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character of
this species of
coercion.

now in the commission of offence, and of whom we can only suspect that he ever will offend. It supercedes argument, reason and conviction, and requires us to think such a species of conduct our duty, because such is the good pleasure of our superiors, and because, as we are taught by the example in question, they will make us rue our stubbornness if we think otherwise. In addition to this it is to be remembered that, when I am made to suffer as an example to others, I am treated myself with supercilious neglect, as if I were totally incapable of feeling and morality. If you inflict pain upon me, you are either just or unjust. If you be just, it should seem necessary that there should be something in me that makes me the fit subject of pain, either desert, which is absurd, or mischief I may be expected to perpetrate, or lastly a tendency to reformation. If any of these be the reason why the suffering I undergo is just, then example is out of the question: it may be an incidental consequence of the procedure, but it can form no part of its principle. It must surely be a very inartificial and injudicious scheme for guiding the sentiments of mankind; to fix upon an individual as a subject of torture or death, respecting whom this treatment has no direct fitness, merely that we may bid others look on, and derive instruction from his misery. This argument will derive additional force from the reasonings of the following chapter.

C H A P.

C H A P. IV.

OF THE APPLICATION OF COERCION.

DELINQUENCY AND COERCION INCOMMENSURABLE—EXTERNAL ACTION NO PROPER SUBJECT OF CRIMINAL ANIMADVERSION—HOW FAR CAPABLE OF PROOF.—INIQUITY OF THIS STANDARD IN A MORAL—AND IN A POLITICAL VIEW.—PROPRIETY OF A RETRIBUTION TO BE MEASURED BY THE INTENTION OF THE OFFENDER CONSIDERED.—SUCH A PROJECT WOULD OVERTURN CRIMINAL LAW—WOULD ABOLISH COERCION.—INSCRUTABILITY, 1. OF MOTIVES—DOUBTFULNESS OF HISTORY—DECLARATIONS OF SUFFERERS.—2. OF THE FUTURE CONDUCT OF THE OFFENDER—UNCERTAINTY OF EVIDENCE—EITHER OF THE FACTS—OR THE INTENTION.—DISADVANTAGES OF THE DEFENDANT IN A CRIMINAL SUIT.

A FARTHER consideration, calculated to show, not only the absurdity of coercion for example, but the iniquity of coercion in general, is, that delinquency and coercion are in all cases incommensurable. No standard of delinquency ever has been or ever can be discovered. No two crimes were ever alike;

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and therefore the reducing them explicitly or implicitly to general classes, which the very idea of example implies, is absurd. Nor is it less absurd to attempt to proportion the degree of suffering to the degree of delinquency, when the latter can never be discovered. Let us endeavour to clear in the most satisfactory manner the truth of these propositions.

External action no proper subject of criminal animadversion :

Man, like every other machine the operations of which can be made the object of our senses, may be said, relatively, not absolutely speaking, to consist of two parts, the external and the internal. The form which his actions assume is one thing; the principle from which they flow is another. With the former it is possible we should be acquainted; respecting the latter there is no species of evidence that can adequately inform us. Shall we proportion the degree of suffering to the former or the latter, to the injury sustained by the community, or to the quantity of ill intention conceived by the offender? Some philosophers, sensible of the inscrutability of intention, have declared in favour of our attending to nothing but the injury sustained. The humane and benevolent Beccaria has treated this as a truth of the utmost importance, "unfortunately neglected by the majority of political institutors, and preserved only in the dispassionate speculation of philosophers*."

* "Questa è una di quelle palpabili verità, che per una maravigliosa combinazione di circostanze non sono con decisa sicurezza conosciute, che da alcuni pochi pensatori uomini d'ogni nazione, e d'ogni secolo."
Dei Delitti e delle Pene.

It is true that we may, in many instances be tolerably informed respecting external actions, and that there will at first sight appear to be no great difficulty in reducing them to general rules. Murder, according to this system, will be the exertion of any species of action affecting my neighbour, so as that the consequences terminate in death. The difficulties of the magistrate are much abridged upon this principle, though they are by no means annihilated. It is well known how many subtle distinctions, ludicrous or tragical according to the temper with which we view them, have been introduced to determine in each particular instance, whether the action were or were not the real occasion of the death. It never can be demonstratively ascertained.

But, dismissing this difficulty, how complicated is the iniquity of treating all instances alike, in which one man has occasioned the death of another? Shall we abolish the imperfect distinctions, which the most odious tyrannies have hitherto thought themselves compelled to admit, between chance medley, manslaughter and malice prepense? Shall we inflict on the man who, in endeavouring to save the life of a drowning fellow creature, oversets a boat and occasions the death of a second, the same suffering, as on him who from gloomy and vicious habits is incited to the murder of his benefactor? In reality the injury sustained by the community is by no means the same in these two cases; the injury sustained by the community is to be measured:

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how far capable of proof.

Iniquity of this standard in a moral.

and in a political view.

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measured by the antisocial dispositions of the offender, and, if that were the right view of the subject, by the encouragement afforded to similar dispositions from his impunity. But this leads us at once from the external action to the unlimited consideration of the intention of the actor. The iniquity of the written laws of society is of precisely the same nature, though not of so atrocious a degree, in the confusion they actually introduce between varied intentions, as if this confusion were unlimited. The delinquencies recited upon a former occasion, of "one man that commits murder, to remove a troublesome observer of his depraved dispositions, who will otherwise counteract and expose him to the world; a second, because he cannot bear the ingenuous sincerity with which he is told of his vices; a third, from his intolerable envy of superior merit; a fourth, because he knows that his adversary meditates an act pregnant with extensive mischief, and perceives no other mode by which its perpetration can be prevented; a fifth, in defence of his father's life or his daughter's chastity; and any of these, either from momentary impulse, or any of the infinite shades of deliberation*;"—are delinquencies all of them unequal, and entitled to a very different censure in the court of reason. Can a system that levels these inequalities, and confounds these differences, be productive of good? That we may render men beneficent towards each other, shall we subvert the very nature

* Book II, Chap. VI, p. 131.

of

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of right and wrong? Or is not this system, from whatever pretences introduced, calculated in the most powerful manner to produce general injury? Can there be a more flagrant injury than to inscribe as we do in effect upon our courts of judgment, "This is the Hall of Justice, in which the principles of right and wrong are daily and systematically flighted, and offences of a thousand different magnitudes are confounded together, by the insolent supineness of the legislator, and the unfeeling selfishness of those who have engrossed the produce of the general labour to their sole emolument!"

But suppose, secondly, that we were to take the intention of the offender, and the future injury to be apprehended, as the standard of infliction. This would no doubt be a considerable improvement. This would be the true mode of reconciling coercion and justice, if for reasons already assigned they were not in their own nature incompatible. It is earnestly to be desired that this mode of administering retribution should be seriously attempted. It is to be hoped that men will one day attempt to establish an accurate criterion, and not go on for ever, as they have hitherto done, with a sovereign contempt of equity and reason. This attempt would lead by a very obvious process to the abolition of all coercion.

Propriety of a retribution to be measured by the intention of the offender considered.

It would immediately lead to the abolition of all criminal law. An enlightened and reasonable judicature would have recourse, in order to decide upon the cause before them, to no code but

Such a project would overturn criminal law:

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the code of reason. They would feel the absurdity of other men's teaching them what they should think, and pretending to understand the case before it happened, better than they who had all the circumstances of the case under their inspection. They would feel the absurdity of bringing every error to be compared with a certain number of measures previously invented, and compelling it to agree with one of them. But we shall shortly have occasion to return to this topic*.

would abolish
coercion.

