of things, that there is, and must be, a supreme being, of infinite goodness, power, and wisdom, who created and supports them. This last is the most obvious proof, and the most easily comprehended; and withal, so satisfying, that the man must be mad who refuses to be convinced by it. I shall, therefore, give a brief account of this argument; referring to Dr. Clarke for the other. Natural theology consists of two parts: in the first, we demonstrate the existence of God; in the second, his attributes. These parts, however, are strictly connected; for the same arguments that prove the first, prove also the second.

CHAPTER I.

Of the Divine Existence.

411. **T**HAT we ourselves, and innumerable other things, exist, may be taken for granted as a first principle, as evident as any axiom in Euclid. Hence we infer, that something must always have existed. For if ever there was a time when nothing existed, there must have been a time when something began to be; and that something must have come into being without a cause; since, by the supposition, there was nothing before it. But that a thing should begin to exist, and yet proceed from no cause, is both absurd and inconceivable; all men, by the law of their nature, being necessarily determined to believe, that whatever begins to exist proceeds from some cause; therefore some being must have existed from eternity. This being must have been either dependent on something else, or not dependent on any thing else. Now an eternal succession of dependent beings, or a being which is dependent, and yet exists from eternity, is impossible. For if every part of such a succession be depen-

dent, then the whole must be so; and, if the whole be dependent, there must be something on which it depends; and that something must be prior in time to that which depends on it, which is impossible, if that which is dependent be from eternity. It follows, that there must be an eternal and independent being on whom all other beings depend.

412. Some atheists seem to acknowledge a first cause, when they ascribe the origin of the universe to *chance*. But it is not easy to guess what they mean by this word. We call those things *accidental*, *casual*, or the *effects of chance*, whose immediate causes we are unacquainted with; as the changes of the weather, for example; which however every body believes to be owing to some adequate cause, though we cannot find it out. Sometimes, when an intelligent being does a thing without design, as when a man throwing a stone out of his field happens to strike a man whom he did not see; it is called *accidental*. In affirming that the universe proceeds from chance, it would appear, that atheists mean, either that it has no cause at all, or that its cause did not act intelligently, or with design, in the production of it. That the universe proceeds from no cause, we have seen to be absurd, and therefore, we shall overturn all the atheisti-

cal notions concerning chance, if we can show, what indeed is easily shown, and what no considerate person can be ignorant of, that the cause of the universe is intelligent and wise, and in creating it, must have acted with intelligence and wisdom.

413. Wherever we find a number of things, complex in their structure, and yet perfectly similar, we believe them to be the work of design. Were a man to find a thousand pair of shoes, of the same shape, size, and materials, it would not be easy to persuade him that the whole was chancework. Now the instances of complex and similar productions in nature are so very numerous as to exceed computation. All human bodies, for example, though each of them consists of almost an infinite number of parts, are perfectly uniform in their structure and functions; and the same thing may be said of all the animals and plants of any particular species. To suppose this the effect of undesigning chance, or the production of an unintelligent cause, is as great an absurdity as it is possible to imagine.

414. Further, a composition of parts mutually adapted we must always consider as the work of design, especially if it be found in a great variety of instances. Suppose a body, an equilateral prism, for example, to be formed by chance; and suppose

a certain quantity of matter accidentally determined to resolve itself into tubes of a certain dimension. It is as infinite to one, that these tubes should have orifices equal to the base of the prism; there being an infinity of other magnitudes equally possible. Suppose the orifices equal, it is as infinite to one that any of the tubes should be prismatical; infinite other figures being equally possible. Suppose one of them prismatical, there is, for the same reason, an infinity of chances, that it shall not be equilateral. Suppose it equilateral, there are still infinite chances that the tube and prism shall never meet. Suppose them to meet, there are innumerable chances that their axes shall not be in the same direction. Suppose them to have the same direction, there are still many chances that the angles of the prism shall not coincide with those of the tube: and supposing them to coincide, there are innumerable chances that no force shall be applied in such a direction as to make the prism enter the tube.

415. How many millions of chances, then, are there against the *casual* formation of one prism inserted in a prismatick tube! which yet a small degree of design could easily accomplish. Were we to find, in a solitary place, a composition of this kind, of which the tube was iron and the prism of wood, it would not be easy for us to

believe, that such a thing was the work of chance. And if so small a thing cannot be without design, what shall we say of the mechanism of a plant, an animal, a system of plants and animals, a world, a system of worlds, an universe! No person, who has any pretensions to rationality, and is not determined to shut his eyes against the truth, will ever bring himself to believe, that works so stupendous could be the effect of undesigning chance.

416. To set this argument in a proper light, it would be necessary to take a survey of the works of nature; in which the vast number of systems, the artful union of parts, the nice proportions established between every part and system and its respective end, the innumerable multitudes of species, and the infinite numbers of forms in every species, are so conspicuous as to prove, beyond all doubt, that the Creator of the world is infinitely wise, powerful, and good. Let a man examine only a grain of corn, by cutting it open, and viewing it with a microscope; and then let him consider another grain as planted in the earth, and by the influence of heat, soil, air, and moisture, springing up into a plant, consisting of a great number of vessels that disperse the vital sap into every part, and endowed with the power, or susceptibility, of growing in bulk, till

in due time it produce a number of other grains of the same kind, necessary to the existence of man and other creatures; let a rational being attend to this fact, and compare it with the noblest efforts of human art; and if he is not struck with the infinite superiority of the one to the other, what can we say of him, but that he is void of understanding! And yet the mechanism and growth of a vegetable seems an inconsiderable thing, when we think of the wisdom and power displayed in many other works of nature.

417. What a fabrick is our solar system! wherein bodies of such enormous magnitude accomplish their revolutions through spaces immense; and with a regularity, than which nothing can be more perfect. The distance of the planets from the sun, and their several magnitudes, are determined with the utmost wisdom, and according to the nicest geometrical proportion. The central orb, whether we consider its glorious appearance, its astonishing greatness, or the beneficial influence of its light and heat, is such an object as no rational being can contemplate without adoring the Creator. We have good reason to believe, that there are thousands of other suns and systems of worlds, more glorious perhaps, and more extensive than ours; which form such a stupendous whole, that the human

soul, labouring to comprehend it, loses sight of itself and of all sublunary things, and is totally overwhelmed with astonishment and veneration. With such thoughts in our view, we are apt to forget the wonders that lie immediately around us, and that the smallest plant or animal body amounts to a demonstration of the divine existence. But God appears in all his works, in the least as well as in the greatest; and there is not, in the whole circle of human sciences, any one truth confirmed by so many irresistible proofs, as the existence of the Deity.

418. The diurnal motion of the planets is the easiest way possible of exposing all their parts to the influence of light and heat. Their globular form is the fittest for motion, and for the free circulation of atmosphere around them; and at the same time supplies the most capacious surface. The principle of gravitation, prevailing through the whole system, and producing innumerable phenomena, is a most amazing instance of unbounded variety united with the strictest uniformity and proportion. But it is impossible in a few pages to give such an enumeration of particulars, as would do any justice to the subject. The man, who should suppose a large city, consisting of a hundred thousand palaces, all finished in the minutest parts, and furnished with

the greatest elegance and variety of ornament, and with all sorts of books, pictures, and statues, executed in the most ingenious manner; to have been produced by the accidental blowing of winds and rolling of sands, would justly be accounted irrational. But to suppose the universe, or our solar system, or this earth, to be the work of undesigning chance, is an absurdity incomparably greater.

419. And now, from a particular survey of the terraqueous globe; of the atmosphere, so necessary to light, and life, and vegetation; of the different productions of different countries, so well adapted to the constitution and use of the inhabitants: from the variety of useful minerals to be found in all parts of the earth; from the wonderful mechanism and still more wonderful growth of vegetables, their vast number and variety, their beauty and utility, and the great abundance of such as are most useful, particularly grass and corn; from the structure, life, motion, and instincts, of animals; from the exact correspondence of their instincts to their necessities; from the different kinds of them and of vegetables having been so long preserved; from the similitude between all the individuals of each species; from the body and soul of man so replete with wonders; from his intellectual and moral facul-

ties; and from innumerable other particulars that come under the cognisance of man; we might proceed to set the Divine Existence in a still clearer light, if that were necessary, but the subject is so copious that we cannot enter upon it. We should injure it by a brief summary; and a full detail would comprehend astronomy, geography, natural history, natural philosophy, and several other sciences. I therefore refer you to what has been written on it, by Xenophon, in the fourth chapter of his first book of *Memorabilia*; by Cicero, in his second book *De natura deorum*; by Derham, Ray, Fenelon, Niewentyt; by Clarke, Bentley, Abernethy, &c. in their sermons; and by other ingenious authors.

420. Some have urged, that there are in the universe many marks of irregularity and want of design, as well as regularity and wisdom; and that therefore we have no evidence, that the Being, who made all things is perfectly good and wise. But though we were to admit the fact, the inference would not be fair. The wonderful contrivance, which appears in the arrangement of the solar system, or even in the human body, abundantly proves the Creator to be infinitely wise. That he has not thought fit to make all things equally beautiful and excellent, can never be an imputation on his wisdom and goodness:

for how absurd would it be to say, that he would have displayed more wisdom, if he had endowed all things with life, perception, and reason! Stones and plants, air and water, are most useful things, and would have been much less useful if they had been percipient beings; as the inferiour animals would have been both less useful and less happy, if they had been rational. Their existence, therefore, and their natures, are proofs of the divine goodness and wisdom, instead of being arguments against it.

421. Besides, no man of sense accounts himself a complete judge of any work, even of a fellow creature, unless he understand its end and structure, as well as the workman himself does. When we wish to know with certainty the value of a ship, or a house, or any complex machine, we consult those who are skilled in such things; for them only we hold to be competent judges. In a complex contrivance there may be many parts of the greatest importance, which an unskilful observer would not perceive the use of, or would perhaps declare to be useless. Now, in the course of Providence, a vast number of events and objects may be employed to accomplish one great end; and it is impossible for us to pronounce reasonably of any one event, or object, that it is useless, or improper, unless we know its ten-

dency and connection with other things both past and future; which in cases innumerable we cannot do. For of the past we know but little, the present we know imperfectly, and of the future we have no certain knowledge beyond what is revealed. The system of Providence relating to us and to our final destination extends through thousands of years, as we have good reason to believe; but our life is short, and our views are bounded by our experience, which is very limited. That therefore may be a most wise and beneficent dispensation, which to a captious mind and fallible judgment may appear the contrary.

422. Moreover, the Deity intended, that the nature of all created things should be progressive. Many years pass away before a man arrives at maturity; and many days, before a plant can yield good fruit. Every thing is imperfect, while advancing to perfection; and we cannot say of any thing, whether it be well or ill contrived for answering its end, till we know what its state of maturity will be, and what the effects are whereof it may be productive. Physical evils may, as will be shown by and by, be improved into blessings; and it will also be shown, that moral evil is a consequence of that law of nature which makes us capable of virtue and happiness. Even in this

world, Providence often brings good out of evil; and every man of observation must have perceived, that certain events of his life, which when they happened seemed to be great misfortunes, have been found to be great blessings in the end.

423. If, then, that which seems evil may really be good, for any thing we know to the contrary, and if that which is really evil often does, and always may, produce good: how can man be so presumptuous as to suppose, because he cannot distinctly see the nature and use of some things around him, that therefore the Creator of the world is not supremely good and wise! No man can draw this conclusion, unless he believe himself infallible in his knowledge of all things past, present, and future; and he who believes so, if there be any such, is a fool.

CHAPTER II.

Of the Divine Attributes.

424. **O**UR knowledge of the Divine Nature, though sufficient to raise within us the highest adoration and love, must needs be very imperfect; for we cannot form a distinct idea of any moral or intellectual quality, unless we find some trace of it in ourselves. Now God must possess innumerable perfections, which neither we, nor any created being can comprehend. When we ascribe to him every good quality that we can conceive, and consider him as possessed of them all in supreme perfection, and as free from every imperfection, we form the best idea of him that we can: but it must fall infinitely short of the truth. The attributes of God, which it is in our power in any degree to conceive, or to make the subject of investigation, have been divided into NATURAL, as *unity, self-existence, spirituality, omnipotence, immutability, eternity*; INTELLECTUAL, as *knowledge and wisdom*; and MORAL, as *justice, goodness, mercy, holiness*.

125. That God is, has been proved already.

That there are more gods than one, we have no evidence, and therefore cannot rationally believe. Nay, even from the light of nature, we have evidence, that there is one only. For, in the works of creation, there appears that perfect unity of design, which naturally determines an attentive spectator to refer them all to one first cause. Accordingly, the wisest men in the heathen world, though they worshipped inferiour *deities*, (I should rather say, *names which they substituted for deities*), did yet seem to acknowledge one supreme god, the greatest and best of beings, the father of gods and men. It is probable, that belief in one God was the original belief of mankind with respect to Deity. But, partly from their narrow views, which made them think that one being could not, without subordinate agents, superintend all things; partly from their flattery to living great men, and gratitude to the dead, disposing them to pay divine honours to human creatures; partly from fanciful analogies between the Divine Providence and earthly governments; and partly from the figures of poetry, by which they saw the attributes of the deity personified, they soon corrupted the original belief, and fell into polytheism and idolatry. And no ancient people ever retained long their belief in the one true God, except the Jews, who were enlightened

by revelation; and even they were frequently inclined to adopt the superstitions of their neighbours. We see then, that, in order to ascertain, and fix men's notions of the divine *unity*, revelation seems to be necessary.

426. Selfexistence, or independence, is another *natural* attribute of God. If he depended on any thing, that thing would be superiour and prior to him, which is absurd; because he himself is the supreme and the first cause: therefore his existence does not depend on any thing whatever. The attribute of selfexistence is something that surpasses our comprehension; and no wonder, since all the beings that we see around us in the world are dependent. But, as already observed, there are many things which we must acknowledge to be true, notwithstanding that we cannot comprehend them.

427. We see the material universe in motion; but matter is inert, and, so far as we know, nothing can move it but mind; therefore God is a Spirit. We do not mean that his nature is the same with that of our soul: it is infinitely more excellent. But we mean, that he possesses intelligence and active power in supreme perfection; and as these qualities do not belong to matter, which is neither active nor intelligent, we must refer them to that which is not matter, but mind.

Some of the ancients thought, that God is the soul of the universe, and that the universe is, as it were, his body. But this cannot be; for wherever there is body, there must be inactivity, and consequently imperfection. He is therefore a pure Spirit. Nor can we conceive, that he is confined within the limits of creation, as a soul is within its body; or that he is liable to impressions from material things, as the soul is from the body; or, that material things are instruments necessary to the exertion of his attributes, as our bodies are to the exertion of our faculties. It must be as easy for him to act beyond the bounds of creation, as within them; to create new worlds, as to cease from creation. He is every where present and active; but it is a more perfect presence and activity, than that of a soul within a body. Another notion once prevailed, similar to that which has been just now confuted, that the world is animated, as a body is by a soul, not by the Deity himself, but by an universal spirit, which he created in the beginning, and of which the souls of men, and other animals, are parts or emanations. This I mention, not because a confutation is necessary, for it is mere hypothesis, without any shadow of evidence; but, because it may be of use in explaining some passages of ancient

authors, particularly of Virgil, who once and again alludes to it.*

428. In order to be satisfied, that God is omnipotent, we need only to open our eyes, and look round upon the wonders of his creation. To produce such astonishing effects, as we see in the universe, and experience in our own frame; and to produce them out of nothing, and sustain them in the most perfect regularity, must certainly be the effect of power, which is able to do all things, and which, therefore, nothing can resist. But the divine power cannot extend to what is either impossible in itself, or unsuitable to the perfection of his nature. To make the same thing at the same time to be and not to be, is plainly impossible; and to act inconsistently with justice, goodness, and wisdom, must be equally impossible to a being of infinite purity.

429. That God is from everlasting to everlasting, is evident from his being self-existent and almighty. That he was from all eternity, was proved already; and it can admit of no doubt, that what is independent and omnipotent must continue to all eternity. In treating of the eternity of God, as well as of his omnipresence, some authors have puzzled themselves to little pur-

* *Æneid.* vi. 724. *Geor.* iv. 320

pose, by attempting to explain in what manner he is connected with infinite space and endless duration. But it is vain to search into those mysteries; as they lie far beyond the reach of all human, and, most probably, of all created intelligence. Of this we are certain, for, upon the principle just now mentioned it may be demonstrated, that the Supreme Being had no beginning, and that of his existence there can be no end. That which is omnipotent and eternal, is incapable of being changed by any thing else; and that which is infinitely wise and good can never be supposed to make any change in itself. The Deity, therefore, is unchangeable.

430. As he is the maker and preserver of all things, and every where present (for to suppose him to be in some places only, and not in all, would be to suppose him a limited and imperfect being), his knowledge must be infinite, and comprehend, at all times, whatever is, or was, or shall be. Were his knowledge progressive, like ours, it would be imperfect; for they who become more wise, must formerly have been less so. Wisdom is the right exercise of knowledge: and that he is infinitely wise, is proved, incontestably by the same arguments that prove his existence.

431. The goodness of God appears in all his

works of creation and providence. Being infinitely and eternally happy in himself, it was goodness alone that could move him to create the universe, and give being, and the means of happiness, to the innumerable orders of creatures contained in it. Revelation gives such a display of the divine goodness, as must fill us with the most ardent gratitude and adoration: for in it we find, that God has put it in our power, notwithstanding our degeneracy and unworthiness, to be happy both in this life and for ever; a hope, which reason alone could never have permitted us to entertain on any ground of certainty. And here we may repeat, what was already hinted at, that although the right use of reason supplies our first notions of the divine nature, yet it is from revelation that we receive those distinct ideas of his attributes and providence which are the foundation of our dearest hopes. The most enlightened of the heathen had no certain knowledge of his unity, spirituality, eternity, wisdom, justice, or mercy; and, by consequence, could never contrive a comfortable system of natural religion; as Socrates, the wisest of them, acknowledged.

432. Lastly, justice is necessary to the formation of every good character; and, therefore, the Deity must be perfectly just. This, however, is an awful consideration to creatures, who, like us, are immersed in error and wickedness, and

whose conscience is always declaring, that every sin deserves punishment. It is reasonable to think, that a being infinitely good must also be of infinite mercy: but still, the purity and justice of God must convey the most alarming thoughts to those who know themselves to have been, in instances without number, inexcusably criminal. But, from what is revealed in scripture, concerning the divine dispensations with respect to man, we learn, that, on performing certain conditions, we shall be forgiven and received into favour, by means, which at once display the divine mercy in the most amiable light, and fully vindicate the divine justice.

433. It is, indeed, impossible to understand the doctrines of our religion, and not to *wish, at least*, that they may be true: for they exhibit the most comfortable views of God and his providence; they recommend the purest and most perfect morality; and they breathe nothing throughout, but benevolence, equity, and peace. And one may venture to affirm, that no man ever *wished* the gospel to be true, who did not *find* it so. Its evidence is even more than sufficient to satisfy those who love it. And every man who knows it must love it, if he be a man of candour and of a good heart.

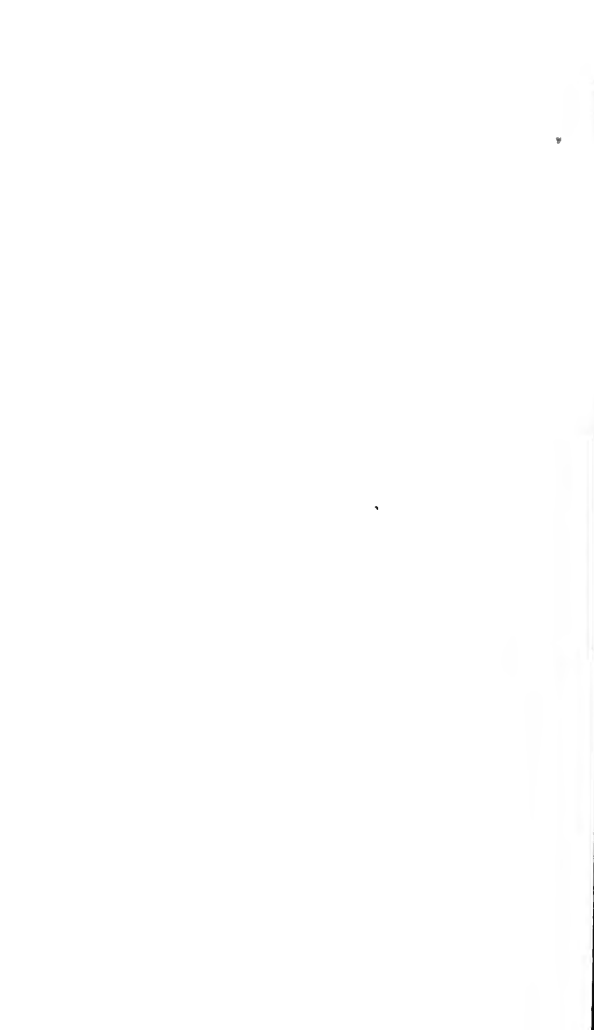
THE END OF PNEUMATOLOGY.

VOL. VIII.

C



APPENDIX.



APPENDIX.

Of the Incorporeal Nature of the Human Soul.

434. **MAN** is made up of a body and a soul, intimately connected together, we know not how, or when. In consequence of this connection, the body lives and moves, is nourished with food and refreshed by sleep, and, for a certain time increases in bulk. When this connection is dissolved, the body is insensible and motionless, soon becomes cold, and gradually moulders into dust. That the soul and body are distinct and different substances, was formerly inferred (see § 119), from the general consent of mankind in regard to this matter. It seems to be natural for us to believe, that the soul may exist, and be happy or miserable, without the body. This appears from those notions, which, in every age and country have prevailed, concerning a future state.

435. But of the soul's immateriality there is other evidence. When two things have some essential qualities in common, we refer them to one class, or, at least, consider them as somewhat

similar in their nature. But when two things are found to have not one quality in common, we must consider them as totally unlike and different. If, therefore, any piece of matter (or body) appear to have qualities which we know, for certain do not belong to matter, we conclude, that to this piece of matter there is joined something which is not matter. The human frame presents to our outward senses a certain quantity of matter, divided into various parts of different shapes and colours. Now the essential qualities of matter we know, from experience, to be gravity, extension, solidity, inactivity, and some others. These qualities are all in the human body: but in the human frame there are many qualities, not only different from these, but altogether unlike them. We are conscious of perceiving, remembering, judging, imagining, willing, and of a variety of passions, affections, and appetites. Surely these qualities, which are indisputably in the human frame, are very different from, and very unlike to hardness, softness, weight, extension, and the other qualities of body. There is therefore in man, something which cannot be called body, because from body it is in every respect different.

436. Moreover; the further we carry our inquiries into matter, and its qualities, the more we

are convinced, that it is essentially inactive, or incapable of beginning motion. But in the human frame we know, for certain, that there is something essentially active, and capable of beginning motion in a thousand different ways. In the human frame, therefore, there are two things whose natures are not only unlike, but opposite: the one is body, which is *essentially inactive*; the other, which is *essentially active*; shall we call it body too? Then body must be something which unites in itself qualities directly opposite, and destructive of each other: that must be in it which is not in it; it must at once have a certain quality, and not have that quality; it must be both active and inactive. Round squareness, white blackness, or redhot ice, are as natural, and may be as easily conceived by the mind, as that one and the same thing should be, at one and the same time, capable of beginning motion, and incapable of beginning motion. The human frame is partly material. It follows, therefore, from what has been said, that the human frame must also be in part *immaterial*, spiritual, or not corporeal. That part of it which is material we call our *body*; and that part of it which has been proved to be *immaterial*,* we call our *soul*, *spirit*, or *mind*.

* Till of late there was no ambiguity in this epithet, as here applied. But since our language began to decline,

437. Many controversies have been raised about the origin of the soul, and the time when it is united with the body. The common opinion seems to be the most probable; namely, that the soul is created and united with the body when the body is prepared for its reception. At what time, or in what manner, this union may take place, it is impossible for us to determine, and therefore vain to inquire. Let us not suppose it derogatory from the happiness or perfection of the Deity, to be always employed (if we may so speak) in creation. To Omnipotence it must be as easy, and as glorious, to create, as not to create. The best philosophers have thought, that his continual energy is necessary to produce gravitation, and other appearances in the material world. That the divine providence extends to the minutest parts of creation, has long been believed by wise men in all ages; is confirmed by revelation; and is agreeable to right reason. For as he is every where present, and of infinite power, it is impossible that any thing should happen without his permission.

438. When we consider man's helpless condition at his coming into this world; how ignorant

immaterial has been licentiously used to signify *unimportant*. The true English sense of it is, *incorporeal, distinct from matter*.

he is, and how unfit for action; that all he ever acquires in knowledge is by experience and memory; that we have no remembrance of any thing previous to the present state; and that both revelation, and the conscience of mankind, declare the punishment which the wicked fear, and the reward which the good hope for, hereafter, to be the consequence of their behaviour in this life: when, I say, we lay all these things together, we must be satisfied that the present is our first state of being. But it is said, that in this world we sometimes suffer evil which we do not deserve; that the vicious triumph, while the virtuous are unsuccessful; that the infant child may be liable to want or disease, from the profusion or debauchery of the parent, and the harmless villager to ruin, from the crimes of his sovereign: and that, therefore, we must, in a former state, have incurred guilt, of which these, and the like evils, are the punishment.

439. This leads to an important, and, as many think, a difficult subject, the *origin of evil*; on which I shall make some remarks, after I have offered an observation or two upon the opinion that introduced it. First, it may be observed, that the unequal distribution of good and evil in this life, naturally turns our thoughts, not to a former, but to a future state of being; and does, in fact, as we shall see by and by, afford a proof of a future state. Secondly: of virtues performed, or

crimes committed, in a former state, we have no remembrance, consciousness, or belief: and to punish us for crimes which we cannot conceive that we ever committed, and of which we know nothing, is inconsistent with divine justice. And, thirdly, if we sinned, or suffered, in a former state, the origin of that sin, or suffering, must be as hard to be accounted for, as the origin of present evil.

440. Evil is of two sorts; *physical*, as pain, poverty, death; and *moral*, or vice. 1. Our being subject to physical evil puts it in our power to exercise *patience*, *fortitude*, *resignation* to the divine will, *trust* in providence, *compassion*, *benevolence*, *industry*, *temperance*, *humility*, and the *fear* of God. If there were no physical evil, there would hardly be an opportunity of exercising these virtues; in which case our present state could not be, what both reason and scripture declare it to be, a state of probation. Besides, our present sufferings we may, if we please, convert into blessings; which we shall do, if we take occasion from them to cultivate the virtues above mentioned: for thus they will prove means of promoting our eternal happiness. The existence, therefore, of physical evil, being necessary to train us up in virtue, and, consequently, to prepare us for future felicity, is a proof of the

goodness of God, instead of being an objection to it.

441. 2. Without virtue, such a creature as man could not be happy. In forming an idea of a happy state, we must always suppose it to be a state of virtue; the natural tendency of virtue being, to produce happiness; as vice invariably leads to misery. Now, man could not be capable of virtue, nor, consequently, of happiness, if he were not free, that is, if he had it not in his power to do either good or evil. And if he have this in his power, he must be liable to vice. Vice, therefore, or moral evil, is the effect of that law of divine providence, whereby man is made capable of virtue and happiness. As the possibility of falling into error, and mistaking falsehood for truth, is necessary to the improvement of our rational powers, so the existence of evil, as well as of good, is necessary, at least in this life, to the improvement of our moral nature. And upon the improvement of our moral nature our future happiness must depend.

442. Supposing the present life to be preparatory to a future and eternal state, the evils we are now exposed to must, to a good man, appear inconsiderable. What are a few years of sorrow to an eternity of happiness? Not so much as a headache of an hour is to a thousand years of good

health. And who would scruple to suffer pain for several months, if he could thus insure health for many years? But, in fact, the evils of life are not so great as some people represent them. There is in human nature a pliability, by which it can adapt itself to almost any circumstances: and contentment, and resignation to the divine will, which are virtues in every person's power, are sufficient to render all the evils of life tolerable. And if to these virtues there be added a well grounded hope of future felicity, which is also in the power of every person who is willing to be good, our present afflictions may become not only tolerable, but light. The wicked, indeed, must be unhappy, both now and hereafter: but they will not suffer more than they deserve; they will be punished according to their works. And so far is their suffering from being an objection to the divine character, that it would be a very strong objection if they were not to suffer. For he who is perfectly good must be perfectly just: and a being perfectly just must punish those who deserve punishment.

443. To ask, why we are not made infallible and perfect, and capable of happiness without virtue or liberty, is an impertinent, and, perhaps, an impious question. It may as reasonably be asked, why there are not twenty planets in the

solar system? why a stone was not made a man or an angel? or, why the Deity did not make all his creatures equal to himself? Such questions deserve no answer, but this; that whatever God has been pleased to do must be right, whether we can account for it or not. Creatures who have it in their power to be happy, and whose happiness will ever increase as they improve in virtue, are surely under the greatest obligations to be thankful to that Providence which has made them what they are.

Of the Immortality of the Soul.

444. It is unnecessary to prove to a christian, that his soul will never die; because he believes that life and immortality have been brought to light by the gospel. But, though not necessary, it may be useful, to lay before him those arguments, whereby the immortality of the soul might be made to appear, even to those who never heard of revelation, probable in the highest degree. Whether the human soul shall die with the body, or survive death and live for ever, is an inquiry which may be said to comprehend the three following questions. 1. Does the light of nature, unaided by revelation, afford any reason to think, that the soul of man *may possibly* survive the body? 2. Does the light of nature afford

any reason to believe, that the soul *will actually* survive the body? 3. If it do, what may be reasonably conjectured concerning a future state?



SECTION I.

445. DOES the light of nature, unaided by revelation, afford any reason to think, that the human soul *may possibly* survive the body? First, death destroys the body by disuniting its parts, or preparing them for being disunited: and we have no reason to think that death can destroy in any other way, as we have never seen any thing die, which did not consist of parts. But the soul consists not of parts; having been proved to be incorporeal. Therefore, from the nature of death and of the soul, we have no evidence that death can destroy the soul. Consequently, the soul *may possibly*, and for any thing we know to the contrary, survive the body.

446. Secondly, the soul is a substance of one kind, and the body of another; they are united; and death dissolves the union. We may conceive them to exist after this union is dissolved; for we see that the body does exist for some time after; and may, by human art, be made to exist for a long time. And as most men have, in all ages,

entertained some notion of a future state, it must be agreeable to the laws of the human understanding to believe, that the soul *may* live when separated from the body. Now the dissolution of the union of two distinct substances, each of which is conceived to be capable of existing separate, can no more be supposed *necessarily* to imply the destruction of both the united substances, than the dissolution of the marriage union by death, can be supposed to imply, of necessity, the destruction of both husband and wife. Therefore the union of the soul and body is not necessary to the existence of the soul after death. Consequently, the soul may possibly survive the body.

447. Thirdly, naturalists observe, that the particles whereof our bodies consist are continually changing; some going off, and others coming in their room: so that in a few years a human body becomes, not indeed different in appearance, but wholly different in substance. But the soul continues always the same. Therefore, even in this life, the soul survives, or may survive, several dissolutions of the body. And if so, it *may possibly* survive that other dissolution which happens at death. It is true, these dissolutions are gradual and imperceptible; whereas that is violent and sudden. But if the union of the soul and body be

necessary to the existence of the soul, the dissolution of this union, whether sudden or gradual, whether violent or imperceptible, must destroy the soul. But the soul survives the gradual dissolution. Therefore, for any thing we know to the contrary, it *possibly may*, and probably will, survive that which is instantaneous.

448. Some object, that it is only additional matter joined to our original body, which is gradually dissolved by the attrition of the parts; whereas death dissolves the original body itself. Though this were granted, it must, at any rate, be allowed, that the soul has as much command over this additional matter as over the original body. For a fullgrown man has, at least, as much command of his limbs, as an infant has of his; and yet, in the limbs of the former there must be a great deal of additional matter, which is not in the limbs of the latter. And the soul and body of a fullgrown man do mutually affect each other, as much, at least, as the soul and body of an infant. Consequently, the union between our soul and this supposed additional matter, is as strict and intimate as that between the soul and its supposed original body. But, we find, that the former union may be dissolved without injury to the soul: therefore, the union of the soul, with

its supposed original body, *may* also be dissolved, without endangering the soul's existence.

449. Further: admitting the same doctrine of an original body, we must, however, observe, that living men may lose several of their limbs by amputation. Those limbs must contain parts of this original body, if there be any such thing. There is, then, a dissolution of the union between the soul and *part* of the original body; and a violent one too; which, however, affects not the existence of the soul: and, therefore, for any thing that appears to the contrary, the soul *may possibly* survive the total dissolution at death.

450. But it is now time to reject this unintelligible doctrine of an original body. From a small beginning, man advances gradually to his full stature. At what period of his growth is it, that the original body is completed, and the accession of additional matter commences? What is the original body? Is it the body of an embryo, of an infant, or of a man? Does the additional matter begin to adhere before the birth, or after it; in infancy, in childhood, in youth, or at maturity? These questions cannot be answered; and, therefore, we cannot admit the notion of an original body, as distinguishable from the additional matter whereby our bulk is increased. Consequently,

the third argument remains in full force; and is not weakened by this objection.

451. Fourthly, if the soul perish at death, it must be by annihilation; for death destroys nothing, so far as we know, but what consists of parts. Now we have no evidence of annihilation taking place in any part of the universe. Our bodies, though resolved into dust, are not annihilated; not a particle of matter has perished since the creation, so far as we know. The destruction of old, and the growth of new, bodies, imply no creation of new matter, nor annihilation of the old, but only a new arrangement of the elementary parts. What reason then can we have to think, that our better part, our soul, will be annihilated at death, when even our bodies are not then annihilated; and when we have no evidence of such a thing as annihilation ever taking place? Such an opinion would be a mere hypothesis, unsupported by, nay, contrary to, experience; and, therefore, cannot be reasonable. We have, then, from reason and the light of nature, sufficient evidence, that the soul *may possibly* survive the body, and, consequently, be immortal; there being no event before us, so far as we know, except death, which would seem likely to endanger its existence.

SECTION II.

452. DOES the light of nature afford any reason to believe, that the soul *will actually* survive the body? The following are reasons for this belief. First: it is natural for us to think, that the course of things, whereof we have had, and now have, experience will continue, unless we have positive reason to believe that it will be altered. This is the ground of many of those opinions, which we account quite certain. That, to-morrow, the sun will rise, and the sea ebb and flow; that night will follow day, and spring succeed to winter; and, that all men will die, are opinions amounting to certainty: and yet we cannot account for them otherwise than by saying, that such has been the course of nature hitherto, and that we have no reason to think it will be altered. When judgments of this kind admit of no doubt, as in the examples given, our conviction is called moral certainty. I am *morally certain*, that the sun will rise to-morrow, and set to-day, and that all men will die, &c. The instances of past experience, on which these judgments are founded, are innumerable; and there is no mixture of such contradictory instances, as might lead us to expect a contrary event.

453. But it often happens, that the experiences on which we ground our opinions of this sort, are but few in number; and sometimes too they are mixed with contradictory experiences. In this case, we do not consider the future event as morally certain; but only as more or less probable, or likely, according to the greater or less surplus of the favourable instances. If, for example, a medicine has cured in five cases, and never failed in one, we should think its future success probable, but not morally certain; still more probable, if it has cured in twenty cases; and more still, if in a hundred, without failing in one. If a medicine has cured in ten cases, and failed in ten, our mind, in regard to its future success, would be in a state of doubt; that is, we should think it as probable that it would fail on a future trial, as that it would succeed. If it had cured ten times, and failed only six, we should think it more probable that it would cure on a future trial, than that it would fail; and still more probable, if it had cured ten times and failed only once.

454. These remarks, which properly belong to logick, will help to explain in what manner our judgments are regulated, in regard to the probability or moral certainty of future events. To make us morally certain of a future event

requires, we cannot tell how many, but requires a very great number of favourable experiences, without any mixture of unfavourable ones. It is true, we have heard of two men, Enoch and Elijah, who did not die, yet we expect our own death with absolute certainty. But these instances are confessedly miraculous; and, besides, are so very few, compared with the infinite number of instances on the other side, that they make no alteration in our judgment.

455. To apply all this to the present subject. Our bodies just now exist, but we foresee a cause that will destroy them, namely, death; and, therefore, we believe that they will not exist long. Our souls just now exist; but we do not foresee any positive cause that will destroy them: it having been proved, that they *may* survive the body; and there being no cause, so far as we know, that will then, or at any other time, destroy them. We must, therefore, admit, that our souls *will probably* survive the body. It is natural for us to believe this: the rules of evidence, which determine our belief in similar cases, determine us to this belief. But there are other arguments, which prove the same thing, by evidence, still higher.

456. Secondly, we are conscious of being, in many respects, capable of endless improvement. The more knowledge we acquire, the greater is

our capacity and our relish for further acquisitions. It is not so with the brutes; for such of them as are at all docile, soon reach the highest improvement whereof they are capable. Disease may put a stop to our improvement as well as curiosity, for a time; but when it goes off, we are curious and improvable as before. Dotage is a disease; from which, if we could recover, there is reason to think, that we should be as rational and ingenious as ever; for there have been instances of recovery from dotage; and of persons, who, at the close of life, have regained the full use of those faculties, of which they had been, for several years, deprived. And it often happens that old people retain all their mental powers, and their capacity of improvement, to the last. Now God, being perfect in wisdom, cannot be supposed to bestow upon his creatures useless or superfluous faculties. But this capacity of endless improvement is superfluous, if man be to perish finally at death; for much more limited powers would have suited all the purposes of a creature, whose duration comprehends no more than ninety or a hundred years. It is, therefore, unreasonable to suppose, that the soul will perish with the body.