The greatest advantage that would result from men's determining to govern themselves in the suffering to be inflicted by the motives of the offender and the future injury to be apprehended, would consist in their being taught how vain and iniquitous it is in them to attempt to wield the rod of retribution. Who is it that in his sober reason will pretend to assign the motives that influenced me in any article of my conduct, and upon them to found a grave, perhaps a capital, penalty against me? The attempt would be presumptuous and absurd, even though the individual who was to judge me, had made the longest observation of my character, and been most intimately acquainted with the series of my actions. How often does a man deceive himself in the motives of his conduct, and assign it to one principle when it in reality proceeds from another? Can we expect that a mere spectator should form a judgment sufficiently correct, when he who has all the sources of information

Inferability
1. of motives.

* Chap. VIII.

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in his hands, is nevertheless mistaken? Is it not to this hour a dispute among philosophers whether I be capable of doing good to my neighbour for his own sake? "To ascertain the intention of a man it is necessary to be precisely informed of the actual impression of the objects upon his senses, and of the previous disposition of his mind, both of which vary in different persons, and even in the same person at different times, with a rapidity commensurate to the succession of ideas, passions and circumstances*." Meanwhile the individuals, whose office it is to judge of this inscrutable mystery, are possessed of no previous knowledge, utter strangers to the person accused, and collecting their only lights from the information of two or three ignorant and prejudiced witnesses.

What a vast train of actual and possible motives enter into the history of a man, who has been incited to destroy the life of another? Can you tell how much in these there was of apprehended justice and how much of inordinate selfishness? how much of sudden passion, and how much of rooted depravity? how much of intolerable provocation, and how much of spontaneous wrong? how much of that sudden insanity which

* "Questa [l'intenzione] dipende dalla impressione attuale degli oggetti, et dalla precedente disposizione della mente: esse variano in tutti gli uomini e in ciascun uomo colla velocissima successione delle idee, delle passioni, e delle circostanze." He adds, "Sarebbe dunque necessario formare non solo un codice particolare per ciascun cittadino, ma una nuova legge ad ogni delitto."

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hurries

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of history :

hurries the mind into a certain action by a sort of incontinence of nature almost without any assignable motive, and how much of incurable habit? Consider the uncertainty of history. Do we not still dispute whether Cicero were more a vain or a virtuous man, whether the heroes of ancient Rome were impelled by vain glory or disinterested benevolence, whether Voltaire were the stain of his species, or their most generous and intrepid benefactor? Upon these subjects moderate men perpetually quote upon us the impenetrableness of the human heart. Will moderate men pretend that we have not an hundred times more evidence upon which to found our judgment in these cases, than in that of the man who was tried last week at the Old Bailey? This part of the subject will be put in a striking light, if we recollect the narratives that have been written by condemned criminals. In how different a light do they place the transactions that proved fatal to them, from the construction that was put upon them by their judges? And yet these narratives were written under the most awful circumstances, and many of them without the least hope of mitigating their fate, and with marks of the deepest sincerity. Who will say that the judge with his slender pittance of information was more competent to decide upon the motives, than the prisoner after the severest scrutiny of his own mind? How few are the trials which an humane and a just man can read, terminating in a verdict of guilty, without feeling an uncontrollable repugnance against the verdict? If there be any sight more humiliating than all others, it is that of

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a miserable victim acknowledging the justice of a sentence, against which every enlightened reasoner exclaims with horror.

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fender.

But this is not all. The motive, when ascertained, is only a subordinate part of the question. The point upon which only society can equitably animadvert, if it had any jurisdiction in the case, is a point, if possible, still more inscrutable than that of which we have been treating. A legal inquisition into the minds of men, considered by itself, all rational enquirers have agreed to condemn. What we want to ascertain is, not the intention of the offender, but the chance of his offending again. For this purpose we reasonably enquire first into his intention. But, when we have found this, our task is but begun. This is one of our materials, to enable us to calculate the probability of his repeating his offence, or being imitated by others. Was this an habitual state of his mind, or was it a crisis in his history likely to remain an unique? What effect has experience produced on him, or what likelihood is there that the uneasiness and suffering that attend the perpetration of eminent wrong may have worked a salutary change in his mind? Will he hereafter be placed in circumstances that shall propel him to the same enormity? Precaution is in the nature of things a step in the highest degree precarious. Precaution that consists in inflicting injury on another, will at all times be odious to an equitable mind. Meanwhile be it observed, that all which has been said upon the uncertainty of crime, tends to aggravate the injustice

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of coercion for the sake of example. Since the crime upon which I animadvert in one man can never be the same as the crime of another, it is as if I should award a grievous penalty against persons with one eye; to prevent any man in future from putting out his eyes by design.

Uncertainty
of evidence:either of the
facts:

One more argument calculated to prove the absurdity of the attempt to proportion delinquency and suffering to each other may be derived from the imperfection of evidence. The veracity of witnesses will be to an impartial spectator a subject of continual doubt. Their competence, so far as relates to just observation and accuracy of understanding, will be still more doubtful. Absolute impartiality it would be absurd to expect from them. How much will every word and every action come distorted by the medium through which it is transmitted? The guilt of a man, to speak in the phraseology of law, may be proved either by direct or circumstantial evidence. I am found near to the body of a man newly murdered. I come out of his apartment with a bloody knife in my hand or with blood upon my clothes. If, under these circumstances and unexpectedly charged with murder, I falter in my speech or betray perturbation in my countenance, this is an additional proof. Who does not know that there is not a man in England, however blameless a life he may lead, who is secure that he shall not end it at the gallows? This is one of the most obvious and universal blessings that civil government has to bestow. In what is called
direct

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direct evidence, it is necessary to identify the person of the offender. How many instances are there upon record of persons condemned upon this evidence, who after their death have been proved entirely innocent? Sir Walter Raleigh, when a prisoner in the Tower, heard some high words accompanied with blows under his window. He enquired of several eye witnesses who entered his apartment in succession, into the nature of the transaction. But the story they told varied in such material circumstances, that he could form no just idea of what had been done. He applied this to prove the vanity of history. The parallel would have been more striking if he had applied it to criminal suits.

But supposing the external action, the first part of the question to be ascertained, we have next to discover through the same garbled and confused medium the intention. How few men should I choose to entrust with the drawing up a narrative of some delicate and interesting transaction of my life? How few, though, corporally speaking, they were witnesses of what was done, would justly describe my motives, and properly report and interpret my words? And yet in an affair, that involves my life, my fame and my future usefulness, I am obliged to trust to any vulgar and casual observer.

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tion.

A man properly confident in the force of truth, would consider a public libel upon his character as a trivial misfortune. But a criminal trial in a court of justice is inexpressibly different. Few

Disadvantages
of the defend-
ant in a cri-
minal suit.

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men, thus circumstanced, can retain the necessary presence of mind and freedom from embarrassment. But, if they do, it is with a cold and unwilling ear that their tale is heard. If the crime charged against them be atrocious, they are half condemned in the passions of mankind, before their cause is brought to a trial. All that is interesting to them is decided amidst the first burst of indignation; and it is well if their story be impartially estimated, ten years after their body has mouldered in the grave. Why, if a considerable time elapse between the trial and the execution, do we find the severity of the public changed into compassion? For the same reason that a master, if he do not beat his slave in the moment of repentment, often feels a repugnance to the beating him at all. Not so much, as is commonly supposed, from forgetfulness of the offence, as that the sentiments of reason have time to recur, and he feels in a confused and indefinite manner the injustice of coercion. Thus every consideration tends to show, that a man tried for a crime is a poor deserted individual with the whole force of the community conspiring his ruin. The culprit that escapes, however conscious of innocence, lifts up his hands with astonishment, and can scarcely believe his senses, having such mighty odds against him. It is easy for a man who desires to shake off an imputation under which he labours, to talk of being put on his trial; but no man ever seriously wished for this ordeal, who knew what a trial was.

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OF COERCION CONSIDERED AS A TEMPORARY
EXPEDIENT.