457. Thirdly, the dignity of the human soul, compared with the vital principle of brutes, leads

to the same conclusion. Brutes have some faculties in common with us; but they are guided by instinct chiefly, and incapable of science. Man's arts, and his knowledge, may be said to be, in one sense, of his own acquisition; for, independently on experience and information, he can do little, and knows nothing. But then, he is improvable, as was just now observed, to an extent to which he can set no bounds. He is, moreover, capable of science; that is, of discovering the laws of nature, comparing them together, and applying the knowledge of them to the regulation of his conduct, and to the enlargement of his power. He has a sense of truth and falsehood, virtue and vice, beauty and deformity. He is impressed with a belief that he is accountable for his conduct. He is endowed with the capacity of knowing, obeying, and adoring his Creator; on whom, he is sensible, that he and all things depend, and to whom he naturally looks up for protection and comfort; and he expects that his being will not end with this life, but be prolonged through eternity. These are principles and sentiments, whereof the most sagacious brutes are not, in any degree, susceptible.

458. The instincts, appetites, and faculties, which we have in common with them, are necessary to our existence and wellbeing as ani-

mals; but, for what purpose are we endowed with moral and religious principles? These are not necessary to the support of our animal nature; these are useless, or, at least, fallacious, if there be no future state. To those who attend to the economy and analogies of nature, and observe how nicely every thing is fitted to its end, it must appear incredible, that man should have the same final destiny with the brutes; considering that his mental constitution is so very different, that his capacities are transcendently superiour; and that his highest happiness and misery arise from circumstances whereof the brutes feel nothing, and know nothing, namely, from his virtue and vice, and from his hope of the approbation, and fear of the disapprobation of his Creator.

459. Fourthly, we are possessed of many faculties, which, in the present life, are never exerted. This we know to be the case with those who die young, or uninstructed, that is, with the greatest part of mankind: and we have reason to think, that this is the case, in some measure, with all; for we seldom prosecute any new study, without finding in ourselves powers which we were not conscious of before; and no man, after the greatest attainments in art and science, and at the end of the longest life, could say, that he had exer-

cised all the powers, or knew the full extent of his own capacity. In most men, therefore, we are sure that there are, and in all men we have reason to think that there are, faculties, which are not exerted in this life; and which, by consequence, must be useless if there is no other. But in the works of creation there is nothing useless: therefore, the souls of men will exist in a future state.

460. Fifthly, all men have a natural desire and expectation of immortality. The thought of being reduced into nothing is shocking to a rational soul. These hopes and desires are not the effect of education; for, with a very few exceptions, they are found in all ages and countries. They arise not from selfconceit, or pride, or any extravagant passion; for the conscience of mankind approves them as innocent, laudable, and right: and they prevail most in those who are most remarkable for virtue, that is, for the moderation and right government of their passions and desires. They must, therefore, take their rise from something in the original frame of human nature: and, if so, their author is God himself. But is it to be supposed, that he, who is infinitely wise and good, should have inspired his creatures with hopes and wishes, that had nothing in nature to gratify them? Is it to be supposed, that

he should disappoint his creatures, and frustrate those very desires which he has himself implanted? The expectation of immortality is one of those things that distinguish man from all other animals. And what an elevating idea does it give us of the dignity of our nature!

461. Sixthly, it is remarkable, that the wisest men in all ages, and the greatest part of mankind in all nations, have believed that the soul will survive the body; how much soever some of them may have disfigured this belief by vain and incredible fictions. Now here is a singular fact, that deserves our attention. Whence could the universal belief of the soul's immortality arise? It is true, that all men have believed that the sun and starry heavens revolve about the earth: but this opinion is easily accounted for; being warranted by what seems to be the evidence of sense. It is also true, that most nations have, at one time or other, acknowledged a plurality of gods: but this is a corruption of an original true opinion; for it is highly probable, nay, it appears from history, that believing in one God was the more ancient opinion, and that polytheism succeeded to it, and was a corruption of it. Now it is not at all surprising, that when a true opinion is introduced among mankind, it should, in ignorant ages, be perverted by additional and fabulous circum-

stances. But the immortality of the soul is not a corruption of an original true opinion; nor does it derive any support from the evidence of sense. It is itself an original opinion, and the testimony of sense seems rather to declare against it. Whence, then, could it arise?

462. Not from the artifice of politicians, in order to keep the world in awe, as some have vainly pretended: for there never was a time when all politicians were wise, and the rest of mankind fools: there never was a time when all the politicians on earth were of the same opinion, and concurred in carrying on the same design: there never was a time when all politicians thought it their interest to promote opinions so essential to human happiness, and so favourable to virtue, as this of immortality: and, in ancient times, the intercourse between nations was not so open as to permit the universal circulation of this opinion, if it had been artificial. To which, I may add, that mankind have never yet adopted any opinion universally, merely upon the authority of either politicians or philosophers. This opinion, therefore, must have arisen from a natural suggestion of the human understanding, or from a divine revelation communicated to our first parents, and by them transmitted to their posterity.

In either case, this opinion will be allowed to be of the most respectable authority; and it is highly absurd and dangerous to reject it, or call it in question. Another argument is founded upon the unequal distribution of good and evil in the present life. This will be considered by and by.



SECTION III.

463. **WHAT** may be reasonably conjectured concerning a future state? First, from the wisdom and goodness of God, we may reasonably infer, that it will be governed, like the present, by established laws. What those may be, it is not for us to determine; but we may rest assured, that they will be wise and good. Secondly, from the different circumstances wherein we shall then be placed, and from the different beings with whom we shall then probably have intercourse, it may be inferred, that in a future state we shall be endowed with many new faculties, or, at least, that many faculties, now hidden and unknown, will then exert themselves. In our progress from infancy to mature age, our powers are continually improving, and new ones often appear and are exerted. We may therefore expect, that the

same progression will be continued hereafter. It is true, we cannot now form any idea of faculties different from those of which we have experience: but this argues nothing against the present conjecture. A man born blind has no notion of seeing, nor has an ignorant man any idea of those operations of the human mind whereby we calculate eclipses, and ascertain the periods of the planets: yet it would be absurd, in those who want these powers, to deny their reality or possibility.

464. Thirdly, as the future state will be a state of happiness to the good, we may reasonably conjecture, that it will be a state of society: for we cannot suppose it possible, for such creatures as we are, to be happy in perfect solitude. And if we shall then have any remembrance of present things, which is highly probable, there is reason to hope, and good men have, in all ages, rejoiced in the hope, that the virtuous will then know and converse with those friends, with whom they have been intimately connected in this world. This, we cannot but think, will be an addition to their happiness. But painful remembrances, of every kind, will, probably, be obliterated for ever.

465. Fourthly, the future state will be a state of retribution; that is, of reward to the good, and of punishment to the wicked. This is intimated

by many considerations; which prove, not only that a future state, if there be one, will be a state of retribution, but prove also, that there will be a future state. Vice deserves punishment, and virtue reward:* this is clear from the dictates of reason and conscience. In the present life, however, the wicked sometimes meet with less punishment than they deserve, while the virtuous are often distressed and disappointed. But, under the government of Him, who is infinitely good and just, who cannot be mistaken, and whose purposes it is impossible to frustrate, this will not finally be the case; and every man must, at last, receive according to his works.

466. Further: good men have a natural hope, and wicked men a natural fear, in consequence of what they expect in the life to come. Those hopes and fears result from the intimations of conscience, declaring the merits of virtue, and the demerits of vice: and, therefore, as it is impossible for us to believe, that the dictates of conscience, our supreme faculty, are delusive or irrational, we must believe, that there is future evil to be feared by the wicked, and future good to be expected by the righteous. Even in this

* In what respects virtue is meritorious, will be afterwards considered.

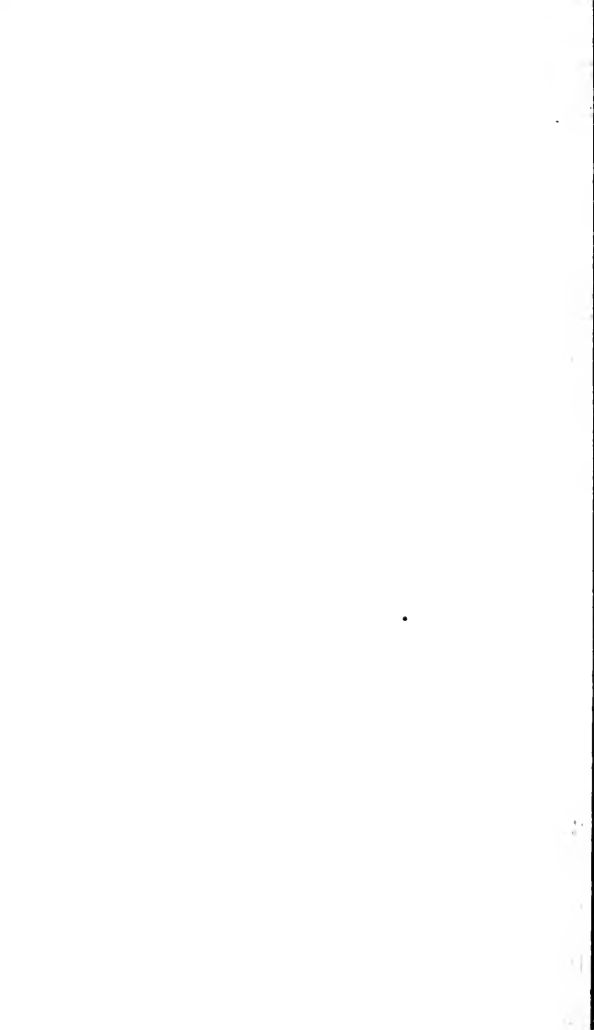
life there are signs of a retribution begun; whence we learn, that we are subject to the moral government of God, and that things have a tendency to retribution. Certain virtues, as temperance and industry, are frequently their own reward, and the opposite vices seldom fail to bring along with them their own punishment. Nay, sometimes, even here, the wicked are overtaken with judgments of so peculiar a kind, that we cannot help ascribing them to a just providence. But the retribution here begun is not perfect. Perfect, however, under the government of a just and almighty being, it must be in the end. And, therefore, there will be a future state of most righteous retribution.

467. Fifthly, in a future life, the virtuous will make continual improvements in virtue and knowledge, and, consequently, in happiness. This may be inferred, from the progressive nature of the human mind, to which, length of time, properly employed, never fails to bring an increase of knowledge and virtue even in this world; and, from the nature of the future state itself, in which we cannot suppose, that any cross accidents will ever interfere to prevent virtue from attaining happiness, its natural consequence and reward.

468. Lastly, in the future state, virtue shall prevail over vice, and happiness over misery. This must be the final result of things, under the government of a Being who is infinitely good, powerful, and wise. Even in this life, virtue tends to confer power as well as happiness: many nations of vicious men might be subdued by one nation of good men. There is hardly an instance on record of a people losing their liberty while they retained their virtue; but many are the instances of mighty nations falling, when their virtue was lost, an easy prey to the enemy. In this life, the natural tendency of virtue to confer superiority is obstructed in various ways. Here, all virtue is imperfect; the wicked, it is to be feared, are the most numerous; the virtuous cannot always know one another; and, though they could, many accidents may prevent their union. But these causes extend not their influence beyond the grave; and, therefore, in a future state, happiness and virtue must triumph, and vice and misery be borne down.

469. This is a very brief account indeed, of the arguments that human reason, unaided by revelation, could furnish, for the immortality of the soul. All taken together amount to such a high probability, as can hardly be resisted by any

rational being. Yet we must acknowledge, that, unassisted reason makes this matter only in a very high degree probable. It is the gospel, which makes it certain; and which, therefore, may with truth be said to have **BROUGHT LIFE AND IMMORTALITY TO LIGHT.**



ELEMENTS
OF
MORAL SCIENCE.
PART III.



MORAL PHILOSOPHY.



PART THIRD.

MORAL PHILOSOPHY.

INTRODUCTION.

470. **MORAL** philosophy treats of the cultivation of our active or moral powers. It has been defined, the science which explains our duty, and the reasons of it; and, more briefly by Dr. More, *Ars bene beateque vivendi*. As it would be neither easy nor expedient to keep the several divisions of the abstract philosophy entirely separate, I have not scrupled, in the former part of this summary, to anticipate some things which properly belong to this part, and which it is unnecessary to repeat. By the omission of these here, the extent of the science now before us will be contracted, as well as by this other consideration, that, as the most perfect system of duty is contained in holy writ, no person, who has had a christian education, can be ignorant of morality. The chief points of it, and the more important speculations connected with them, I shall briefly

illustrate, and endeavour to arrange in a scientific form: and this is all, perhaps, that can reasonably be expected, considering the shortness of the time, and the great number of subjects that fall within my province.

471. The word moral signifies, *of, or belonging to, manners*. Manners are human actions, or, rather, human habits acquired by action. But all human actions and habits are not of that sort which we call moral. Manual dexterity, bodily activity, and the exertions of memory and genius, are not, in themselves, either moral or immoral; for it is not from circumstances of this kind that we form an estimate of the human character, as dignified by the performance of duty, or debased by the neglect of it. An ingenious mechanick, a strong and active man, a person of lively fancy, or tenacious memory, may be the object of our esteem, disapprobation, or contempt, according as he applies his talents to a good, a bad, or an insignificant purpose. But moral goodness implies a regard to duty, and is always the object of esteem and approbation.

472. The common use of language requires, that a distinction be made between *morals* and *manners*: the former depend upon internal dispositions, the latter on outward and visible accomplishments. A man's manners may be pleasing,

whose morals are bad: such a man shows what is good in him, and conceals what is evil. They who in their manners are agreeable, and who also exert themselves in doing good, that is, in promoting happiness, are of good morals as well as of good manners. And to do good, or, at least, to wish to do good, and be ready to do it when opportunity offers, is in every person's power, and every person's duty: whereas, to have manual dexterity, a sound state of mind and body, great genius, great memory, or elegant manners, is not every man's duty, because not in every man's power. Those actions and habits, therefore, are properly called moral, or immoral, which are in the power of the agent, and which he knows to have an influence, favourable or unfavourable, on human happiness.

473. Some duties are incumbent on all men without exception, because tending to promote good in general. Other duties are incumbent on us in consequence of our connection with particular societies; because they tend to promote the good of those societies. To enumerate all the forms of society with which we may be connected, is impossible: but there are two, which may be considered as the most important, and with which every one of us either is, or may be connected; and those are, a family, and a state or govern-

ment. Hence moral philosophy may be divided into three parts. The first, which I call ethicks, treats of the morality of actions, as arising from the disposition of the agent, and as tending to promote good in general. The second, called economicks, regulates human conduct, so as to make it promote the good of that family of which one may be a member. The third, which may, without impropriety, be termed politicks, explains the nature of political or civil society, and the duties and rights of men with respect to it. A more minute, as well as more comprehensive distribution of this science might be given: but, considering the limits within which our academical rules oblige me to confine myself, this may, perhaps, be thought sufficient.

MORAL PHILOSOPHY.

PART FIRST.

OF ETHICKS.

474. **H**ERE we are to consider human actions as good or bad, according to the motives, principles, intentions, or dispositions, from which they proceed; and, according as they tend to promote good in general, or the contrary. In prosecuting this subject, I shall inquire, first, into the nature and foundation of man's moral goodness, that is, of human virtue; and, secondly, into the nature and foundation of particular virtues, or duties. The former may be called *speculative ethicks*, and the latter *practical ethicks*. Observe here, that the words *virtue* and *duty* have often, but not always, the same signification. He is a man of virtue who does his duty; he is a vicious man who neglects it: and modesty, humility, piety, benevolence, may be called either virtues, or duties. But, when called *virtues*, we consider them as *performed*, or *acquired*; when called *duties*, we consider them as what *it is incumbent on*

us to perform, or acquire. Accordingly, we call a good man, not *a man of duty*, but a man of virtue; because we mean a person who has actually done what he ought to do, or who has acquired those habits, or dispositions, which he ought to acquire: but a regard to duty, and a regard to virtue, are phrases nearly synonymous.

CHAPTER I.

Of the Nature of Virtue.

475. **THIS** word, in its most general acceptation, denotes *power*, or *ability*. As applied to man, and characterised by the epithet *moral* (to distinguish it from other sorts of virtue, which will be specified afterwards), it signifies some quality, disposition, or habit, which fits a man for answering his *end*, that is, for living as he ought to live, and being what he ought to be; or, more explicitly, for living as the author of his nature intended that he should live, and being what the author of his nature intended that he should be. But, can human reason discover what the author of nature intended in making men such beings as they are? Yes: reason can discover this, in the same way in which it discovers (and with the same degree of certainty), that an artist, in making a clock such a thing as we see it is, intended that it should measure time, and announce the hour. For what end was man made, is, therefore, the first inquiry in ethicks. Till we know this, we cannot know what is suitable to

his end, or what is unsuitable; that is, we cannot know what is his virtue, or what is not his virtue.

476. Human nature is a very complex object, and, confessedly, in a state of lamentable degeneracy. But neither from its degeneracy, nor from its complexness, can any reasonable supposition arise of the impossibility of discovering its end. From many appearances in a ruinous building, it might be easy to see the intention of the builder; whether he meant it for a church, or a storehouse, a dwelling for men, or a shelter for cattle. And a person moderately skilled in mechanicks might find out the use of a very complex machine, even though every part of it were new to him; which, it cannot be pretended, that any part of human nature is to us. And when, from the structure and relations of the parts, the end of any system is fairly investigated, the complex nature of that system proves nothing against the certainty of the investigation, but is an argument for it.

477. Man was made for two ends, or purposes, action and knowledge. This will be readily admitted by every person who has observed, that all the powers of our nature fit us (as was formerly intimated) for action, for knowledge, or for both. That of these two ends action is the nobler, and that, by consequence, action is man's chief end, will appear, when we consider, that our happiness

depends rather on what we do, than on what we know; that extensive knowledge falls to the share of but few, whereas action is the business of all men; and that knowledge is valuable only as it serves to promote or assist action; those speculations being of no value, which can be applied to no practical purpose. Now we are capable of various sorts of action. The next inquiry, therefore, is, for what sort of action was man made?

478. We discover the end for which a system is made, by examining its fabrick, or constitution. In this way one might find out for what end a clock or watch was made, though one had never seen or heard of such a thing before. But the mere knowledge of the parts, taken and examined separately, would not be enough; the wheels and pegs lying in a heap, or detached from one another, would, to a person unskilled in the art, convey no idea of a clock or watch, or of the use of either: they must be put together according to the intention of the maker, and examined in their connected state, and as operating on one another: and that circumstance, in the structure, must be particularly attended to, that they are all subservient to, and regulated by, the balance, or the pendulum. Human nature, though not a machine, is a most curious system, more so than any other that this sublunary world can exhibit, and consists

of many parts, or faculties, mutually operating upon, or influencing one another; one of which, in common language called conscience, has a natural supremacy over all the rest; as I shall endeavour to prove, when I have first given a brief account of this faculty. (§ 162).

479. Every man must be conscious, that he approves of some actions, because they seem to him to be good, and right, and what ought to be done; and disapproves of other actions, because he thinks them bad, wrong, and what ought not to be done. Now it is this faculty of conscience, that gives rise to these sentiments of approbation and disapprobation, and so enables us to distinguish between virtue and vice, between moral good and moral evil, between what is our duty and what is contrary to duty. This faculty is peculiar to rational nature; brutes have nothing like it: the being who is destitute of it we cannot consider as rational. It is this faculty which makes man capable of virtue, and, consequently, of happiness; for, without virtue, rational beings cannot be happy. Some modern philosophers are willing to believe, that of every human faculty the inferiour animals participate, in some degree; and, because a dog loves and fears his master, infer, that brutes are not quite destitute of moral and religious notions. With equal reason it might

be inferred, because dogs bark at the moon, and wolves *behold*, or *howl* it, as Shakspeare says, (either reading will serve in this place), that they are also studious of astronomy.

480. Actions performed through compulsion, or against our will, conscience does not approve, even though they may tend to good; nor disapprove, though they may have an evil tendency: those only are approved as morally good, or disapproved as immoral, in the performance of which man is understood to be a free agent. Nor is it the action merely, that we either approve or disapprove. A man may kill another by accident, or may kill another by design; and, in both cases, the *action* may be the same; the firing of a musket may do either. But, in the former case, the manslayer may be entirely innocent; in the latter, he may be guilty of murder: for, in the latter, there may be a criminal purpose; in the former, there is, or may be, none. Our affections, therefore, dispositions, motives, purposes, or intentions, are the real objects of moral approbation or disapprobation.

481. The actions we consider as the signs and proofs of what was in the mind of the agent: for man cannot see the heart; and we call an action immoral, or virtuous, according as it seems to us to manifest a criminal, or a virtuous intention. In

our intentions themselves, though not exerted in action, there may be virtue, or there may be vice. He who intends to murder, is really, and in the sight of God, who knows the heart, a murderer: and he who does all the good he can, and wishes he were able to do more, is virtuous in proportion to the extent of his wishes, however small his ability may be.

482. In this notion of moral approbation, suggested to every man by his conscience, several notions, or sentiments, are comprehended, similar, indeed, in their nature, but which may be verbally distinguished. A generous, or good action, delights us when we think of it; and we say, that it is fit, right, and what ought to be done, and that he who has done it deserves reward or praise. A wicked action gives us pain when we think of it; and we say, that it is improper, wrong, and what ought not to be done, and that he who has done it deserves punishment or blame. These notions are universal among mankind. We are conscious of them in some degree, and frequently in a great degree, when the good or evil is done by others: we are conscious of them in a very great, and often in a most intense degree, when it is done by ourselves. A man's moral judgment, applied to the consideration of his own conduct, is, in common language, called his con-

science; when applied to the consideration of moral good or evil in general, it may be called the moral faculty; and has sometimes, both by modern and by ancient philosophers, been termed the moral sense. Disputes have been raised about the propriety of these appellations; but, if the thing be understood, the name is of small importance.

483. That this faculty is implanted in us as a rule of conduct, and has a natural right to regulate the whole human system, will appear from the following considerations. To counteract our bodily appetites; to abstain from food when we are hungry, from drink when thirsty, from any other similar indulgence when appetite stimulates, may be not only innocent, but laudable: but to counteract conscience, to neglect to do what the moral faculty declares to be incumbent, is always blamable. He had a craving for food, but would not eat, is a phrase which implies no censure; nay, a man might do so from a regard to health, in which case it would be praiseworthy: but, his conscience urged him to abstain, but he would not, intimates criminal behaviour; and no man is ever blamed for acting according to conscience, or praised for acting in opposition to it. Cases might be mentioned, in which every other sort of selfdenial would be right; but to resist ordi-

regard conscience, is, in all possible cases, wrong. Such is the opinion of mankind, especially of all wise and good men. The opinion, therefore, must be rational. Consequently, the principle of conscience is naturally superiour to our bodily appetites, and ought to regulate and control them.

484. Secondly, to prefer deformity to beauty, discord to harmony, bad imitations to good ones, Cowley to Milton, broad Scotch to the English of Addison, is only an instance of bad taste, which might be innocent, or indifferent; and the person who should do so might be a worthy man upon the whole: but to prefer an action which our own conscience condemns to another which it approves; to prefer fraud to honesty, malice to benevolence, blasphemy to devotion, impudence to modesty, is a proof of a bad heart, which every man of sense and virtue must condemn as worthy of blame, and even of punishment. Are not, then, the dictates of conscience more sacred, and of higher authority, than the principles of taste?

485. Thirdly, to act upon the supposition, that the three angles of a triangle are less than two right angles, or that the history of Julius Cesar is a fable, or that the sun and starry heavens revolve round the earth, would be absurd, and a proof of ignorance; but might, possibly, be innocent: and a lawgiver would act foolishly who

should prohibit, on pain of fine and imprisonment, the holding of such opinions. But to act upon a supposition, that what conscience dictates ought not to be done; that ingratitude and perjury are duties; or that piety to God, and benevolence to man, are not incumbent, can never be innocent in any rational being. I do not say, however, that false opinions in matters of mere science are always innocent; I only say, that they *may be* so, and *often* are. But to act contrary to conscience, or to disregard its dictates, is always a proof of a wicked heart, and always blamable.

486. Fourthly, to gratify hunger and thirst, to prefer elegance to deformity, to act conformably to mathematical, historical, and physical truth, is right; but we do not suppose, that a man deserves reward or praise for having done so. But when we do that which the moral faculty commands, and abstain from what it forbids, we are conscious, and all mankind acknowledge, that we deserve reward, or praise at least, which is a species of reward. He is a man of taste, an acute mathematician, an intelligent historian, skilled in astronomy, and rational in his political notions: all this is very well. A man, however, may be all this, who is impious, unjust, and intemperate; and who, of course, merits nothing from society, and can entertain no reasonable hope of happiness.

in the life to come. But he who acts in a conformity to moral truth, and obeys the dictates of his conscience, is entitled to the approbation and esteem of his fellow creatures, and may, through the divine goodness, entertain the hope of future reward; though he be skilled very imperfectly, or not at all, in human sciences. Does not this prove, that there is inherent in the dictates of conscience a peculiar sanctity and supremacy, that distinguish them from the other suggestions of rational nature?

487. Fifthly, conscience often obtrudes itself upon us against our will, and in the midst of outward prosperity makes the sinner miserable, in spite of all his endeavours to suppress it: and it is never so keen in its reproaches as when a wicked person comes to die, and has nothing further to fear from man. To paint the horrors of a guilty conscience, some ancient poets have typified it by the image of a fury, brandishing a scourge made of serpents, and thundering condemnation in the ear of the criminal. A gnawing worm, that never dies, is a scriptural emblem of similar import. The images are strong, but not hyperbolic: for of all the torments incident to human nature, that of a guilty and awakened conscience is the most dreadful. Bad men have sometimes felt it so insupportable, as to make life a burden (see § 356);

and good men will defy death, and torture, and distress of every kind, rather than do that which their conscience declares to be unlawful. Surely there must be something very peculiar in that faculty, which has so powerful an influence on the felicity of man, and can triumph so easily, and so effectually, over sublunary things. So high is the authority of conscience, in declaring the merit of virtue, and demerit of vice, that considerate men, not finding that the one obtains a suitable reward, or the other an adequate punishment, in this world, have been led, even by the light of nature, to look forward to a future life of more perfect retribution.

488. Conscience, therefore, is our supreme faculty. We see that every other power of our nature ought to submit to it; and that it may be stronger than even our love of life, or horror of infamy. And when this is the case, all men acknowledge that it is no stronger than it ought to be, and has a natural right to be: whereas, if any other passion, principle, or propensity, were to gain such influence, or assume such authority, disorder would prevail in the mental system, and neglect of duty would discompose the procedure of human affairs. Even to the love of learning (for I speak not of criminal or debasing pursuits), if we were to sacrifice every other con-

cern, we should justly incur censure. But too conscientious we can never be; the best of us are not sufficiently so; and if all men were as much so as they ought to be, nothing would be wanting to make society happy.

489. Conscience being proved to be the supreme regulating principle of human nature, it follows that *virtuous action* (see § 477) is the ultimate end for which man was made. For virtue is that which conscience approves; and what contradicts the supreme principle of any system, must be contrary to the end of that system. It is true, that in most men for a little, and in bad men for a long time, conscience may lose its power, when borne down by evil habit, or tumultuous passion: even as the strongest man, by being kept long in fetters, may lose the use of his limbs; and as the most lively genius, if doomed to slavery, may sink into inactivity and stupefaction. But though conscience may lose its power, it still retains its authority, that is, its right to govern. A good king may be dethroned by the rebellion of a wicked subject, and may, for a time, be unable to enforce his own laws; but he still retains that *right* to govern, which is secured to him by the constitution of his country. He, however, may die without being restored: but sooner or later, in the next world, if

not in this, conscience will resume its rights, and cover the guilty head with confusion.

490. We act, therefore, according to the end and law of our nature, when we act according to conscience. By doing so, we may, and, indeed, often must, control our inferior appetites; but then we promote the happiness and perfection of our *whole nature*. So a medicine may do good to the whole body, though it be offensive to the taste, or even to the stomach. By complying with an appetite in opposition to conscience, we may obtain a slight gratification; but then we introduce disorder and unhappiness into our nature, and make it more imperfect than it was before. So things may please the palate, and give momentary comfort to the stomach, which yet have poisonous qualities.

491. And now, we see in what respects a life of virtue may be said to be, what some ancient moralists called it, a life according to nature. The indulgence of any natural appetite may be called a natural indulgence; but, to act suitably to the dictates of the moral faculty, is according to the general tendency of our *whole nature*, because agreeable to the supreme principle of the human system. Some vices may be called natural; because there are in us passions that prompt to them, and a principle of corruption, or degener-

racy, that urges our compliance: but no vice can be said to be according to our whole nature; because nothing is so, but what conscience, our supreme regulating principle, approves. What pleases the palate may hurt health, and be therefore pernicious to the human constitution. That only can be called natural food, which preserves, or promotes the health of the whole body.

492. Yet, it has been said, that a life of virtue is a life of mortification and warfare. And nothing is more true; notwithstanding that, upon the whole, such a life must be the most happy. The nature of man is miserably corrupted. Criminal passions crave indulgence; and it requires great efforts to resist them: criminal habits must be overcome; and this is a work of long and difficult labour. Things, that by their agreeable qualities attract our notice, and engage our liking, often prove a snare; and it requires incessant watchfulness to keep aloof from them, or, when they fall in our way, to prevent their gaining on our affections. The best men fall into transgression, which, in a good man, is always followed by repentance; and repentance, though most salutary in its effects, is attended with great anguish of mind. How many dangers and disappointments must they encounter who engage in active life! Yet such a life is incomparably happier than

security with idleness. Even so, virtue may be a warfare; but it is, upon the whole, happy as well as honourable, and never fails to be crowned with victory and eternal peace. Vice is a warfare too; but it is neither honourable nor happy, and, necessarily, ends in shame and punishment.

493. We may further learn, from what has been said, how foolishly those men argue, who give way to all their passions without reserve, and excuse themselves by saying, that every passion is natural, and that they cannot be blamed for doing what nature prompts them to do. The fallacy of this plea must be very apparent to those, who, in their notions of man, can distinguish between the whole and a part. Partial indulgence may, no doubt, be obtained by gratifying criminal propensity; as a man may please his palate while he is swallowing poison: but every indulgence is unnatural, or, at least, improper, which disorders the moral system, by counteracting its supreme regulating principle. From the wheels of a clock, or watch, if you take off those restraints whereby the motion is made regular, the wheels must move irregularly. Such motion you may, if you please, call, natural; because it is natural for bodies to move according to the force that impels them: but such motion you cannot call right, or agreeable to the

purpose of the maker, because it is not governed by that principle which was intended to control and regulate the whole machine.

494. Few sentiments are more familiar to the human mind than this, that vice deserves punishment, and virtue reward. But, to prevent mistakes, it is necessary to add, that, in strict propriety of speech, our virtue is meritorious with respect to our fellow creatures only. Considered in his relation to the Supreme Being, man, when he has done his best, is an unprofitable servant. To enter into some particulars on this subject. Life is, by all men, accounted a great blessing; for, in the general intercourse of the world, few things are more valued than that which supports it. Now life is a blessing, which the Deity confers on his creatures gratuitously: we cannot say that our virtue gives us a title to it, or is an adequate return for it. Our reason, conscience, susceptibility of happiness, and capacity for virtue, are all the free gift of God: and who can imagine that there is merit in having received what has been given us? If we abuse his benefits, we deserve punishment; if we make a right use of them (which no man of sense will say that he does), we do nothing more than what is incumbent on us in consequence of our having

received them, and for which our enjoyment of them is more than an adequate recompense.

495. Besides, virtue, even in this life, obtains very considerable gratifications. It obtains peace of mind, and an approving conscience; blessings, more precious than life. It generally obtains the esteem of good men, and some degree of respect even from the worthless: the advantages whereof will be allowed to be great by those who consider, that good reputation, which alone can procure us the esteem of others, is, by every generous mind, accounted invaluable. Now, let it not be forgotten, that this peace of mind, esteem of good men, and respect from all men, are the result of laws established by our beneficent Creator, for the comfort of the virtuous in this world of trial. These are high privileges: for what other terrestrial consolations would a wise man exchange them?

496. It is to be observed further, that all human virtue is very imperfect; and that the best man on earth can scarce be said to pass a day, without violating the divine law in thought, word, or deed. There are hardly any human actions, how virtuous soever they may *seem*, and how meritorious soever with respect to our fellow creatures they may *be*, of which the agent, if a man of sense, will not readily acknowledge, that

they must, in the sight of the Creator, appear tainted with imperfection; and that we have always reason to pray, with humility and contrition, that God would pardon what is wrong, or wanting, even in our best performances. We all know, that criminal habits pervert the understanding, and debase the moral faculty; and that we have contracted many evil habits, which, with proper attention, we might have avoided, and are, of course, accountable for those debasements and perversities which are owing to our inattention, and for all the errors and follies thence resulting.

497. Now, since all human excellence is so defective; since even the best men are so great offenders; and since the advantages that virtue may enjoy, even in this life, are so important; what man is there who can say, that his virtue *intitles* him to receive any other rewards from that God whom he is continually offending; to whose goodness he is every moment under unspeakable obligations; and, compared with whose consummate purity, all human attainments are in the proportion of weakness to omnipotence, of finite to infinite, of time to eternity! From the placability of our judge, who knows our frailty, reason, unenlightened by revelation, might, perhaps, encourage the penitent to hope for pardon; but, to pardon a criminal, and to receive him into

favour, are different things: and what proportion is there between human virtue, debased as it is with vice and with error, and a state of never ending felicity in the life to come? Can we merit such a reward? we, whose goodness, if we have any, is, even in this world, rewarded beyond what it deserves!

498. These speculations might lead into a labyrinth of perplexity, if it were not for what revelation declares concerning the divine government. It declares, that man may expect, on the performance of certain conditions, not only pardon, but everlasting happiness; not on account of his own merit, which in the sight of God is nothing, but on account of the infinite merits of the Redeemer; who, descending from the height of glory, voluntarily underwent the punishment due to sin, and thus obtained those high privileges for as many as should comply with the terms announced by him to mankind. So much for the supremacy, and general nature, of the faculty of conscience.

499. It was hinted, and partly proved, that man's chief happiness results from virtue. A more explicit proof of this point may now be proper, and is as follows. If we could at once gratify all the propensities of our nature, that would be our highest possible happiness, and

what we might call our *summum bonum*, or chief good. But that cannot be; for our propensities are often inconsistent, so that if we comply with one, we must contradict another. He who is enslaved to sensuality, cannot at the same time enjoy the more sublime pleasures of science and virtue: and he who devotes himself to science, or adheres to virtue, must often act in opposition to his inferior appetites. The ambitious man cannot labour for the acquisition of power, and taste the sweets of indolence at the same time: and the miser, while he indulges himself in the contemplation of his wealth, must be a stranger to the pleasures of beneficence. The gratification of all our appetites at once, is therefore impossible. Consequently, some degree of self-denial must be practised by every man, whether good or bad, by the ruffian as well as the saint, the sensualist as well as the hermit: and man's greatest possible happiness must be, at least in the present state, not a complete gratification of all our propensities, but the most comprehensive gratification of which we are capable. Now some pleasures conduce more to happiness than others, and are therefore more important than those others. And if we sacrifice a less important to a more important one, we add to our sum of happiness; and we take away from that sum, when we sacrifice a

more important pleasure to one of less importance.

500. In forming a judgment of the comparative importance of gratifications, the following maxims may be safely admitted. First, some are of greater dignity than others, because more suitable to our rational nature, and tending more to improve it: the pleasures of the glutton, or the miser, are surely of less dignity than those which we derive from the discovery of truth, from the study of nature, or from the performance of a generous action. Pleasures, therefore, which have more dignity, are preferable to such as have less. And it will be readily allowed, in the second place, that a more intense pleasure is more valuable than one that is less intense; and that such as are not attended with pain are better than those that bring pain along with them. Thirdly, considering the manifold evils of life, it will hardly be doubted, that pleasures which alleviate distress are preferable to those that do not; and that those which give a relish to other pleasures are better than such as make others insipid. Fourthly, durable gratifications are preferable to such as are transient; and those that do not please on reflection, are of less value than those that do. Fifthly, some grow more insipid the more we are used to them, others continually improve

upon repetition; the last are undoubtedly preferable. And, lastly, those which may be had at all times, and in all places, must contribute more to happiness, than such as depend on circumstances, and are not in our own power.

501. If we be satisfied with the truth of these remarks on the comparative value of human gratifications, and we can hardly call them in question, if we allow experience to be a rational ground of knowledge, we must also be satisfied, that of man's chief good, or greatest possible happiness, the following is a just character. It must be something that gratifies the more dignified powers of his nature; yields intense pleasure, unmixed, and unaccompanied, with pain; alleviates the calamities of life; is consistent with, and gives a relish to, other pleasures; is in itself durable, and pleases on reflection; does not pall upon the sense, but grows more exquisite the more we are accustomed to it; is attainable by every man, because dependent on himself, and not on outward circumstances, and is accommodated to all times and places. Now, every gratification, whereof human nature is capable, may be comprehended under one or other of these three classes: the pleasures of outward sense; the pleasures of imagination and intellect, that is of taste and science; and the pleasures that result from the right exercise of our moral powers.

Let us see then in which of these classes we are likely to find our chief good, or greatest felicity.

502. First, That the pleasures of sense contribute not a little to our comfort, and that some of them are not momentary, is acknowledged. But they are confessedly, at least in the opinion of all the enlightened part of mankind, the lowest gratifications of our nature; for no man ever yet became respectable by attaching himself to them. They often bring disgust and even pain along with them; they please not upon reflection; and they tend to disqualify us for the nobler delights of science and virtue. They depend not on ourselves, but on other things and persons; they are attainable in certain circumstances only; and we lose all taste for them in adversity. To them therefore the character of man's chief good is not applicable.

503. Secondly, the pleasures of imagination and science have great dignity; the pursuit of them is honourable, though it may run to excess, and they are consistent both with moral and with sensual gratification, and in an eminent degree friendly to the former. They are not momentary; they please upon reflection; and they grow more exquisite by being frequent. But they do not alleviate the calamities of life: and so far are they from being accommodated to all times and places,

that by all the uninstructed, that is, by the greater part of the human race, they are absolutely unattainable. Consequently, the character of man's chief good does not belong to them.

504. Thirdly, the delights that arise from the right exercise of our moral powers, and from the approbation of conscience, are of all gratifications the most dignified: the more a man attaches himself to them, the more respectable he becomes, and it is not possible for him to carry such attachment to excess: with disgust, or with pain, they are never attended: they give a relish for other pleasures, by preserving the mind cheerful, and the body in health: they are not inconsistent with any innocent gratification, that is, they are consistent with all pleasures except those which bring pain and misery: they please intensely on reflection; are a perpetual source of comfort in adversity; become more exquisite the more we are accustomed to them; are within the reach of every man, high and low, learned and ignorant; are suited to all times and places: and, so long as we retain our rationality, it is not in the power of malice or of fortune to deprive us of them. To virtue, therefore, which is the right exercise of our moral powers, the character of man's chief good *does* belong; which will appear still more evident when we consider, that

the hope of future felicity is the chief consolation of the present life, and that the virtuous alone can reasonably entertain that hope. As, on the other hand, vice, in the most prosperous condition, is subject to the pangs of a guilty conscience, and to the dreadful anticipation of future punishment; which are sufficient to destroy all earthly happiness.

505. I am far from adopting, in its literal sense, that maxim of the poet, "Virtue alone is happiness below." For though I say, with the peripateticks, that virtue is the chief good, I do not say, with the stoicks, that it is the only good. That a virtuous man in health and prosperity may be happier than a man of equal virtue beset with adversity and disease, I see no reason to doubt; and if so, health and prosperity are good, and disease and adversity evil. Besides, if destitute of the hope of immortality, the mind of a good man (especially if he were a man of sensibility and penetration) would not be happy in this world, but would, on the contrary, be a prey to perplexity and anguish. Such a man would be perpetually shocked with the confusion which would then appear in the universe, and of which he could foresee no end. The world to him would seem to be governed by a being, whose power was indeed great, but whose justice and goodness

were not equally conspicuous. It is the belief of a future state of retribution that satisfies the rational mind of the infinite rectitude of the divine government; and it is this persuasion only, that can make the virtuous happy in the present life. And as we could not, without revelation, entertain a well grounded hope of future reward, it is only the virtue of the true christian that can obtain the happiness we now speak of.

506. Virtue being the chief good of individuals, it is hardly necessary to add, that it must be the chief good of society. For of individuals society is made up, and that is the happiest society in which there is most private happiness. We cannot conceive a community, or a nation, to be prosperous, if the people who compose it are miserable. Kingdoms in every age have been flourishing and happy no longer than they maintained their virtue.

507. And now it appears, that virtue is founded in our constitution, and agreeable to *our whole nature*, of which indeed it is the perfection; that it must therefore be conformable to the will of Him who is the author of our nature; and that it is the only means of making mankind truly happy. Vice, consequently, is contrary to *our whole nature*, and tends to debase and destroy; it is contrary to the will of God, and contrary to our

own interest. I conclude the chapter with the following *description*, every part of which will be found to have been enforced and illustrated by the foregoing reasonings. “Moral virtue is a
“disposition of the mind, voluntary and active,
“agreeable in itself, and praiseworthy, incum-
“bent on all men, and tending to improve our
“whole nature, and promote our happiness both
“here and hereafter.” So much for the general nature of virtue. I shall proceed to the practical part of ethicks, when I have made a few miscellaneous observations.

CHAPTER II.

The Subject continued. Miscellaneous Observations.

508. THE word *virtue*, like many other abstract terms, has great latitude of signification. Often it denotes power or agency; as when we speak of the virtues of a plant or mineral. Sometimes it means that which makes a thing good or agreeable: thus perspicuity, simplicity, correctness, and harmony, have been called the virtues of a good style. The Romans by the word *virtus* frequently signified valour and publick spirit, because they held these qualities in peculiar esteem. The same term is used to signify any quality, or perfection of qualities, which fits a thing for answering its end; and, in this sense, has been applied not only to the moral, but also to the intellectual, and even to the corporeal part of our constitution. Hence human virtues have been distinguished into *Corporeal*, as health, strength, swiftness, &c.; *Intellectual*, as genius, learning, wit, humour, eloquence, &c.; and, *Moral*, as temperance, justice, benevolence, piety, &c.

509. Every rational being must see, that these last are quite different from corporeal and intellectual abilities, and that the preceding reasonings and description are applicable to moral virtue alone. This is valuable for its own sake, and always tends to happiness; and every man may be, and ought to be, possessed of it. But intellectual and corporeal accomplishments, though they give pleasure, and may even raise admiration, are not valuable on their own account; nor valuable at all, unless they promote moral goodness. They are not the objects of choice, and therefore cannot be said to be incumbent on mankind. They may be employed in doing evil, in which case they make a man more odious than he would have been without them. For what should we think of him, who would employ his learning or eloquence in perverting the principles of others, or his bodily strength in destroying their lives.

510. It is true, we ought to do every thing in our power for the improvement of our nature in all its parts. But this is moral virtue, or is not moral virtue, according to the *intention* with which it is done. If we endeavour to improve ourselves, because we consider it as our duty, and that we may have it in our power to be useful, we act virtuously; if we do the same thing, in order

to qualify ourselves for doing harm to others, we act viciously. Besides, to have naturally a weak judgment, a bad memory, a narrow capacity, or a sickly constitution, makes one the object not of blame, but of pity; for these things are not in our power, and every man would be without them if he could: but to want honesty, benevolence, justice, or piety, is always criminal, and deserves blame and punishment.

511. Aristotle and the peripateticks, following perhaps the notions of Pythagoras, who wished to reduce every thing to number and proportion, gave it as a general character of virtue, that it consists in mediocrity, *μεσότης*, or a middle between two extremes; one of which is criminal from excess, and the other from deficiency. This doctrine may be of use in the conduct of life, and will be found to hold true in many respects. It seems to be warranted by common opinion: “the middle way is best,” is a proverb with us, as *medio tutissimus ibis* was with the Romans. But it does not hold universally, as Aristotle himself acknowledges. Love to God, and goodwill to man, cannot become vicious through excess; because they never can be excessive. The same author held, as was formerly observed, (§ 263) that virtue consists, not in transient acts, but in settled habits, or dispositions; whence the

word *ἔθος*, or habit, occurs in many of his definitions of the virtues. Some idea of his method of arranging this subject may be formed from the following brief remarks.

512. He considered all virtue as resolvable into the four cardinal virtues of Prudence, Justice, Temperance, and Fortitude. *Prudence* is a habit of mediocrity, enabling us to act reasonably in regard to those things that are good or evil; and it includes these three particulars. First, a habit of acting at all times *with consideration*; the vicious defect is rashness; the blamable excess is that mean spirited caution, which keeps a man inactive and irresolute. Secondly, prudence includes a habit of *judging rightly* of the true nature of those good or evil things that may prompt us to action: the defect is folly: for the excess we have no name. But folly, when unavoidable, as it sometimes may be even in the wisest men, cannot be accounted blamable, though we must allow it to be an imperfection. Nor can a habit of right judgment be carried to excess. Nay, right judgment, so far as it depends not on ourselves, but is the gift of nature, cannot be called a moral virtue. And Aristotle himself names it among the intellectual virtues.

513. Prudence includes, thirdly, a habit of *discovering the proper means* for attaining good ends.

Cunning is said to be the excess, and imprudence the defect. But imprudence, if owing to a weak judgment, is no vice at all; for we cannot help it: cunning, as it seeks to gain its ends by secret and unfair means, is rather an abuse, than an excess of prudence; and a habit of discovering the best means for accomplishing good purposes can never be carried to excess. Here observe, that, though the peripateticks and stoicks treated, in their systems of duty, of intellectual as well as moral virtues; because they considered both as necessary to form a perfect character, and thought it their duty to improve their whole nature, so as to make themselves useful and agreeable; yet they never thought of confounding, as a late writer endeavoured to do, moral virtues with intellectual. The distinction is expressed in the clearest terms, by Aristotle in the beginning of his ethicks, and by Cicero in his fifth book *de finibus bonorum et malorum*.

514. *Justice* is said to consist in the middle between doing and suffering injury; as in the case of a man selling a piece of goods for as much as it is worth, and no more; for, were he to take less, he would injure himself, and, were he to take more, he would injure the buyer. But to suffer injury by another's injustice is no fault, but a misfortune; and therefore, except in some particular

cases, justice is not the *medium* between two criminal extremes. Justice is twofold, namely, general or strict justice, which consists in observing the laws, and the aim of which is publick good; and particular justice or equity, which aims at the good of individuals, and is then observed, when one obtains no more good, and suffers no more evil, than is agreeable to humanity and common sense. Justice is also divided into distributive and commutative: the former respects reward and punishment; the latter regulates the ordinary dealings of men with one another.

515. Justice implies many virtues. It implies liberality, or mediocrity with respect to the use of wealth; the defect is avarice, the excess prodigality. It implies veracity, or adherence to truth; the one extreme is said to be dissimulation, when one conceals what is true; the other simulation, when one pretends what is false. But these two opposite extremes are not criminal in the same degree, at least in many cases. To conceal what we know to be true may sometimes be innocent, and sometimes even laudable; as in the case of our being bound by oath or promise to do so. Nor is simulation always criminal; to compose a sick person's mind, or pacify a madman, one may without blame say what one does not think. Justice further implies fidelity to promises, and to

the trust reposed in us: the defect is unfaithfulness: the excess has no name, nor needs any; for one cannot be too faithful. Justice implies also such a regard to the rights of our fellow creatures as prevents our doing them wrong. The defect is injury; the excess needs not a name, because it never happens.

516. *Fortitude* is a habit of mediocrity relating to fear and confidence. Its object is evil. It consists in being not insensible to evil, but superiour to it. Now there are evils which we ought to fear and guard against; namely, the evil of vice, and such other evils as it is in our power to prevent. Aristotle therefore rightly determines, that evils which depend on ourselves are not the objects of this virtue. Fortitude requires, that we should not be afraid without reason: the excess is foolhardiness; the defect is called panick, unreasonable and unaccountable fear being by some of the ancients ascribed to the influence of the god Pan. Fortitude, when its object is real danger, may be called intrepidity: the excess is also termed foolhardiness, the defect is cowardice. When its object is pain, fortitude is called patience; the extremes are said to be impatience on the one hand and insensibility on the other. But insensibility to pain is no vice at all; and therefore patience, though a virtue, is not the middle between

two extremes. Fortitude in regard to labour is activity; the excess restlessness, the defect laziness. Fortitude, when injury is its object, is forbearance; the one extreme is implacability, an odious and inhuman vice; the other may be called stupidity, which, though an imperfection, is not criminal, because it depends on constitution, and not on freewill. See more on this subject § 339, &c.

517. *Temperance* is a habit of mediocrity respecting those appetites which man has in common with the brutes; as eating, drinking, sleep, &c. and consists in having moderate desires, and being satisfied with moderate gratifications. The defect is intemperance; which those men are guilty of, who are either immoderate in the use of sensual pleasure, or uneasy in the want of it. Excessive temperance cannot be reckoned a fault, unless when it goes so far as to injure health, and when a man means to injure his health by it: a circumstance, which may have happened, but is not likely to be frequent.

518. The stoicks divided moral philosophy into two parts, the speculative and the practical. In the former they inquired into the general nature of good and evil: in the latter, they explained the several duties incumbent on mankind in the various conditions of life. The former is illustra-

ted by Cicero in his five books *de finibus bonorum et malorum*, concerning the boundaries of good and evil; the latter in his three books of moral duties, *de officiis*. In this last treatise he examines the five following questions; the first and second in the first book, the third and fourth in the second book, and the fifth in the third book: first, what is virtue, *honestum*? Secondly, of two given virtues which is the greater, or more important? Thirdly, what is utility? Fourthly, of two given utilities which is the greater? Fifthly, can virtue and utility ever be inconsistent? in other words, can it ever be a man's interest to violate or neglect his duty? This last question, though he does not discuss it with so much precision as could be wished, he very properly determines in the negative.

519. Virtue, *honestum*, belongs, not to things inanimate, or to brutes, but to man. It must therefore be founded in those parts of the human constitution which are peculiar to man, and distinguish him from inferiour beings. Accordingly, Cicero, having finished his introduction, begins his inquiry into the nature of virtue, by drawing a comparison between man and irrational animals. He observes, that all animals have some qualities in common, as a desire of selfpreservation, of avoiding pain, of gratifying hunger and thirst and

other natural appetites, and a certain degree of attachment to their young. But man, he says, differs from other animals in these four respects.

520. First, man is rational, desirous and capable of knowledge, and a lover of truth; whence arises, according to our author, the virtue of prudence. Secondly, man is a social and political being; who wishes, not only to live in society, and convey his thoughts to others by means of speech, but also, that the society in which he lives should be moulded into a certain form, and governed by political institutions or laws. Hence arises social virtue, which is the second of the great virtues, and which the author subdivides into justice and beneficence. Thirdly, man loves liberty, and naturally aspires after excellence and preeminence; yet is conscious of legal authority, and willing to submit to it: on this peculiarity in man's nature Cicero founds the third great virtue of magnanimity or fortitude. Lastly, man has a sense, which brutes have not, of elegance, order, and propriety, not only in things external and visible, but also in the thoughts and emotions of the mind. And hence, we are told, arises temperance or modesty, the fourth of the great virtues. Into these four, prudence, social virtue, fortitude, and temperance, the whole of human virtue, may be resolved; according to the doctrine of the

stoicks, as explained by Cicero in his books *de officiis*.

521. It may be proper, before we proceed to practical ethicks, to offer a few brief observations on some points relating to the moral faculty, which have been made matter of controversy among philosophers. Some have maintained, that moral approbation is an agreeable feeling, and nothing more; and that moral disapprobation is merely a disagreeable feeling. The truth is, that moral approbation is both an agreeable feeling, and also a determination of judgment or reason; the former following the latter, as an effect follows the cause. For the conduct of others, or of ourselves, would not give us an agreeable *feeling*, if we did not first *judge* it to be right; nor any painful feeling, if we did not first judge it to be wrong. Feelings and determinations of judgment frequently accompany each other: and sometimes, as in the case just now mentioned, the judgment precedes the feeling, and gives rise to it; and sometimes the feeling precedes and gives rise to the judgment; as in the case of our judging, that external things, because they affect our senses in a certain way, (that is, raise in us certain feelings), do really exist, and are what they appear to be. In popular language feelings and judgments are too often confounded;

but they are not the same. Feelings distinguish what is animated from what is inanimate; judgments, what is rational from what is irrational. In other words, all animals feel, rational beings alone can judge. Previously to their acquiring the use of reason, human creatures are not considered, by either the moralist or the lawgiver, as moral beings: which could hardly be the case, if moral approbation and disapprobation were understood to be feelings merely, and not also exertions of rationality.

522. Sensations and sentiments should also be distinguished, though they too have been confounded by some modern writers. Opinion, notion, judgment, is the true English meaning of *sentiment*, which of course implies the use of reason. Of *moral sentiment*, therefore, we may speak with strict propriety; but *moral sensation* is not proper English: and yet, if the suggestions of the moral faculty were understood to be mere feelings, it would seem captious to object to it. In French the word *sentiment* has greater latitude of signification than in English; and this may have led some of our writers into a licentious use of that term. It may be added, that the same word has been, and often is, used in another peculiar sense, to denote an opinion or thought which greatly affects or interests us. This, too, is an innovation.

in our language, and seems to have given rise to various modes of expression, which, though we frequently see and hear them, it is not easy to explain. We have heard, not only of men and women of sentiment, (where perhaps the word may mean *taste* or *delicacy*), and of *sentimental* men and women, (which I know not whether I understand); but also of *sentimental tales*; and, what is yet more extraordinary, of *sentimental journeys*; which I think should be *advertised* in the same paragraph with *philosophical razors*.

523. Conscience, like every other human faculty, and suitably to the whole analogy of animal and even of vegetable nature, arrives at maturity by degrees, and may be either improved by cultivation, or perverted by mismanagement. In our early years, it is improved by moral precept and good example; and, as we advance in life, by habits of consideration, and a strict adherence to truth and our duty. By different treatment; by want of instruction, bad example, inconsiderate behaviour, neglect of duty, and disregard to truth, it may be perverted, and almost destroyed. From this, however, we are not warranted to infer, as some have done, that it is not a natural faculty, but an artificial way of thinking superinduced by education; nor suppose, that opposite habits, and opposite modes of teaching, would have made us

disapprove virtue and approve vice, with the same energy of thought, wherewith we now disapprove vice, and approve virtue.

524. For, let it be observed, that even our outward senses may be made better or worse, by good or bad management. Excessive light, or too long continuance in darkness, may hurt our eyes irrecoverably; and, from a companion who squints, it is neither difficult nor uncommon to learn a habit of squinting: fever may destroy taste and smell: even touch, or any other faculty, may be depraved by those disorders which we call *nervous*; and which, by injudicious conduct, in regard to food, study, or exercise, any man may bring upon himself. Those powers also, which I took the liberty to call (perhaps not very properly) *secondary senses* (see § 162), may, in like manner, be either *debased*;—a musical ear, for example, by continually hearing barbarous musick; and a taste for elegance and sublimity, by long acquaintance with vulgar manners, vulgar language, and bad company: or *improved*;—the former, by hearing and studying good musick; and the latter, by reading such books, and keeping such company, as may make good manners, good language, and elegant writing, familiar to us. Yet it cannot be denied, that the external senses are original faculties of our nature: it cannot be denied, that

there is in man, if in any degree enlightened, a capacity of distinguishing between beauty and deformity, meanness and dignity, grossness and delicacy, dissonance and harmony: nor can it be denied, that these distinctions have as real a foundation in nature, as any other that can be mentioned.

525. Even reason itself (which, if we have *any* original faculties, is surely one of them), is subject to the same law of habit, as the means of improvement or of debasement. How different is this faculty in its cultivated state, as it appeared in Newton, Clarke, Butler, (for example), or as it appears in any man of learning and good sense, from the unimproved understanding of a peasant, who can hardly follow the shortest train of reasoning; or from the still ruder intellect of a savage, who has never been accustomed to argumentation at all! What care is taken, by judicious parents and teachers, to improve both the moral and intellectual powers of children! Yet it will not be said, that reason is merely an artificial thing, a way of thinking superinduced by education; or that human beings could, by the most artful management, be taught to mistake the plainest truth for falsehood, or the most glaring falsehood for truth. Ignorant people believe many things which are not true; and may, no doubt, by

those who can infuse prejudice, or work upon the passions, be prevailed on to acquiesce in very gross absurdities: reason, in short, as well as sense and conscience, may be artificially, or may be accidentally, perverted to a certain degree; and, in some minds, even to a great degree. But a total perversion of these faculties, needs not be apprehended. The most ignorant man will never, if he is not an idiot, be induced to reject the evidence of sense, to disbelieve the existence of the material world, to think all human actions equally right or equally wrong; or, in general, to doubt the truth of what is selfevident, or of what, by a few words of argument suited to his capacity, has been in his hearing demonstrated to be true.

526. To prove that moral sentiments are merely the effect of education, some authors have taken pains to collect, from the history of both civilized and savage men, a detail of singular customs and institutions, which are accounted lawful in some countries, and criminal in others. Something of this kind was attempted by Locke, in the first book of his essay on human understanding. His examples, however, though they were all unexceptionable, could prove nothing more, than that conscience is liable to be, in some degree, influenced by habit; which nobody denies: but would be far from proving, that it is wholly

subject to that influence. But of those examples it might easily be shown, that some are so bare of circumstances, that they prove nothing; that some are quoted from writers of doubtful authority; and that some, when fairly stated, will be found to prove just the contrary of what they are brought to prove. Till the motives whence men act be known, one cannot, with certainty, determine whether they be actuated by a good or a bad principle: and to detect the motives of those savage men, of whose customs and language little or nothing is known except to themselves, would, in most cases, be difficult, in many, impossible; and require a degree of sagacity which few travellers possess, or are solicitous to attain.

527. Besides, it is a true as well as an old observation, that most travellers are fond of the marvellous; few of them having that candour, humanity, and philosophical acuteness, which so eminently distinguished that ornament of his country and profession, the incomparable James Cook. And I fear it is no less true, that, in an age so addicted to paradox as the present, too many of the *readers* of travels may be well enough pleased to see the licentious theories of modern Europe, countenanced by reports from the extremities of Asia. We should, therefore, as long at least as this mode of thinking remains in

fashion, be cautious of admitting with implicit faith the first accounts, that may be circulated among us, of the immoralities said to prevail in remote nations. Some particulars of this sort, which appeared in a late collection of late voyages, have already, if I am not misinformed, been declared on good authority to be unwarrantably exaggerated: but, even supposing the worst accounts to be true, we shall not find that they prove virtue an indeterminate thing; or the moral faculty a bias, either artificially, or accidentally, impressed upon the mind by education and habit.

528. We may with good reason suppose, that in savage life moral notions must be few, the sphere of human action and human intellect being there extremely limited. In childhood we see the same thing happen among ourselves, even where the mind has been, in some degree, expanded by education. But if savages have any moral notions at all, they are not destitute of a moral faculty. And if there be friendship among them, or natural affection, or compassion towards one another, there must also be mutual confidence, gratitude, goodwill, and some regard to equity; virtues which cannot be where moral principle is not. Nor can any thing favourable to the opposite side of the question be inferred

from their untowardly treatment of strangers, even of such as visit them with benevolent purposes; for it is very natural for them to mistake strangers for enemies; and it is melancholy to consider how often they have found them so. And if they be, as probably they all are, enslaved more or less to superstition, the immoralities and other absurdities thence resulting, need not raise wonder; for superstition ever was, and ever will be, productive of absurd and immoral behaviour.

529. Against the doctrine here maintained, of conscience being, as well as reason, a natural faculty implanted in man by his Creator, it is no argument, that, where the objects of duty are unknown, or where mistakes are entertained concerning their nature, man must be liable to misapprehend his duty with respect to those objects. The objects of duty are, the Deity, our fellow creatures, and ourselves. Give a rational being right notions of these, and his moral faculty will not permit him to be ignorant of the duty he owes them. Convince him, for example, that God is infinitely wise, powerful, good, and holy, the source of happiness, and the standard of perfection; and he cannot fail to *know* (whether his *practice* be conformable or not) that it is his duty to love, fear, and obey so great and glorious a

being. Teach him, on the contrary, that there are many gods, some capricious and foolish, others a little more intelligent, some as weak and wicked as men, not one of them free from imperfection, and not a few infamously profligate, and you will make him have the same absurd notions which the heathen vulgar formerly had, of the duties that men owe to those gods. Is this occasioned by a depravity of conscience, or by a total want of that faculty? Is it not owing to an understanding perverted by misrepresentation and ignorance?

530. Consider the following case, which, if not exactly, is nearly parallel. With the bodily eyes we cannot perceive what is situated beyond our sphere of vision; and through an impure, or unequal medium, we must see things discoloured, or distorted. This does not prove, either that we have no eyes, or that they are fallacious: nor does this prove, that it is education, or habit, which teaches men to see rightly, or to see wrong. For, without making any change on the visual organ, without subduing any evil habit or prejudice of education, and merely by purifying the medium, and bringing the objects within our sphere of vision, we see them at once in their natural colours and proportions. Similar mistakes, with respect to social virtue and the duties of self-government,

may be either infused into the mind, by false information concerning the nature and end of man, or removed and rectified, by counteracting false information, and enforcing true. Now, of the divine nature, of the end for which men are sent into this world, of their relation to God and their fellow men, and of the dispensations of providence with respect to their present and future state, the heathen world were very imperfectly informed; much more imperfectly indeed, than many of them might have been, if they had rightly improved the rational and moral faculties that had been given them. Need we wonder then at the imperfection of the best systems of pagan morality? Need we wonder that pagan nations, according as they make a better, or a worse use of their mental powers, are some of them more, and others less, enlightened with the knowledge of moral truth?

531. Nor is it any objection to the present doctrine, that all sorts of wickedness are perpetrated in civilized nations. This is a proof, that there the moral faculty has not so much power as it ought to have; but this does not prove, that there the moral faculty does not exist, or is entirely borne down by fashion and bad example. My argument requires me to speak here, not of the *performance*, but of the *acknowledgment*, of

duty: and nobody needs be informed, that men well instructed in all the duties of life, act, too often, contrary to the dictates of their conscience, and the known will of God. *Video meliora proboque, deteriora sequor*, is a confession which even the best men have frequent occasion to repeat. But while the faults of individuals are condemned by the general voice of a nation, or of the unprejudiced and considerate part of mankind, that general voice is prompted by the suggestions of a moral faculty, which, in spite of bad example, licentious opinion, and absurd education, has been able to retain both its authority, and its power. And the conscience of the criminal himself, however thoughtless or hardened he may be for a time, seldom fails, sooner or later, to bear such testimony against him, as he finds it misery to endure, and an impossibility to evade.

532. Were it necessary to bring further evidence, of conscience being not an artificial, but a natural, way of thinking, and that moral sentiments are among men as prevalent and permanent as rationality itself, I might remark, that philosophers (*real* philosophers I mean), however they may have differed in their speculative notions concerning the foundation of morality, have not often disputed concerning the merit and demerit of particular virtues and vices; that

in writings composed by the wisest men of remote antiquity, and under the influence of governments and manners very unlike ours, moral notions are exhibited and exemplified, similar to, and in many particulars the same with, our own; that in ancient poems and histories we seldom find those personages proposed as patterns for imitation whom *we* disapprove, or those actions condemned which *we* consider as meritorious; and that, though it might seem possible for us, after undergoing a certain course of discipline, to choose modes of life extremely different from those in which we have been educated, it seems not possible for us to reconcile our minds to such characters as Nero, Herod, Catiline, Muley Ishmaël, &c. I may add, that moral sentiments seem to be necessary to the very existence of society; that no association of human beings, in which, invariably, that should be believed to be virtue which we account vice, and that to be vice which we account virtue, could subsist for a single day, if men were to do what in that case they would think their duty; and that, by consequence, wherever human societies are established, we may warrantably conclude that moral distinctions are there acknowledged. I do not say, that any particular moral principle is innate, or that an infant brings it into the world

with him: this would be as absurd as to say, that an infant brings the multiplication table into the world with him. But I say, that the moral faculty which dictates moral principles, and the intellectual faculty which ascertains proportions of quantity and number, are original parts of man's nature; which, though they appear not at his birth, nor for some time after, even as the ear of corn is not seen till long after the blade has sprung up, fail not however, provided outward circumstances be favourable, to disclose themselves in due season.*

533. Much has been said, by writers on casuistry, concerning the merit or demerit of those actions which proceed from an erroneous conscience; that is, which are authorized by a conscience so perverted by education or habit, as in a particular case to approve what is wrong, or

* This, and the ten preceding paragraphs, contain the general principles of a treatise on the universality of moral sentiment, written in 1767. Some of the reasons which *then* hindered me from prosecuting the subject to its full extent, I have given elsewhere. Others, that have prevented the prosecution of it *since*, might be mentioned. But the detail of these it would be painful to write, and not pleasant to read: therefore I suppress them. See an essay on truth, page 137, quarto edition: and see the preface to dissertations moral and critical printed in London 1783.

disapprove what is right. On this subject volumes might be written, and a thousand difficulties supposed, which, probably, will never take place in fact: but the whole matter as far as it may be expressed in general terms, amounts to little more than this. It is man's duty, not to debase his reason by prejudice, nor his moral faculty by criminal practice; but to do every thing in his power to improve his nature, and particularly to obtain, in all matters that affect the conscience, the fullest information. If the person who has done this shall mistake his duty after all, the error is unavoidable, and he is not to blame. But if he has not taken due pains to obtain information, or to improve his moral nature, he has no right, at least in ordinary cases, to urge the plea of an erroneous conscience. In fact, men seldom do so: which is a proof that, when we do evil, our conscience seldom fails to inform us, that it is evil which we are doing.

534. It has been the opinion of some respectable writers, that no action or affection is morally good, unless it have a benevolent tendency. And it is true, that every virtue tends to publick as well as private good; and that whatever is done with a view to promote happiness, without doing injury, is well done, and a proof of goodness in the agent. It is also true, that every act of virtue, even the

most secret that we can perform, tends eventually to the good of others; either by diffusing happiness immediately, or by improving our nature, and consequently making us more useful and more agreeable members of the community. But there are in the world many men, whose minds, from natural weakness, or other unfavourable circumstances, have always remained in an uncultivated state; and who, therefore, must be very incompetent judges of publick good, as well as of the tendency of their actions to promote it. Yet, if such men are industrious and sober, honest in their dealings, and regardful of their duty, it would be very hard to refuse them the character of virtuous men.

535. Every moralist allows, that there are duties which a man owes to himself: in the deepest solitude we are not exempted from religious and moral obligation. For if a man were in the condition in which, according to the fable, Robinson Crusoe is said to have been, and confined for many years in a desert island, without having it in his power to do either good or harm to others of his species, he would, according to the measure of rationality that had been given him, be as really a moral being, and accountable to God and his conscience for his behaviour, as if he were in the most crowded society. In such a solitude, it would

be in his power to be in various ways virtuous or vicious. He might impiously repine at the dispensations of providence, or he might acquiesce in them with thankfulness and humility. He might lead a life of industry, or abandon himself to idleness and all other sensualities that were within his reach. He might envy the prosperity of others, and amuse himself with laying plans for their destruction; or pray for their happiness, and wish for opportunities of promoting it. In a word, benevolence is not the only virtue: but I admit, that there can be no virtue without it.

536. The stoicks, who were much given to wrangling, and in many things affected to differ from popular opinion, maintained, that all virtues are equally meritorious, and all vices equally blamable. As one truth (said they) cannot be more true than another, nor one falsehood more false than another, so neither can one vice or virtue be greater or less than another vice or virtue. As he who is a hundred miles from Rome is not more really out of Rome than he who is one mile from it, so he who has transgressed the bounds of innocence is equally a transgressor, whether he has gone a great way beyond them, or a little way. Some crimes, however, they allowed to deserve a heavier punishment than others; but that, they said, was owing, not to the comparative greatness

of one crime above another, but to this consideration, that one crime might be more complex than another. For example: he who murders a slave is as really a murderer as he who commits parricide: but the former is guilty of one injurious act, the other is guilty of many; the one has killed a man; the other has killed a man, has killed his parent, has killed his benefactor, has killed his teacher.*

537. Such a tenet may be useful to declaimers; as one may argue long, and plausibly, in behalf of it: but plausible declamation is of no weight, when counterbalanced by the general opinion of mankind, as warranted by conscience and reason. What would be thought of a lawgiver who should declare every violation of the law a capital crime; or who, because some transgressions are venial, should grant pardon to every transgressor? The best man on earth is every day guilty of sins of infirmity; but who will say, that all the sins of this sort, which a good man commits in the course of a long life, are equal in guilt to one single act of treachery or cruelty! Every vice is, indeed, blamable; and every virtue, which it is in our power to perform, we ought to perform: but it may be presumed, that the possible degrees of

* Cic. Paradox. See Hor. Sat. i. 3.

guilt, which one may incur even by single acts of transgression, are as many as the possible degrees of punishment; and that the possible degrees of virtue are as various as the possible degrees of reward. Though all men are sinners, yet some are highly respectable on account of their goodness: and there are crimes so atrocious, perjury for example, that one single perpetration makes a man infamous. The scripture expressly declares, that, in the day of judgment, it will be more tolerable for some criminals than for others; and not obscurely insinuates, that the future examination of the righteous will be in proportion to their virtue.

CHAPTER III.

Of the Nature and Foundation of Particular Virtues.

EVERY duty has an object; and the objects of duty are, the Deity, our fellow creatures, and ourselves. Into three classes, therefore, man's moral duties may be divided.



SECTION I.

Of Piety, or the Duties we owe to God.

538. **THE** first part of piety is, to form right notions of God, as the greatest, wisest, and best of beings. All men, who are capable of reflection, must be sensible, that this is a matter of infinite importance: for if our opinions concerning him are erroneous, our sentiments of the duty we owe him will be so too, and our whole moral nature must be perverted. Every considerate person, therefore, will be careful to obtain the fullest information possible with respect to the

divine existence and attributes. To be indifferent about this, which is beyond comparison the most important part of knowledge, is inexcusable; and the ignorance is criminal which proceeds from such indifference. And if ignorance of God was without excuse in some ancient heathen nations, as the scripture warrants us to believe, it must be highly criminal in us, who, both from reason and from revelation, have the best means of knowing what God is, and what he requires us to believe concerning him. How far the deplorable condition of many of the human race, with respect to false religion, barbarous life, and an exclusion hitherto unsurmountable from all the means of intellectual improvement, may extenuate, or whether it may not, by virtue of the great atonement, entirely cancel the imperfection of those to whom, in this world, God never was, or without a miracle could be, known, we need not inquire. It is enough for us to know, that for *our* ignorance we can plead no such apology; and that the righteous judge of all the earth will never impute to his creatures misfortune and misery, which they neither did bring upon themselves, nor could avert when brought; especially that greatest of all misfortunes, invincible ignorance of God and their duty.

539. The second part of piety is, to cherish

right affections suitable to those right notions of the divine nature. These affections are, veneration of his infinite and incomprehensible greatness: adoration of his wisdom and power; love of his goodness and mercy; resignation to his will; gratitude for his innumerable and inestimable benefits; a disposition to obey cheerfully all his laws; fear, in the apprehension of his displeasure; joy, in the hope of his approbation; and a desire to imitate him as far as we are able, and, with well meant, though weak endeavours, to second the purposes of his providence, by promoting the virtue and happiness of our fellow creatures. They who believe in the infinite goodness, greatness, wisdom, justice, and power of the Supreme Being, will acknowledge, that these glorious attributes do naturally call forth, and ought reasonably to call forth, the pious affections above mentioned; and that, not to cultivate those affections, or to encourage evil passions inconsistent with them, must be, in the highest degree, criminal and unnatural.

540. A third part of piety is worship; or the outward expression of these pious affections in suitable words and behaviour. Of this great duty, I observe, in the first place, that it is quite natural. Good affections, when strong, as all the pious affections ought to be, have a tendency to

express themselves externally: where this does not appear, there is reason to apprehend that the affections are weak, or wanting. If a man is grateful to his benefactor, he will tell him so; if no acknowledgments are made, and no outward signs of gratitude manifest themselves, he will be chargeable with ingratitude. When we admire the wisdom, and love the goodness of a fellow creature, we naturally show him respect, and wish to comply with his will, and recommend ourselves to his favour; and we speak of him, and to him, in terms of esteem and gratitude: and the greater his wisdom and goodness, the more we are inclined to do all this. Now, God's wisdom and goodness are infinite and perfect; and, if we venerate these attributes as we ought to do, it will be neither natural nor easy for us so to conceal that veneration, as to prevent its discovering itself externally. It is true, that the omniscient Being knows all our thoughts, whether we give them utterance or not: but, if expressing them from time to time in words is by him required of us as a duty; if it is beneficial to ourselves; and if, as an example, it has good effects on our fellow men; no argument can be necessary to prove the propriety of the practice.

541. Let it therefore be considered, that worship, properly conducted, tends greatly to our

improvement in every part of virtue. To indulge a pious emotion, to keep it in our mind, to meditate on its object, and with reverence and in due season to give it vocal expression, cannot fail to strengthen it: whereas, by restraining the outward expression, and thinking of the emotion, and its object, seldom and slightly, we make it weaker, and may, in time, destroy it. Besides, the more we contemplate the perfections of God, the more we must admire, love, and adore them, and the more sensible we must be of our own degeneracy, and of the need we have of pardon and assistance. And the wishes we express for that assistance and pardon, if they be frequent and sincere, will incline us to be attentive to our conduct, and solicitous to avoid what may offend him. These considerations alone would recommend external worship as a most excellent means of improving our moral nature. But christians know further, that this duty is expressly commanded; and that particular blessings are promised to the devout performance of it. In us, therefore, the neglect of it must be inexcusable, and highly criminal.

542. It being of so great importance, we ought not only to practise this duty ourselves, but also by precept and example, avoiding however all ostentation, to encourage others to do the same.