ARGUMENTS IN ITS FAVOUR.—ANSWER.—IT CANNOT FIT
MEN FOR A BETTER ORDER OF SOCIETY.—THE TRUE
REMEDY TO PRIVATE INJUSTICE DESCRIBED—IS ADAPTED
TO IMMEDIATE PRACTICE.—DUTY OF THE COMMUNITY
IN THIS RESPECT.—DUTY OF INDIVIDUALS.—ILLUSTRATION
FROM THE CASE OF WAR—OF INDIVIDUAL DEFENCE.—APPLICATION.—DISADVANTAGES OF ANARCHY
—WANT OF SECURITY—OF PROGRESSIVE ENQUIRY.—
CORRESPONDENT DISADVANTAGES OF DESPOTISM.—
ANARCHY AWAKENS, DESPOTISM DEPRESSES THE MIND.
—FINAL RESULT OF ANARCHY—HOW DETERMINED.—
SUPPOSED PURPOSES OF COERCION IN A TEMPORARY
VIEW.—REFORMATION — EXAMPLE — RESTRAINT.—
CONCLUSION.

THUS much for the general merits of coercion considered
as an instrument to be applied in the government of men.
It is time that we should enquire into the arguments by which it
may be apologised as a temporary expedient. No introduction

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seemed more proper to this enquiry than such a review of the subject upon a comprehensive scale; that the reader might be inspired with a suitable repugnance against so pernicious a system, and prepared firmly to resist its admission in all cases where its necessity cannot be clearly demonstrated.

Arguments in
its favour.

The arguments in favour of coercion as a temporary expedient are obvious. It may be alledged that, "however suitable an entire immunity in this respect may be to the nature of mind absolutely considered, it is impracticable with regard to men as we now find them. The human species is at present infected with a thousand vices, the offspring of established injustice. They are full of factitious appetites and perverse habits: headstrong in evil, inveterate in selfishness, without sympathy and forbearance for the welfare of others. In time they may become accommodated to the lessons of reason; but at present they would be found deaf to her mandates, and eager to commit every species of injustice."

Answer.

It cannot fit
men for a
better order
of society.

One of the remarks that most irresistibly suggest themselves upon this statement is, that coercion has no proper tendency to prepare men for a state in which coercion shall cease. It is absurd to expect that force should begin to do that which it is the office of truth to finish, should fit men by severity and violence to enter with more favourable auspices into the schools of reason.

But,

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medy to pri-
vate injustice
described:

But, to omit this gross misrepresentation in behalf of the supposed utility of coercion, it is of importance in the first place to observe that there is a complete and unanswerable remedy to those evils the cure of which has hitherto been sought in coercion, that is within the reach of every community whenever they shall be persuaded to adopt it. There is a state of society, the outline of which has been already sketched*, that by the mere simplicity of its structure would infallibly lead to the extermination of offence: a state, in which temptation would be almost unknown, truth brought down to the level of all apprehensions, and vice sufficiently checked by the general discountenance and sober condemnation of every spectator. Such are the consequences that would necessarily spring from an abolition of the craft and mystery of governing; while on the other hand the innumerable murders that are daily committed under the sanction of legal forms, are solely to be ascribed to the pernicious notion of an extensive territory; to the dreams of glory, empire and national greatness, which have hitherto proved the bane of the human species, without producing solid benefit and happiness to a single individual.

Another observation which this consideration immediately suggests, is, that it is not, as the objection supposed, by any means necessary, that mankind should pass through a state of purification, and be freed from the vicious propensities, which

is adapted to
immediate
practice.

* Book V, Chap. XXII, p. 565.

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ill constituted governments have implanted, before they can be dismissed from the coercion to which they are at present subjected. In that case their state would indeed be hopeless, if it were necessary that the cure should be effected, before we were at liberty to discard those practices to which the disease owes its most alarming symptoms. But it is the characteristic of a well formed society, not only to maintain in its members those virtues with which they are already indued, but to extirpate their errors, and render them benevolent and just to each other. It frees us from the influence of those phantoms which before misled us, shows us our true advantage as consisting in independence and integrity, and binds us by the general consent of our fellow citizens to the dictates of reason, more strongly than with fetters of iron. It is not to the sound of intellectual health that the remedy so urgently addresses itself, as to those who are infected with diseases of the mind. The ill propensities of mankind no otherwise tend to postpone the abolition of coercion, than as they prevent them from perceiving the advantages of political simplicity. The moment in which they can be persuaded to adopt any rational plan for this abolition, is the moment in which the abolition ought to be effected.

Duty of the
community in
this respect.

A farther consequence that may be deduced from the principles that have here been delivered, is that coercion of a domestic kind can in no case be the duty of the community. The community is always competent to change its institutions, and thus to extirpate offence

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in a way infinitely more rational and just than that of coercion. If in this sense coercion has been deemed necessary as a temporary expedient, the opinion admits of satisfactory refutation. Coercion can at no time, either permanently or provisionally, make part of any political system that is built upon the principles of reason.

But, though in this sense coercion cannot be admitted so much as a temporary expedient, there is another sense in which it must be so admitted. Coercion exercised in the name of the state upon its respective members cannot be the duty of the community; but coercion may be the duty of individuals within the community. The duty of individuals is, in the first place, to display with all possible perspicuity the advantages of an improved state of society, and to be indefatigable in detecting the imperfections of the constitution under which they live. But, in the second place, it behoves them to recollect, that their efforts cannot be expected to meet with instant success, that the progress of knowledge has in all cases been gradual, and that their obligation to promote the welfare of society during the intermediate period is not less real, than their obligation to promote its future and permanent advantage. In reality the future advantage cannot be effectually procured, if we be inattentive to the present security. But, as long as nations shall be so far mistaken as to endure a complex government and an extensive territory, coercion will be indispensibly necessary to general security. It is therefore the duty of individuals to take an active share upon occasion, in

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Illustration
from the case
of war:

The duty of individuals is in this respect similar to the duty of independent communities upon the subject of war. It is well known what has been the prevailing policy of princes under this head. Princes, especially the most active and enterprising among them, are seized with an inextinguishable rage for augmenting their dominions. The most innocent and inoffensive conduct on the part of their neighbours is an insufficient security against their ambition. They indeed seek to disguise their violence under plausible pretences; but it is well known that, where no such pretences occur, they are not on that account disposed to drop their pursuit. Let us suppose then a land of freemen invaded by one of these despots. What conduct does it behove them to adopt? We are not yet wise enough to make the sword drop out of the hands of our oppressors by the mere force of reason. Were we resolved, like quakers, neither to oppose nor obey them, much bloodshed might perhaps be avoided: but a more lasting evil would result. They would fix garrisons in our country, and torment us with perpetual

perpetual injustice. Supposing even it were granted that, if the invaded nation should conduct itself with unalterable constancy upon the principles of reason, the invaders would become tired of their fruitless usurpation, it would prove but little. At present we have to do, not with nations of philosophers, but with nations of men whose virtues are alloyed with weakness, fluctuation and inconstancy. At present it is our duty to consult respecting the procedure which to such nations would be attended with the most favourable result. It is therefore proper that we should choose the least calamitous mode of obliging the enemy speedily to withdraw himself from our territories.

The case of individual defence is of the same nature. It does not appear that any advantage can result from my forbearance, adequate to the disadvantages of my suffering my own life or that of another, a peculiarly valuable member of the community as it may happen, to become a prey to the first ruffian who inclines to destroy it. Forbearance in this case will be the conduct of a singular individual, and its effect may very probably be trifling. Hence it appears, that I ought to arrest the villain in the execution of his designs, though at the expence of a certain degree of coercion.

The case of an offender, who appears to be hardened in guilt, and to trade in the violation of social security, is clearly parallel to these. I ought to take up arms against the despot by whom my country

country is invaded, because my capacity does not enable me by arguments to prevail on him to desist, and because my countrymen will not preserve their intellectual independence in the midst of oppression. For the same reason I ought to take up arms against the domestic spoiler, because I am unable either to persuade him to desist, or the community to adopt a just political institution, by means of which security might be maintained consistently with the abolition of coercion.