Hence one obligation to the duty of social and publick worship. But there are many others. One arises from the nature and influence of sympathy, by which, as formerly observed (§ 221), all our good affections may be strengthened. To join with others in devotion tends to make us devout, and should be done for that reason. Besides, publick worship, by exhibiting a number of persons engaged, notwithstanding their different conditions, in addressing the great Father of all, and imploring his mercy and protection, must have a powerful tendency to cherish in us social virtue, as well as piety. The inequalities of rank and fortune, which take place in society, render it highly expedient, and even necessary, that there should be such a memorial, to enforce upon the minds of men, that they are all originally equal, all placed in the same state of trial, all liable to the same wants and frailties, and all equally related, as his accountable creatures, to the supreme Governour of the universe. Hence let the mean learn contentment, and the great humility; and hence let all learn charity, meekness, and mutual forbearance.

543. By associating together men are much improved both in temper and understanding. Where they live separate, they are generally sullen and selfish, as well as ignorant: when they

meet frequently, they become acquainted with one another's characters and circumstances, and take an interest in them; acquire more extensive notions, and learn to correct their opinions, and get the better of their prejudices: they become, in short, more humane, more generous, and more intelligent. Were it not for that rest which is appointed on the first day of the week, and the solemn meetings which then take place for the purposes of social worship and religious instruction, the labours of the common people, that is of the greatest part of mankind, would be insupportable; most of them would live and die in utter ignorance, and those who are remote from neighbours would degenerate into barbarians. Bad as the world is, there is reason to think it would be a thousand times worse, if it were not for this institution; the wisdom and humanity of which can never be sufficiently admired; and which, if it were as strictly observed as it is positively commanded, would operate with singular efficacy in advancing publick prosperity, as well as private virtue.

544. It is our duty to be devout, not at certain times only, but at all times; that is, to be constantly sensible of our dependence on God, of the mercies we every moment receive from him, of the gratitude, obedience, and resignation due to

him, and of our being continually in his presence. These sentiments, habitually cherished in our minds, would very much promote our virtue and happiness; by keeping us at a distance from criminal pursuits, and giving an exquisite relish to every innocent pleasure. Let it not be supposed, that *words* are essential to devotion. Every day, indeed, they may be necessary to assist devotion, and render pious sentiments so definite and so comprehensive, as to impress upon us with energy the several parts of our duty. But pious emotion may rise in the mind, when there is no time for utterance; or when words, by savouring of ostentation or hypocrisy, might be very unseasonable.

545. The vices, I should rather say, the crimes opposite to piety, and destructive of it, are atheism, impiety, superstition, and enthusiasm. On the atrocious nature of the first, I made some remarks already (§ 407). It is either a disbelief of, or an attempt to make others disbelieve, the divine existence and attributes: the former may be called speculative atheism, the latter is practical atheism: both imply hardness of heart, and perversion of understanding; the latter implies also incurable vanity, and malignity in the extreme. It has been doubted, whether any rational being can be really an atheist; and I should be

inclined to think speculative atheism impossible, if I had not met with some, and heard of more, instances of practical atheism: which last, though both are very great, is undoubtedly the greater enormity of the two, and, perhaps, the greatest of which man's nature is capable.

546. Impiety consists in neglecting to cultivate pious affections; or in cherishing evil passions of an opposite tendency; or in being guilty of such practices, by word or deed, as may lessen our own or other men's reverence of the divine attributes, providence, or revelation. If we neglect the means of cultivating pious affection, it is a sign that in us piety is weak, or rather wanting; and that we are regardless of our own improvement, and insensible to the best interests of mankind. Want of pious affection is a proof of great depravity. When infinite goodness cannot awaken our love, nor almighty power command our reverence; when unerring wisdom cannot raise our admiration; when the most important favours, continually and gratuitously bestowed, cannot kindle our gratitude; how perverse, how unnatural must we be! In order to guard against these and the like impieties, we shall do well to meditate frequently on the divine perfections, and on our own demerit, dependence, and manifold infirmities. Thus, we may get the better of pride and selfconceit,

passions most unfriendly to piety; and form our minds to gratitude, humility, and devotion. But, instead of this, if we cherish bad passions of a contrary nature, or allow ourselves in impious practice; if, at any time, we think unworthily of our Creator; if we use his name in common discourse without reverence; if we invoke him to be the witness of what is false or frivolous; if we practise cursing and swearing, or any other mode of speech disrespectful to his adorable majesty; if by serious argument we attempt the subversion of religious principles; or if, by parody or ludicrous allusion, we endeavour to make scriptural phraseology the occasion of merriment. In any of these cases, we too plainly show, that our minds are familiarized, more or less, to impiety, and in great danger of utter depravation.

547. Superstition and enthusiasm, as they arise from the same cause, that is, from false opinions concerning Deity, are to be removed by the same means, namely, by correcting those false opinions, and establishing true. They differ in this, however, that the former is more apt to infect weak and timorous minds, and the latter, such as are proud and presumptuous; and therefore the cure will not be complete, unless there be infused into the distempered soul, animation and comfort in the one case, and humility and modesty in the

other. Superstition assumes different appearances, according to the diversity of those false opinions which men may entertain of invisible beings; and as the varieties of falsehood are innumerable, those of superstition must be so too.

548. To think that the world is governed by a being, or by beings, capable of deriving gratification from vengeance, and from making inferiour natures unhappy, produces one hideous form of superstition, wholly enslaved to cruelty and fear, which prompts the poor idolater, in order to pacify his demons, to the most absurd and unnatural mortifications, or even to the murder of human creatures, under the denomination of sacrifice. To suppose that God takes pleasure in particular doctrines, that contradict the clearest intimations of reason, produces a superstitious zeal in promoting such doctrines, with contempt, hatred, or perhaps persecution of those who refuse to say that they believe them. To imagine, that he admires or approves what some vain mortals term magnificence, produces another kind of superstition, that delights in pageantries, processions, and the like mummeries, which raise the wonder of children, and of men who think like children. To believe, that he governs the world, not by his own eternal rules of rectitude, but by caprice and humour, which are perpetually changing; and

admits other beings, and some of the most contemptible that can be conceived, to share with him in that government; makes men superstitious in regard to dreams, omens, witches, spectres, enchantments, and other ridiculous things, which can never have any influence on a mind thoroughly convinced, and seriously considering, that he rules all nature, and that without his permission nothing can happen. But it were endless to enumerate the varieties of superstition. The history of man affords too many examples. Let it be our care to fortify our minds by a steady belief in the one true God; and by cherishing that humble cheerfulness, perfectly consistent with pious fear, which arises from being resigned to his will, and satisfied that all his dispensations are wise and good.

549. Enthusiasm, when the word denotes, as it often does, elevation of mind, ardour of fancy, or keenness of attachment, may be not only innocent, but laudable: seldom has any great undertaking been accomplished without it. The enthusiasm here to be considered, as detrimental to piety, is a presumptuous conceit, which some weak, arrogant, and selfish people have entertained, of their being holier than others, and more the favourites of heaven. This turn of mind, which has also been called spiritual pride, is productive of many

hateful passions and perversities; of uncharitableness, contempt of virtue, and a spirit of persecution. No man is truly pious but he who is humble, distrustful of himself, anxious to do good to others, and willing to think of them as favourably as possible. We cannot be too much on our guard against vice, and can hardly blame it too severely in ourselves; but our abhorrence of it should never make us abhor our fellow creatures. We have no right to consider any of them as renounced by heaven. Though their wickedness be great, (and we are not always competent judges of its magnitude), it is our duty to believe that God, while he supports their lives, is willing to be reconciled to them; as he allows them the opportunity of repentance.

550. Many are the considerations that should move us to compassion and charity towards our unhappy brethren who fall into vice. How can we know, at least, in many cases, whether, in the moment of transgression, they enjoyed the full use of their rational faculties? or how judge of the strength of their passions, or the precise nature of the temptation? Perhaps they have not had the means of so good education as may have fallen to our lot, or of keeping so virtuous company as we have kept. How do we know, in short, whether, if we had been all along in their

circumstances, and they in ours, their conduct would not have been as good as ours, or even better, and ours as bad as theirs, or even worse? As to our own supposed attainments in moral goodness; the moment we are conscious of any degree of pride on account of them, we may be assured they are not genuine. The further a man advances in real virtue, the more he will feel and regret his own imperfection, and the more candid and charitable he will become in judging of other men.



SECTION II.

Of Social Virtue: or the Duties which Men owe to one another.

551. OF our passions, and other active principles, some prompt us to do harm to one another, and others to do good: social virtue consists in restraining and regulating the former, and cherishing the latter. Of the former sort is resentment, or sense of injury; a passion, innocent in itself, because natural; and useful, because it makes men stand in awe of one another; but apt to become criminal by excess, or by being otherwise perverted. Too keen a sense of injury, to be more offended than it is reasonable we should be,

is one abuse of resentment, and frequently arises from pride, in which case it is very blamable: when owing, as it sometimes is, to a peculiar irritability of nerves, the effect of bad health perhaps, or of misfortune, it is less faulty; but ought, however, to be guarded against, because it gives pain to others, and makes a man unhappy in himself. A worse abuse of resentment is revenge; which, as has been already shown, would, if generally practised, introduce endless confusion, without answering, at least, in civilized society, any one good purpose. Other abuses of resentment are, passionateness and peevishness, which also have been taken notice of, (see § 364). Among Bishop Butler's Sermons there is an excellent one upon resentment, to which, for further particulars, I refer the reader.

552. Opposite to all abuses of resentment are, goodnature, an amiable virtue; and forgiveness, a virtue not amiable merely, but sublime, and godlike. He who is possessed of these virtues will find, that they contribute, in a very high degree, to his peace, interest, and honour, even in this world: without them, in the next, no happiness is to be expected; our religion having most emphatically declared, that unless we forgive others we cannot be forgiven. Few tempers are less respectable, than the unforgiving and

litigious; who easily take offence, and would prosecute every injury to the utmost; or who are gratified by giving others that trouble, for which they think the law will not punish them. A modern poet* has the following sentiment, and is applauded for it by a modern sophister. "Virtue, for mere goodnature is a fool, is sense and spirit with humanity." It might have been said, with equal propriety and precision, "Virtue, is Greek and Latin with humanity." Sense and spirit, Latin and Greek, may no doubt serve as auxiliaries to virtue, but they may also promote the purposes of vice; and are, therefore, neither moral virtues, nor parts of moral virtue. And if goodnature be folly, what shall we say of illnature? Is it wisdom? Or what shall we say of good men (for they are all goodnatured)? Are they fools? It would be difficult to mention a case, in which a man's character, on our being told that he is goodnatured, would be lowered in our esteem. The contrary never fails to happen, except, perhaps, among bullies, and other barbarians.

553. That principle, which restrains malevolent passions, by disposing us to render to every one his own, is called justice: a principle of great extent, and which may not improperly be said to

* Armstrong.

form a part of every virtue; as in every vice there is something of injustice towards God, our fellow men, or ourselves. As far as our fellow men are concerned, the great rule of justice is, "whatsoever ye would that men should do unto you, do you even so to them:" a precept, which, in this its complete form, we owe to the gospel; and which, for its clearness and reasonableness, for being easily remembered, and, on all occasions, easily applied to practice, can never be too much admired. Veracity, adherence to promises, discharge of trust, and all the duties comprehended in fidelity, or faithfulness, are parts of justice, and are to be regulated by this divine rule.

554. Of the second class of social duties, which consist in the indulgence of those affections that incline us to do good to others, the first is, to cherish benevolence, charity, or love, to all mankind without exception. We are all by nature brethren, placed in the same, or in similar, circumstances, subject to the same wants and infirmities, endowed with the same faculties, and equally dependent on the great Author of our being; we cannot be happy but in the society of one another; and from one another we daily receive, or may receive, important services. These considerations recommend the great duty of universal benevolence, which is not more

beneficial to others than to ourselves; for it makes us happy in our own minds, and amiable in the eyes of all who know us; it even promotes bodily health, and it prepares the soul for every virtuous impression: while malevolent passions debase the understanding, harden the heart, and make a man disagreeable to others, and a torment to himself. A second duty of this class is compassion, or that sympathy which prompts us to relieve the distresses of one another: and a third is gratitude, which makes us anxious to requite the favours we may have received. Of these I have formerly spoken. Good men are entitled to peculiar love and esteem. He who does good to one person, from a benevolent principle, lays an obligation on the whole species; for he shows that he has the interest of mankind at heart, and he sets a good example. Our love of good men, therefore, partakes of the nature of gratitude: to be destitute of it is a proof of such depravity, as even profligates would be ashamed of.

555. Patriotism, or love of our country, has, in all ages, under free governments at least, been accounted a sublime virtue. It is natural, and extensively useful; for, as Cicero well observes, all those charities, all those affections of goodwill, which we bear to relations, friends and benefac-

tors, are comprehended in it.* It elevates the mind, and promotes generosity, fortitude, benevolence, and a sense of honour. Even by the ties of gratitude we are bound to defend, as far as we are able, the government that has protected us and our fathers. The best proof that people in private station can give of love to their country, is, to promote peace, and set an example of piety, industry, and moderation. A vicious, selfish, or turbulent man has nothing of this love, however violent his pretensions may be.

556. It becomes us to have a particular regard for those who are connected with us by kindred, by friendship, by neighbourhood, or as members of the same society. This is natural; for we are apt to contract attachments to those whom we see often, or with whom we have intercourse: and it is beneficial; as it promotes the good of small societies, whereof the great community of mankind is made up. But neither this, nor even the love of our country itself, should ever interfere with the still greater duty of universal benevolence. A stranger, nay an enemy, is entitled to our good offices: "If thine enemy be hungry, feed him; if thirsty, give him drink." It is our duty to defend our country, and maintain its laws and liberties; even as it is incumbent on

* De Officiis, i. 17

each individual to take care of himself, of those who depend on him, and of those whom he has it in his power to protect from injury: but neither individuals, nor nations, have any right to raise themselves, by injuriously pulling others down.

557. The last of these duties to be mentioned at present (for some of them have come in our way formerly, and others will hereafter), is the natural affection of parents and children; which in a greater or less degree prevails through the whole of animated nature, with some exceptions in those irrational tribes, where it is not necessary to the preservation of the young. I express myself improperly, when I mention this as a duty, and at the same time speak of irrational animals as possessed of it: it is a duty in those only who have a sense of duty, that is, who are endowed with a moral faculty. Natural affection is in brutes an instinct merely; a very amiable one, it must be acknowledged to be, but nothing more: in rational animals it is both an instinct and a duty; and, when exerted in action, a virtue. Human infants are far more helpless, and much longer so, than any other young animals, and require much more education; for they must be trained up, not only for animal life, and taught how to support themselves in the world (all which the brutes

know by instinct), but also for a right performance of the many duties incumbent on them as rational and immortal beings. In the human species, therefore, natural affection is, and ought to be, peculiarly strong, and to continue through the whole of life. In other animals, it lasts while the young are unable to provide for themselves, and, for the most part, no longer.

558. Unless when exerted in unfavourable circumstances, or in a very exemplary manner, (and these peculiarities enhance the merit of any virtue), the performance of this duty is not considered as a proof of great moral goodness; the motives to it being almost irresistible. But, for the same reason, the neglect of it incurs the heaviest censure. An unnatural parent is a character that raises not only disapprobation, but horror; nor less odious is an undutiful child: indeed it is not easy to determine, which of the two is the more detestable. The former counteracts one of the best and most powerful instincts of animal nature, is at no pains to avert perdition from those whom he has been instrumental in bringing into the world, and manifests a total disregard to the good of society, which would soon become a chaos of misery, if parents were not attentive to the great duty of educating their children. The undutiful child hardens his heart

no less against the calls of natural affection; shows that he can hate his best friends, and be ungrateful for the most important favours; and is guilty of the most barbarous cruelty, in wounding the sensibility, and blasting the hopes of a parent, to whom, in the emphatick language of a poet who understood human nature, “ a serpent’s tooth is not so sharp as to have a thankless child.” To which I may take the liberty to add, that of the undutiful children whom it has been my misfortune to see, or hear of, not one ever came to good.



SECTION III.

Of the Duties which a Man owes to himself.

559. It is every man’s duty to avoid idleness, to follow some useful calling, and to take care of his life and health. All this we owe to society, as well as to ourselves: for selfpreservation is one of our most natural and most powerful principles; and without activity there can be no happiness; and without industry neither individuals nor society can prosper. Industry is always praiseworthy; common degrees of it, however, are not highly praised: it is generally considered as its

own reward, its natural effects being competency and convenience. The motives to it, therefore, are so powerful, and withal so obvious to every person of sense, that in complying with them there can be no extraordinary merit. Idleness being, in like manner, its own punishment, and generally accompanied with want, disease, and contempt, is the object of pity, as well as disapprobation; and when these have the same object, the former mitigates the latter. We blame idleness, we despise the man who is enslaved to it, and keep at a distance from him; but for the most part, do not entertain towards him those emotions of indignation, which rise within us on hearing of cruel, ungrateful, or perfidious behaviour.

560. Uncommon industry, however, or extreme idleness, give greater energy to our moral sentiments. They who labour incessantly, and more than their own wants require, in improving useful arts, are entitled to general admiration and gratitude. To such persons statues have been erected, and other publick honours decreed; and, in the days of idolatry, even divine honours have been paid. Such industry comprehends many virtues; activity, rational selflove, superiority to sensual indulgence, benevolence, patriotism, and a desire to make the best use of the talents, and

other blessings, conferred by providence on mankind. The reverse of all this must be imputed to that man, who, deaf to every call of honour and friendship, of social love and natural affection, abandons himself to sloth; and can bear to see his dependents miserable, his friends in affliction, and himself infamous and useless, rather than disengage himself from that shameful habit. Such a man, though he should not be guilty of those enormities that draw down the vengeance of human law, must have in him so much evil, that it is impossible not to consider him as a criminal of the first magnitude. The compassion, which his wretchedness may extort from us, he does not deserve: for it will generally be found, that persons of this character derive from their idleness, and even from their infamy, every gratification they wish for; and that they rather glory in their vile-ness, than are ashamed of it.

561. This topick, so interesting to young people, I cannot dismiss without further illustration. So active a being is the human soul, that, in the opinion of many philosophers, it can never rest. Certain it is, that without employment it cannot escape misery; and that, if it employ not itself in good, it will in evil. To the welfare of both the soul and the body activity is essential. Man was made for labour; and they who do not take to it

from necessity, must either use it for recreation, in the way of hunting, riding, walking; or must pine in indolence, a prey to melancholy and disease. A sluggish body is always unhealthy; a lethargick mind is always unhappy. In the higher ranks of life, people who are neither engaged in business, nor anxious to improve their minds by study, are often put to hard shifts in their attempts to kill the time, and keep away troublesome thoughts. They have recourse to feasting, drinking, gaming; they employ themselves in receiving and retailing scandal, and the lies, which they call the news, of the day; or in a perpetual hurry of visits, that promote neither friendship nor rational discourse; or in running to shows, and other scenes of dissipation; and too frequently, it is to be feared, in pursuits still more criminal, in seducing their fellow creatures to infamy and ruin. I appeal to any man of sense, whether it would not have been better, both for their souls and bodies, in this world as well as in the next, if they had laboured all their days to earn a livelihood? and whether the condition of the honest plowman, or industrious mechanick, is not, in every respect, more happy, and more honourable; more free from danger and disappointment; and less exposed to the tyranny of unruly passion, and unsatisfied appetite?

562. Idleness, at any period of life, is dangerous to virtue; but, in youth, is more to be dreaded than at any other season: and, therefore, it is peculiarly incumbent on young persons to guard against it. For in youth the active powers are awake and restless, and will prompt to evil, if a sphere of operation is not prescribed them within the limits of innocence. In youth the passions are turbulent, and the love of pleasure strong; and as experience and knowledge are scanty, and foresight superficial, men want many of those monitors to caution and rectitude, which are the usual attendants of riper years. In youth the mind yields easily to every new impression, and to those in particular that promote intemperate emotions. In short, in youth men are headstrong, fickle, vain, selfsufficient, averse to consideration, intent on the present moment, regardless of the future, and forgetful of the past, and therefore more in danger from temptation, and from idleness. I mean not to write a satire on youth, or to say that from the above account there are no exceptions: I know there are many. But I need not hesitate to affirm, that idleness in youth is never followed by a respectable old age. Habits then contracted take deep root; and habits of inattention it is almost impossible to eradicate.

563. Another duty which a man owes both to

himself and to society, is temperance, (see § 517). Merely to be temperate requires no great effort; which makes intemperance (considering its consequences, whereof no person can be ignorant) the more inexcusable. Men, habitually intemperate, justly forfeit the esteem of their fellow citizens; because they disqualify themselves for every duty, and prepare themselves for the violation of every law: for, whether they become stupid by gluttony, or frantick with drunkenness, they show themselves equally insensible to the dignity of their nature, and to the calls of honour and duty. Savage and half civilized people are addicted to these vices; which, as men improve in arts and manners, become more and more unfashionable. This, however, is not equally the case in all civilized countries.

564. The Athenians loved wine and dancing; the Romans, in their better days, were temperate and sedate. Cicero says, in his oration for Murena, that no man dances who is not either drunk or mad: and it is remarkable, as the same author in another place observes, that of an entertainment the Greek name (*symposium*) denotes *drinking together*, and the Latin name (*convivium*) *living together*. In the Symposium of Plato, at which Socrates, and other distinguished characters, are said to be present, it is proposed to enter on some

philosophical inquiry, in order to avoid excess in drinking: and, before the end of the *comfotation*, Alcibiades comes in very noisy, and very drunk; and Aristophanes shows, by repeated hiccoughs, that he had both drank and eaten too much. In some Grecian states, however, the laws were severe against ebriety. Pittacus of Lesbos ordered, that every crime committed by a drunk man should incur two punishments; the one due to the crime, the other to the intoxication: which, though not according to the principles of strict morality, was, however, no bad political expedient. In France and Italy, and among the better sort of people in England, drunkenness is hardly known; and in Scotland we begin to improve in this respect, as in many others, by the example of our southern neighbours.

565. As habits of intoxication are not soon or easily acquired, being in most constitutions, especially in early years, accompanied with fits of fever and headach, young persons may easily guard against them. I have sometimes met with those who had made it a rule never to drink any thing stronger than water, who were respected on that very account; who enjoyed health and strength, and vigour of mind, and gaiety of heart, in an uncommon degree; and were so far from considering themselves as under any painful restraint, that

they assured me they had no more inclination to taste wine, or strong drink, than I could have to eat a nauseous medicine. If I could prevail on my young friends (for whose sake I scruple not to digress a little now and then) to imitate the example, I should do much good to their souls and bodies, their fortunes and intellects; and be happily instrumental in preventing a thousand vices and follies, as well as many of those infirmities which beset the old age of him who has given way to intemperance in youth.

566. Persons of delicate, or broken constitutions, may find it necessary to follow the apostle's advice to Timothy, and take a little wine for their stomach's sake: but how much happier and more independent would they have been, if they had never needed such a cordial!—which might possibly have been the case, if in youth they had been uniformly and rigorously temperate. The apostle seems to intimate, that liquors which may produce inebriation, are to be used as medicines only. Let this be kept continually in view; and then we shall make no account of those rants in praise of wine, which we find in Anacreon, and other drunken poets; who, that their own follies might be the less apparent, wished to make their readers as foolish as themselves. I shall only add, that habits of intoxication, as well as of idleness, are

at every age most pernicious; but, if contracted in youth, seldom fail to end in utter profligacy, or early death, or perhaps in both. Older sinners may have a reserve about them, and a caution, that shall perhaps in part prevent, at least for a time, some of the bad effects of their vices. But when the natural fire of youth is inflamed by habitual intemperance, when the imprudence of that period is heightened into frenzy, every principle of honour and modesty may be borne down, and the person become useless, odious, and miserable.

567. There is one wickedness, which may be referred to this class; and which, though it must raise the most lively compassion, or rather the most exquisite sorrow, in consideration of what the unhappy being must have suffered before committing it, and may suffer after, is yet the object, not only of disapprobation, but of horror; and that is suicide. When selfdestruction proceeds from insanity which one has not brought on one's self, it is no more a crime, than a man's throwing himself from a window in the delirium of a fever; but if it be the effect of intemperance, atheism, gaming, disappointment in any unjustifiable pursuit, or dissatisfaction with the dispensations of Providence, it is, of all enormities, the most unnatural and atrocious; being, with respect to God, an act of the most presumptuous impiety;

precluding, if the death be sudden, repentance, and consequently the hope of pardon; with respect to dependents and friends, most cruel and ungenerous; and, with respect to the perpetrator, cowardly in the extreme. *Rebus in adversis facile est contemnere vitam, Fortiter ille facit qui miser esse potest.* It is indeed so shocking to nature, that we can hardly conceive it possible for any person, in his perfect mind, to be guilty of it. And our laws are willing to suppose (for by the laws of most civilized nations it has been prohibited) that in almost all cases it is madness, and cannot take place, till man, by losing his reason, ceases to be an accountable being.

568. It is our duty to embrace every opportunity of improving our nature in all its parts, for in all its parts it is improvable; and every improvement tends to both private and publick good, which it is surely every man's business to promote. As far, therefore, as we are able, we ought to keep our *bodies* so decent in their appearance, as that they may give no offence; and, by means of temperance and exercise, so healthy, and so active, as that they may be in a condition to obey the mind, and to execute what reason declares to be expedient, and conscience to be incumbent. The faulty extremes to be avoided are, first, a finical attention to dress, complexion,

and attitude; and, secondly, such anxiety about health and the means of it, as may give unnecessary trouble to attendants, or associates. A manly spirit loves simplicity, and does not mind trifles; nor seeks to move superfluous pity by unseasonable wailing, or by ostentatious pretences of caution to assume the air of superiour sagacity.

569. The cultivation of our *intellectual powers* is a duty still more important. These, in proportion as they are improved, are ornamental to our nature, and qualify us for being serviceable to ourselves, our friends, the community, and mankind. Let us, therefore, be continually solicitous to acquire knowledge, strengthen our memory, rectify our judgment, and refine our taste; by reading good books and those only; by accurately observing what passes in the world around us; by studying the works of nature, and elegant performances in art; by meditating on the real nature of things, and the causes and consequences of human conduct, as they occur in history and common life; by avoiding frivolous pursuits, trifling discourse, and unprofitable theory; and by losing no opportunity of profiting by the conversation and example of wise and good men. To neglect the acquisition of wisdom, when the means of it are in our power, is always followed by a bitter, and generally unavailing, repentance.

This is at least the case, where the mind retains any moral sensibility: how it may fare with those whose faculties have become torpid with idleness or profligacy, we need not inquire.

570. A third duty of this class, still more important, and indeed the most important of all, is to use every means of improving our *moral nature*; that being the business for which we were sent into this world, and on which our happiness, through eternity, will depend. As means of moral improvement, we ought constantly to be, as has been often observed already, attentive to our conduct, not to our actions only, but also to our thoughts, passions, and purposes; to reflect upon them daily, with a fixed resolution to reform what has been amiss; and carefully to avoid temptation and bad company. Of bad company indeed, the fascinations, if we give way to them ever so little, are so powerful, and assault our frail nature from so many quarters at once, that it is hardly possible to escape their influence; our minds must be tainted by them, even though there should be no apparent impurity in our outward behaviour. For, from our proneness to imitation, we come to act, and even think like those with whom we live; especially if we have any affection for them: and bad men have often agreeable qualities, which may make us contract such a

liking to them, as shall incline us to be partial even to the exceptionable parts of their character. Then, the fear of giving offence, or of being ridiculed for singularity; the sophistries by which wicked men endeavour to vindicate their conduct; and the habit of seeing or hearing vice encouraged, or virtue disregarded; all conspire, by lessening our abhorrence of the one, and our reverence for the other, to seduce into criminal practice and licentious principle.

571. Merely because it is his duty, a good man will sometimes do good: he will relieve distress, when, perhaps, his compassion is not very strong; he may be regular in his religious performances when his devotion is not so fervent as it ought to be. Nothing, surely, is more laudable, than to do what we know to be our duty; but if we can, at the same time, call up the correspondent good affection, the devotion, for example, or the compassion, we shall, by so doing, both improve our moral nature, and give double force to the virtuous motive. Yet, let not a man be discouraged, if, on some occasions, the good affection is not so lively as he wishes it to be; let him do the good action notwithstanding, if conscience command it; for whatever is thus done is virtue: and frequent repetitions of the action, from this principle, will

in time produce, or strengthen, the good affection which he is anxious to cultivate.

572. In like manner, when we act in compliance with a good affection; when we relieve distress because pity impels us; requite a favour when prompted by gratitude; do good to another from a desire of seeing him happy; still let the performance be enforced by this consideration, that such is our duty. But even this is not all: to constitute true christian virtue, good affections, disposing to good actions, and accompanied too with a sense of duty, are not sufficient without the aid of another principle, and that is piety. The love of God ought continually to predominate in the mind, and give to every act of duty grace and animation. Christians do what is right, not only because good affections prompt them to it, and because their conscience declares it to be incumbent; but also because they consider it as agreeable to the will of God, to please whom is ever their supreme desire.

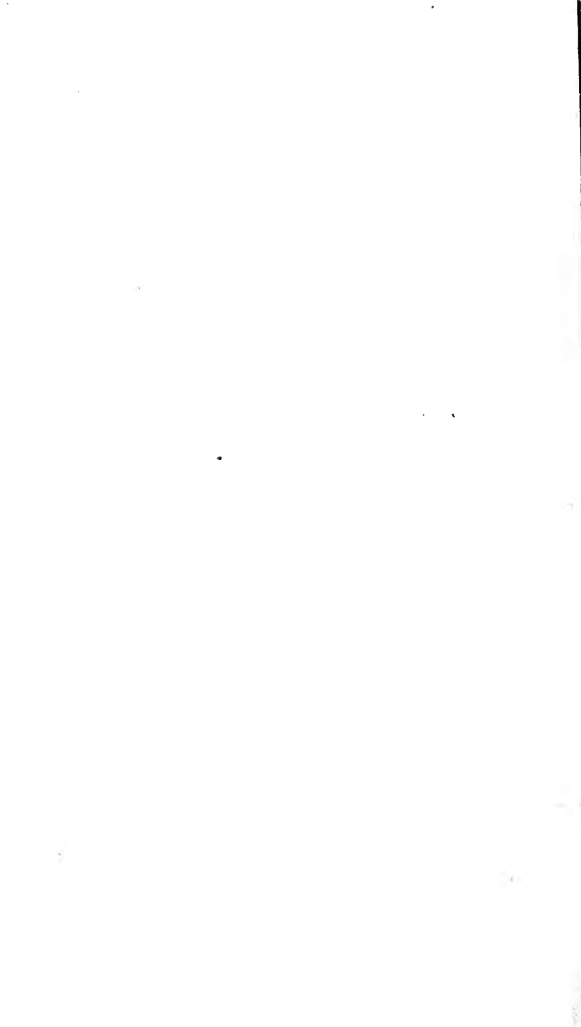
573. From every occurrence in life let us take occasion to practise some virtue, and cherish some good habit. Few occurrences are so uninteresting as to call forth no affection; most of them excite either a good or a bad one. Adversity may make us discontented, or it may teach humility and patience; affliction may dispose

either to pious resignation, or to impious repining; prosperity may inflame sensuality and pride, or may supply the means of exercising moderation, beneficence, and gratitude to the Giver of all good; injury may provoke hatred and revenge, or call forth the godlike virtues of forbearance and forgiveness; solitude may infuse laziness, or afford leisure for industry; and the bustle of busy life may form habits of cunning or candour, of selfishness or generosity. On these, and all other occasions, let us shun the criminal, and embrace the virtuous, affection. And let us study our own temper, and so anticipate the events of life, as to be always ready to turn in this manner every occurrence to good account, and make it subservient to the cultivation of our moral nature. To our moral improvement the regulation of the passions and imagination is most essential; but that subject was already before us. Here, therefore, we conclude ethicks, the first part of moral philosophy.

MORAL PHILOSOPHY.

PART II.

OF ECONOMICKS.



ELEMENTS
OF
MORAL SCIENCE.
=
MORAL PHILOSOPHY.
PART SECOND.
OF ECONOMICKS.

574. **WE** are now to consider human beings as members of a family, which is the foundation of all civil society, and comprehends the three relations of husband and wife, parent and child, master and servant. The duties belonging to these relations are so well, and so generally understood, that they need not be here specified; but connected with them are some controverted points, whereof I shall attempt a brief examination. Among the inferiour animals, the union of the sexes is temporary and casual; the passions that prompt to it being periodical, and the young soon able to provide for themselves. But human.

infants being, of all animals, the most helpless, stand most in need of education and parental care. For man, in his conduct, is guided, not by unerring instinct, as the brutes are, but by his own reason; which, if well cultivated, will lead him right, but if neglected or perverted, may lead him wrong.

575. Of all this, man, being by nature compassionate, as well as endowed with reason, reflection and foresight, can hardly fail to be sensible. It is therefore natural that he, even in savage life, should have a certain degree of attachment to his child, and its mother, and do what he can to assist and defend them. Hence it seems reasonable to suppose, that marriage, under one form or other, would take place, even where not many laws had been established with regard to it: and this is in fact the case. Exceptions may perhaps be found, among the worst sort of savages; but those are not considerable enough to affect the present argument. In civilized nations, the matrimonial union must appear a matter of very great importance; being, indeed, the ground work, not only of all decency and domestic virtue, but of all good government and regular society. Were we to hear of a nation in which there is no such thing as marriage, we should

pronounce that nation to be in a state of the grossest barbarity.

576. The principles of this union may be reduced to five: first, that tendency, which belongs to animal nature in general, towards the continuation of the species: secondly, that love or esteem, which arises from the view of good qualities in another: thirdly, benevolence or friendship proceeding from this love: fourthly, a natural affection to children: and, lastly, a regard to one's own happiness. As these principles are natural, and among mankind universal, and tend to produce this union, and actually have produced it in all ages, we must believe it to be the intention of Providence, that they should produce it: which will be still more evident to him who considers the peculiar and very different characters, whereby nature has discriminated the two sexes; and which, even in the amusements of male and female children, begin very early to distinguish themselves. The ends of this union are three. By means of it, Providence intended, first, that the human race should be continued, in a way not only consistent with, but conducive to, virtue, decency, and good government: secondly, to provide for the education of children: and, thirdly, to promote the happiness of the married persons.

577. It has been made a question, whether

polygamy be naturally unlawful. Among christians, it cannot be lawful; because our religion forbids it; but to the ancient Jews and patriarchs, it was not forbidden; and seems, in some cases, to have been permitted, as a punishment for their intemperance, in desiring it. That it is not according to the analogy of nature, may be proved, by this argument. The number of males that are born, is so nearly equal to that of females, (being as twenty to nineteen, according to some computations, or as fourteen to thirteen, according to others), that, if all men and women were married, there would not be more than one man to each woman, and one woman to each man. That more males should be born than females, is wisely ordered by Providence; men being exposed to many dangers, in war, for example, and at sea, from which the condition of the female is, in a great measure, exempted. By some travellers, who affect to apologize for the polygamy allowed by the law of Mahomet, it has been said,* that, in certain eastern nations, particularly in Arabia, the country of that impostor, there are three or four females born for one male. When this is clearly ascertained, (for as yet it seems to be doubtful), I shall admit, that, in those parts of the world, polygamy is not so inconvenient or so unnatural, as it undisputably would be in these.

578. It is inconsistent with that affection which married persons owe to each other. Where it prevails, the husband, whatever be the number of his wives, has commonly but one favourite wife; and the consequence is, that she is hated by all the rest, and he, on her account: in other respects, it is fatal to the peace of families. In Turkey, a husband must exercise over his household a sort of tyrannical authority; so that his wives are really his slaves; which destroys that friendship and mutual confidence, so essential to the happiness of the married state. To which we may add, that the natural affection between parents and children must be very much weakened by polygamy, and consequently, the right education of children neglected. And a number of children of the same father, by different living mothers, could hardly fail to become the rivals and enemies of one another.

579. That marriage may be a determinate object of law, it must, like every other express contract, be ratified by some form; the neglect of which is to be considered as illegal, but not as sufficient in all cases to nullify the marriage: much, however, in regard to this matter, will depend on human laws. That the matrimonial union should be for life, appears from the very nature of friendship, which men never enter into

with a view that it shall last only for a limited time. And the education of children requires, that the father and mother should be united for life. If this were not the case, marriages would be contracted with such precipitancy, as to preclude the hope of connubial happiness; and the profligacy of individuals would introduce endless confusion into human affairs, and entirely destroy the attachments of kindred, and all the amiable virtues thence arising.

580. Plato is whimsical on this subject, as on many others. He thinks, that parents should not be entrusted with the bringing up, or with the education of their children, which ought, in his opinion, to be provided for and conducted by the state; and that children should never know who their parents are, but consider themselves as the sons and daughters of the republick. For he supposes, first, that parents become avaricious in order to enrich their children: secondly, that persons united by the ties of blood are apt to conspire against the state, and promote rebellious insurrection: and, thirdly, that parents ruin their children by immoderate fondness. The arguments are as weak, as the scheme is unnatural; though it must be allowed, that there is a defect in the policy of a country, in which the law takes no

notice of the conduct of parents with respect to the education of their children.

581. There are not many instances of children ruined by parental fondness merely: a little knowledge of the world commonly wears off the bad effects of that fondness where it has been excessive. And if at their birth children were sent to a publick seminary, and there brought up, ignorant of their parents, it is not unlikely that some of them might be ruined by bad example, or by the indiscretion or indifference of nurses and teachers; for that all persons should act well, who act by publick authority, is not to be expected. Besides, family attachments encourage industry, which ought to be encouraged; but do not often incline parents to avarice, which is well known to be most prevalent in those who have no families; and conspiracies against the state are more remarkable for breeding dissension among relations, than for arising from their unanimity. But it is still more to the present purpose to remark, that the virtues one may acquire in domestick life; the love that one bears to parents, brethern, and kindred, and the many kind affections thence resulting, are among the most amiable qualities of our nature; and have a happy effect in producing a sense of honour, gentleness of manners, and tenderness of heart,

which greatly promote the improvement of the mind, and the happiness of society, and which, under a scheme like Plato's, could hardly exist.

582. From these reasonings may be deduced the following definition of marriage. It is a strict and intimate union, for life, founded on mutual esteem, of one man and one woman, in one family, for the purpose of having children, educating them, and promoting the happiness of one another. This union being the foundation of regular society, all persons are bound in conscience to pay great regard to it; to account its laws sacred; and to do nothing to lessen it in the opinion of the publick, or of individuals; remembering that it has been in the world from the beginning, and is of divine institution. But all persons are not obliged to enter into this estate. Want of prudence or of inclination, untowardly dispositions, immature age, and the indispensable duties annexed to certain employments that one may be engaged in, may make it in particular cases improper. These are called natural impediments. Others there are of a moral kind, which render it unlawful.

583. The first is, a prior contract. He who is married to two wives, both living, is by the laws of all christian countries punishable; and in some, particularly Sweden, is punished with death. He

who marries one woman, after having given another reason to believe that he would marry this other, is guilty of a crime, which, though the law should not reach it, ought to lie very heavy on his conscience. Too near a degree of consanguinity is another moral impediment. A line of kindred is either direct, or collateral. The direct line comprehends grandfathers, fathers, children, grandchildren, &c.; and in this line all marriages are accounted unnatural, and are accordingly forbidden by the laws of almost all nations. In the collateral line are brothers and sisters, and their descendants; among whom, by the laws of the Jews, the old Romans, and all protestant countries, all marriages are forbidden within the fourth degree, that is, between persons more nearly related than cousins-german.

584. The canon law, that is, the ecclesiastical law of the church of Rome, does also prohibit marriages within what is called the fourth degree: but their way of considering this matter is not the same with ours; for cousins-german, or even second cousins, of the Romish religion, cannot marry without a warrant from the pope. He indeed was wont to reserve to himself the privilege of determining what marriages are within the forbidden degrees, and what are not; and thus he has had it in his power, especially in

former times, to gratify those princes, who were tired of their wives, by declaring their marriage unlawful from the first, and consequently null; and to gratify others, by allowing them, for reasons of policy or interest, to form connections which among us could not be tolerated. It is not long since he granted a dispensation, whereby a queen of Portugal was married to her nephew.

585. It is not easy, nor perhaps possible, to ascertain on philosophical principles, that precise boundary, in the collateral line of kindred, beyond which marriages are lawful, and within which they are incestuous. Our own law is in this respect very reasonable. And it is better to rest this matter on positive laws, than to attempt to settle it by general reasoning. That men should not be allowed to marry very near relations, answers many excellent purposes, and this in particular, (for the rest I do not care to specify), that it extends the sphere of kindred and friendship, and so connects society more closely together.

586. The superiority of the husband to the wife is so generally acknowledged, that it must be owing to some good and permanent cause: and that it was so from the beginning, and so appointed of God, we believe on the authority of scripture. Considering the matter abstractly, we should say, that in the management of a family,

that person ought to be superiour, who has most prudence and virtue. But the exact degree of virtue and prudence it might be difficult to ascertain; and controversies on this subject between husband and wife would have disagreeable consequences. And therefore the superiority of one sex ought to be fixed by law as well as by custom. Supposing the two sexes equal in virtue and understanding, which, after making allowance for diversity of education, we should perhaps find to be the case, it is still right that the man should have the superiority. For his bodily strength, and his incapacity for some domestick duties, the nursing of children for example, not to mention other circumstances of a more delicate nature, make him better qualified, and leave him more at leisure, to guard the family from injury, and superintend all the members of it. However, the more the sexes approach to equality, the more will society be civilized. Savages are tyrannical to their women. In polite nations, it is otherwise; and the superiority vested by law in the men is compensated to the women, by that superiour complaisance which is paid them by every man who aspires to elegance of manners.

587. The duties of the married persons with respect to each other are so well known, that it is unnecessary to give a detail of them in this place.

They may all be reduced to those of mutual love, and mutual fidelity; the violation of which is in the wife and the husband equally immoral, though perhaps in a political view not equally ruinous. Parental authority is founded, first, in the need that children have of assistance and direction; secondly, in parental love, disposing fathers and mothers to assist and direct them; and, thirdly, in filial piety, disposing children to love, honour, and obey, their parents. In the father's absence, the mother's authority may be supposed to be equal to his, because it has the same foundation; but when he is present, his authority must be superiour, because all the family is subject to him. That mothers, when able, ought to nurse their offspring, is generally acknowledged, and might be proved from many considerations, both moral and physical. The mother is by nature supplied with the means of yielding her infant that sort of nourishment which is best for it; the infant by natural instinct craves this nourishment; and mothers are inclined, both by instinct and by reason, to give it, and find exquisite delight in doing so. To which we may add, that not to comply with nature in this particular, is often attended with dangerous, and sometimes, fatal consequences to both mother and child.

588. Parents owe their children the most ten-

der affection, which must neither degenerate into indiscreet fondness, nor be exercised with any partiality, except what may be due to superiour merit. They ought, as far as is in their power, to provide for their children the necessaries of life, and such of its ornaments as befit their condition; but are not obliged to endow them so liberally as to encourage vice or idleness. They are bound by every tie of love, honour, and duty, to give them such education, as may qualify them for acting their part aright in this world, and preparing themselves for the next: and, for this purpose, to employ all the proper means of instruction; moral and religious precept; prudent advice; good example; praise, in order to encourage; and reproof, and, if necessary, even correction, in order to reform. On education there are many books that deserve attentive perusal, but not many that ought to be implicitly followed: for too many writers on this subject seem more anxious to establish paradoxes, and fashion the young mind into a similarity to their own, than to give general precepts for training up good christians, and useful members of society. The topick being far too extensive for this place, I shall only make two or three remarks on it; in order that, by pointing out a few examples, not universally attended to, of improper management in the busi-

ness of education, I may engage my hearers to *think* on the subject, and to think for themselves.

589. The present plan of education, as it is commonly (I do not say universally) conducted, seems to proceed on a supposition, that piety and virtue are not indispensable parts of duty; for that the figure a man makes, and the gratifications he obtains, in this world, are of more value to him, than eternal happiness in the world to come. Accordingly, some pains are taken to cultivate his understanding, to adorn his outside, and to fit him for the common arts of life; but the improvement of his heart, and the regulation of his passions and principles, are, comparatively speaking, but little minded. Children are too often treated, rather as playthings, than as immortal beings, who have a difficult part to act here, and a strict account to render hereafter. A man indeed is not a moral agent, till he attain the use of reason. But before he can compare things together so as to draw inferences, he may contract habits of obstinacy or obedience, fretfulness or contentment, good or illnature, and even of right or wrong opinion, which shall adhere to him through life, and produce important consequences. Therefore, let no one think that moral discipline in the beginning of life, is of little moment: it can hardly begin too early.

590. Not few are the methods taken, even by parents who mean well, which would seem to teach children vice rather than virtue, and to create and cherish evil passions, instead of preventing them. They are taught to threaten, and even beat those by whom they think themselves injured, or to beat other persons or things in their stead; and thus learn to be peevish and revengeful: and thus too their notions of merit and demerit are confounded; for how is it possible for them to learn any thing good, from seeing a stranger threatened, a dog punished, or a footstool beaten, for a fault committed by themselves, or by the nurse! Their good behaviour is sometimes rewarded so absurdly, as to hurt their health, and teach them gluttony or sensuality at the same time. They are frequently taught to consider strangers, especially those who are old and ill-dressed, as frightful beings, by whom they are in danger of being taken away: and thus they learn cowardice, dislike to strangers, disrespect to old age, and an abhorrence of poverty and misfortune, as if these rendered a man the object, not of pity, but of detestation.

591. They are from time to time entertained with stories of ghosts and other terrible things, which, they are told, appear in the dark; and hence receive impressions of terror which they

find it difficult to get the better of, even when they come to be men. They are flattered, on account of their finery, and so become fond of a gaudy outside; a passion which, if they do not subdue it, will go near to make them ridiculous. When they begin to speak, they are encouraged to speak a great deal; and thus learn petulance, and want of respect to their superiours. They are sometimes threatened with dreadful punishments, and in the most boisterous language; and by this example of ferocity and passion are taught to be fierce and passionate. At other times they are, without sufficient reason, extravagantly caressed, which, while it enervates their minds, conveys a notion, that their parents act capriciously, and that they may do so too. The slightest foibles and greatest faults are often blamed with equal severity; and the most trifling accomplishment more warmly commended than a generous sentiment, or virtuous action. You may have heard them blamed more bitterly for making an awkward bow, than for telling a lie; and praised more for their dancing, than for alacrity in obeying their parents. Does not this absurd conduct tend to poison their principles, deprave their judgment, and even pervert their conscience?

592. What can excuse the parent, or teacher, who chastises a child for a natural weakness of

memory, or slowness of apprehension? Would it not be equally reasonable to punish him, because Providence has given him a puny frame of body, or sickly constitution? And what notions of rectitude is a child likely to form, from seeing cruelty where there ought to be lenity, and from being punished because he cannot do what is above his strength? Many more instances might be given of parents and teachers, who really mean no harm, inuring children to vicious habits, and teaching them to form licentious opinions, in matters which the world in general considers as of little moment. **But** very trivial matters call forth the passions of a child; and whatever does so is of serious importance, because it must give rise to virtuous or to criminal practice, and tend to form habits either good or evil.

593. Let children be taught, as far as their capacity will admit, to form right opinions; to consider clothes, for example, as intended more for use than for ornament; and food, as what is necessary to life and health, but must not be perverted to the purposes of sensuality. Let them be informed, that by nature all men are equal; a lesson which they will easily learn, as pride is one of those passions which they seldom or never acquire of themselves, (§ 305); and let them be made to understand, that a man is contemptible.

not because he is old, or ugly, or poor, but because he is of indecent behaviour. Let them be accustomed to reverence old age; and for their parents to entertain the most profound respect, without repining at their commands, or venturing on any pretence to dispute their opinion. This will make them affectionate and dutiful; for the more they respect a parent or teacher, the more they will love him; this will also teach them to be modest, obedient, and docile; and soon impress them with a sense of their being subject to moral discipline, and accountable for their conduct.

594. When vices are practised, or without disapprobation named, in the presence of children; when a parent or teacher punishes at one time a fault which he overlooks at another, or neglects to take cognizance of a transgression whereof the child knows that he cannot be ignorant, these are so many lessons of immorality, which cannot fail to corrupt a young mind. To correct a child when one is in a passion, gives him an example of two vices at once, rage and revenge; for all correction of this kind is likely to be, and to the sufferer will appear to be, excessive; and seem to have, and perhaps really has, something vindictive in it. To bodily punishment we are not to have recourse till all other means of reformation have been

attempted in vain; and let this last remedy be applied, if at all applied, with temper and solemnity, that the child may see we are driven to it against our will, from a regard to our duty and his good. Honour and shame are, as formerly observed, much more liberal motives; and experience proves, that they may for the most part, if not always, be more effectual. These indeed may be employed, with good success, through the whole of life, as a preservative from vice, and a curb to every inordinate passion.

595. Whether a publick school, or the privacy of domestick education, be preferable, has long been matter of controversy, and is not likely to be soon determined. Experience will not settle the point; for men of every character, and of all degrees of genius and literature, have been formed both by the one method and by the other. Supposing the teachers in both equally conscientious, and of equal ability, one might say, perhaps, that the former is the best scene of discipline for this world, and the latter for that which is to come. In the former there are, no doubt, superior opportunities of acquiring habits of activity, a free and manly behaviour, with knowledge of the world and of human nature, as well as of making valuable connections in the way of acquaintance and friendship. But in the latter may

be expected more modesty and innocence, stricter rectitude of principle, fewer temptations to irregularity, and less danger from bad company.

596. Perhaps, if the two methods were to be united; if they who frequent publick schools were also to be continually under the eye of an attentive parent or tutor (which, comparatively speaking, could happen but to few), the objection to those crowded seminaries might in part be obviated. But without such private inspection, great schools, especially in great towns, would seem to be extremely dangerous. Horace informs us (sat. i. 6), that he was educated in a way similar to what is here proposed; that his father, though by no means wealthy, brought him from his native village to Rome, and put him under the best masters; but did himself carefully inspect every part of his son's education and behaviour. What the poet has written on this subject merits particular attention, and does honour both to his father's worth and wisdom, and to his own gratitude and filial piety. A more amiable picture of a father and a son is hardly to be met with in pagan antiquity.

597. On the duties of children to their parents it is unnecessary to expatiate, they being in christian nations universally known. Next to that which is due to the Creator, children owe their

parents the highest love, reverence, and gratitude; for to a good parent, in all ordinary cases, his child is more obliged than to any other fellow creature. Children ought, as far as it is necessary and they are able, to support their parents, and to bear with their infirmities, do every thing in their power to make their lives comfortable, receive their advice with respectful attention, and obey all their lawful commands. It does not, however, appear, that in things so intimately connected with the happiness of life, as marriage, and the choice of an employment, parents have any right to force the inclinations of their children. Their best advice, in these and all other matters, parents are bound to give them: but in these their temporal welfare may be so deeply interested, that compulsion would be cruelty; nay, such compulsion, by irritating their passions, and unsettling their minds, might endanger their happiness in a future life, as well as destroy it in this. It is indeed true, that habits of long acquaintance will sometimes overcome dislike; but it is no less true, that some things and persons are so disagreeable, that we dislike them the more the longer we know them, and the more intimately we are connected with them. In the affair of marriage, the utmost a parent can claim is the validity of a negative; and in many cases

even that may be disputable. Nature intended mutual affection to be the principal motive to this union; and therefore, marriage contracted from a different motive, where that is wanting, such as ambition, the love of money, or even implicit obedience to parents, is unnatural, and of course uniaawful.

598. The relation of master and servant is founded on a contract or agreement, and is intended for the mutual benefit of the contracting parties. The peculiar duties belonging to it are settled either by the terms of the agreement, or by the common rules of equity, and the general practice of the country. The origin and reasonableness of this relation may be thus explained. Human creatures, though born equal in many respects, are, in respect of abilities and character, very unequal: and if, naturally, one man is enterprising, prudent, and active, and another irresolute, imprudent, and indolent, it will happen in process of time, supposing (what we call) fortune equally favourable to all, that one shall acquire much property without doing injury, and another little without suffering any. The former will of course have more things to mind than the latter, and will be supposed to hire persons to assist and serve him; and they who have little or no property will be willing to be hired for that purpose.

And if the master be kind, and the servant faithful, that is, if each do what he ought to do, they will both be happier in this connection than they could have been out of it.

599. Besides, to make society comfortable, there must be established in it a number of employments, which cannot all be equally honourable, or attended with equal advantage. The richer sort, having the means of a better education, are better qualified than the poorer for the higher offices; and the poor, conscious of their inability, will have no other ambition than to gain a competence in those walks of life to which they have been from infancy accustomed: and thus, all the necessary professions will be filled with persons properly qualified for them, and the business of social life will go on with regularity and expedition. Far be it from me to insinuate, that low fortune is always the effect of mean parts, or a high one of the contrary. I only say, that the natural varieties of human character would in time produce varieties of condition, in the ordinary course of things. But let it ever be remembered, that the affairs of this world are governed by Providence, who, for the wisest and most beneficent purposes, often brings down one, and sets up another, by such means as may to us appear inadequate and extraordinary. Hence, let

the great learn moderation, and the lowly content. All are equally the care of Providence; and in every station a contented mind is happy. See § 152.

600. One cannot live without the necessaries of life, but he who has them may live without a servant; so that a master is more necessary to a servant, than a servant is to a master. It is therefore reasonable that the servant should acknowledge the master's superiority, and, over and above the stipulated service, pay him a degree of attention, which the servant is not entitled to expect in return. The master, on the other hand, ought to consider the dependent condition of his humble associate, and treat him with that lenity which a generous mind naturally exercises towards those who have been unfortunate or unsuccessful. In short, it is incumbent on each to do the other what he could reasonably wish the other to do to him, if they were to exchange conditions. If they observe this rule, their relation will be a blessing to both.

601. A severer kind of service, called slavery, has, I am sorry to say it, prevailed in many nations, and in many does still prevail; but its forms are so various, that one cannot express its general nature in a definition. Of that species of it which it is my design to consider, the following particu-

lars will convey a pretty just idea. 1. In establishing this kind of service, the will of the master only is consulted, and no regard had to that of the slave. 2. No efforts of virtue or ability can ever change the slave's condition for the better, without the master's consent; which in all cases he may refuse, without assigning any reason. 3. The master may correct his slave as severely, and in other respects use him as cruelly, as he pleases, provided he do not deprive him of his limbs or life; and in many countries even these are not protected, except by some trivial punishment or fine, which, it is well known, neither is, nor can be, any effectual restraint on the passions of a tyrannical and wealthy master. 4. The slave labours for his master's benefit only; and, in some parts of the world, can acquire little or nothing for himself, but what his master, if he pleases, may, without being obnoxious to the law, contrive methods of taking from him. 5. The master buys a slave, and sells him, with as little concern as we do an ox or piece of household stuff. 6. The children of slaves are born and bred in slavery, and their children, and all their posterity, for ever, unless it be the master's pleasure to give them liberty; which he is seldom or never obliged to do, and which the laws of some countries will not, in certain cases, permit

him to do. 7. The life or death of slaves, in the eyes of the slavemonger, is of no more value than the money for which they might have been sold: of their health and welfare in this world he probably will, on his own account, take some care, but is not obliged to take much, and it is certain takes very little: their happiness or misery in the world to come, is a consideration in which he does not think himself interested at all.

602. After this account, which I believe is not exaggerated, it must be unnecessary to add, that slavery is inconsistent with the dearest and most essential rights of man's nature; that it is detrimental to virtue and industry; that it hardens the heart to those tender sympathies which form the most lovely part of the human character; that it involves the innocent in hopeless misery, in order to procure wealth and pleasure for the authors of that misery; that it seeks to degrade into brutes, beings whom the Lord of heaven and earth endowed with rational souls, and created for immortality; in short, that it is utterly repugnant to every principle of reason, religion, humanity, and conscience. In protesting against such a practice, it is not easy to preserve that lenity of language, and coolness of argument, which philosophy recommends: and one eminent author has not sought to preserve it, but explicitly declares,

that he who can seriously argue in vindication of slavery, deserves no other answer than the stab of a poniard. I am not, however, so bloody minded; and shall endeavour to justify what I have said by an appeal to the reason, rather than to the passions, of mankind.

603. To my shame and sorrow, and to the disgrace of human nature, I must confess that slavery is of ancient date; and that there are not many countries in the world, where, at one time or other, it has not prevailed. Among savages it probably took its rise, or among men half civilized, who condemned their captives to this condition; and might be afterwards adopted, in the way of retaliation, by more enlightened societies. We find in the Old Testament, and in Homer, that in early times it was customary to carry away into captivity, and sell for slaves, those who had been made prisoners of war. Those slaves, however, were not always barbarously treated in other respects, but, on the contrary, often became the favourites of their masters. Yet this was not universal. In Athens and Rome, in times somewhat later, slaves might lead lives that were not uncomfortable; but at Sparta they were treated with a degree of rigour that is hardly conceivable, although to them, as their husbandmen and artificers, their proud and idle masters were in-

debted for all the necessaries of life. The Lacedæmonian youth, trained up in the practice of deceiving and butchering those poor men, were from time to time let loose upon them, in order to show their proficiency in stratagem and massacre. And once, without any provocation, and merely for their own amusement, we are told that they murdered three thousand in one night, not only with the connivance of law, but by its avowed permission. Such, in promoting the happiness of one part of society, and the virtue of another, are the effects of slavery!

604. In arguing against slavery, it may perhaps be thought that I dispute without an opponent. But this is not the case. I have met with a native of Great Britain, a man of learning and some rank, who seriously maintained in my hearing, that the lower orders of people in this country ought still to be, as they once were, slaves, and to be annexed, as in some miserable parts of Europe, they still are, to the soil, and bought and sold along with it. Many men, who, both as philosophers and as politicians, were pleased to think themselves wonderfully wise, have laboured to prove the lawfulness and expediency of this practice; which every person, worthy of the honour of being born a Briton, holds in utter abomination. I shall briefly examine their pleas, with

regard, first, to slavery in general; and, secondly, to that of the African negroes in particular.

605. At the head of my opponents I must place Aristotle, who, in his first book of politics, argues thus. "That men of great bodily strength, and deficient in mental abilities, are by nature destined to serve, and those of better capacity to command; that the Greeks, and some of the adjoining nations, being superiour in genius, have a natural right to empire; and that the rest of mankind appear, from their innate stupidity, to be by nature intended for slavery and toil." Every body sees the absurdity of this reasoning, and that it is founded in national prejudice, and want of knowledge of mankind. The Greeks are not now a nation of either philosophers or heroes: in spite of the advantages they derive from climate and soil, and a happy temperament of bodily constitution, they are the ignorant and devoted slaves of Turkish tyranny; while other nations, our own in particular, which Aristotle, no doubt, believed (if he ever heard of it) that nature had consigned to everlasting obscurity and servitude, have, in respect of genius, industry, fortitude, and the love of freedom, become equal to the most accomplished of mankind. To infer, because a people is now barbarous, that it never can be civilized, is not more

wise, than to affirm, that an oak of ten inches long can never grow up into a tree, or that an infant can never become a man. But, whether ingenious or dull, learned or ignorant, clownish or polite, every innocent man, without exception, has as good a right to liberty as to life.

606. It has been said, that an institution so widely diffused as slavery, and so ancient, cannot be either unlawful or unnatural. This deserves no answer. Paganism and Mahometanism have long been, and still are, the religion of many nations; human sacrifices were once common in the north of Europe, and in many other parts of the earth; and there are Indian tribes, who, in the spirit of savage triumph, eat those enemies whom they take in battle. Does it follow that we may lawfully eat men, or offer them in sacrifice to idols; that Mahomet was a true prophet; or that Jupiter and his Olympian rabble were the makers and governours of the universe?

607. The Romans tolerated slavery; and their law gives three accounts of it, which, as historical facts, may be true; but, considered as arguments to justify the practice, are, every one of them, absurd. First, it is said, that prisoners of war may be enslaved rather than put to death. But the most that a conqueror can justly claim from his prisoners is a security that they will do him

no hurt, which may be obtained, and in civilized nations is daily obtained, without either putting them to death, or enslaving them. To kill, even in war, without necessity, is murder: to enslave can never be necessary, and therefore must always be unjust; for every generous mind considers slavery as worse than death; and so in fact it is. Death affects the person only who dies, and who must soon die at any rate; but slavery may extend its baleful influence to the innocent children of the enslaved person, and even to their descendants.

608. Where captives have been reserved for slavery, it is plain there could be no necessity for killing them; and if it was not necessary to kill them, it was not lawful; and a punishment, in itself unlawful, can never be lawfully exchanged for another punishment which is equally, or more than equally, severe. By the commission of crimes, a man may no doubt forfeit his liberty as well as life; which, however, is not slavery in the proper sense of the word, because such forfeiture of freedom descends not to children: but, where there is no guilt, no punishment, not even the smallest, can be lawful. Now, in fighting for his country, or in selfdefence, what crime does the soldier commit? So far from committing any crime, it is universally allowed that he does his

duty: and is a man to be punished as a felon, or is to be punished at all, for doing his duty; that is, for doing what he would deserve punishment for neglecting to do?

609. The civil law supposes, secondly, that a man may sell himself for a slave; but this, as Montesquieu observes, can hardly be; for a sale implies a price, which he who consigns himself to slavery cannot receive, because the slave's property is supposed to be in the master's power. But might not a man sell himself for a price to be applied immediately for the payment of his debts, or in order to purchase some great good to another; to save, for example, the life or the liberty of a parent? This is possible, no doubt, and in some countries may have happened; and this, in him who could make such a sacrifice, would be an act of great magnanimity. But what could excuse the buyer, or render a transaction lawful, by which so noble an exertion of human virtue would be subjected to a lasting and cruel punishment?

610. Thirdly, the civil law supposes that a man may sell his children. But all human beings who have never injured society have an equal right to liberty; so that parents can no more sell their children, than children can sell their parents. Suppose the father to sell them, or give them

away, rather than to see them perish with hunger, yet still the person who received or bought them, would, if he made them slaves, be without excuse. For helpless persons in want have a right to be supported by those who are not in want; and the labour of a human creature is always of more value than his food and raiment, at least if he have strength to do the work of a slave: and if he be sickly as well as needy, he has a double claim to the compassion and gratuitous assistance of the wealthy.

611. It is impossible for a considerate and unprejudiced mind to think of slavery without horror. That a man, a rational and immortal being, should be treated on the same footing with a beast, or piece of wood, and bought and sold, and entirely subjected to the will of another man, whose equal he is by nature, and whose superior he may be in virtue and understanding, and all for no crime, but merely because he was born in a certain country, or of certain parents, or because he differs from us in the shape of his nose, the colour of his skin, or the size of his lips; if this be equitable, or excusable, or pardonable, it is vain to talk any longer of the eternal distinctions of right and wrong, truth and falsehood, good and evil.

612. So repugnant is slavery to the British ge-

nius, that when, about two hundred years ago, a law was made in England condemning idle vagabonds to this condition, the spirit of the nation could not bear it; and it was soon after repealed. And now every slave, of whatever colour, from the moment of his arrival in Great Britain, and as long as he remains in it, is a free man, and a British subject, whether baptized or not; the law protects his person and his property; he has no more to fear from his master, than any other free servant has; he cannot be bought or sold; but if he has bound himself by contract to serve his master for a certain length of time, that contract, like those entered into by apprentices, and some other servants, will be valid. I wish I were warranted to add, that the same regard is had to the rights of human nature in all the British dominions. But I must confess with anguish of heart, that it is not so; for that almost all the products of the West Indies, and some too of the East, are procured for us, by the sweat, the tears, and the blood, of miserable slaves. And this leads me to consider, in the second place, the origin, lawfulness, and expediency, of the slavery of the negroes.

613. In evincing the unlawfulness of slavery, and protesting against the cruelty of it, I must not be understood to blame every person who is,

or may have been, concerned in it. My censure neither is, nor can be, levelled at any individuals, those excepted who are cruel and unjust to their slaves; and that all such deserve censure, every honest man will allow. The present race of American and West Indian planters I cannot blame for the existence of a commerce, which was established before their grandfathers were born. I cannot blame them for possessing those estates which they have acquired by fair means; or for not abolishing a traffick, which it is not in their power to abolish. Nor can I blame them for not giving liberty to their slaves, when I consider, that so many savage men, set free at once, might annul the property, and destroy the lives, of thousands of innocent persons, and, perhaps, involve the whole empire in confusion. The guilt of enslaving the negroes is to be imputed, not so much to individuals, as to *the whole community*; those, however, excepted, who publicly condemn the practice, and would abolish it if they could. But to expose it in what I think its proper colours, is a duty which I owe to humanity and truth. Such attempts, though they cannot cure, may have a tendency to alleviate, the evil; and perhaps contribute something, however little, to its final abolition.

614. The Spaniards having taken possession of

the West Indies, in the end of the fifteenth century, and being in great want of labourers to assist in cultivating their plantations, seized upon and enslaved such of the native Indians as came in their way: but finding them an indolent and weakly race of men, and hearing that the negroes of Africa had more activity, they encouraged Portuguese traders to bring them slaves from that country; and the same policy was afterwards adopted by other European colonies, that settled beyond the Atlantick. This was the beginning of the African slave trade, which has continued ever since, and has become so extensive, that into the British America, and our West Indian settlements alone, there are now imported annually from Africa, and sold, thousands of negroes, MANY thousands certainly; how many, I know not; as the accounts I have received on this head are not consistent.

615. That many of these slaves come into the hands of good masters, and so lead lives that are not uncomfortable, I am very willing to believe: and it is well known, that those employed in domestick offices have not so much reason to complain as those who labour in the field; and that, in some of our colonies, they are less rigorously used than in others. But it is in general true, and is proved by unquestionable evidence, that the

methods by which they are forced from their native land, the hardships they suffer at sea, the dreadful punishments inflicted on them for slight offences, the excessive labour they are compelled to undergo, the scanty and unhealthy allotment that is given them of the necessaries of life, and the laws they are subject to, in some islands and provinces, are shocking to relate, and a disgrace to human nature.* This, therefore, is a most infamous business; and, though slavery cannot all at once be abolished, it ought to be, and may be, and probably will be, discontinued gradually. The bad policy and inhumanity of it were lately,† in a very solemn and publick manner, proved by irresistible reasoning, in strains of elocution, and with a warmth of benevolence, that have done immortal honour to the names of Pitt, Fox, Wilberforce, Montagu, and Smith; while on the other side, nothing of the nature of argument was urged, that might not be resolved into a principle, which would vindicate half the wickedness of mankind; and which, if proposed

* See all this proved unanswerably, and, alas, by too many facts, in *An Abstract of the evidence delivered before a select committee of the house of commons, in the years 1790 and 1791*, London, printed 1791.

† This written in 1791.

in direct terms, every individual member of the illustrious assembly I allude to, would reject with abhorrence; namely, that practices whereby money may be gained ought not to be discontinued.

616. The most intelligent writers on this subject are of opinion, that, by our planters in the West Indies, free servants might be employed at less expense than slaves are; of whom, in that part of the world, and in North America, there is reason to apprehend, that, in consequence of the tyranny under which they groan, many thousands perish every year, over and above the number that would die in that time in the ordinary course of nature. For, otherwise, there could not every year be a demand for so many thousands; as black men and women are imported promiscuously; and it is very much the planters interest that they should marry, and have children. In this country no annual importation of free servants was ever found necessary; because here, among people of almost every rank, those who are born are nearly equal in number to those who die. And so it would be in our colonies, if there the slaves were to be treated as free servants; and if masters did not, as it is well known they do, keep them in utter ignorance of moral and religious duty, and, by example and connivance,

encourage them to wallow in beastly sensuality. Let us now examine the apologies, which those who think their interest promoted by the slavery of negroes, do commonly make for it. They may, I think, be reduced to five.

617. FIRST, It is said, "That the Africans, whom our planters, and their emissaries, buy for slaves, are publickly exposed to sale by their countrymen; and that, if we did not buy them, others would." In answer to this, I observe, in the first place, that it cannot be pretended, that *all* the negroes imported into our colonies from Africa are procured by sale in a publick market; for it is notorious, that many of them are stolen, or obtained by other indirect methods. Nor, secondly, can it be pretended, that the planter, who buys them when imported, makes any inquiry, either into their former condition, or into the legality of that power which the merchant assumes over them; it being equally notorious, that, in every colony, the circumstances of their being black, and imported from Africa, are *alone* sufficient, in the eye of the law, to fix them in slavery for life, and to entail the same ruin upon their offspring.

618. Thirdly, Though ignorant and barbarous nations, like those of Guinea, should sell their prisoners, it will not follow, that we have any

right to buy them; unless we did it with a view to deliver them from misery, to improve their manners, and to instruct them in the christian religion; purposes, which, it is well known, never enter into the head of the slave merchant. Fourthly, It is strange, that merchants, who claim the privilege of purchasing whatever is offered at a price, should be so ignorant in their own trade, as not to know, that those goods only are marketable, for which there is a demand; and that buyers, as well as sellers, are necessary in commercial intercourse. Will it be pretended, that the petty kings of Africa would continue to enslave their subjects and neighbours with the same alacrity as at present, if our West Indians and the North Americans were to purchase no more slaves? As well may it be pretended, that the demand for tobacco would not be lessened, though all Europe, Asia, and Africa, were to discontinue the use of it.

619. But, passing this, let me ask, in the fifth place, who it was that first taught the negros of Africa to sell one another? Who are they, who tempt those unhappy people, by every sort of bribery that can be supposed to have influence on them, to plunder and betray, every man his neighbour, in order to get together a multitude of human victims to answer the yearly demand? Are

not Europeans, and European planters, the first movers in this dreadful business? Does it then become them to charge Africa with the whole guilt of a commerce, which, but for their cunning cruelty, and avarice, would not now exist, and would never have existed? This sort of casuistry may justly be termed diabolical: for it is thus, that the most malevolent of all beings is said, first to tempt and corrupt, and then to accuse.

620. I shall only add, with respect to the argument now before us, that goods are sometimes exposed to sale, which every trader knows it is not lawful to buy. He who purchases what he knows to have been stolen, is a partner in the guilt of the thief. He, who buys a human being, with a view to reduce him to the condition of a wretched negro slave, does every thing in his power to destroy the soul and the body of that human being, in order to get money for himself. And he, who tempts a poor barbarian king to punish with slavery the most inconsiderable trespass, and to involve the innocent in the same ruin with the guilty, that he may have men to give in exchange for the trinkets and luxuries of Europe, does every thing that with impunity he can do, to confound truth and justice; to introduce wickedness and misery into the dominions of that

barbarian; and to promote the views, and extend the influence, of the great adversary of God and man.

621. SECONDLY, it is said, "that the negroes are happier in our colonies than they were in their own country." Supposing this true, it will not follow, that we are excusable in making them slaves, unless we did it with a sincere intention to make them happy; and with their free consent, founded on a belief that we mean to do so. If I, by oppression, reduce an innocent man to poverty, and if Providence endow him with strength of mind to bear his misfortunes as becomes a christian, it is possible he may be happier in adversity than ever he was in prosperity: but will this excuse me for what I have done? If it is unlawful to enslave an inoffensive fellow creature, no unforeseen and unintentional good consequences, that may follow upon it, will ever render it lawful. The knife of the ruffian may dismiss a good man from the troubles of this life, and send him to heaven: but is it therefore lawful to murder a good man! If we estimate the morality of actions, not by the intention of the agent, but by the consequences, whereof, by the overruling care of a good Providence, they may be productive, we shall at once confound all moral principles

622. In this plea of the slavemongers there is something particularly shocking. By their cunning, and cruelty, and love of money, they have introduced many evils into the native countries of the negros; which, according to the best historical information, were formerly regions of plenty and peace. And now, when they have stolen, or forced away, the unhappy victim into a distant land, and torn him for ever from the arms of consanguinity and friendship, and from every other comfort which remained for him in this world, and afterwards loaded him and his offspring with the chains of intolerable servitude, they are pleased to affirm, that he is obliged to them for delivering him from calamities, which by their means he might have been exposed to in his own country. As if an enemy were first to fill every corner of my house with poisonous or inflammable materials, and then violently to seize and cast me into a dungeon for life; telling me, that in this he did me a great favour, for that, if he had not forced me from home, I might have been burned, or poisoned, in consequence of the snares he had laid for me. What answer is due to such reasoning!

623. But negros are addicted to intoxication, and frequently entertain themselves with dancing and wild musick; whence planters may be willing

to believe, that they are happier with them, than they could have been in a country where rum is not known, except perhaps in the cottages of kings. Dancing, however, and drinking are very equivocal signs, and very inadequate means, of human happiness. How often do the most enlightened Europeans have recourse to them, in order to banish care, or bring on a temporary stupefaction! Even in those prisons they may be seen every day, where the utmost misery prevails.

624. One man is not always a competent judge of another's feelings. But there are certain conditions and circumstances of life, whereof we say that they may make any reasonable man happy; and there are others which, on hearing them described, we declare to be worse than death. What then shall we say of the condition of a negro slave? Let us make his case our own, and ask ourselves, whether death or it be the more desirable. To be stolen, or decoyed, or forced from our native country, for no crime of ours, and by those whom we never injured; to be stowed, like lumber, amidst darkness, and death perhaps, and putrefaction, in the lower decks of a ship, sailing we know not whither; to be stripped naked, and sold like beasts in a market; to be driven away, by the scourge of the

overseer, into hopeless slavery, in a strange land, where we find thousands of our countrymen in the same circumstances; to be compelled to labour, with little intermission or shelter, under the burning sun of a tropical climate; to be ourselves punished, and see our friends and innocent children punished, with unrelenting severity, for a slight offence, or merely to gratify the unmeaning rage of a merciless oppressor; to be subjected to laws, by which we are declared to be *brutish* slaves, and unworthy of a legal trial;* to know that the same destiny awaits our posterity, and that death alone will deliver us and them from the horrors of this condition; to see our companions dying around us every day, in consequence of the miseries they undergo; and, what perhaps is worst of all, to be obliged to keep company with, and spend our lives in the service of, our tyrants: are these desirable circumstances? are they likely to make any rational being happy? are they not worse than a thousand deaths?

625. But can savages have sensibility to be affected, as we should be, with these circumstances? Not so much, I grant, as we have; but enough to make them very wretched. The

* See the laws of Barbadoes relating to slaves

African negro is not deficient in sensibility. Violent in anger, and terrible in vengeance, he is also warm in his attachment to his native country and kindred. In love, and in friendship, he has sometimes given proof of such generosity as would do honour to any hero of romance. From the blacks themselves we may learn, what is their opinion of West Indian slavery. Their frequent attempts to run away, though they know not whither to run; the obstinacy of their behaviour towards those who use them cruelly; the cheerfulness with which they die, and that selfmurder to which they too often have recourse, plainly show, that they look upon their condition as miserable. And their notion of a future state is, that after death they shall return in freedom and happiness to their own country; which is a proof that they consider such a return as the most desirable of all things, and their being detained in slavery as the greatest of all calamities. It is possible, however, that there may be among them some who are not dissatisfied with their condition. But those are individuals, who either have fallen into the hands of humane masters; or who, being in an uncommon degree stupid or profligate, are equally void of magnanimity, and of reflection.