To understand the full extent of this duty it is incumbent upon us to remark that anarchy as it is usually understood, and a well conceived form of society without government, are exceedingly different from each other. If the government of Great Britain were dissolved to-morrow, unless that dissolution were the result of consistent and digested views of political justice previously disseminated among the inhabitants, it would be very far from leading to the abolition of violence. Individuals, freed from the terrors by which they had been accustomed to be restrained, and not yet placed under the happier and more rational restraint of public inspection, or convinced of the wisdom of reciprocal forbearance, would break out into acts of injustice, while other individuals, who desired only that this irregularity should cease, would find themselves obliged to associate for its forcible suppression. We should have all the evils attached to a regular government, at the same time that we were deprived of that tranquillity and leisure which are its only advantages.

It

It may not be useless in this place to consider more accurately than we have hitherto done the evils of anarchy. Such a review will afford us a criterion by which to discern, as well the comparative value of different institutions, as the precise degree of coercion which must be employed for the exclusion of universal violence and tumult.

Anarchy in its own nature is an evil of short duration. The more horrible are the mischiefs it inflicts, the more does it hasten to a close. But it is nevertheless necessary that we should consider both what is the quantity of mischief it produces in a given period, and what is the scene in which it promises to close. The first victim that is sacrificed at its shrine is personal security. Every man who has a secret foe, ought to dread the dagger of that foe. There is no doubt that in the worst anarchy multitudes of men will sleep in happy obscurity. But woe to him who by whatever means excites the envy, the jealousy or the suspicion of his neighbour! Unbridled ferocity instantly marks him for its prey. This is indeed the principal evil of such a state, that the wisest, the brightest, the most generous and bold will often be most exposed to an immature fate. In such a state we must bid farewell to the patient lucubrations of the philosopher and the labour of the midnight oil. All is here, like the society in which it exists, impatient and headlong. Mind will frequently burst forth, but its appearance will be like the corruscations of the meteor, not like the mild illumination of the

want of se-
curity:of progressive
enquiry.

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the sun. Men, who start forth into sudden energy, will resemble in temper the state that brought them to this unlooked for greatness. They will be rigorous, unfeeling and fierce; and their ungoverned passions will often not stop at equality, but incite them to grasp at power.

Correspondent disadvantages of despotism.

With all these evils, we must not hastily conclude, that the mischiefs of anarchy are worse than those which government is qualified to produce. With respect to personal security anarchy is certainly not worse than despotism, with this difference that despotism is as perennial as anarchy is transitory. Despotism, as it existed under the Roman emperors, marked out wealth for its victim, and the guilt of being rich never failed to convict the accused of every other crime. This despotism continued for centuries. Despotism, as it has existed in modern Europe, has been ever full of jealousy and intrigue, a tool to the rage of courtiers and the resentment of women. He that dared utter a word against the tyrant, or endeavour to instruct his countrymen in their interests, was never secure that the next moment would not conduct him to a dungeon. Here despotism wreaked her vengeance at leisure, and forty years of misery and solitude were sometimes insufficient to satiate her fury. Nor was this all. An usurpation that defied all the rules of justice, was obliged to purchase its own safety by assisting tyranny through all its subordinate ranks. Hence the rights of nobility, of feudal vassalage, of primogeniture, of fines and inheritance. When the philosophy

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philosophy of law shall be properly understood, the true key to its spirit and its history will be found, not, as some men have fondly imagined, in a desire to secure the happiness of mankind, but in the venal compact by which superior tyrants have purchased the countenance and alliance of the inferior.

There is one point remaining in which anarchy and despotism are strongly contrasted with each other. Anarchy awakens mind, diffuses energy and enterprize through the community, though it does not effect this in the best manner, as its fruits, forced into ripeness, must not be expected to have the vigorous stamina of true excellence. But in despotism mind is trampled into an equality of the most odious sort. Every thing that promises greatness is destined to fall under the exterminating hand of suspicion and envy. In despotism there is no encouragement to excellence. Mind delights to expatiate in a field where every species of eminence is within its reach. A scheme of policy, under which all men are fixed in classes or levelled with the dust, affords it no encouragement to enter on its career. The inhabitants of such countries are but a more vicious species of brutes. Oppression stimulates them to mischief and piracy, and superior force of mind often displays itself only in deeper treachery or more daring injustice.

Anarchy awakens, despotism depresses the mind.

One of the most interesting questions in relation to anarchy is that

BOOK VII. CHAP. V. that of the manner in which it may be expected to terminate. The possibilities as to this termination are as wide as the various schemes of society which the human imagination can conceive. Anarchy may and has terminated in despotism; and in that case the introduction of anarchy will only serve to afflict us with variety of evils. It may lead to a modification of despotism, a milder and more equitable government than that which has gone before. And it does not seem impossible that it should lead to the best form of human society, that the most penetrating philosopher is able to conceive. Nay, it has something in it that suggests the likeness, a distorted and tremendous likeness, of true liberty. Anarchy has commonly been generated by the hatred of oppression. It is accompanied with a spirit of independence. It disengages men from prejudice and implicit faith, and in a certain degree incites them to an impartial scrutiny into the reason of their actions.

how deter-
mined.

The scene in which anarchy shall terminate principally depends upon the state of mind by which it has been preceded. All mankind were in a state of anarchy, that is, without government, previously to their being in a state of policy. It would not be difficult to find in the history of almost every country a period of anarchy. The people of England were in a state of anarchy immediately before the Restoration. The Roman people were in a state of anarchy at the moment of their secession to the Sacred Mountain. Hence it follows that anarchy is

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neither

neither so good nor so ill a thing in relation to its consequences, as it has sometimes been represented. BOOK VII. CHAP. V.

It is not reasonable to expect that a short period of anarchy should do the work of a long period of investigation and philosophy. When we say, that it disengages men from prejudice and implicit faith, this must be understood with much allowance. It tends to loosen the hold of these vermin upon the mind, but it does not instantly convert ordinary men into philosophers. Some prejudices, that were never fully incorporated with the intellectual habit, it destroys; but other prejudices it arms with fury, and converts into instruments of vengeance.

Little good can be expected from any species of anarchy that should subsist for instance among American savages. In order to anarchy being rendered a seed plot of future justice, reflexion and enquiry must have gone before, the regions of philosophy must have been penetrated, and political truth have opened her school to mankind. It is for this reason that the revolutions of the present age (for every total revolution is a species of anarchy) promise much happier effects than the revolutions of any former period. For the same reason the more anarchy can be held at bay, the more fortunate will it be for mankind. Falshood may gain by precipitating the crisis; but a genuine and enlightened philanthropy will wait with unaltered patience for the harvest of instruction. The arrival of that harvest may be slow, but it

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is infallible. If vigilance and wisdom be successful in their present opposition to anarchy, every benefit will be ultimately obtained, untarnished with violence, and unstained with blood.

These observations are calculated to lead us to an accurate estimate of the mischiefs of anarchy, and prove that there are forms of coercion and government more injurious in their tendency than the absence of organisation itself. They also prove that there are other forms of government which deserve in ordinary cases to be preferred to anarchy. Now it is incontrovertibly clear that, where one of two evils is inevitable, the wise and just man will choose the least. Of consequence the wise and just man, being unable as yet to introduce the form of society which his understanding approves, will contribute to the support of so much coercion, as is necessary to exclude what is worse, anarchy.