626. It is urged, THIRDLY, "that the African

“blacks are so very wicked as to deserve no other condition than slavery.” In answer to this, let me, in the first place, repeat a question formerly proposed, how came they to be so very wicked? Their ancestors, before they were acquainted with Europeans, are known to have been a harmless race of men, just, friendly, temperate, (as much as people in their circumstances might be supposed to be), and strangers to avarice and discontent. Such to this day they would probably have continued, if they had never heard of Europe, or of white men. Europeans, therefore, are chargeable with their present depravity; and that in three respects: first, by introducing among them intemperance and cruelty, and teaching them, by advice, example, and bribery, to be profligate, and enslave and sell one another: secondly, by treating them with so much rigour; keeping them ignorant of religion and morality; behaving towards them as if they were more nearly allied to brutes than to men; and setting before them so many examples of wickedness: and, thirdly, by making them slaves.

627. For it is well observed, by the wisest of poets, (as Athenæus, quoting the passage, justly calls him); it is, I say, well observed by Homer, who lived when slavery was common, and whose

knowledge of the human heart no person who understands him will ever call in question, that “when a man is made a slave, he loses from that day the half of his virtue.” And Longinus, quoting the same passage, affirms, “that slavery, however mild, may still be called the prison of the soul, and a publick dungeon.” And Tacitus remarks, “that even wild animals lose their spirit when deprived of their freedom.” Banish, from the human breast, hope and the sense of honour, (and what sense of honour, or what hope, can an enslaved pagan retain!) and you banish at the same time the noblest incentives to virtue. “Slavery,” says Montesquieu, “is not useful, either to the master, or to the slave; to the latter, because he can do nothing by virtue; to the former, because he contracts with his slaves all sorts of evil habits, inures himself insensibly to neglect every moral virtue, and becomes proud, passionate, hardhearted, violent, voluptuous, and cruel.” All history proves, and every rational philosopher admits, that, as liberty promotes virtue and genius, slavery debases the understanding, and corrupts the heart, of both the slave, and the master; and that in a greater or less degree, as it is more or less severe. So that in this plea of the slavemonger we have another example of the diabolical casuistry above mentioned; where-

by the tempter and corrupter endeavours to vindicate or gratify himself, by accusing those whom he has tempted and corrupted.

628. That negro slaves should be fierce and savage, is not wonderful; it would be a miracle if they were otherwise. They are kept ignorant of their nature, duty and final destination; vitiated by the example of those who pretend to be wiser, better, and nobler, than they; wantonly deprived of their inherent rights, whereof they have a sense as well as we; hardened, and rendered furious by despair; their condition is without help, and without hope. That minds, untutored like theirs, and actuated by strong passions, should maintain a cheerful, patient, or pliable temper, in the midst of such misery; or be virtuous, when beset on all sides by bad example, and cut off from every opportunity of rational improvement, is absolutely impossible. With all the advantages we have derived from philosophy, religion, and the manners of civilized life, if we were to suppose our country invaded, and our rights violated, by the African negroes, as cruelly as their rights are violated by some European slave merchants and planters, candour, I believe, would compel us to acknowledge, that we should be as untractable and revengeful as they. And yet, we would hardly ad-

mit, in their vindication, that we are by nature so depraved, as to deserve no other condition than slavery. On the contrary, we should say of them, and with truth, that they were such barbarians, as to deserve at our hands no other return than final extermination. And, if our power were equal to our wishes and privileges, and if our deliverance could be effected by no other means, we should arm ourselves with the rights of nature, and sweep our destroyers from the face of the earth. And if we did so, who would blame us!

629. Making those allowances that ought to be made for the education and habits of savage life, and for that warmth of temper which prevails among the natives of the torrid zone, we shall not find that the negroes of Africa are naturally more corrupt than other men. Their remote ancestors, if we believe history, were a respectable people. And they themselves are perhaps less corrupt than we should be in their circumstances: certain it is, that in general they are not more so than their masters. Their attachment to their children and parents, their gratitude to those masters who use them well, the warmth of their friendship, their superiority to pain and the fear of death, are evidences, that they inherit from nature a constitution of mind

very capable of improvement. If, as we read in *Paradise Lost*, Eve's desperate contempt of life and pleasure seemed to Adam to argue in her something sublime and excellent,* let us not be insensible to the merit of that poor negro girl, who refused to marry, "because," as she told father Tertre, "though miserable herself, she would not bring into the world children, whose sufferings would be more insupportable to her than her own." Who will say that this creature was so depraved, as to deserve no other condition than slavery!

630. For the white children committed to their care negro nurses are said to contract sometimes an extraordinary fondness; by which they have even been prompted to disclose conspiracies formed by their countrymen for the recovery of their freedom; for they could not bear to think that their little darlings, who had never offended, and whom, in their dialect, they distinguish by a name of peculiar endearment, should perish in the intended massacre. If this is thought to be an example of weakness rather than of magnanimity, it is, however, so amiable a weakness, and so truly feminine, as to do honour to the nature that is capable of it. So

* *Paradise Lost*, X. 979—1016.

that, if we understand Homer's computation literally; and suppose that the day which delivered them into bondage took away the half of their original worth, we shall be inclined to consider the negroes as a race of men who might do credit to humanity, if we did not debase and destroy them, and who are justly entitled to the privileges of rational beings.

631. FOURTHLY, the necessities of government and commerce have been pleaded in excuse of our conduct towards black men. But he who believes that universal justice and benevolence would be unfriendly to our political and commercial affairs, must admit, either that injustice and cruelty become lawful when money is to be got by them, or that there is something in our commercial policy which ought to be rectified. For as that which leads to absurdity cannot be true, so that cannot be right which necessarily produces wrong. And to go on in an evil course, merely because it seems easier to do so than to return to duty, can never be excusable in any man, or in any nation. I apprehend, however, that this plea is no better founded than the others. Good government is maintained by justice, moderation, industry, love to our country and our neighbour, and the fear of God. But the practice in question tends to eradicate these

virtues, and therefore cannot be necessary to good government.

632. That the proprietors of West Indian estates would be, in any respect, materially injured by employing free servants (if these could be had) in their several manufactures, is highly improbable, and has indeed been absolutely denied by those who were well informed upon this subject. A clergyman of Virginia assured me, that a white man does double the work of a slave: which will not seem wonderful, if we consider, that the former works for himself, the latter for another; that by the laws the one is protected, and the other oppressed; and that in the articles of food and clothing, relaxation and rest, the free man has innumerable advantages. In Jamaica, many slaves are kept for mere show; and a gentleman from that island told me, that he had seen six of them loiter about a long morning in putting a house in order, which two English servants would have done to much better purpose in half the time. It may therefore be presumed, that if all who serve in the colonies were free, the same work would be performed by half the number, which is now performed by the whole; which, even in a commercial view, would be of great benefit to the planter. And free servants, working as in En-

gland, with reasonable wages, rest on the sabbath, and amusement on holidays, would live longer than slaves, have more children, and be at once better disposed, and better qualified both for improving their country, and for defending it.

633. The very soil becomes more fertile under the hands of freemen, and the fruits of the earth of a more generous nature. So says an intelligent French author (Le Poivre); who, after observing, that the products of Cochin China are the same in kind with those of the West Indies, but of better quality, and in greater abundance, gives for a reason, that the former are cultivated by freemen, and the latter by slaves; and thence argues, that the negros beyond the Atlantick ought to be made free. "Liberty and property," says he, "form the basis of abundance and good agriculture. I never observed it to flourish where those rights of mankind were not firmly established. The earth, which multiplies her productions with profusion under the hands of the freeborn labourer, seems to shrink into barrenness under the sweat of the slave." The same sentiments are found in Pliny and Columella: who both impute the decay of husbandry in their time, not to any deficiency in the soil, as if the earth could be exhausted of its

genial powers by long cultivation, (which, it seems, was in their days the vulgar belief) but to the unwise policy of leaving to the management of slaves those fields, which (to adopt the words of Pliny) “had formerly rejoiced under “the laurelled plowshare and the triumphant “plowman.” And Rollin, with good reason, imputes to the same cause the present barrenness of Palestine, as compared with that fertility, which procured for it in ancient times the appellation of “a land flowing with milk and “honey.”*

634. It may be thought, that the planter could not easily, at first perhaps not possibly, procure a sufficient number of free servants. But, let it be remembered, that the present scarcity of them in our colonies is owing to the wretched policy there established. For it is affirmed by Dr. Franklin, whose testimony on this subject will be allowed to have very great weight, “that the “negros brought into the English sugar islands “have greatly diminished the number of white “men. The *poor* whites,” says he, “are by this “means deprived of employment; and those “white men who have slaves, not labouring but

* See Columell. Præfat.—Plin. Hist. Nat. xviii. 2 — Rollin’s History of Arts and Sciences, vol. i.

“luxurious, are enfeebled, and not so generally prolific.” So that, in those islands, if there were no slaves, it seems to be Franklin’s opinion, that white men would be more numerous, more active, and more virtuous. Surely, that cannot be good policy, which impairs the activity, corrupts the virtue, and lessens the number of white men.

635. If the negroes in Africa could once be satisfied, that on the opposite shores of the ocean they might live in freedom and plenty, may we not suppose, that many of them would be willing to leave their own country, and seek their fortune on the footing of free servants, in North America and the West Indies? For do we not see that to the same parts of the world, and with no better prospects, our own countrymen often choose to emigrate from a land which, except where merciless tyrants domineer, is a land of liberty and peace? So that, if slavery were no more, it seems not unreasonable to believe, that in our colonies there would soon be rather a superabundance of free servants, than a deficiency. Those regions, which were long thought to be, and, when first discovered, really were, inhospitable, are now known to be pleasant, and healthy, and fruitful even to luxuriance.

636. But how, it may be said, would it be possible to satisfy the negroes in Africa, that they might with safety remove to the new world? That could not be very difficult, if it be true, as the advocates for slavery affirm, that they are happier with them, than they were at home. But, this being false, I will admit, that for some time it might not be easy to persuade the Africans, that they had any thing to expect from white men, but treachery and torment. Yet were we to send among them, from year to year, some of their countrymen whom we had made free and happy, and who could with truth declare, that we wished to make others equally so, I cannot but think, that their testimony would at last obtain belief; especially, when it was observed that they chose to return, and actually did return, with gladness, to the European colonies. And thus, among the nations on both sides of the Atlantick, a right understanding might in time be established; which would prepare the way for diffusing knowledge, civility, and true religion, over the whole face of the earth.

637. But while the present system prevails, this scheme is wholly visionary, and indeed impracticable. To give it a chance of being realized, the first step to be taken is, to prohibit, under the severest penalties, the importation of

slaves from Africa into the British colonies. This would instantly change the condition of our negroes for the better, by making their lives of much greater importance to the planter, and consequently obliging him, for his own interest, to make their labour moderate; their food wholesome, and in sufficient abundance; their habitations and raiment comfortable; their children and families objects of general concern; their freedom attainable by good behaviour; their education such as befits a christian servant; and by enforcing upon them the laws of wedlock, and restraining that unbounded sensuality, which, I am told, their masters at present do not discountenance, but rather, by connivance and bad example, encourage.

688. As money is not by all men accounted the chief good, and there are some who think virtue and happiness of more value, it is not impertinent to remark further, that, if the products of the Indies were to be procured by the labour of freemen, planters would themselves lead happier lives, than they ever can do, under their present plan of policy. For, as matters now stand, they are in perpetual danger of assassination; and must know, that it is fear alone that restrains their miserable negro brethren from exerting all the power that can be derived from superi-

ority of number, in regaining that liberty, which they never forfeited, and to which the Author of nature gave them a perfect right. Free servants may be faithful associates, and are often the best of friends; but from a slave—what is to be expected? Montesquieu informs us, in the following words; to the truth of which the history of mankind, and the feelings of every generous heart, bear testimony. “ A slave sees a society
“ happy, whereof he is not even a part; he finds
“ that security is established for others, but not
“ for him; he perceives that his master has a
“ soul capable of selfadvancement, while his
“ own is violently and for ever repressed. No-
“ thing puts one nearer the condition of the
“ beasts, than always to see freemen, and not to
“ be free. Such a person is the natural enemy of
“ the society in which he lives.” Grant, that, by means of his slaves, a planter, or owner of a plantation, may acquire ten thousand pounds *sooner*, than by being attended and served by freemen (which, however, I believe would not be the case); yet, might not the tranquillity of such a state; the satisfaction of being surrounded with faithful hearts and smiling eyes; the circumstance of having escaped from a scene of misery and carnage; the approbation of a good conscience, and the hope of future reward, be

accepted as equivalents for a little superfluous gold and silver?

639. If nothing will satisfy the slavemonger, but sudden and enormous acquisitions, and if free servants be a tax upon his rapacity; let freedom, however, take place, and let him indemnify himself, by raising the price of his manufacture. Sugar and rum (thank Heaven!) are not necessary either to life, or to virtue; and if they were to become somewhat dearer, where would be the great harm! But, (to bring this head to a conclusion) though all these reasonings should be rejected, I will not admit that any benefits derived from the trade of the western world, though they were ten thousand times greater than they are, can ever justify our enslaving and destroying black men. Nor will I admit, that this plea deserves the least notice, till it be first proved to my conviction, that gold and silver are of greater value than christianity; that tobacco is a more glorious attainment, and more essential to happiness, than justice and brotherly love; and that it is better for a man to live luxuriously in this world, than to be saved in that which is to come.

640. The Fifth argument that I have heard in favour of negro slavery is founded on this principle, that negroes are animals of a nature

inferiour to man; between whom and the brutes they hold, as it were, the middle place. But, though this were true, it would not follow, that we have a right, either to debase ourselves by habits of cruelty, or to use them ill: for even beasts, if inoffensive are entitled to gentle treatment; and we have reason to believe, that they who are not merciful will not obtain mercy. Besides, if we were to admit this theory, we should be much at a loss to determine, whether the negro does really partake so much of the brute, as to lose that right to liberty, which, unless it be forfeited by criminal conduct, is inherent in every human, or at least in every rational, being. And further, in the same proportion in which black men are supposed to be brutes, they must be supposed incapable of moral notions, and consequently not accountable for their conduct; and therefore, to punish them *as criminals* must always be in a certain degree both absurd and cruel. But this plea I do not think will ever be urged by our planters. Both negroes and mulattos they know too well, to have any doubt of their being men. For this notable piece of casuistry we are, I believe, indebted to those ingenious modern philosophers, who never find any difficulty, or want of evi-

dence, in paradoxes unfriendly to the christian religion.

641. The only credible account extant of the origin of mankind is that which we have in scripture. And if we acquiesce in it, we must believe, that all the nations of men upon the earth are “of one blood,” being descended of the same first parents. Nor can we reject it on rational grounds, till we have first proved, either from more authentick records, or from the nature of the thing, that it is not true. More authentick records it will hardly be pretended that there are; for we have no genealogical table whereby it can be made appear, that negroes are not descended from Adam and Eve. We must argue therefore from the nature of the thing, if we argue at all on this subject. And I think there is nothing in the nature of the negro, in his soul, or in his body, which may not easily be accounted for, on the supposition that he and we are of the same family.

642. As to his soul: it is certain, that he has reason, risibility, and a capacity of improvement; that he possesses the faculty of speech, and consequently of forming, what philosophers call, general ideas (see § 20); that he perceives, as we do, a difference between beauty and deformity, truth and falsehood, virtue and vice,

lawful authority and oppressive power, (see § 520); that he has an idea, though no doubt a very imperfect one, of a supreme Being and a future state, and may, by suitable education, be trained up in the exercise of religious, as well as of social, affections; and that, undisciplined as he is, he has frequently given proof of an elevated and generous mind, and of great ingenuity in those arts and manufactures to which he has been accustomed to attend. These particulars, together with those of erect form, human shape, and human features, passions, and infirmities, amount to a demonstration, either that his soul is human, or that ours is not human.

643. But are not some negros remarkably stupid and perverse? Yes: and the same thing is true of some white men. In respect of understanding, as well as disposition, do we not often see parents differ exceedingly from their children, and one brother from another? But blacks have not our delicacy of sensation, and can laugh and sing in the midst of torments which we tremble to think of. And were not Lacedaemonians, though white men and Europeans, equally magnanimous, or, if you please, equally insensible? In moral sensibilities, in love, friendship, and natural affection, the African savage is not deficient. And, while we value ourselves on our

compositions in prose and verse, let us remember, that, not many years ago, a poor female negro slave in Jamaica wrote some poems in the English tongue, which were published, and allowed to have considerable merit.*

644. I was once, about twenty years ago, engaged in this argument with a very eminent naturalist, who maintained that negroes are of a species inferiour to the human; and gave this reason among others, that not one of them had ever learned to speak distinctly. It was easy to answer, as I did, that such of them as were grown up to manhood before they conversed with our people, could not possibly acquire a good English pronunciation, even though pains were taken to teach them; because their organs had been too long inured to a different language; and that the children of our slaves could not learn to speak well, because they associated from infancy with people of their own condition, among whom a barbarous dialect had long prevailed, which their masters rather encouraged, than endeavoured to rectify; but, if a negro from his earliest years were to keep company with

* See on this subject much acute and authentick observation in *Letters on Slavery*, by my benevolent, candid, and learned friend, Mr. Dickson.

English people, I did not see that any thing could hinder him from speaking as well as they did. (See § 44, 45). This did not satisfy my opponent, who insisted, that negroes are naturally and utterly incapable of distinct articulation, and must therefore be of a race inferior to the human. But I happened, a few days after, to see his theory overturned, and my conjecture established, by a negro girl about ten years old, who had been six years in England, and not only spoke with the articulation and accent of a native, but repeated to me some pieces of poetry, with a degree of elegance, which would have been admired in any English child of her years.* Since that time I have conversed with several African negroes, who spoke English well; much better indeed than the greater part of the common people of Yorkshire, Lancashire, and Scotland.

645. But if negroes be really of the human species, why are their skins black, lips thick, noses flat, and hair woolly? The question cannot be directly answered, because we have little

* She was in Lord Mansfield's family; and at his desire, and in his presence, repeated those pieces of poetry to me. She was called Dido, and I believe is still alive.

certain knowledge of the negro, previous to the discovery of the West Indies. But, from a variety of analogies in nature, it is easy to show, that these are no extraordinary appearances; and that, though we had never seen or heard of black men, our knowledge of the effects of climate and cultivation, upon animals and vegetables, might have inclined us to admit the existence of such men to be neither impossible nor improbable. For, between the skin and features of our fairest ladies, and those of our swarthy and grimvisaged men, is there a greater difference, than between the latter and an African black or Indian? Do not noses as flat, and lips as thick, as those of the negro, sometimes appear among us, without raising any suspicion of a foreign kindred? And may not several varieties of crisp and sleek hair be seen in the same parish, and even in the same family?

646. Let it be remarked further, that towards the north the whitish colours seem to prevail, and the tawny towards the equator. Hares, foxes, and some other animals, that are russet in this country, become whiter as you go nearer the pole. Danes and Russians are generally white haired, and the more southerly Europeans of a dark complexion. Nor is there, perhaps, a greater diversity, in this respect, between Ita-

lians and Ethiopians, than between Danes and Italians. There appears, too, to be something of a vegetative nature in the hair, and even in the flesh, of animals: and it is well known, that great changes may be produced in vegetables, by a change of cultivation and soil. The colour of roses, tulips, and daisies, may be altered, and the new colour made hereditary, by art; and a small field poppy metamorphosed into a most luxuriant and gaudy flower. Need we wonder, then, that men, originally white, (as there is reason to believe they were), living naked and savage in the torrid zone; inhabiting smoky and dirty hovels; obliged to smear their bodies to defend them from insects and other evils that naked men are exposed to; or perhaps inclined, from some principle of superstition, or barbarous policy, to disfigure or disguise themselves artificially; and eating such food, and drinking such liquors, as to us are utterly unknown, should, in a long course of ages, lose their primitive complexion, and become black, or tawny, or copper coloured, according to the peculiarity of their circumstances? Is this more surprising, than that Arabian horses should, by a change of climate and provision, dwindle into Shetland ponies; or than the varieties, in respect of size, tail, horns, and wool, which sheep, of the same

flock originally, may be made to undergo, by being sent into different countries?

647. The Ethiopian colour was, by Aristotle, Strabo, and most of the ancient philosophers, ascribed to the heat of the sun merely; a notion discoverable in the etymology of the word (*Αἰθιοψ*), and countenanced by the fable of Phæton. But it may be presumed, that the other causes above mentioned have contributed to the same effect. As to the opinion of those who derive this colour from the curse pronounced upon Ham, the wicked son of Noah, it is sufficiently confuted by Sir Thomas Brown, in a learned dissertation upon the blackness of negroes, in the sixth book of his *Inquiries into vulgar and common errors*.

648. It has been objected, that the descendants of white men, who have inhabited the torrid zone for two or three hundred years, do still retain the colour of their fathers; and that therefore the effects of climate, in changing the human features and complexion, cannot be so great as this account supposes. But it may be answered, that the condition of the European planter is not at all similar to that of the original natives of Africa and America. He neither goes naked, nor eats the food of savages; he is not obliged or inclined to smear or otherwise disfi-

gure his body; nor is a small and smoky hut his habitation. And, though they were to live savage and naked in those latitudes, I know not whether three hundred, or even six hundred years would not be too short a period for transforming white into black men. It is, however, observed, that the negros who are settled in Europe do in time lose a little of their native blackness; and we may presume they would lose more of it, if they were to be more exposed, than they are, to the influences of a northern climate. I have been assured by a gentleman of observation and unquestionable veracity,* that, in the island of St. Christophers, where he lived for some years, the legs and feet of those white servants who wear no shoes or stockings, become in time of the exact colour of the negro. And it is generally believed, that the descendants of white parents, by intermarrying with blacks, and the offspring of negros, by intermarrying with whites, may, in a few generations, lose their ancient colour and features, and become, the former black, and the latter white; which, if

* The late Mr. Patrick Wilson of Aberdeen, one of the most learned and worthiest men I have ever known; and one, whose opinion of negro slavery was the same with mine.

they were really different species, would be as great an irregularity in nature, as if complete asses or horses were to be found among the descendants of a mule.

649. I remember that, in the course of the debate with my friend the naturalist, he produced two skulls, the one, as he told me, of a white man, and the other of a black; and he desired me to observe, when he set them down, that the skull of the white man rested with the chin touching the table; while the other leaned a little backwards, and left the space of an inch or half an inch between the table and the point of the chin. His inference was, that the two skulls could not belong to the same species of animals, and that therefore the negroes were not perfect men, but beings of a lower order. But I was as little satisfied with this, as with his other arguments. The horizontal position of the one skull did not seem to me to imply superiority, nor the oblique inclination of the other to betoken inferiority. Or, granting the attitudes in question to be thus significant; here were but two individual skulls; and there was no evidence that the same peculiarity would universally distinguish the skull of a white man from that of a black. Or, if it should, I had heard of nations who moulded the heads of their infants into a

certain artificial form, which in process of time came to be (if we believe Hippocrates) hereditary and natural. Or, admitting that this had never been done by negros, I did not see any absurdity in supposing, that the influence of soil and climate, or a certain temperature of the blood, might dispose some parts of the human body to be more raised, and others more depressed, in some tribes of men, and in some parts of the earth, than others: since it was found in fact, that some families are distinguished by aquiline, some by flat, and some by crooked noses; that deformities, and elegancies, and other peculiarities of shape, in the parent, are often transmitted to the child; and that the cheek bones of the highlanders of Scotland are generally thought to be more prominent than those of Englishmen. I added, or I might have added, that many varieties yet more observable appear in the brute creation, particularly in dogs; which, however, are all referred to the same species, notwithstanding that, in shape, colour, hair, and size, they are diversified almost without end.

650. To conclude this part of the subject: we have, I think, the fullest evidence, that the souls of negros are human souls: and we have no evidence that the bodies of negros are not hu-

man bodies. We have therefore every reason, that the case admits of, to believe, that all the men upon earth, whatever be their colour, are our brethern, and neighbours: and if so, both reason and scripture declare, that it is our duty to love them, and to do unto them as we would that they should do unto us. And if national peculiarities of *shape* and *stature*, as well as of *colour*, may be accounted for, as I think they may, from the forgoing principles; it follows, that Laplanders, Samoeydes, Esquimaux, the Hurons, the Chinese, and the American and Asiatick, as well as African Indians, and, in a word, all the inhabitants of this globe, who have reason, speech, and erect figure, must be considered as one great family, and as informed with souls of the same order, whatever slight varieties may appear in their bodies. So that, though there are many nations and tribes of men, it cannot be said with truth, that there is more than one species. Indeed, if every variety in the visible part of the human frame were to be ascribed to a difference of race, the species of men would be too numerous for computation, and we should be obliged to refer to different originals those whom we knew to be of the same kindred.

651. The human body, like every other cor-

poreal system, must be subject to the physical laws of nature; and the soul of man, liable to be affected by every thing that essentially affects the body, must be subject, in a certain degree, to the influences of soil and climate, food and drink, and other modes of living. This we all feel, or may feel, in ourselves. The effects of bright and cloudy skies, on the soul as well as the body; of violent heat and violent cold; of a damp and a dry situation; of light and gross food; of weak and strong liquors; of a cleanly and a slutish economy; are known to many men by experience; or, at least, are so generally acknowledged, that we need not scruple to affirm them to be real, and important. And if causes that are but temporary produce sensible effects, the same causes when permanent must produce effects still more sensible, as well as durable. If a month of excessive heat or cold disqualify us for many of our customary exertions, years and ages of such heat or cold must disable the human soul and body in several of their faculties.

652. In several, I say; but not in all. Man's body is of earth, but his soul is from heaven. He depends on outward things for convenience and pleasure; but his happiness is from within. In all climates and conditions, he perceives a difference between truth and falsehood; may act a

virtuous or a vicious part; improve his nature to a certain degree, or debase it; obtain knowledge of those things that lie within his reach, or by prejudice or neglect harden himself in error and ignorance. When I speak of the power of climate over the human faculties, it is with a view to those more conspicuous operations chiefly, that are felt in society, and claim the notice of the historian.

653. Extremes of all kinds are hurtful: our minds and bodies thrive best in moderate circumstances. Hardship and opposition, when such as may be overcome, rouse the soul, and improve all the human powers, by exercising them; but, when excessive, render men stupid or desperate. And the warmth and plenty of some countries diffuse a languor through the human frame, and promote sensuality, while they debase the understanding. But, in forming national characters, other circumstances concur, besides those of soil and climate. Had the states of Greece been separated by inaccessible mountains, or impenetrable forests, like some provinces in America, or by seas which cannot be passed without difficulty, like many of the islands in the Pacific, Atlantick, and eastern oceans; or had they been innured in the centre of the African or Asiatick continent; we should never

have heard of Athenian elegance or Spartan valour. Nations, like individuals, are improved by emulation, activity and mutual intercourse. From danger they learn vigilance and fortitude; by preparing their own superfluities for exportation, and importing those of other countries, they become industrious, ingenious, and acquainted with the varieties of human manners; and the necessity of uniting against a common enemy teaches them policy and the discipline of war.

654. The arts of writing and of working in iron are so essential to the attainment of knowledge, and to many of the most important professions, particularly navigation and agriculture, that, without them, we can hardly conceive how, in our sense of the word, any people should become civilized. And let it be observed, that these arts, though known in Europe from very early times, were till of late unknown in the southern parts of Africa, and throughout all the islands and continents of America. To which we may add, that the eastern regions of Europe, from their vicinity to that part of Asia which produced the first men, enjoyed the advantage of being soon peopled, and no doubt of deriving from their progenitors of the human race a great deal of traditionary information, which, in

the long wanderings of other tribes, to the extremities of the earth, might be totally forgotten. And the Mediterranean sea, winding along so many shores, with a gentle undulation, and in a temperate climate, supplied the best opportunities of improving the navigator, extending the influence of the merchant, quickening the industry of the artisan, and gratifying the curiosity of the traveller.

655. By these and the like considerations, that superiority, which has hitherto distinguished the inhabitants of Europe, and of the adjoining countries, may be accounted for, without supposing the rest of mankind of an inferiour species. Were two brothers of equal genius to be brought up, the one in the metropolis of England, with every advantage of education and company, the other in St. Kilda, without any of those advantages, it is probable they would differ no less in accomplishments and general character, than African or American savages differ from Europeans. And thus, our former conclusion is still further confirmed, and every plea in favour of slavery proved to be frivolous.

656. But what would you have us do? Must all persons concerned in colonies, where slavery is tolerated, be branded with the epithets *cruel* and *unjust*, if they do not immediately give freedom

to their slaves, and so relinquish one half of their property, and make the other useless? I do not say so: I am very far from thinking so. I have known gentlemen return from the West Indies, after a long residence there, with untainted minds, tender hearts, and of the strictest probity and honour. Many persons are proprietors of slaves, who have come innocently by them, and whom it would be difficult to indemnify, if a general emancipation of slaves in our colonies were immediately to take place. And both to them, and to the whole British empire, it might be so dangerous, as to be politically impossible, to overturn all at once an establishment, so widely diffused, and of so long standing.* See § 637.

* These pages on slavery contain in brief the substance of a treatise, composed in the year 1778, from materials which I had been gradually collecting for almost twenty years. I then had thoughts of publishing the whole; but was prevented, partly by my not having at that time access to all the books I wished to consult; and partly by the fear of having misrepresented some things, in consequence of false or partial information. I find, however, since this matter, having attracted the notice of the legislature, came to be minutely investigated, that my information was in general but too well founded. It may be said, that these remarks of mine come too late, now (1792) when the commons of Great

† 657. Yet humanity requires, that something should be done for our unfortunate brethren: and much might be done, not only without danger, but even without difficulty. The same power that makes can unmake a law; and laws that contradict the plainest principles of reason and justice one would think it more difficult to establish, than to abrogate. Let those laws, then, and customs be abrogated, which forbid a master to give freedom to his slave; which put the health, and too often the life, of a black in the power of a white man; which refuse to admit, in a court of justice, a black man's testimony against a white, and of course nullify every criminal law that exists in favour of black slaves; which authorize at all times unnatural severities, and too often unjust condemnations;*

Britain have passed a vote for the abolition of the *slave trade*. But, as *slavery* is not yet, nor likely to be soon, abolished; and as I think myself responsible, first to my own conscience, and secondly to the publick, for what I teach, I wish to be known what for these thirty years and upwards I have been publicly teaching on the subject of slavery.

* The following is, I hope, a singular fact, but was certainly a real one. A clergyman, an intimate friend of mine, went to Jamaica, to recover a legacy left him by his brother. While he was there, he happened to be present at a trial of three negros, a woman and two

which give countenance to the crimes of the manstealer, and of those incendiaries, who bribe the petty tyrants of Africa to execute schemes of plunder and carnage, in order to force their subjects or neighbours into slavery; and which consider the black colour of the Africans, and the circumstance of their having been imported, as a sufficient reason for making them and their posterity slaves.

658. Let the clergy in our colonies undergo reformation; and, if nothing short of compulsion

men. After witnesses were examined, a person in the court asked this gentleman what was his opinion of the prisoners. My opinion, said he, must be that of every body else; these people are as innocent as I am. Aye! replied the other; but, for all that, if you were to live awhile in Jamaica, you would see the necessity of making an example now and then. The slaves were accordingly condemned, and dragged to instant death; gibbets being erected at the door of the house. The two men met their fate with a stern courage, and spoke not a word. The woman, mounted on an empty hogshead, with the rope about her neck, told her executioners, that she was willing to die, if they would only tell her what the crime was for which she must suffer; but, instead of receiving any answer, she was instantly turned off. This story I give from the report of an eye witness, whose testimony I could no more doubt, than that of my own senses.

can prevail, let them be compelled to do their duty, or resign their offices. At present it is the fashion among them to take no notice of the negro: nay, I am informed, that in those countries (in some of them at least; I hope it is not so in all), if a clergyman were called to visit a dying negro, he would think himself as much affronted, as if he were summoned to attend a sick ox. This I give, on the authority of a gentleman, who was a planter in Grenada, and justly complained of it as a most infamous neglect of duty on the part of those clergy. Nay, one, who was himself a clergyman in Virginia, and perhaps is so still, assured me, that, there, no attempt is ever made to instruct a black in the christian religion; and that if he, or any other churchman, were in this respect to depart from the established mode, he would be *ridiculed by all his brethren*. In Jamaica, I have too good reason to believe that not a few of the priesthood affect to be infidels; and that many of them will refuse baptism to those black men who desire it, unless a fee be paid (three pounds twelve shillings sterling, if I am not misinformed), which very few slaves can afford to pay.* In behalf of those clergy, I

* About three years ago, a friend of mine was present, in a dining party in Jamaica, when a churchman

have heard it said, that the planters will not permit them to preach the gospel to the negroes. But this I do not believe, nor think possible. Supposing it, however, true, I hope I shall give no great offence, by saying, that when a planter's prohibition, and the express command of Jesus Christ, happen to contradict each other, it may be worth a clergyman's while to consider, which of the two deserves the preference.

659. Let the labour required of the negro be proportioned to his ability, and consistent with his health: let him rest on the Sabbath, and receive a christian education: let a sufficiency of the necessaries of life, with reasonable wages, be allowed him; and when he has served his master faithfully for a certain time, let him and his innocent children be free. All this West Indians may do; and reason and religion declare it to be no more than their duty. And when this is done, the African will be happy in his exile;

told, with many expressions of contemptuous merriment, that their bishop had sent over some pious books for the edification of the negroes; and, added he, I have been entrusted with a parcel of those books, and shall take good care of them; for they are in my house, safe under lock and key; and there they shall remain. The story was well received, and the man who told it—not censured at all.

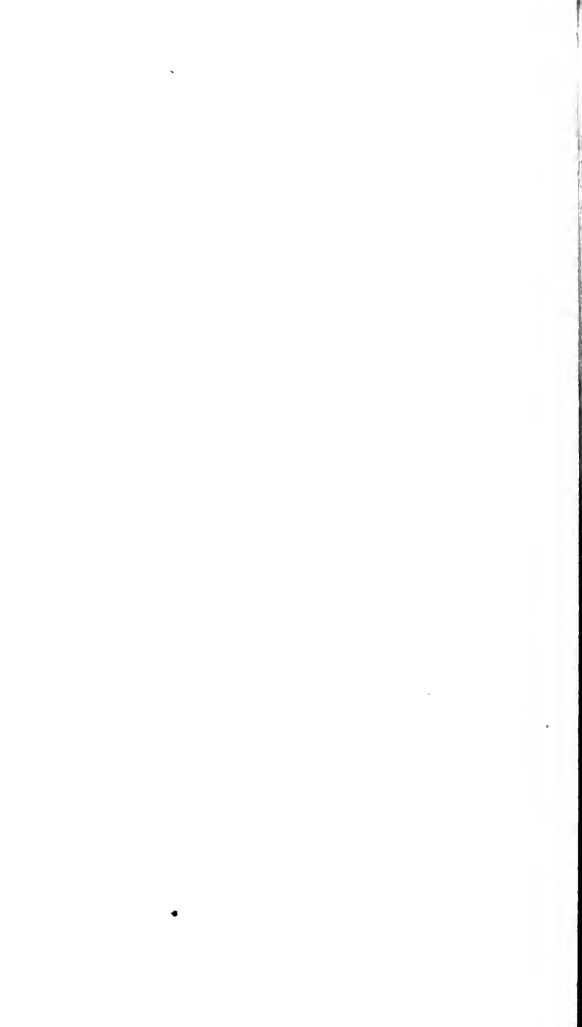
his master may grow rich without a crime; and those plantations will become like paradise, which are now—places of torment.

660. The enemies of our religion long pleased themselves with a conceit, that the Indians of America were not of the human species, because in the early ages there could be no means of conveying into that part of the world colonies from Europe or Asia. One French writer positively affirms, that between Asia and America an ocean roars of eight hundred leagues in breadth. But from late discoveries we learn, that the eastern extremity of Asia is separated from the western extremity of America by a straight, which has islands in it, is generally frozen in winter, and not more than forty miles over. So that, we may as easily conceive, how America might have been first inhabited by emigrants from Asia, as how Great Britain could have been peopled, as we have reason to think it was, by colonies from Gaul.

MORAL PHILOSOPHY

PART III.

OF POLITICKS.



ELEMENTS
OF
MORAL SCIENCE.
—
MORAL PHILOSOPHY.
PART THIRD.
OF POLITICKS.

661. **WE** are now to consider the origin and nature of policy or civil government; which is of all *human* institutions the most important and complex. As an introduction to it, some things must be premised concerning the general nature of law. For the end of just government is publick good: and to publick good human actions are directed by means of laws. What then is a law? What are the notions comprehended in it? What are the rights, the duties, and the obligations that arise from it? The science that contains an answer to these questions, and to others that

depend on these, is sometimes called *jurisprudēce*, *prudētia juris*, the science of right, or of law. Hitherto, since we entered on the practical part of the abstract philosophy, human *duty* has been the chief object of our inquiry; we are now to attend chiefly to what is called *right*, a word often correlative to duty, but not always strictly so; as will appear afterwards.