Supposed
purposes of
coercion in
a temporary
view :

If then constraint as the antagonist of constraint must in certain cases and under temporary circumstances be admitted, it is an interesting enquiry to ascertain which of the three ends of coercion already enumerated must be proposed by the individuals by whom coercion is employed. And here it will be sufficient very briefly to recollect the reasonings that have been stated under each of these heads.

reformation : It cannot be reformation. To reform a man is to change the sentiments.

sentiments of his mind. Sentiments may be changed either for the better or the worse. They can only be changed by the operation of falsehood or the operation of truth. Punishment we have already found, at least so far as relates to the individual, is injustice. The infliction of stripes upon my body can throw no new light upon the question between us. I can perceive in them nothing but your passion, your ignorance and your mistake. If you have any new light to offer, any cogent arguments to introduce ; they will not fail, if adequately presented, to produce their effect. If you be partially informed, stripes will not supply the deficiency of your arguments. Whatever be the extent or narrowness of your wisdom, it is the only instrument by which you can hope to add to mine. You cannot give that which you do not possess. When all is done, I have nothing but the truths you told me by which to derive light to my understanding. The violence with which the communication of them was accompanied, may prepossess me against giving them an impartial hearing, but cannot, and certainly ought not, to make their evidence appear greater than your statement was able to make it.—These arguments are conclusive against coercion as an instrument of private or individual education.

But considering the subject in a political view it may be said, "that, however strong may be the ideas I am able to communicate to a man in order to his reformation, he may be restless and impatient of expostulation, and of consequence it may be necessary

cessary to retain him by force, till I can properly have instilled these ideas into his mind." It must be remembered that the idea here is not that of precaution to prevent the mischiefs he might perpetrate in the mean time, for that belongs to another of the three ends of coercion, that of restraint. But, separately from this idea, the argument is peculiarly weak. If the truths I have to communicate be of an energetic and impressive nature, if they stand forward perspicuous and distinct in my own mind, it will be strange if they do not at the outset excite curiosity and attention in him to whom they are addressed. It is my duty to choose a proper season at which to communicate them, and not to betray the cause of truth by an ill timed impatience. This prudence I should infallibly exercise, if my object were to obtain something interesting to myself; why should I be less quick sighted when I plead the cause of justice and eternal reason? It is a miserable way of preparing a man for conviction, to compel him by violence to hear an expostulation which he is eager to avoid. These arguments prove, not that we should lose sight of reformation, if coercion for any other reason appear to be necessary; but that reformation cannot reasonably be made the object of coercion.

example :

Coercion for the sake of example is a theory that can never be justly maintained. The coercion proposed to be employed, considered absolutely, is either right or wrong. If it be right, it should be employed for its own intrinsic recommendations. If it

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be wrong, what sort of example does it display? To do a thing for the sake of example, is in other words to do a thing to day, in order to prove that I will do a similar thing to-morrow. This must always be a subordinate consideration. No argument has been so grossly abused as this of example. We found it under the subject of war * employed to prove the propriety of my doing a thing otherwise wrong, in order to convince the opposite party that I should, when occasion offered, do something else that was right. He will display the best example, who carefully studies the principles of justice, and assiduously practises them. A better effect will be produced in human society by my conscientious adherence to them, than by my anxiety to create a specific expectation respecting my future conduct. This argument will be still farther enforced, if we recollect what has already been said respecting the inexhaustible differences of different cases, and the impossibility of reducing them to general rules.

The third object of coercion according to the enumeration ^{restraint.} already made is restraint. If coercion be in any case to be admitted, this is the only object it can reasonably propose to itself. The serious objections to which even in this point of view it is liable have been stated in another stage of the enquiry †: the amount of the necessity tending to supersede these objections has also been considered.

* Book V, Chap. XVI, p. 518. † Chap. III.

The

BOOK VII.
CHAP. V.
Conclusion.

The subject of this chapter is of greater importance, in proportion to the length of time that may possibly elapse, before any considerable part of mankind shall be persuaded to exchange the present complexity of political institution for a mode which shall supersede the necessity of coercion. It is highly unworthy of the cause of truth to suppose, that during this interval I have no active duties to perform, that I am not obliged to co-operate for the present welfare of the community, as well as for its future regeneration. The temporary obligation that arises out of this circumstance exactly corresponds with what was formerly delivered on the subject of duty. Duty is the best possible application of a given power to the promotion of the general good*. But my power depends upon the disposition of the men by whom I am surrounded. If I were enlisted in an army of cowards, it might be my duty to retreat, though absolutely considered it should have been the duty of the army to come to blows. Under every possible circumstance it is my duty to advance the general good by the best means which the circumstances under which I am placed will admit.

* Book IV, Chap. VI, p. 308, 9.

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CHAP. VI.

SCALE OF COERCION.

ITS SPHERE DESCRIBED.—ITS SEVERAL CLASSES.—DEATH WITH TORTURE.—DEATH ABSOLUTELY.—ORIGIN OF THIS POLICY—IN THE CORRUPTNESS OF POLITICAL INSTITUTIONS—IN THE INHUMANITY OF THE INSTITUTORS.—CORPORAL PUNISHMENT.—ITS ABSURDITY—ITS ATROCIOUSNESS.—PRIVATION OF FREEDOM.—DUTY OF REFORMING OUR NEIGHBOUR AN INFERIOR CONSIDERATION IN THIS CASE.—ITS PLACE DEFINED.—MODES OF RESTRAINT.—INDISCRIMINATE IMPRISONMENT.—SOLITARY IMPRISONMENT.—ITS SEVERITY.—ITS MORAL EFFECTS.—SLAVERY.—BANISHMENT.—1. SIMPLE BANISHMENT.—2. TRANSPORTATION.—3. COLONISATION.—THIS PROJECT HAS MISCARRIED FROM UNKINDNESS—FROM OFFICIOUSNESS.—ITS PERMANENT EVILS.—RECAPITULATION.

IT is time to proceed to the consideration of certain inferences that may be deduced from the theory of coercion which has now been delivered; nor can any thing be of greater importance

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BOOK VII.
CHAP. VI.

BOOK VII.
CHAP. VI. importance than these inferences will be found to the virtue, the happiness and improvement of mankind.

Its sphere described.

And, first, it evidently follows that coercion is an act of painful necessity, inconsistent with the true character and genius of mind, the practice of which is temporarily imposed upon us by the corruption and ignorance that reign among mankind. Nothing can be more absurd than to look to it as a source of improvement. It contributes to the generation of excellence, just as much as the keeper of the course contributes to the fleetness of the race. Nothing can be more unjust than to have recourse to it, but upon the most undeniable emergency. Instead of multiplying occasions of coercion, and applying it as the remedy of every moral evil, the true politician will anxiously confine it within the narrowest limits, and perpetually seek to diminish the occasions of its employment. There is but one reason by which it can in any case be apologised, and that is, where the suffering the offender to be at large shall be notoriously injurious to the public security.

Its several classes.

Secondly, the consideration of restraint as the only justifiable ground of coercion, will furnish us with a simple and satisfactory criterion by which to measure the justice of the suffering inflicted.

Death with torture.

The infliction of a lingering and tormenting death cannot be vindicated upon this hypothesis; for such infliction can only be dictated

dictated by sentiments of resentment on the one hand, or by the desire to exhibit a terrible example on the other.

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CHAP. VI.

To deprive an offender of his life in any manner will appear to be unjust, since it will always be sufficiently practicable without this to prevent him from farther offence. Privation of life, though by no means the greatest injury that can be inflicted, must always be considered as a very serious injury; since it puts a perpetual close upon the prospects of the sufferer, as to all the enjoyments, the virtues and the excellence of a human being.

Death absolutely.