CHAPTER I.

Of the General Nature of Law.

662. **I**F we were to give an account of the laws of any particular country, we might begin with this definition. Law is a rule of civil conduct, prescribed by the supreme power in a state, commanding what is right, and prohibiting what is wrong.* But, taking the word *law* in a more general sense, and considering ourselves as subject to the laws of God, as well as of man, we may rather say, that law is the declared will of a person or persons in authority, (that is, having a right to govern) commanding some things, and forbidding others, with a promise, expressed or implied, of reward or convenience to those who obey, and the denunciation of punishment or inconvenience to those who disobey. The good thus promised, and the evil thus denounced, are called the sanctions of the law. They who obey the law enjoy the advantage of being protected by it, and sometimes other positive rewards;

* Blackstone

They who transgress are liable to the punishment or penalty denounced. That, under equitable government, the protection of law is an unspeakable advantage, will appear to those who consider, that a good citizen has the whole power of the state engaged on his side, to vindicate his rights, and guard him from injury.

663. Laws may be divided into those of God, and those of man. The law of God is subdivided into the natural or moral law, and the positive or revealed. The former may be discovered by a right use of reason, the latter is made known by revelation. To appropriate certain portions of our time to the offices of religion, is a moral duty, discoverable by reason, and founded on the same principle that recommends those offices; time being necessary to every work of man. To set apart one day in seven for this purpose, is a positive duty, which man did not know till it was revealed to him. When moral and positive duties interfere, so that we cannot perform the one without a temporary neglect of the other, moral duties generally deserve the preference. To rest from our ordinary business on Sunday is not so strictly incumbent as to relieve distress on that day, even though, in doing so, we should be obliged to labour from morning to night. The sanctions of the divine law are, first, future re-

ward or punishment; secondly, the approbation or disapprobation of conscience; and, thirdly, the advantages and disadvantages annexed even in this life to virtuous and vicious conduct. The divine moral law, which is also called the law of nature, regulates, or ought to regulate, the intercourse of independent nations with respect to one another; and in this view it is commonly called the law of nations.

664. Those laws, whereby human authority regulates the policy of any particular nation, are called the civil or municipal laws of that nation. Both these epithets are derived from the Latin; the one from *civis*, which denotes a person who is a member or citizen of any political community; the other from *municipium*, which anciently denoted a community dependent on Rome, but possessing the right of enacting laws for the regulation of its own policy. And here it may be proper to explain two or three terms of the Roman law. A proposal for a law, which in the British parliament is termed a bill, the Romans called *rogatio*; because, when the magistrate put this question to the Roman people, *Velitis jubeatisque, Quirites, hoc fieri?* if the people answered, *Uti rogas*, this made the bill a law. Hence *ferre rogationem*, and sometimes *ferre legem*, answered to our parliamentary phrase, *to bring in a bill*;

with this difference, that the *rogatio* was brought before the Roman people, who were the legislators: whereas, with us, the bill is brought before the parliament, which forms our legislature; as will be particularly described hereafter. *Legem seu rogationem antiquare* answered to our phrase, *to throw out the bill*, not to suffer it to pass into a law. *Legem abrogare* signified to repeal a law: *legem jubere, sancire, figere*, or *accipere*, to make or enact a law. *Legem refigere* is the same with *abrogare*. When by a new law a clause of a former law was annulled, the phrase was *de lege derogare*: when by a new law a clause was added to a former law, it was *legem surrogare*.

665. Human laws may ascertain, and in some cases limit, the law of nature, but ought never to contradict it: for that would be setting up the will of man in opposition to the authority of God: and the more that human laws deviate from the law of nature, the more unjust they become. In countries subject to monarchical government, where a distinction of ranks, for reasons to be given hereafter, is essential to the good of the state, the law may oblige a father of a certain fortune and station to leave the greatest part of his estate to his eldest son; who, becoming his father's representative, and inheriting his rank, is liable to incur more expense than any of the

younger children: this is reasonable, because it imposes no unnatural hardship on any body. But were the law to require a father to leave his fortune to his eldest son, without making any provision, or a suitable provision, for his younger children, such a law would be unjust, because contradictory to the divine law, both moral and positive.

666. The laws of the ancient Romans, as collected by the emperor Justinian, have been called emphatically the civil law. In Scotland, and some other countries, this law serves as a kind of supplement to the municipal law of the land, and great regard is had to its authority; but in England it is no more regarded than that of any other foreign nation. Municipal law is divided into common law and statute law. The former is founded in ancient and immemorial custom; the latter is contained in written statutes or acts of the legislature. I know not whether any British statute could be produced which forbids murder or theft, or gives a man the disposal of his own estate. But these things have always been so; and this circumstance gives them the full force of laws. The common law of England was collected, about five hundred years ago, by Glanville; that of Scotland is contained in a book called *Regium Majestatem*, from the two first words of the book.

On comparing these two collections, we find, that anciently the common law was pretty much the same in both kingdoms. But considerable alterations have been introduced since that time.

667. The canon law was compiled from the decrees of the popish councils, and from the *rescripts*, or written determinations of the popes. Except within the pope's own dominions, great liberties are now taken with it, even in popish countries. Among protestants it has no authority. Yet in our ecclesiastical law many of its principles are discernible. But these derive their authority among us, not from the church of Rome, but from acts of our own legislature, whereby they have been adopted and ratified.

668. A law must be promulgated to those who are to obey it; and, when promulgated according to the established forms, no pretence of ignorance is admitted as a *legal* excuse for transgression. If it were, every transgressor would plead ignorance, and so the law would be of no effect; and people, trusting to this plea, would not give themselves the trouble to inquire what those laws are, by which they must regulate their conduct. However, in a particular case, unavoidable ignorance would no doubt be admitted, in *equity*, as an alleviation of the transgressor's fault. Different forms of promulgation have taken place in dif-

ferent nations. Where printing is practised, and newspapers circulate, the matter is very easy. Among us, when a law is made that particularly concerns the lower orders of the people, with respect to them, as not being supposed to be conversant in newspapers, or in general conversation, an interval of time is allowed, during which the law, though made and promulgated, does not take effect.

669. The moral law of nature is promulgated to man by his reason and conscience; and is ascertained, illustrated, and enforced, by revelation. Conscience, considered as the promulgator of this law, has been, by some writers, divided into certain, probable, dubious, and scrupulous. When we are sure that the law is good, and that our conduct is conformable to it, this is called certain conscience. When our conduct is conformable to a rule, but we are not certain of the conformity of that rule to the law of nature, it is probable conscience. When we are doubtful both of the rectitude of the rule and of the conformity of the action, it is dubious conscience. And when the ground of doubt is of small importance, conscience is called scrupulous, from a Latin word, signifying a stone small in size, but troublesome when it gets into the shoe of the traveller. This division is neither correct, nor material; and it

its stead we might put a good rule of Cicero, never to do that, of the lawfulness of which we are doubtful. Certain conscience alone is that which a man may safely act upon. Scrupulous conscience, though perhaps the effect of weak understanding, is, however, entitled to reverence; as nothing can be unimportant to a conscientious man, which he believes to be his duty.

670. What *is* the moral law of nature? is a question that has often been proposed. That (I would answer) is incumbent on us by the law of our nature, which, after candid inquiry, our reason and conscience declare to be right. Other answers have been given. Some speak of seven precepts of Noah, from which the whole law of nature is deducible; but of this there is no evidence. Some have thought that the law of nature is nothing else than the general consent of all nations. And it is true that, with respect to the principal points of the law of nature, all civilized nations are of the same opinion. But though there were only one nation, one family, or one person upon the earth, certain duties would be incumbent on that nation, family, or person; which duties would result from, and be a part of, the law of nature: so that there is a law of nature previous, not only to the consent, but even to the existence, of nations. Others have

said, that the law of nature is that rule of conduct which men would observe in a state of perfect virtue. In such a state, no doubt, the law of nature would be obeyed; but in such a state there would be no room for many duties incumbent on men by the law of nature; those particularly that regard the regulation of such passions, as a sense of injury is apt to render excessive. For in such a state there would be no injury, and consequently no room for forgiveness, placability, and mercy, which yet are duties enjoined by the law of nature. The conceit of Mr. Hobbes, that in the nature of things there is no distinction between just and unjust, right and wrong; and that in civil society the will of human governours is the sole standard of duty, and consequently of the law of nature; this conceit, I say, we need not stop to examine. For Hobbes and his paradoxes are now forgotten, as they deserve to be: and Dr. Clarke, in his excellent work on the Evidences of Religion, has proved, that this paradox is both absurd and selfcontradictory, as well as impious.

671. Laws respect future actions. For it would be unreasonable to make a law declaring a past action unlawful, which at the time it was performed was not unlawful: a law with a retrospect, as it is called, would be a very odious thing.

“ Where there is no law (divine or human) there is no transgression.” Every law is a precept or command; and every *precept* implies *permission*. That law, for example, which *commands* men not to steal or murder, *permits* men to enjoy their property and life. From the *permissive* part of law, arises *right, jus*; which is defined a power, allowed by law, to have, do, or require from another, some certain thing. From the *preceptive* part of law arises *obligation*; what the law commands I am obliged to do; and if I have a *right* to a thing, there is an *obligation* on others not to violate that right; and if I am under an *obligation* to do a thing, others have a *right* to require that I should do it. Obligation and right, therefore, do mutually imply each other, and are both comprehended in every law. The former restrains liberty, the latter secures it. They may be further distinguished thus. We may dispense with a right, but not with an obligation; we may forgive a debt due to us, but of a debt which we owe, we can acquit ourselves in no other way, than by paying it.

672. The obligation of law has been divided into moral and natural. We are under a moral obligation, that is, we are bound in conscience, to obey every good law. We are said to be under a natural obligation, that is, we are determined by prudence, to obey even those bad laws which we

cannot transgress without incurring a penalty. Bad laws, however, we ought not to obey, if our conscience declare it criminal to obey them: and such laws seldom exist in regular society. All the divine laws are good, and guarded by the most awful sanctions; so that to obey them we are under the strongest obligations, both natural and moral. Laws generally concern a whole class of people. Yet a law may be made, that points at one person; and this sort of law, whether made out of favour, or out of resentment, the Romans called *privilegium*, from *privus* and *lex*. The English word *privilege* has a different meaning, and always implies favour, or something which it is better to have than not to have.

673. Equity is distinguished from strict law. All the divine laws are equitable and good. But it may happen, that a human law, though good upon the whole, shall in a particular case be oppressive. Now, when a judge moderates the rigour of the law, by departing from the letter of it, and giving judgment according to humanity and the peculiar circumstances of the case, he is said to decide according to equity. It is generally thought that inferiour courts ought to be courts of strict law, because from them an appeal may be made to a higher court; and because the judges in them are not supposed to have that

extensive knowledge of the law and of human affairs, which the higher judges probably have. But supreme courts must be courts of equity; always, however, adhering to law when that can be done without oppression. The Scotch court of session, though not a supreme court, claims the privilege of deciding according to equity, as well as according to law. The court of chancery in England is a court of equity. And the house of lords must be considered as a court of equity, as well as law; because its sentence is final, and must stand, whether it be according to law or not.

674. When out of special favour a person is exempted from the obligation or penal sanction of any law, it is called dispensation; and is the work of the lawgiver, as equity is of the judge; for in the law the dispensation must be specified. With regard to human laws, dispensations may be allowable and reasonable. But to grant a dispensation, exempting one from the obligation of the divine law, or stating an inconsiderable penalty as an atonement for a transgression of it, though by the church of Rome this has been done, is absurd and impious; because it sets in opposition the will of man to the law of God.

675. Every variety in the states or conditions of men may occasion some variety in their rights,

and consequently in their laws. Now our states or conditions depend upon our connection, first, with things irrational and inanimate, and, secondly, with our fellow men. From the former connection are derived innumerable rights and obligations respecting the acquisition and enjoyment of property; from the latter, arise all the social duties, and all the laws that relate to government, commerce, war, and peace.

676. That state, in which men may be supposed to live before the institution of government, has been called the state of nature; to distinguish it from the political state, which is an artificial thing. In the state of nature, supposing it to take place, there would be society, because man is a social being; but there would also be perfect freedom, equality, and independence, and men would be subject to no law, but the law of God; which, however, if they could know it, and were willing to obey it, would make the state of nature very happy, and render human government unnecessary. But men, being liable to ignorance and error, and much inclined to wickedness, would find the state of nature exposed to great inconveniencies, which could be prevented in no other way, than by establishing government, subordination, and human laws. The state of nature is not wholly an imaginary thing. Independent

nations, who acknowledge no superiour but God, are in a state of nature with respect to one another. And a number of persons, mutually independent, thrown by shipwreck into a desert island, would at first be in the state of nature; though, no doubt, they would soon find it necessary to make regulations, which would introduce a sort of government.

677. Human rights, as vindicated by laws, have been divided into perfect, imperfect, and external. Those are called perfect rights, which, being necessary to the *existence* of society, may be vindicated by force, or by legal prosecution. Such is our right to life, to health, to property, to reputation, to liberty: whence there is an obligation on other men, not to take our life, hurt our bodies, invade our property, deprive us of liberty, or injure our reputation. The rights called, in contradistinction to the former class, imperfect, are necessary to the *happiness* of society, and in themselves most sacred, but cannot be vindicated by force, or by legal prosecution. Such is a benefactor's right to the gratitude of the person to whom he has done good, the poor man's right to charity; and the right which all men have to the common offices of humanity. It has been questioned, whether these be properly called *imperfect*; and whether they be *rights* at all. Not having

time to enter into the controversy, I shall only say, that the *common* use of language will warrant their being denominated *rights*; and that the word *imperfect*, as here applied and explained, can lead into no mistake. Those have been called external rights, which, though in some respects hurtful in society, are yet vindicated by the law, in order to prevent greater evils. Such is the miser's right to that money which he hoards up to the injury of his relations, the community, and the poor. And such is the right, which a creditor may have to exact rigorous payment from an unfortunate debtor.

678. Rights have also been divided into alienable and unalienable. The former may be transferred to others, and when transferred may be useful: such is our right to property. The latter cannot be transferred; and, though they could, would be of no use: such is our right to life, to health, to innocence, to the performance of moral and religious duty. These unalienable rights we are not only entitled, but bound in conscience, to maintain. Rights are also divided into natural and adventitious. The former belong to all men, in consequence of their being men; the latter belong to men on the supposition of their being placed in certain circumstances, and having made certain acquisitions. The duties correspondent to

the former are, "hurt nobody; do all the good you can:" the duty answering to the latter is, "give every man his own." Adventitious rights are subdivided into original and derived. When a man, by some lawful deed of his own, acquires a right to something, to which nobody had a right before; this is original adventitious right. When a man derives his right from another who formerly had it, this is derived adventitious right. Examples of both will be given by and by.

679. The chief of these adventitious rights is property; which may be defined, the right of possessing and using a thing, and of excluding others from the possession and use of it. The origin of property may be explained as follows. All the things in this world may be reduced to three classes, rational, irrational, and inanimate. Of rational beings, for reasons formerly given, it is unlawful to make property, so as to buy, or sell them; or give them away into the absolute disposal of another. Inanimate things may be made property of; because without them we could not subsist; and because they would be useless, if we and other animals did not use them. Irrational animals may also be appropriated, both for labour and for food; provided it be done in such a manner, as to promote the good of man, who is the

chief inhabitant of this world, without doing injury to them.

680. To be a little more particular on this last point. Animals that would destroy us if they could, we have a right to destroy in selfdefence. To many others of a milder nature our protection is a great benefit, and death, with little or no pain, is a less misfortune, than a lingering death would be. The endless multitudes of some irrational creatures, as of certain sorts of fishes and fowls, are a proof, that they were intended by the Creator for food to man, and other animals. For that one animal should be supported by preying on another of a different species, is agreeable to the general economy of nature: even those, that feed on grain or grass, cannot devour either, or quench their thirst with water, without swallowing living things, which must all die before that grass, grain, or water can be converted into aliment. And in many situations, as in barren islands, large towns, and sea voyages, men could not be supported without animal food. To which we may add, that if the usual slaughter of animals for food were to be discontinued, they would soon multiply to such a degree, as to become an intolerable nuisance, both to mankind, and to one another; and, whether we used them for food or not, we should be obliged in selfdefence to destroy

them. But let it be remembered, that they are percipient beings, and ought to be treated with no unreasonable or avoidable rigour, and to suffer as little pain as may be; and, when we have occasion to kill them, we ought to do it, if possible, in an instant. Such a death, to animals which do not know that they are to die, and cannot even conceive what death is, and have nothing to fear in consequence of it, can hardly be called an evil. It does not clearly appear, that the use of animal food was permitted to the antediluvians. The first grant that we read of, with respect to it, was made to Noah after the flood; whereas the use of herbs, and fruit, for food, was granted immediately after man was created. See Genesis i. 29. and ix. 3.

681. All things are at first in a state of, what has been called, negative community: in other words, if men were living in the state of nature, every man at *first* would have a right to every thing, and no man would have a right to exclude another from the use of any thing. This is what Cicero means when he says, in the beginning of his discourse on Justice (De Off. i. 7), *Sunt autem privata nulla naturâ*. In this state we are at present, with regard to those things, which are common, and cannot be appropriated, as air and light. But, with respect to other things, men

could hardly remain in this state for a single day, because property must soon be acquired, in the article of food at least. Now original property may be acquired in two ways, by *occupancy*, (*occupatione*), and by *accession*. Observe, that original property is that which a man makes his own by some lawful action, and which he derives not from any former proprietor.

682. Occupancy is the act of seizing on something which belongs to nobody, and of seizing on it in such a way as to show that he or she who seizes intends by so doing to make it his or her own. If I find a thing which has no owner, I make it my own by seizing on it. If I, with other independent persons, were thrown by shipwreck into a desert island where there was plenty of ripe fruit, I should make myself the proprietor of some part of that fruit, by seizing on it, or by climbing a tree, or otherwise exerting myself, in order to get it: and if, on coming down from the tree, I were to be assaulted by another who had done nothing, and to have my fruit taken from me, it would be injustice, and a violation of property. Those things may be made property of, which may be exhausted by use, and improved by labour. Water, air, and light, are not things of this kind, and therefore cannot be appropriated, but remain always in a state of negative commu-

nity: your right to them is as good as mine, and mine as good as yours. Where water is exhaustible and improvable, as in towns and very dry climates, it may be appropriated and bear a price. And where running water is valued on account of the fishes that are in it, it may be bought and sold in like manner.

683. Property in food, being at all times necessary, must take place even in the rudest forms of society. That would probably be appropriated first, which is most easily come at, as the fruit of trees and bushes, and other vegetables; then perhaps men would think of preying on beasts, and fishes, and fowls; and, in many countries, this must have been their first provision, and, consequently, hunting, fishing, and fowling their first employments. Afterwards, finding that a provision of animal food might be secured for some length of time, by bringing the more tractable animals together, and keeping them in flocks and herds, men would betake themselves to pasturage, in countries where it was practicable. And this we learn, from the history of the patriarchs, to have been one of their earliest vocations.

684. In a good soil and climate, the digging of the ground and the rearing of useful herbs, would no doubt be practised in the beginning of

society, both as a recreation and as a profitable art. But agriculture, in a more enlarged sense of the word, as it depends on several other arts, especially those of working in wood and metal, could hardly take place, till after those arts were invented. And the appropriation of land, or territory, except for the purpose of selfdefence, in order to keep enemies at a distance, would hardly be thought of till after the establishment of agriculture. In Genesis, we find the patriarchs moving from place to place with their flocks and herds, for the convenience of pasture, and claiming property in wells, because they had dug them, before they thought of making property of the soil. For the countries in which they sojourned were at that time thinly inhabited; and, though productive of grass, were rather deficient in water. In many parts of the east the herbage is still said to be in common, on account of its abundance, and the comparative fewness of the people.

685. To what has been said of the origin of agriculture, it is no objection, that one of Adam's sons was a tiller of the ground. For the condition of the antediluvians must have been so different from that of all other men, that in a matter of this kind we cannot argue from the one to the other. Their lives were much longer than ours; they probably derived their knowledge of the

most necessary arts from the first man, who was no doubt in many respects enlightened by inspiration; and probably the earth was more easily cultivated, and the seasons milder, in those early days, than they have been at any time since. This we know, that after the flood the life of man was exceedingly shortened.

686. Some labours instantly repay the labourer. He, who digs a cave, or builds a hut, enjoys the shelter of it, to which his labour gives him a right, provided he has not encroached on any body. Other labours do not immediately repay the labourer: it is autumn that compensates the toils of the spring. Now man is made for labour; and to it must have recourse for recreation, if he is not driven by necessity; for without it he cannot be either happy or healthy: and the earth and other things require labour to make them useful; and we are prompted by reason and foresight, to provide for future, as well as to remove present, wants. And hence mankind would in time learn to lay claim, not only to present use, but also to permanent property; not in movables only, and other artificial things, but also in the soil or territory.

687. Permanent property, when acquired, continues till the owner relinquish it, or sell it, or give it away. If given away, or sold, it becomes

permanent in him to whom it is sold, or given; if relinquished, it again becomes common, and falls to the first occupant, as before. A man's children, if the first witnesses of his death, are naturally the first occupants of the property he has left; and the municipal laws of all enlightened nations allow them to be his natural heirs. From a passage in the history of Abraham (Gen. xv. 2, 3.), it would appear, that, in those early times, when a man died childless, his servant (perhaps his chief servant) became his heir; probably, because, being present at his death, he was of course the first occupant of the property left. Of the reasonableness of admitting the validity of testaments, I shall have occasion to speak afterwards.

688. From the view of things now given, it has been supposed by some authors, that the progress of human society, from rudeness to refinement, consists of four periods or stages: that, in the first, men lived by hunting or fishing, or on such fruits and plants as the earth produces without culture; in the second, by pasturage; in the third, by both these, in conjunction with agriculture; and, in the fourth, by all these, in conjunction with commerce, which gives rise to arts and sciences, and every other elegance of life. In some countries, particularly our own, this may have

happened, but could not in all: some being so barren as not to admit of agriculture; many so peculiarly situated, as to be incapable of commerce with the rest of the world; and some so destitute of territory, and so beset with the sea, as to oblige the natives, from the beginning, to live by fishing, or practise commerce. Examples will readily occur to those who are conversant in history and geography.

689. Of original property a man may occupy as much as he has occasion for, provided he do no injury to others: and the same rule, a little extended, may determine the limits of occupancy, where states or nations are the occupants. If one man, or a few men, were to land in a desert island, it would be unreasonable that they should appropriate the whole, unless the whole were necessary to supply their wants. But men, acting as the servants of a nation, might, in the name of that nation, or of its sovereign, take possession of the whole, unless it were very extensive; because the government which they serve may send colonies to people it, or in selfdefence may find it necessary to hinder foreigners from settling in it. As to the right which some nations have assumed, of exterminating or driving away the people of any country, that they might have room to settle in it; it is just such a right, as my neigh-

bour's family have to murder, or drive me out of my house, that they may have it for themselves. The instance of Joshua taking possession of the land of Canaan is no objection to this principle; as will appear afterwards.

690. Some things, when appropriated, belong not to any one individual, but to a society. Of this kind, in the Roman law, are *bona universitatum*, property belonging to communities; as market places, publick halls, publick walks, and such lands as may be bought by the community, or given to it. Of this kind also are, what the Roman lawyers called *res sacras*, as temples; *res sanctas*, as the walls of a city; and *res religiosas*, as the sepulchres of particular families. These were improperly termed *res nullius*, things belonging to nobody. It is true they belong not to any individual, but they are the property of certain communities or societies. Highways and publick bridges are, by the civil law, considered as the property of the state: with us, they are supposed to belong to the king, as the representative of the state; and hence we call the publick road the king's highway.

691. It is a maxim in the civil law, *Quod nullius est, fit occupantis*: what belongs to nobody, becomes the property of that person who seizes on it. But in most of the modern monarchies of

Europe the maxim is, *Quod nullius est fit domini regis*. Things found, when the owner cannot be discovered, belong, by the law of nature, to the finder or occupant; but on this right of property the laws of different countries have laid different sorts of restriction. The Jews gave found treasure to the owner of the ground in which it was found; the Roman law gave it sometimes to the finder, sometimes to the landlord, and sometimes to the publick treasury. In great Britain it has commonly been considered as the property of the king; and formerly it was criminal not to give him notice of it, when found; but now he never claims it, because it is not worth his while, and so it remains with the finder. How the king should have a claim upon it, will appear afterwards, when we come to speak of those feudal institutions which gave rise to the modern monarchies of Europe.

692. When a man throws away his property, or neglects it so as to give reason to believe that he does not mean to reclaim it, the first occupant has no doubt a right to it. In commercial countries the law commonly fixes a time, before which, if a man does not claim his property, having it in his power to do so, he is supposed to have relinquished it, and loses his right by what is called prescription. The terms of prescription are different in different countries, and with respect to

different sorts of property. Many corporations and individuals enjoy their estates by prescription; that is, the law permits them to enjoy those things now, because their predecessors had possessed them undisturbed for many years. This is not unreasonable. Many things happen, by which charters and original grants may be destroyed; and if a man and his forefathers have enjoyed an estate undisturbed for many years, it is presumed that no legal objection can be made to his right, and, consequently, that his right is good. If objections have been made from time to time, according to the established forms of law, that will alter the case. A tradesman may by prescription lose his claim against his debtor: that is, as the law stands at present. if he does not present his bill for payment within five or six years after it falls due. This too is reasonable. It imposes no hardship on the creditor to oblige him to present his bill; and it prevents claims from being brought against the debtor of so old a date, as that he can hardly know whether they be just or unjust. So much for occupancy, the first way of acquiring original property. See § 681.

693. The second way is by what is called *accession*; by which we acquire the original property of something, in consequence of its being strictly connected with another thing which be-

longs to us. Of these accessions the lawyers enumerate several. The proprietor of money lent is entitled to the interest of it, and the owner of a tree or a cow, to the fruit or the calf: this is called *fructus*. He who buys a growing wood is proprietor of all the additional increase of the tree: this is termed *incrementum*. Another is denominated *alluvio*; when ground is by a river brought over from the proprietor on the one side to the proprietor on the other. If this be done gradually, it is properly accession, because the former owner might have prevented it; but if a large piece is brought over at once, it seems reasonable, as such a thing could be neither foreseen nor prevented, that the proprietor should not lose his right. New islands sometimes rise in seas and rivers. If the sea or river belonged to any person or people, the new island also belongs to that person or people: if this was not the case, the new island may be appropriated by occupancy; unless the neighbours have reason to think they may be in danger from foreigners getting into it; in which case the right of selfdefence will justify their interposing, in order to obtain an equitable settlement. Other accessions are mentioned by the names of *commixtio*, *confusio* *specificatio*, &c. every question relating to which may be solved by any person of common sense.

694. The sea was mentioned as property; absurdly, it may be thought, as that should be open to all the world. And this is in general true; though the same right of selfdefence may authorize exceptions. A maritime people have an undoubted right to hinder from coming within a certain distance of their coast foreigners suspected of hostile purposes; as well as those, who, by fishing, would deprive the natives of part of that provision to which nature gave them a right; for that to the fishes found on *our* coast for example, *our* people have an exclusive right, will hardly be denied; unless there be such plenty, as may serve others as well as ourselves. Contraband adventurers too may be prohibited from approaching too near, on pain of forfeiting their cargoes.

695. The right of property comprehends these five rights. First, the right of possession: secondly, the right of using: thirdly, a right to exclude others from possession and use; for, without this, the two former rights would be nothing: fourthly, the right of recovering our own when lost: and fifthly, the right of transferring what is alienable. The duties and obligations corresponding to these rights, are obvious, and universally understood.

696. I come now to the second class of adventitious rights (see § 678), which are derived from

some deed of a former proprietor. They are divided into personal and real. A personal derived right terminates in some person: thus a master has a personal right to the service of him whom he has hired; and thus a creditor may be satisfied with a personal or general security from his debtor, as a bill or a bond, without demanding a right, by a pledge or otherwise, to any particular part of the debtor's goods. These personal rights are *real* in one sense of the word, that is, they are not fictitious, but genuine. But, in contradistinction to these, those derived rights have been called real which terminate not in a person, but in some thing; for the word *real* (in barbarous Latin *realis*) is derived from *res*. If I have lent money to a man who gives me some part of his goods, in the way of pledge, to be kept by me if the debt is not paid, I am said to have a real right.

697. There is a derived real right to partial property, and a derived real right to full property. In the former case, one is proprietor along with another, or with others; in the latter, one is sole proprietor. The following are examples of derived real rights to *partial* property. First, *bona fide possessio*. When a man innocently becomes possessed of what belongs to another, as in the case of finding what is lost, he is a pre-

sumptive proprietor, a *bona fide* possessor, and has a right to keep what he has found from every person but the owner; who, on receiving it back, is bound to indemnify him for any trouble or expense he may have incurred in preserving it, and in finding out the person whose property it is. If the finder have received benefit from it, let him make the owner an amicable compensation; if it have perished through no fault of the finder, he cannot be liable in damages. There is no difficulty in determining any case that may be supposed to occur in a matter of this kind.

698. Secondly, the right of *entail*: or that right which one may have to a thing, an estate for example, after a certain number of years are past, in which case one is said to have the right *in reversion*; or after the death of certain persons, in which case one is said to have it *in remainder*. One may leave one's property, or give it away, to another; or, in the event of his death, or not performing conditions, to a second; or, in case he should die, or not perform conditions, to a third, and so forward; and every one of these persons has a right of entail. Or a man, disposing of an estate of his own acquisition, may leave it for so many years to one person, for so many subsequent years to another, for so many more to a third, &c. Such disposals are in general not un-

reasonable, as the right of making them results from the very nature of property: but municipal law may limit such rights, where the publick good seems to require it. There is another sort of *entail* very common in this country. A man possessed of an estate in land, who can prove that he has no debt, may, if he pleases, by a deed called an entail, executed according to certain legal forms, settle that estate upon his heirs in such a manner, as to make it impossible for them to diminish it. So that he, who inherits an entailed estate, cannot have credit to borrow more money, than he can satisfy his creditors that he can pay during his life, or that his heir can pay without encroaching on the inheritance. Such entails lay a restraint on luxury, and secure the perpetuity of estates as far as that can be done by human policy; but they throw incumbrances in the way of private business, and seem to be rather detrimental to a commercial nation. And it often happens, in consequence of these entails, that the younger children of people of fortune are poorly provided for.

699. A third derived right to partial property is *jus emphyteuticum*, or the right of holding in fee, or, as it is sometimes called in Scotland, *in feu*: which takes place, when a man possesses as his own a certain improvable thing, as a piece of

ground, on paying a yearly tribute to his superior, that is, to the person from whom he derives his right. It differs from a lease, which gives one the use of a house or piece of ground for a limited time only. The holder in fee is the proprietor of what he holds; and may sell it to another; though he is commonly subject to some restrictions with respect to the mode of alienation. The ancient and technical name of this sort of right is derived from the Greek *εμφυτευσις*, to plant or ingraff. Anciently, it seems, this tenure was, and indeed it is still, found to be a good encouragement to the cultivation of barren ground. A man who possesses a field as his own, and knows he may dispose of it to advantage when he has improved it, willingly incurs the expense of improvement; which he who holds by lease, unless it be a very long one, is in ordinary cases under little or no temptation to do. To the truth of this remark, many fine fields in this neighbourhood bear testimony. In the memory of persons not much older than I am, most of them were wild heath, or watery and rocky desert.

700. A fourth derived right to partial property is *pignus*, and a fifth is *hypotheca*. When, as a security for a debt, a certain piece of goods is put by the debtor into the hands of the creditor, to be kept by him till the debt is paid, this is

pignus or pledge. When either the law, or a deed of the debtor, transfers to the creditor, as a security for a debt, not the property itself, but a legal right to some part of the debtor's property, this is hypotheca; and is sometimes in the Scotch law termed *hypothec*, as in French it is *hypothèque*: the English word *mortgage* comes near it in signification, but is not the same. If, in Scotland, a farmer become bankrupt, his landlord has an hypothec on his crop for payment of the rent; that is, may insist, without ranking himself among the other creditors, that as much of the crop shall be given him, as will pay the full rent of that crop. In like manner, house carpenters and shipwrights have an hypothec on the house or ship repaired, for the materials and other charges of reparation; and ship masters, on the cargo for their freights. Pledges and hypothecs being real rights, the law considers as preferable to personal ones. They are better securities for the payment of debt, than bills or bonds.

701. A sixth derived right to partial property is called *servitus*, or servitude; which is a right to some small use of another's property, or to some influence over it. Thus, in the country, I may have a right to drive my cattle to water through a neighbour's field; and in a town, if I am building a house, I may have a right to fasten

some of the beams in my neighbour's wall; and he may have a right to prevent my building so near or so high, as to make his house dark or unhealthy. The Roman law divided *servitudes* into *urbane* and *rustica*.

702. The last of these derived rights to partial property that I shall mention is *feodum*, or the right of holding in *fief*, that is, of possessing an estate as one's own, on condition of rendering homage and personal service to the superiour. This sort of tenure was introduced by those nations, who, in the fourth, fifth, and sixth centuries, came from the northern parts of Europe, overturned the Roman empire, and established themselves in France, Spain, Italy, and the other countries which they conquered. They were called by different names, Goths, Huns, Vandals, Franks, Normans, &c. but seem originally to have been the same people; or at least to have very much resembled one another in manners, laws, and government. They left their own countries, probably because they found them uncomfortable, and had heard that in the southern parts of Europe the necessaries of life might be more easily obtained, and in greater abundance; and actuated too, perhaps, by a spirit of ambition and conquest: and whole nations of them emigrated at once, without any view of ever returning

Such emigrations were in former times not uncommon. Cesar* gives a particular account of a projected emigration of the Helvetii; which he opposed, from an apprehension that they would molest the Roman province, and some other nations in friendship with Rome; and, having defeated them in several battles, and killed two hundred and fifty thousand of them, compelled the remaining hundred and ten thousand to return to their own country. And about fifty years before this period, the Cimbri and Teutones emigrated from the northern parts of Germany, with a view to settle in the Roman province, or in Italy, and were overthrown by Caius Marius, with a slaughter that amounted almost to final extermination.

703. But to return to the subverters of the Roman empire: they, like their predecessors in emigration, were a bold and hardy race of men, lovers of liberty and independence, and fond of military enterprize. When they had conquered a country, their plan was, not to destroy the natives, but to settle among them, and introduce their own laws and customs. To their commander, who at first was chosen by them, and afterwards became their king, they made a present of

all the conquered territory, on condition of his dividing it among them; which he did in the following manner.

704. He retained as much of it as was thought sufficient for the support of his dignity; and what he possessed he held of no superiour. It was, therefore, property of that sort which afterwards came to be called *allodial*; from two northern words, *all*, which signified then what in our language it does now, and *odh*, property. The rest of the conquered territory he divided among the officers of his army, who were afterwards considered as nobility, and who held their lands of the king, and held them as their own, on condition of rendering him personal service, and attending him in war, at their own charges, when summoned for that purpose; all which they swore to perform, declaring themselves at the same time his *men*, *homines*; whence was derived the barbarous Latin word *homagium*, and our English term *homage*. This sort of tenure was called *feodum*, *feod*, and by corruption *feud*; from two northern words, *fee*, reward, and *odh*, property; which intimated, that these nobles held their lands in *property* as a *reward* for military service. And hence the government, laws, and customs, introduced by these people are called *feodal*, or *feudal*.

705. The nobility of a feudal kingdom were

the king's immediate *vassals*; a word which did not signify slaves, but persons who held their lands of a superiour, from whom they were supposed to derive them. The nobles had also their vassals, who, in after times, and in some countries, were called *armigeri*, armour bearers, or *esquires*, bearers of shields; which last term comes from the French *escu* (probably from *scutum*) or *ecu*, which formerly signified a shield; and the esquires held their lands, each of his immediate superiour, and by the same feudal tenure, according to which their superiour held his lands of the king. Thus the whole conquered territory was divided among the conquerors; and the king, on summoning his nobility to war, was instantly attended by them, and they by their vassals the esquires, and these by their vassals; (for the greater esquires had their vassals, as well as the nobles); so that all the military part of the nation was in arms at once. No plan of policy could, in those days, be better contrived for securing a conquest. And European nations, who had not been subdued by the northern warriors, adopted in process of time the same policy; either because they admired the wisdom of it, or because they wished to be like their neighbours. Thus the feudal government became almost universal in Europe. Into England it was first introduced in

its full extent, about seven hundred and twenty years ago, by William the conqueror, who brought it from his own country of Normandy.

706. All human institutions are liable to change. The feudal system soon became a different thing from what it had been originally. Arms being, in the opinion of these people, the only honourable profession, the lower orders of men, including husbandmen and artificers, were not permitted to be soldiers, and were really slaves, though the condition of all was not equally servile. The nobles at the same time were growing more and more powerful. Their lands at first were held during the king's pleasure, and their titles of honour were only for life: but both lands and titles became hereditary; and certain offices of great power and profit were held in the same manner; as, in Scotland, those of high constable, earl marischal, high admiral, &c. And then, by legacies, lucrative marriages, and other lucky incidents, some of the nobility acquired so great wealth and influence, each having a separate jurisdiction within his own territory, that they began to consider themselves as almost equal to the king himself; which made them regardless both of him, and of the authority of the law. The history of those times contains, for some centuries, little more than contests between

the kings and nobles; the former striving to regain the privileges they had lost, or imprudently given away; and the latter endeavouring to secure advantages, to which, because they had long enjoyed them, they thought they had a good right. Circumstances, however, some of which will be mentioned hereafter, concurred at last to better the condition of the common people, to enlarge men's notions on the subject of liberty, to repress the insolence of the nobles, and to strengthen the authority of the kings and of the law. And thus, the feudal system was at last broken down, in some countries later, in others earlier. But, to this day, feudal laws, feudal manners, and feudal language, prevail more or less in almost every country of Europe. So much for derived rights to partial property.

707. A derived right to full property (see § 697) may take place in these four ways: first, *at the death of the former proprietor, and with his consent*: secondly, *at his death, and independently on his consent*: thirdly, *during his life, and with his consent*: fourthly, *during his life, and independently on his consent*.

708. In the first way, namely, at the death of the former proprietor, and with his consent, a derived right of full property is conveyed, by testament. A testament is a declaration of our will,

made according to certain forms, to this end, that it may have no effect till our death, and may then determine the appropriation of the property we may leave behind us. It would be unwise in a lawgiver to discourage industry; one great motive to which is, that we may do good to our surviving relations and friends: and it would be cruel to expose men to the inconvenience that might attend the alienation of their property during their life. And, if the validity of testaments were not allowed, there would in many cases be no sufficient security for the payment of the debts of the deceased; which, as life is uncertain, would be injurious to every man's credit. That testaments should be valid, is therefore most reasonable; and is admitted by the laws of all polite nations. Whether they derive their validity from natural or civil law, is a question with which men of theory may amuse themselves, but is not material. It is true, that a dead man can have no influence on any of the furniture of this world; but it is equally true, that by the law of nature he has the disposal of his property as long as he has life and reason; and if so, he may dispose of it before his death, on this condition, that the person who is to inherit shall not have it, nor use it, while the other lives: he might even exact from his heir an oath to this purpose,

which oath would certainly be binding by the law of nature. The forms, according to which valid testaments are to be made, it must be left to the law of the land to determine. They are, accordingly, different in different countries, and as they relate to different sorts of property; but, in general, they ought not to be, and in this country they are not, very complex, at least with regard to movables. Forms, however, are necessary, to prevent forgery, and other frauds; and to give legal authority to those who are to execute the will of the testator.

709. Secondly; when a man dies *intestate*, that is, without making a will, the law, *independently on his consent*, determines the succession to his property. This too is reasonable, as well as necessary. For most men know, or may know, the persons whom the law would make their heirs. If a man wish his legal heir to be his real heir, he needs not make a will; and if he has made none, it may be presumed that this was his wish. A man's natural heirs are his children, or nearest relations, among whom the law of nature would give preference according to the degree of consanguinity, without respect to age or sex; and would provide as liberally for the youngest daughter as for the eldest son. But here municipal laws interpose, and regulate inheritance ac-

ording to the exigencies of different governments. In a republick, where the citizens are supposed to be equal, or nearly so, and where the preservation of this equality tends to the preservation of the government, the children of the same father ought all to inherit equally. But in monarchy it is otherwise. (See § 665).

710. Thirdly; a real right to full property may be transferred *during the life, and with the consent*, of the former proprietor, by means of *contracts*. The Roman law distinguished between *contractum* and *pactum*; limiting the former to matters of commerce, and the latter to other covenants, to marriage, for example. But in our tongue this distinction is unnecessary. A contract is the consent of two or more persons, in the same design, mutually expressed or signified, in order to constitute some right and obligation. They are necessary in human affairs; for without them we could neither supply one another's wants in a way equitable to ourselves, nor depend on one another's services. They may be expressed in words, or by any other signs to which the persons concerned agree to give the same meaning. Written contracts have this advantage, that, being more within the reach of the law, they are more easily enforced than such as are not committed to writing. These, however, may be equally

binding on the conscience. The rights conveyed by contracts are perfect rights (§ 677); for the promiscuous violation of them would overturn society. If in themselves lawful, they cannot be annulled but by the consent of the contracting parties; and some of the more solemn covenants, as marriage, cannot be made null without the authority of the law. Contracts differ from resolutions; for these, in many cases, we may alter without blame, and they confer no right on others. They differ also from those promises which, whether declared to be conditional or not, are universally understood to be such. A man promises to come to me tomorrow; but death, sickness, and many other accidents, will justify his not coming; a man promises to leave me a legacy; but my misbehaviour, or a change in his circumstances for the worse, may excuse his not doing it. However, it is the duty of every man to avoid rash promises, to take care not to deceive or disappoint others, and to shun the appearance of fickleness.

711. The validity of contracts may be affected, first, by the understanding, and, secondly, by the will of the contractors; and, thirdly, by the matter of the contract. First, by their understanding. A contract implies consent; and consent implies the use of reason, and some knowledge of the

nature of those things in regard to which the consent is given. To fit a man for managing his own affairs, a certain maturity of age is necessary. What that is, and how far the validity of contracts may be affected by the contractor's immaturity of age, it belongs to human laws to determine. With us, minority ceases, and a man is supposed capable of managing his own affairs, when the twenty-first year is completed; but a private person, from prudential considerations, may prolong for some years the minority of his heir; and an act of parliament may shorten that of the heir of the crown, and make him capable of legally discharging all the functions of royalty at eighteen, or even earlier. By the civil and Scotch law, males before fourteen, and females before twelve, can do nothing in their own affairs, which the law holds to be valid; but their parents, or, if these are dead, their guardians, act for them: and, during this period, they are said to be in the state of pupillarity. After these years, and till they be one and twenty, they are minors; and, while they are so, may, if their parents be dead, choose *curators* to manage their business, unless *curators* have already been appointed for them by their father.

712. With respect to marriage, and the age at which it may be legally contracted, the laws of

different countries differ greatly. In Scotland, minors may marry without the consent or knowledge of either parents or guardians; and marriage contracted even by pupils becomes valid, if the parties agree to live together after their minority commences. The English law resembles the Roman with regard to marriage. In England, all marriages, celebrated without the regular publication of *banns* in the parish church, where either of the parties, not being a widow or widower, is under the age of twenty-one, and celebrated without consent of the father, or, if he is dead, of the mother and guardians, are null, and the children of such marriage illegitimate. If the consent of the mother and guardians be unreasonably withheld, the matter may be determined by the lord chancellor; but no power can force the father's consent; or, if he is alive, make up for the want of it. If the law of England be too rigid in this particular, as some think it is, that of Scotland is undoubtedly too little so. In this particular, however, the English law is easily evaded. If the persons who wish to marry can make their escape into Scotland, and get the nuptial ceremony performed there, though within half a mile of the English border, (a thing often, and with no great difficulty accomplished) the marriage, in the judgment of the British legis-

lature, is valid. Surely, either the English law with respect to legal marriage is wrong; or to tolerate, in this way, the evading of it, is mere mockery of legislation.

713. How far imprudence or mistake may invalidate contracts, is in general well enough understood, though not easily expressed in few words. One thing is clear, namely, that all fraud ought to be discouraged. Contracts, made with idiots, with mad men during their frenzy, or with drunk men when the drunkenness is apparent, ought not to be valid; because, without a fraudulent purpose, nobody would transact business with such a person. In the case of drunkenness, however, there may be exceptions to this rule. All drunk men are not equally incapable of managing their affairs; and all sober men are not equally acute in discerning the state of another man's mind. And there are some contracts, marriage, for example, which ought to be binding even upon drunk men, and in fact are so. Let those, who think there is any hardship in this, be careful to keep themselves always sober; a circumstance of which no man will ever have occasion to repent.

714. Secondly; whatever affects the freedom of the will may affect the validity of contracts. In general, extorted contracts are not valid. But to

this maxim there are many exceptions. If an army is forced into a treaty by a victorious enemy, (which often happens) that treaty must be sacredly kept: if it were not, the evils of war would be remediless and endless. Extorted promises ought to be fulfilled, when by so doing the publick good is promoted, and the person who promises not materially injured. If a pirate sets me at liberty on my promising a ransom, I ought to pay that ransom if I can; not because he has any right to it, but because, if I did not, he might be more unrelenting to other prisoners. In all cases of this kind, the person from whom the promise is extorted, ought to consider how far his nonperformance may affect, first, the publick good, and, secondly, the dignity of his own character. See the story of Regulus, and Cicero's remarks upon it, in his third book on moral duties: see also the tenth chapter of the first book.

715. Thirdly; valid contracts must all be possible and lawful. Contractors, however, may sometimes be mistaken with respect to this possibility and lawfulness: if the mistake was unavoidable, they should suffer no loss; where fraud appears, let it be discouraged. Of inconsistent contracts with the same person, the first is null, and the last valid; with different persons, the first is valid, and the last null. If I hire a servant, at a certain

rate of wages, and afterwards agree to give him more, I am bound by the last agreement. If a man marry a second wife while the first is living, the first marriage is valid, the last is both null and criminal.

716. Some contracts are intended for the benefit of one only of the contracting parties, and these are called gratuitous, and said to be three; *mandatum*, when one without reward undertakes to do business for another; *commodatum*, when one allows another, *gratis*, the use of a thing for a certain time, *depositum*, when one undertakes, without asking any thing for his trouble, the charge and keeping of some part of another's property. These contracts are common, and the rights and obligations arising from them universally understood.

717. Those other contracts, which are intended for the equal advantage of the contracting parties, have in Scotland been called *onerous*. The general rule with regard to them is, that equality be preserved. All the persons, therefore, concerned in them, ought to have the same opportunities of knowing the *value* of those things in regard to which the contract is made. Now those things have value, which are useful or agreeable; and the price of a thing is in proportion to the difficulty of obtaining it, and the demand there is for

it. Difficulty of obtaining a thing may be occasioned many ways; as, if there be but a small quantity of it in the world; if any accident make that quantity less than ordinary; if much labour, learning, or genius be required in the labourer or artist who produces it; or if the persons employed about it are, according to the custom of the country, obliged to live in an expensive manner.* Value and price are not the same. For some things of great value bear no price: such are church benefices, which the law forbids to be bought or sold; and such are those good things which cannot be appropriated, as air and light. On the other hand, things of little use may bear great price, if much desired and rarely met with, as gold and diamonds. Nay, in some savage nations, things of no value at all, as red feathers and glass beads, will be thankfully received in exchange for hogs, and other articles of provision.

718. The most ancient and most obvious sort of commercial contract is barter, or the exchange of goods for goods. But where there is no other sort of commerce, contracts of barter must be liable to great inequalities. I may want, for example, a thing of small value which my neighbour can spare, as a pair of shoes, and have no-

* Hutcheson

thing that I can spare to give for it, but a thing of great value, which cannot be divided, as a horse. Or it may be necessary for me to carry some of my property from home, to support me on a journey; and yet I may find it inconvenient or impossible to move my sheep, oxen, grain, or a sufficiency of other provision, for that purpose. For managing commerce, therefore, with ease, and in order to preserve equality in buying and selling, letting and hiring, and other contracts of the same nature, it will be necessary to contrive some sort of standard goods, universally desired and valued, which every man may be willing to take in exchange for what he sells, because by them he may procure whatever he wants to buy. These standard goods must be of great price, that they may be easily carried about, and that a small quantity of them may be an equivalent for a great quantity of other goods: they must also be durable, and of a firm and tough consistency, and not liable to be either broken or much worn by use; and they must be capable of being divided into very small parts without losing any of their substance. These properties belong to the precious metals of gold and silver, which are accordingly used, in all commercial countries, for money; that is, for a general standard of value or price.

719. Money was anciently dealt out by weight: we still speak of a *pound* sterling, and of *expense* and *expending* money; words, which in their etymology refer to weighing. But this method of reckoning money is both troublesome and unsafe; for the metal, though sufficiently heavy, may not be sufficiently pure; and of the purity of metal few people are judges. Coin, therefore, or stamped money, was introduced; whereof the value is known at sight, and the purity attested by the stamp; which the publick only has a right to affix, or the sovereign acting by publick authority: so that he, who counterfeits the legal coin, incurs the punishment of high treason, because he usurps one of the rights of sovereignty. This at least is the punishment of him who in Great Britain is convicted of coining gold or silver money, which is our true, ancient, and current coin; copper money not having been introduced into South Britain, till the reign of Charles II. By the law of England, the counterfeiter of copper coin, is guilty, not of high treason, or of felony, but of a trespass, or misdemeanour, punishable, however, with two years imprisonment, and other inconveniencies.

720. Pure silver or gold, not stamped into coin, is called bullion. Coin stamped and the same weight of bullion ought to be as near as

possible of the same value, the expense of coining being but a trifle. If coin bear a higher value than the metal is worth, foreign nations would not take our money at the price we pay for it; and our people would find their account in carrying their goods to a foreign market, where they would receive coin of more intrinsic value than could be had at home. If the bullion were more valuable than the coin: if, for example, a crown-piece melted would sell for more than five shillings, (which is said, but I can hardly believe, to have been the case with our old crown-pieces, many of which are affirmed to have been worth five shillings and four pence), people would be tempted to melt the coin, and sell it for bullion, or to send it abroad, and dispose of it there; and the more cash there was in circulation, the more would government be a loser.

721. Money, like other things, is more or less valuable, as it is less or more plentiful. Since South America was discovered, more than a thousand millions sterling have been imported, in gold and silver, from that country into Europe. The consequence is, that our money has been continually, and indeed rapidly, sinking in its value: that which is now bought for twenty shillings would not perhaps have cost twenty pence, three hundred years ago. This means, not that

the thing has become dearer, but that money has become cheaper: a man's labour or food being as valuable then as it is now. The necessaries of life, though their price is not always the same, have at all times the same value nearly; some differences may indeed happen in a time of plenty or of scarcity, but those are not considerable in a computation that includes a number of years: and seasons of great plenty or great scarcity are not frequent. For seventy years before the year one thousand seven hundred and eighty-two there was not in North Britain a season of extraordinary scarcity.

722. Upon the principle now laid down with respect to the necessaries of life, we may form conjectures concerning the value of ancient money, and of our own money in former times. If, for example, in this country, three hundred years ago, an ordinary ox was sold for five shillings, and if such an ox is now sold for five pounds, we infer, not with certainty, but with probability, that a shilling of that time must have been equal to one of our pounds: as the intrinsic value of the ox, whether used for food or for labour, must have always been nearly the same. And if at Rome, in the time of Augustus, an ox was sold for a certain number of sesterces, we may, by an easy calculation, form a conjecture concerning

the value of a sesterce of that time in our present money. In England, in the year twelve hundred, a horse was sold for twelve shillings and five pence; an ox for four shillings and eight pence; a hog for three shillings; a sheep for twenty pence. In Scotland, about the year thirteen hundred, a hen was valued at one halfpenny, or six *pennies* Scotch; a Scotch pint (two English quarts) of French wine at three pence; a cow at five shillings; an ox at six shillings and eight pence.

723. Notes or bank bills that pass for money are to be considered as personal securities on trading companies, for the payment of certain sums of gold or silver. The value which the company receive for the note when issued they oblige themselves to give for it when returned upon them. And in nations where stamped leather or paper is used for money, these things, being in themselves of no value, must be supposed to derive what value is annexed to them from a contract, whereby the publick, that is the government, obliges itself to give for them what it received. Money made of the baser metals must be bulky in proportion to the cheapness of the metal. Lycurgus, in order to abolish commerce at Sparta, made a law, that all the current coin should be of iron, which in that country was

very cheap. Hence the Lacedemonian money was so unwieldy that nobody cared to have any thing to do with it, and the little traffick they had was in the way of barter.

724. In commercial society, it is sometimes necessary to fix, for certain commodities, a *pretium legitimum*, or legal price, which cannot be exceeded. This is particularly the case with those things in regard to which the seller has it in his power to take advantage of the buyer. If they who lend money, that is, who sell the use of it for a limited time, could exact any price, that is, any rate of interest for it they pleased, the lender might in many ways take advantage of the borrower's necessity. A certain rate of interest, therefore, is fixed by law; and those money-lenders, who exact or accept of more, are liable to a prosecution for *usury*, which in England is a trespass punishable by a fine not less, I think, than thrice the amount of the sum lent. The interest of money is greater or less, according to the scarcity or plenty of money in any country; and according to the greater or less risque there may be of insolvency on the part of the borrower. In ancient Rome, the sum lent was supposed to be divided into a hundred parts, one of which was payable monthly, as interest; so that the rate was at twelve *per cent*. In England, under Henry VIII.

and Queen Elizabeth, the legal interest was ten *per cent.* and eight in the reign of James I. Under Charles II. it was reduced to six; and by a statute, still in force, of Queen Anne, it was further reduced to five *per cent.* which is the highest interest that the law now allows to be paid or exacted. Money lent on mortgage may be had at four *per cent.* the security being so good that there is little or no risk of losing it; and a considerable part of the money lent to government pays only three *per cent.* because, while the government lasts, there is no risk at all of this kind.

725. Whether it be lawful to lend money on interest, has been made a question. The canon law, and, as some think, the law of Moses, declare it to be unlawful; and Aristotle is of the same opinion, because money, being naturally barren, cannot without absurdity be made to breed money. But, in answer to Aristotle, it may be said, that a house is as barren as a shilling; for we never heard of houses breeding houses, or shillings breeding shillings; yet if I were to allow another man the use of my house for a year, it would hardly be equitable to forbid my accepting any rent from him. With the canon law we have not much concern, as protestants deny its authority. And as to the law of Moses, it expressly allows interest to be exacted from a stranger,

though (for reasons peculiar to the Jewish policy) not from an Israelite. Much profit may be made by the use of money; to lend it is generally attended with some risk and inconvenience: and if, by means of my money lent him, a man get a hundred pounds, which without my money he could not have gotten, it is surely as reasonable that he should allow me part of his gain, as that I should give wages to a servant, or pay freight to a ship master. To elude the laws relating to usury is, I believe, neither difficult nor uncommon; but usury is so hateful a thing, that no man who regards his character will ever incur the disgrace of it.

726. When a man sets a greater value on a thing than it is worth; because he has had it long; because it has been peculiarly useful to him; or because he got it from a friend; the price at which he rates it is called *pretium affectionis*. If he is to sell it, he ought to let the buyer know that he overvalues it; and then the bargain will be fair. But if I take a liking to any part of a man's property which he is willing to sell, and if I set a higher value on it than the seller does, or than it is worth, he ought not to take advantage of my fondness or ignorance. Sometimes, by the consent of all parties, a sale may be agreed on, which no inequality between the value

of the thing sold and the price given shall be allowed to nullify. Such is the sale *by auction*, where the price is not fixed by the seller, but by the best bidder, who is the purchaser. The Romans called it *auctio*, probably because every successive bidder (*auget*) increases, or raises the price. It was also called a sale *sub hasta*; because a spear was stuck in the ground at the place where the *fræco* (or auctioneer) took his station. Of this sort of contracts, that are opposed to gratuitous (see § 716, 717), and intended for the equal advantage of the contracting parties, there is a great number in commercial society, as barter, buying and selling, letting and hiring, insurance, partnership, &c. into the detail of which we need not enter, as their laws, to all those who are concerned in them, are well enough known.

727. Contracts are enforced in various ways, by pledges, mortgages, penalties, securities, &c. They are also enforced by oaths. The design of an oath is, not to induce the Deity to be more attentive, or give him any new right of punishing falsehood; but to impress ourselves with the strongest motives to veracity, by aggravating the guilt of untruth; perjury, and every other sort of false swearing, being both dishonest and impious. An oath, being an act of devotion, ought to be administered, and taken, with solemnity. It com-

prehends the import of these words. "In thy presence I stand, O God of truth: thou knowest that what I say is true: if I speak falsely, I know that I justly forfeit thy favour, and deserve punishment." In such a declaration uttered with sincerity, and a clear conscience, can there be any thing unchristian, or prejudicial to society? Surely not. Christians are warranted to swear, in confirmation of the truth, not only by the laws of all christian countries, the necessity of the thing, and the many examples of solemn swearing recorded, without being blamed, nay, with approbation, in the Old Testament; but also, by the example of St. Paul, in several parts of his epistles: and, by still higher authority, that of our Saviour himself, who, when adjured by the high-priest, condescended to return an explicit and immediate answer; which, among the Jews, was one form of administering and taking an oath.

728. That evangelical precept, therefore, "swear not at all," either must be understood to refer to unnecessary and profane swearing, which in the decalogue is called "taking the name of God in vain," or may be thus interpreted, "adhere so scrupulously and habitually to truth, that men, knowing your veracity, and confiding in it, may have no occasion to make you confirm your *yes* or *no* by an oath." This whole subject

is explained with the greatest accuracy and perspicuity in the fourth volume of archbishop Secker's sermons. As the obligation of oaths is most sacred, and every sort of disregard to them tends to the destruction of society, all practices ought to incur punishment, which lessen men's reverence for an oath, and for the adorable name of the Supreme Being. Such a practice is common swearing, of which it is shocking to consider, how slightly it is animadverted on by the law, and how scandalously encouraged by the magistrate; for all those crimes the magistrate must be supposed to encourage, which he either perpetrates himself, or against which he refuses, or neglects, to put the law in execution. This crime is wholly inexcusable; no natural propensity prompts to it; in his first attempts to acquire the habit of it, a man must be actuated by affectation, as well as impiety.

729. It also tends to lessen the reverence due to oaths, when they are too frequently, and on trivial occasions, exacted; or when they are administered, or taken, without due solemnity. In these two respects, I can pay no compliment to the laws and customs of this country. It is, however, just to acknowledge, that, of those who take and administer oaths, there are among us some individuals, who know what they are about, and

make the spectators *feel* that they know it. The words of an oath ought to be, and, if the framers of it understand their own language, and have any skill in grammar, always may be, so plain, that the sense cannot be mistaken: and he who swears, and he who administers the oath, should understand them in the same sense. If the swearer, taking advantage of the unavoidable imperfection of language, affix, to any word or phrase of the oath, a meaning which he would be unwilling to declare to the world, and which he knows to be different from the intention of the person who exacts the oath, and prescribes the form of it; this is perjury, of the most dangerous and criminal nature; and as much worse than ordinary false swearing, as poisoning, which cannot be foreseen or prevented, or in common cases detected, is worse than ordinary murder.

750. Perjury being a proof of extreme wickedness, and tending, more immediately than theft, robbery, and many other crimes punishable with death, to the destruction of society, it may be thought that in all nations it should be considered as a capital crime. And indeed, if we attend merely to the enormity of the guilt, we could hardly call those laws severe that should punish it in every instance with death. But, were this the case, it might be apprehended, that many persons.

called to give testimony on oath, would from the fear of incurring such a punishment, be too much intimidated to declare their mind freely, and would rather keep out of the way of examination, than appear in the cause of truth and justice. False swearing, therefore, though nobody pretends to extenuate its guilt, is considered as one of those crimes which in many cases it is sufficient to punish with infamy. In the case indeed of an innocent man losing his life, in consequence of the perjury of witnesses, the delinquents ought certainly to be put to death; because they are guilty, not only of wilful murder, and the most audacious impiety, but of entailing, as far as in them lies, infamy on the memory of the sufferer, and anguish, and perhaps disgrace, on his friends and relations.

731. A strict regard to truth in every thing we say or do is an indispensable duty. All men have a right to expect it from us; for, without it, speech, instead of a blessing, would be a snare and a curse, and the comforts of social life at an end. On some occasions, however, when we do not even pretend to declare the truth, and where it is not expected from us, as in composing an instructive or amusing fable, there is no deviation from integrity, because we mean no deception, and in fact nobody is deceived: which is also the

case in those complimentary forms of speech, that are universally known to express a great deal more than they mean; as when we address a man of a certain rank by the title of lord, or subscribe ourselves the humble servants of a person whom perhaps we should not think it incumbent on us to obey in any thing. In very large towns, too, where people have so numerous an acquaintance, that if they were to admit every visitant, they could have no time to look after their own affairs, it cannot be blamable to deny their being at home, if the phrase conveying the denial be generally understood to mean nothing more, than that they are not at leisure. It were better, no doubt, if these deviations from the literal use of language were fewer; but in complying with a custom, that softens the harshness of refusal, does no harm in society, and neither offends nor deceives any individual, there can be no great evil. To use the words of deception, in order to do good to the person deceived, may be not only warrantable, but a duty. Were a physician always to tell his patients that they were in danger, when he thought them so, his visits might do more harm than good. To quiet a sick person's mind, to pacify a madman, to defend the helpless from an enraged adversary, deviations from strict truth,

if there be no other way of accomplishing the benevolent purpose, are undoubtedly lawful.

732. It is another great duty in the use of speech, to make it not only pleasing to others, but also profitable; by giving good advice, correcting error, allaying the violence of passion, enforcing good principles, and discountenancing bad; by encouraging the timorous, comforting the afflicted, reproving in meekness the transgressor; and always using such words, as may neither raise evil thoughts in others, nor give proof of any indelicacy in ourselves. The cynicks of old, and some of the stoicks, maintained, that in *words* there is no indelicacy; that there can be no harm in speaking of any thing that is natural; and that, if we may speak without blame of any one crime, or any one part or function of the human body, we may, in like manner, of any other. But this is vile sophistry,* tending to the utter debasement of man, and founded in the grossest ignorance of human nature and human language.

733. Words may do much harm as well as much good. Many of them not only convey the speaker's meaning, but also exhibit the disposition of mind wherewith he speaks; and, in the hearer, not only raise ideas, but stimulate pas-

* See Cicero de Officiis. I. 35.

sions: and that which either stimulates bad passions in us, or sets an ensnaring example of them in others, is surely no matter of indifference. There are functions and parts of our bodily frame, which may be signified by two sorts of words; first, by those that express the meaning and nothing more, and such are the words that anatomists and philosophers use; and secondly, those that express the meaning, together with a sensual and profligate inclination, or some other indelicacy, in him who speaks. Words of this last character are called obscene; and prove the speaker to be equally destitute of good principles and good breeding. Words there are too, expressive of crimes, that signify on the part of the speaker either disapprobation, or no disapprobation; of the former sort are *adultery, murder*; of the latter, *an affair of gallantry, an affair of honour*, and those other sneaking circumlocutions, whereby modern profligacy endeavours to confound the distinctions of right and wrong. And among robbers and thieves there is said to be a similar jargon, to notify certain crimes to those of the gang who have been initiated, and at the same time to insinuate, that to those crimes the speaker has no disinclination, but considers them as tools pertaining to his trade.

704. Fourthly, and lastly (see § 707, 710); A

derived right to full property may be obtained during the life of the former proprietor, by the force of laws, independently on his consent; and this may happen, in consequence, first, of lawful, and secondly, of unlawful, actions. First, In consequence of lawful actions. He who is named the executor of a testament, and in every testament an executor must be named, is, by accepting that office, obliged to pay the legacies and debts of the deceased, as far as the property left is sufficient for that purpose. And he whose business has been managed, in his absence, or during his minority, by friends who had no formal commission to do so, is under an obligation to indemnify the managers, and ratify every contract prudently entered into by them for his advantage. Obligations of this sort are said to be *quasi ex contractu*, as if they arose from a contract; and they are often called *quasi-contracts*.

735. Secondly, In consequence of unlawful actions. He who does injury is obliged to repair it, or is otherwise punished for it. The doctrine of injury and reparation, of crimes and punishments, forms a most important part of jurisprudence; but is so extensive, that, considering the shortness of the time allotted to this part of our academical course, and the great variety of subjects that are still before us, I cannot think myself at

liberty to enter, however briefly, into the detail of it. I shall therefore conclude this head, with a few miscellaneous observations; after referring, for further particulars, to Blackstone's Commentaries on the laws of England; in which not only the English law, but also the principles of general jurisprudence, are explained with singular ingenuity, precision, and elegance. The jurisprudence of Hutcheson and Grotius on the law of peace and war, may also be read with great advantage.

736. That to the utmost of our ability, we ought to repair any damage we may have done to others, is selfevident: and it is no less evident, that we must not promote our own interest to the detriment of another, or, if any necessity force us to this, that we ought to make good his loss as soon as it is in our power. Laws prohibiting injury would be of no effect, if the injurious were not obliged to indemnify those they have injured: and society would not be safe, if they who are inclined to be injurious were not restrained by the fear of punishment. He may be deemed the author of injury, and is liable to be punished accordingly, who has, either by himself. or in compact with others, been instrumental in doing it: but the contrivers, advisers, or leaders in such injury are the greatest delin-

quents, and ought, if possible, to be in the first place animadverted on. In criminal cases, all the agents are liable to punishment: six persons equally concerned in the murder of one ought all to suffer death; because equality of guilt requires equality of punishment; and, if any one of the six be punished or pardoned, there is no reason why every one should not.

737. Damage, which he had accidentally done to another, without any evil purpose, a generous man will repair, if he is able, but can hardly be obliged by law to repair. Yet such damage the law ought not to overlook; for people, from the fear of consequences, as well as from more liberal motives, should always be on their guard against the commission of injury. Damage, unavoidably, and without injurious intention, done by persons acting, duly authorized, in the service of their country, as by soldiers, constables, magistrates, &c. should be repaired by the community. Damage done by free servants, if the master is entirely innocent, ought to be repaired by themselves. Damage done by slaves, cattle, or dogs, ought to fall upon their owner, if it was possible for him to have foreseen or prevented it. No provocation should make our enemy cease to be the object of our benevolence. When the injury is repelled, and compensated, and we have established our

right, and obtained security against like injury from the same person for the future, our animosity towards him ought to be at an end.

738. If the injurious party, notwithstanding remonstrances, persist in injury, violence may be used to compel him to be quiet, and grant both indemnification for the past, and security against future injury. Hence the origin of just war; which may also be made for the prevention of injury, when there is reason to believe, that injury is intended, and that nothing but forcè can prevent it. Wars are either publick or private. The former are undertaken by a state, and in name of the body of a people, or of the sovereign, as the representative of that people: the latter are those which have sometimes taken place among private persons. Publick wars have been divided into *solemn* and *civil*. Solemn wars are formally declared, and authorized by one state against another, or by regular societies against pirates, or other avowed and formidable enemies of mankind. Those are called civil wars, which take place between different parties in the same community, contending for power, privileges, &c. and these, of all forms of hostility, are the worst; as being the most unnatural, the most ruinous, and the most effectually subversive of private and publick virtue.

739. Private wars between individual men in the state of nature, are nearly in their principle, though not in their extent or consequences, on the same footing with publick wars between nations; for it was already observed, that independent nations are in the state of nature with respect to one another. Every gentle method should be tried, every reasonable offer of pardon and accommodation made, and a spirit of forgiveness manifested, before men have recourse to measures so violent; but if these be necessary after all, they are justifiable on the plea of necessity, and the right of selfdefence; a right, which belongs equally to private persons, and to communities; and which neither these nor those can dispense with, or relinquish, without endangering the existence of the human race. All this is agreeable to reason; and is besides warranted by those passages of scripture, that enjoin submission to government, celebrate the virtues of patriotick warriors, or speak without disapprobation of the military life. Passages of this sort are numerous in the Old Testament, and may also be found in sufficient abundance in the New. See particularly the eleventh chapter of the epistle to the Hebrews; the second chapter of the first epistle of Peter; the fourteenth verse of the

third chapter of Luke; the tenth chapter of Acts of the Apostles, &c.

740. In the state of nature, men may defend their perfect rights by force, if gentler methods are ineffectual. But in civil society we are understood to have committed the right of violent defence to the law and the magistrate; they being at once more equitable defenders, and more powerful: and therefore, in civil society, legal prosecution takes place of what in the natural state would be force. But if we be in such a situation, as to derive no protection from the law or the magistrate, and no aid, or no sufficient aid from one another; as in the case of being attacked by thieves in the night, or by robbers, the right of selfdefence justifies our repelling force by force. A good man, however, will be tender of the lives of his fellow men, even of the most injurious; and rather submit to be robbed of such a sum as he can spare, than put the robber to death; but when there is no other alternative than either to kill, or be killed, or ruined, we owe it both to ourselves, and to society, to defend our property and life, though the consequences to the aggressor be fatal.

741. It belongs to this place to consider what may be said for, and against duels. For them little, I think, can be said, except that they promote

polite behaviour, by making men afraid of one another; and that the abolition of them would be difficult, and might be attended with evil, by furnishing profligate men with a temptation to assassinate. But these are weak apologies. The Athenians and Romans were in their better days as polite as we; much more so, indeed we must acknowledge them to have been, if we take into the account the grossness of their religion, and the purity of ours: yet they were strangers to duelling, as well as to those ridiculous notions of honour which give rise to it; and it is impossible to mention a single instance of their unpoliteness, which duelling, if it had been fashionable among them, would have prevented. Nor do we find, in our days, at least among the enlightened part of mankind, that persons who do not fight duels are less distinguished for elegance of behaviour than those that do: with some exceptions, the contrary will perhaps be found to be the case. And it is not very honourable to human nature to suppose, that nothing but the fear of death, or of disgrace, can prevail on persons in the higher ranks of life to practise the common rules of goodnature and civility.

742. That it is difficult to prevent duelling, I shall be willing to admit, when I have seen any legislature attempt the prevention of it, seriously.

and yet unsuccessfully. But this has not happened as yet, so far as I know. A more despicable mockery of legislation there cannot be, than that pretended prohibition whereby our law is said to discourage it. For surely those laws, or those customs established in defiance of law, which grant not only indemnity, but honour, to the transgressor, and punish obedience with infamy and ruin, must mean, either nothing at all, or nothing but publick mischief. As to assassination: it is true, that in modern Italy, where duels are rare, it is very common; but it is impossible to prove, that the infrequency of the one enormity, occasions the prevalence of the other. Two or three centuries ago, when the point of honour, in regard to single combat was carried to a very extravagant height, assassinations were in most parts of Europe common to a degree that fills us with horror. In fact, it is not unnatural, that he, to whose mind one species of murder is become familiar without being shocking, should, without great difficulty, be able to reconcile himself to any other. To plead in behalf of duels, that they prevent assassination, is not less absurd, than to plead in behalf of robbery, that it prevents theft.

743. The aim of penal law ought to be to prevent crimes, and deter from injury, by the fear

of punishment. In most countries, where the government has been of long standing, penal statutes are generally too many, and too severe; and some of them, it is to be feared, (though the law and the magistrate ought to be exempt from passion), even vindictive. One reason may be, that they were made when society was disorderly, and perhaps but half civilized; the natural consequence of which, would be a sanguinary temper in the lawgiver, and in the person inclined to injury a degree of fierceness, which nothing could intimidate, but the apprehension of severe punishment. In some states of society some crimes may be more, and some less, prevalent or dangerous than others; and different degrees of legal severity become necessary, according to circumstances. The time was when theft was more dangerous than at present, because the means of securing property were less to be depended on; and then, to hang a man for stealing a sheep might not be so unreasonable as it would be now. The time now is, when forgery is perhaps more dangerous than at any former period; for now men seem to be more inclined to it than formerly; and now the credit, and consequently the existence, of commercial nations, would be at an end, if that wickedness were not most severely punished: and accordingly, though nobody

doubts the king's right to remit the punishment due even to this crime, it is not now pardoned, and certainly ought not. From these considerations it seems to follow, that in every nation the penal law ought from time to time to be revised; and alterations made in it, according to the change of circumstances.

744. That there ought to be, if it were possible, as many degrees of punishment, as there may be of guilt in the criminal, and of danger in his crime, is undeniable. But human wisdom will never be able to regulate this matter exactly; for, after all that fallible lawgivers can do, some punishments will be too severe, and others too mild. It has been doubted, whether capital punishment be in any case allowable; and proposed, that slavery, hard labour, and other severities, should be substituted in its room. That it should be seldom inflicted; that in general it is more frequent than it ought to be; and that to the community the labour of convicted criminals might be more serviceable than their death, is readily admitted. But both reason and scripture seem to declare, that some crimes deserve it, particularly murder: "Whoso sheddeth man's blood, by man shall his blood be shed," is a very ancient law; and it would not be easy to prove it unreasonable. Severe punishments, how-

ever, have not always the consequences that one would expect from them; when immoderately severe, they counteract themselves, because the publick humanity refuses to execute them: it is the certainty, rather than the severity of punishment, that most effectually restrains the injurious.

745. From the prevalence of sensuality, dissipation, gaming, atheism, irreligion, and that unbounded licentiousness of the press, which gives almost the same encouragement to the most abominable, and the most useful, publications, capital crimes, and of course capital punishments, are in this country frequent to a most lamentable degree. Yet punishments unreasonably severe cannot be said to be frequent in this country. Where the letter of the law would authorise them, juries, humanely, and I hope conscientiously, mitigate the offence, or acquit the prisoner; or judges, and other persons of influence, recommend him to the royal mercy, which, in our time, has never been withheld, except where the publick good required that it should be withheld. As to slavery, proposed as an exchange for capital punishment, it suits not the genius of our people, (see § 612). To see, in every parish perhaps, enslaved convicts, would be an intolerable eyesore to a true Briton. Solitary imprisonment, with hard labour, has been

projected, as a substitute for capital punishment; but it may be doubted, whether that is not worse than death; and whether, by preying on the spirits of the delinquent, and tainting his imagination, it might not too often terminate in frenzy and selfdestruction.

1

UNIVERSITY OF CALIFORNIA LIBRARY

Los Angeles

This book is DUE on the last date stamped below.

OF CALIFORNIA

OF CALIFORNIA

UC SOUTHERN REGIONAL LIBRARY FACILITY



B 000 014 097 0