In the story of those whom the merciless laws of Europe devote to destruction, we sometimes meet with persons who subsequently to their offence have succeeded to a plentiful inheritance, or who for some other reason seem to have had the fairest prospects of tranquillity and happiness opened upon them. Their story with a little accommodation may be considered as the story of every offender. If there be any man whom it may be necessary for the safety of the whole to put under restraint, this circumstance is a powerful plea to the humanity and justice of the leading members of the community in his behalf. This is the man who most stands in need of their assistance. If they treated him with kindness instead of supercilious and unfeeling neglect, if they made him understand with how much reluctance they had been induced to employ the force of the society against him, if they presented truth to his mind with calmness, perspicuity and benevolence, if

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CHAP. VI.

they employed those precautions which an humane disposition would not fail to suggest, to keep from him the motives of corruption and obstinacy, his reformation would be almost infallible. These are the prospects to which his wants and his misfortunes powerfully entitle him; and it is from these prospects that the hand of the executioner cuts him off for ever.

It is a mistake to suppose that this treatment of criminals tends to multiply crimes. On the contrary few men would enter upon a course of violence with the certainty of being obliged by a slow and patient process to amputate their errors. It is the uncertainty of punishment under the existing forms that multiplies crimes. Remove this uncertainty, and it would be as reasonable to expect that a man would wilfully break his leg, for the sake of being cured by a skilful surgeon. Whatever gentleness the intellectual physician may display, it is not to be believed that men can part with rooted habits of injustice and vice without the sensation of considerable pain.

Origin of this
policy:in the cor-
ruptness of
political in-
stitutions:

The true reasons in consequence of which these forlorn and deserted members of the community are brought to an ignominious death, are, first, the peculiar iniquity of the civil institutions of that community, and, secondly, the supineness and apathy of their superiors. In republican and simple forms of government punishments are rare, the punishment of death is almost unknown. On the other hand the more there is in any country of

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inequality

BOOK VII.
CHAP. VI.

inequality and oppression, the more punishments are multiplied. The more the institutions of society contradict the genuine sentiments of the human mind, the more severely is it necessary to avenge their violation. At the same time the rich and titled members of the community, proud of their fancied eminence, behold with total unconcern the destruction of the destitute and the wretched, disdaining to recollect that, if there be any intrinsic difference between them, it is the offspring of their different circumstances, and that the man whom they now so much despise, would have been as accomplished and susceptible as they, if they had only changed situations. When we behold a string of poor wretches brought out for execution, justice will present to our affrighted fancy all the hopes and possibilities which are thus brutally extinguished, the genius, the daring invention, the unshrinking firmness, the tender charities and ardent benevolence, which have occasionally under this system been sacrificed at the shrine of torpid luxury and unrelenting avarice.

in the in-
humanity of
the institu-
tors.

The species of suffering commonly known by the appellation of corporal punishment is also proscribed by the system above established. Corporal punishment, unless so far as it is intended for example, appears in one respect in a very ludicrous point of view. It is an expeditious mode of proceeding, which has been invented in order to compress the effect of much reasoning and long confinement, that might otherwise have been necessary, into a very short compass. In another view it is not possible to

Corporal pu-
nishment.

Its absurdity.

express.

BOOK VII.
CHAP. VI.
Its atrocious-
ness.

expresses the abhorrence it ought to create. The genuine propensity of man is to venerate mind in his fellow man. With what delight do we contemplate the progress of intellect, its efforts for the discovery of truth, the harvest of virtue that springs up under the genial influence of instruction, the wisdom that is generated through the medium of unrestricted communication? How completely do violence and corporal infliction reverse the scene? From this moment all the wholesome avenues of mind are closed, and on every side we see them guarded with a train of disgraceful passions, hatred, revenge, despotism, cruelty, hypocrisy, conspiracy and cowardice. Man becomes the enemy of man; the stronger are seized with the lust of unbridled domination, and the weaker shrink with hopeless disgust from the approach of a fellow. With what feelings must an enlightened observer contemplate the furrow of a lash imprinted upon the body of a man? What heart beats not in unison with the sublime law of antiquity, "Thou shalt not inflict stripes upon the body of a Roman?" There is but one alternative in this case on the part of the sufferer. Either his mind must be subdued by the arbitrary dictates of the superior (for to him all is arbitrary that does not stand approved to the judgment of his own understanding); he will be governed by something that is not reason, and ashamed of something that is not disgrace; or else every pang he endures will excite the honest indignation of his heart and fix the clear disapprobation of his intellect, will produce contempt and alienation, against his punisher.

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CHAP. VI.
Privation of
freedom.

The justice of coercion is built upon this simple principle: Every man is bound to employ such means as shall suggest themselves for preventing evils subversive of general security, it being first ascertained, either by experience or reasoning, that all milder methods are inadequate to the exigence of the case. The conclusion from this principle is, that we are bound under certain urgent circumstances to deprive the offender of the liberty he has abused. Farther than this no circumstance can authorize us. He whose person is imprisoned (if that be the right kind of seclusion) cannot interrupt the peace of his fellows; and the infliction of farther evil, when his power to injure is removed, is the wild and unauthorized dictate of vengeance and rage, the wanton sport of unquestioned superiority.

When indeed the person of the offender has been first seized, there is a farther duty incumbent on his punisher, the duty of reforming him. But this makes no part of the direct consideration. The duty of every man to contribute to the intellectual health of his neighbour is of general application. Beside which it is proper to recollect what has been already demonstrated; that coercion of no sort is among the legitimate means of reformation. Restrain the offender as long as the safety of the community prescribes it, for this is just. Restrain him not an instant from a simple view to his own improvement, for this is contrary to reason and morality.

Duty of reforming our neighbour an inferior consideration in this case.

Meanwhile:

BOOK VII.
CHAP. VI.Its place de-
scribed.

Meanwhile there is one circumstance by means of which restraint and reformation are closely connected. The person of the offender is to be restrained as long as the public safety would be endangered by his liberation. But the public safety will cease to be endangered, as soon as his propensities and dispositions have undergone a change. The connection which thus results from the nature of things, renders it necessary that, in deciding upon the species of restraint to be imposed, these two circumstances be considered jointly, how the personal liberty of the offender may be least intruded upon, and how his reformation may be best promoted.

Modes of re-
straint.Indiscrimi-
nate impris-
onment.

The most common method pursued in depriving the offender of the liberty he has abused is to erect a public jail in which offenders of every description are thrust together, and left to form among themselves what species of society they can. Various circumstances contribute to imbue them with habits of indolence and vice, and to discourage industry; and no effort is made to remove or soften these circumstances. It cannot be necessary to expatiate upon the atrociousness of this system. Jails are to a proverb seminaries of vice; and he must be an uncommon proficient in the passion and the practice of injustice, or a man of sublime virtue, who does not come out of them a much worse man than he entered.

An

BOOK VII.
CHAP. VI.Solitary im-
prisonment.

An active observer of mankind*, with the purest intentions, and who had paid a very particular attention to this subject, was struck with the mischievous tendency of the reigning system, and called the attention of the public to a scheme of solitary imprisonment. But this, though free from the defects of the established mode, is liable to very weighty objections.

It must strike every reflecting mind as uncommonly tyrannical and severe. It cannot therefore be admitted into the system of mild coercion which forms the topic of our enquiry. Man is a social animal. How far he is necessarily so will appear, if we consider the sum of advantages resulting from the social, and of which he would be deprived in the solitary state. But, independently of his original structure, he is eminently social by his habits. Will you deprive the man you imprison, of paper and books, of tools and amusements? One of the arguments in favour of solitary imprisonment is, that it is necessary the offender should be called off from his wrong habits of thinking, and obliged to enter into himself. This the advocates of solitary imprisonment probably believe will be most effectually done, the fewer be the avocations of the prisoner. But let us suppose that he is indulged in these particulars, and only deprived of society. How many men are there that can derive amusement from books? We are in this respect the creatures of habit, and it is scarcely to be expected from ordinary men that they should mould themselves

* Mr. Howard.

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BOOK VII. CHAP. VI. to any species of employment, to which in their youth they were wholly strangers. But he that is most fond of study has his moments when study pleases no longer. The soul yearns with inexpressible longings for the society of its like. Because the public safety unwillingly commands the confinement of an offender, must he for that reason never light up his countenance with a smile? Who can tell the sufferings of him who is condemned to uninterrupted solitude? Who can tell that this is not, to the majority of mankind, the bitterest torment that human ingenuity can inflict? No doubt a mind truly sublime would conquer this inconvenience: but the powers of such a mind do not enter into the present question.

Its moral effects.

From the examination of solitary imprisonment in itself considered, we are naturally led to enquire into its real tendency as to the article of reformation. To be virtuous it is requisite that we should consider men and their relation to each other. As a preliminary to this study is it necessary that we should be shut out from the society of men? Shall we be most effectually formed to justice, benevolence and prudence in our intercourse with each other, in a state of solitude? Will not our selfish and unsocial dispositions be perpetually increased? What temptation has he to think of benevolence or justice who has no opportunity to exercise it? The true soil in which atrocious crimes are found to germinate, is a gloomy and morose disposition. Will his heart become much either softened or expanded, who breathes the atmosphere of a dungeon? Surely it would be better in this respect

BOOK VII. CHAP. VI. respect to imitate the system of the universe, and, if we would teach justice and humanity, transplant those we would teach into a natural and reasonable state of society. Solitude absolutely considered may instigate us to serve ourselves, but not to serve our neighbours. Solitude, imposed under too few limitations, may be a nursery for madmen and idiots, but not for useful members of society.

Another idea which has suggested itself with regard to the Slavery. relegation of offenders from the community they have injured, is that of reducing them to a state of slavery or hard labour. The true refutation of this system is anticipated in what has been already said. To the safety of the community it is unnecessary. As a means to the reformation of the offender it is inexpressibly ill conceived. Man is an intellectual being. There is no way to make him virtuous, but in calling out his intellectual powers. There is no way to make him virtuous, but by making him independent. He must study the laws of nature and the necessary consequence of actions, not the arbitrary caprice of his superior. Do you desire that I should work? Do not drive me to it with the whip; for, if before I thought it better to be idle, this will but increase my alienation. Persuade my understanding, and render it the subject of my choice. It can only be by the most deplorable perversion of reason, that we can be induced to believe any species of slavery, from the slavery

BOOK VII. of the school boy to that of the most unfortunate negro in our
CHAP. VI. West India plantations, favourable to virtue.

Banishment. A scheme greatly preferable to any of these, and which has been tried under various forms, is that of transportation, or banishment. This scheme under the most judicious modifications is liable to objection. It would be strange if any scheme of coercion or violence were not so. But it has been made appear still more exceptionable than it will be found in its intrinsic nature, by the crude and incoherent circumstances with which it has usually been executed.

1. Simple banishment. Banishment in its simple form is evidently unjust. The citizen whose residence we deem injurious in our own country, we have no right to impose upon another.

2. Transportation. Banishment has sometimes been joined with slavery. Such was the practice of Great Britain previously to the defection of her American colonies. This cannot stand in need of a separate refutation.

3. Colonization. The true species of banishment is removal to a country yet unsettled. The labour by which the untutored mind is best weaned from the vicious habits of a corrupt society, is the labour, not which is prescribed by the mandate of a superior, but which is imposed by the necessity of subsistence. The first settlement
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of Rome by Romulus and his vagabonds is a happy image of this, whether we consider it as a real history, or as the ingenious fiction of a man well acquainted with the principles of mind. Men who are freed from the injurious institutions of European government, and obliged to begin the world for themselves, are in the direct road to be virtuous.

Two circumstances have hitherto rendered abortive this reasonable project. First, that the mother country pursues this species of colony with her hatred. Our chief anxiety is in reality to render its residence odious and uncomfortable, with the vain idea of deterring offenders. Our chief anxiety ought to be to smooth their difficulties, and contribute to their happiness. We should recollect that the colonists are men for whom we ought to feel no sentiments but those of love and compassion. If we were reasonable, we should regret the cruel exigence that obliges us to treat them in a manner unfuitable to the nature of mind; and having complied with the demand of that exigence, we should next be anxious to confer upon them every benefit in our power. But we are unreasonable. We harbour a thousand savage feelings of resentment and vengeance. We thrust them out to the remotest corner of the world. We subject them to perish by multitudes with hardship and hunger. Perhaps to the result of mature reflection banishment to the Hebrides, would appear as effectual as banishment to the Antipodes.

This project has miscarried: from unkindness:

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CHAP. VI.
from officiousness.

Secondly, it is absolutely necessary upon the principles here explained that these colonists, after having been sufficiently provided in the outset, should be left to themselves. We do worse than nothing, if we pursue them into their obscure retreat with the inauspicious influence of our European institutions. It is a mark of the profoundest ignorance of the nature of man, to suppose that, if left to themselves, they would universally destroy each other. On the contrary, new situations make new minds. The worst criminals when turned adrift in a body, and reduced to feel the churlish fang of necessity, conduct themselves upon reasonable principles, and often proceed with a sagacity and public spirit that might put the proudest monarchies to the blush.

Its permanent evils.

Meanwhile let us not forget the inherent vices of coercion, which present themselves from whatever point the subject is viewed. Colonization seems to be the most eligible of those expedients which have been stated, but it is attended with considerable difficulties. The community judges of a certain individual that his residence cannot be tolerated among them consistently with the general safety. In denying him his choice among other communities do they not exceed their commission? What treatment shall be awarded him, if he return from the banishment to which he was sentenced?—These difficulties are calculated to bring back the mind to the absolute injustice of coercion, and to render us inexpressibly anxious for the advent of that policy by which it shall be abolished.

To conclude. The observations of this chapter are relative to a theory, which affirmed that it might be the duty of individuals, but never of communities, to exert a certain species of political coercion; and which founded this duty upon a consideration of the benefits of public security. Under these circumstances then every individual is bound to judge for himself, and to yield his countenance to no other coercion than that which is indispensibly necessary. He will no doubt endeavour to meliorate those institutions with which he cannot persuade his countrymen to part. He will decline all concern in the execution of such, as abuse the plea of public security to the most atrocious purposes. Laws may easily be found in almost every code, which, on account of the iniquity of their provisions, are suffered to fall into disuse by general consent. Every lover of justice will uniformly in this way contribute to the repeal of all laws, that wantonly usurp upon the independence of mankind, either by the multiplicity of their restrictions, or severity of their sanctions.

BOOK VII.
CHAP. VI.
Recapitulation.

C H A P. VII.

O F E V I D E N C E.

DIFFICULTIES TO WHICH THIS SUBJECT IS LIABLE—EX-
EMPLIFIED IN THE DISTINCTION BETWEEN OVERT
ACTIONS AND INTENTIONS. — REASONS AGAINST
THIS DISTINCTION. — PRINCIPLE IN WHICH IT IS
FOUNDED.

BOOK VII.
CHAP. VII.

HAVING sufficiently ascertained the decision in which
questions of offence against the general safety ought to
terminate, it only remains under this head of enquiry to consider
the principles according to which the trial should be conducted.
These principles may for the most part be referred to two
points, the evidence that is to be required, and the method to be
pursued by us in classing offences.

Difficulties to
which this
subject is
liable:

The difficulties to which the subject of evidence is liable, have
been repeatedly stated in the earlier divisions of this work*. It
may be worth while in this place to recollect the difficulties which
attend upon one particular class of evidence, it being scarcely

* Book II, Chap. VI. Book VII, Chap. IV.

possible

O F E V I D E N C E.

possible that the imagination of every reader should not suffice
him to apply this text, and to perceive how easily the same kind
of enumeration might be extended to any other class.

BOOK VII.
CHAP. VII.

It has been asked, "Why intentions are not subjected to the
animadversion of criminal justice, in the same manner as direct
acts of offence?"

exemplified
in the dis-
tinction be-
tween overt
acts and in-
tentions.

The arguments in favour of their being thus subjected are ob-
vious. "The proper object of political superintendence is not
the past, but the future. Society cannot justly employ coercion
against any individual, however atrocious may have been his
misdemeanours, from any other than a prospective consideration,
that is, a consideration of the danger with which his habits may
be pregnant to the general safety. Past conduct cannot properly
fall under the animadversion of government, except so far as it is
an indication of the future. But past conduct appears at first
sight to afford a slighter presumption as to what the delinquent
will do hereafter, than declared intention. The man who pro-
fesses his determination to commit murder, seems to be scarcely a
less dangerous member of society, than he who, having already
committed murder, has no apparent intention to repeat his of-
fence." And yet all governments have agreed either to pass over
the menace in silence, or to subject the offender to a much less
degree of coercion, than they employ against him, by whom

Reasons a-
gainst this
distinction.

BOOK VII.
CHAP. VII.

the crime has been perpetrated. It may be right perhaps to yield them some attention when they thus agree in forbearance, though little undoubtedly is due to their agreement in inhumanity.

Principle in which it is founded.

This distinction, so far as it is founded in reason, has relation principally to the uncertainty of evidence. Before the intention of any man can be ascertained in a court of justice from the consideration of the words he has employed, a variety of circumstances must be taken into the account. The witness heard the words which were employed: does he repeat them accurately, or has not his want of memory caused him to substitute in the room of some of them words of his own? Before it is possible to decide upon the confident expectation I may entertain that these words will be followed with correspondent actions, it is necessary I should know the exact tone with which they were delivered, and gesture with which they were accompanied. It is necessary I should be acquainted with the context, and the occasion that produced them. Their construction will depend upon the quantity of momentary heat or rooted malice with which they were delivered; and words, which appear at first sight of tremendous import, will sometimes be found upon accurate investigation to have had a meaning purely ironical in the mind of the speaker. These considerations, together with the odious nature of coercion in general,

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general, and the extreme mischief that may attend our restraining the faculty of speech in addition to the restraint we conceive ourselves obliged to put on men's actions, will probably be found to afford a sufficient reason, why words ought seldom or never to be made a topic of political animadversion.

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SE 2 CHAP.

CHAP. VIII.

OF LAW.

ARGUMENTS BY WHICH IT IS RECOMMENDED.—ANSWER.—
 LAW IS, 1. ENDLESS—PARTICULARLY IN A FREE STATE.
 —CAUSES OF THIS DISADVANTAGE.—2. UNCERTAIN—
 INSTANCED IN QUESTIONS OF PROPERTY.—MODE IN
 WHICH IT MUST BE STUDIED.—3. PRETENDS TO FORE-
 TEL FUTURE EVENTS.—LAWS ARE A SPECIES OF PRO-
 MISES—CHECK THE FREEDOM OF OPINION—ARE DE-
 STRUCTIVE OF THE PRINCIPLES OF REASON.—DISHO-
 NESTY OF LAWYERS.—AN HONEST LAWYER MIS-
 CHIEVOUS.—ABOLITION OF LAW VINDICATED ON THE
 SCORE OF WISDOM—OF CANDOUR—FROM THE NA-
 TURE OF MAN.—FUTURE HISTORY OF POLITICAL JUS-
 TICE.—ERRORS THAT MIGHT ARISE IN THE COMMENCE-
 MENT.—ITS GRADUAL PROGRESS.—ITS EFFECTS ON
 CRIMINAL LAW—ON PROPERTY.

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A FARTHER article of great importance in the trial of offences, is that of the method to be pursued by us in classing them, and the consequent apportioning the degree of animadversion to the cases that may arise. This article brings us

us to the direct consideration of law, which is without doubt one of the most important topics upon which human intellect can be employed. It is law which has hitherto been regarded in countries calling themselves civilised, as the standard, by which to measure all offences and irregularities that fall under public animadversion. Let us fairly investigate the merits of this choice.

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The comparison which has presented itself to those by whom the topic has been investigated, has hitherto been between law on one side, and the arbitrary will of a despot on the other. But, if we would fairly estimate the merits of law, we should first consider it as it is in itself, and then, if necessary, search for the most eligible principle that may be substituted in its place.

It has been recommended as "affording information to the different members of the community respecting the principles which will be adopted in deciding upon their actions." It has been represented as the highest degree of iniquity, "to try men by an *ex post facto* law, or indeed in any other manner than by the letter of a law, formally made, and sufficiently promulgated."

Arguments
 by which it
 is recom-
 mended.

How far it will be safe altogether to annihilate this principle we shall presently have occasion to enquire. It is obvious at first sight to remark, that it is of most importance in a country where the system of jurisprudence is most capricious and absurd.

If

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If it be deemed criminal in any society to wear clothes of a particular texture, or buttons of a particular composition, it is natural to exclaim, that it is high time the jurisprudence of that society should inform its members what are the fantastic rules by which they mean to proceed. But, if a society be contented with the rules of justice, and do not assume to itself the right of distorting or adding to those rules, there law is evidently a less necessary institution. The rules of justice would be more clearly and effectually taught by an actual intercourse with human society unrestrained by the fetters of prepossession, than they can be by catechisms and codes*.

Law is, I.
endless:particularly
in free states.

One result of the institution of law is, that the institution once begun, can never be brought to a close. Edict is heaped upon edict, and volume upon volume. This will be most the case, where the government is most popular, and its proceedings have most in them of the nature of deliberation. Surely this is no slight indication that the principle is wrong, and that of consequence, the farther we proceed in the path it marks out to us, the more shall we be bewildered. No task can be more hopeless than that of effecting a coalition between a right principle and a wrong. He that seriously and sincerely attempts it, will perhaps expose himself to more palpable ridicule, than he who, instead of professing two opposite systems, should adhere to the worst.

Causes of this
disadvantage.

There is no maxim more clear than this, Every case is a rule

* Book VI, Chap. VIII, p. 671.

to

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to itself. No action of any man was ever the same as any other action, had ever the same degree of utility or injury. It should seem to be the business of justice, to distinguish the qualities of men, and not, which has hitherto been the practice, to confound them. But what has been the result of an attempt to do this in relation to law? As new cases occur, the law is perpetually found deficient. How should it be otherwise? Lawgivers have not the faculty of unlimited prescience, and cannot define that which is infinite. The alternative that remains, is either to wrest the law to include a case which was never in the contemplation of the author, or to make a new law to provide for this particular case. Much has been done in the first of these modes. The quibbles of lawyers and the arts by which they refine and distort the sense of the law, are proverbial. But, though much is done, every thing cannot be thus done. The abuse would sometimes be too palpable. Not to say, that the very education that enables the lawyer, when he is employed for the prosecutor, to find out offences the lawgiver never meant, enables him, when he is employed for the defendant, to find out subtleties that reduce the law to a nullity. It is therefore perpetually necessary to make new laws. These laws, in order to escape evasion, are frequently tedious, minute and circumlocutory. The volume in which justice records her prescriptions is for ever increasing, and the world would not contain the books that might be written.

The

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2. uncertain :

instanced in
questions of
property.

The consequence of the infinitude of law is its uncertainty. This strikes directly at the principle upon which law is founded. Laws were made to put an end to ambiguity, and that each man might know what he had to depend upon. How well have they answered this purpose? Let us instance in the article of property. Two men go to law for a certain estate. They would not go to law, if they had not both of them an opinion of their success. But we may suppose them partial in their own case. They would not continue to go to law, if they were not both promised success by their lawyers. Law was made that a plain man might know what he had to depend upon, and yet the most skilful practitioners differ about the event of my suit. It will sometimes happen that the most celebrated pleader in the kingdom, or the first counsel in the service of the crown, shall assure me of infallible success, five minutes before another law officer, styled the keeper of the king's conscience, by some unexpected juggle decides it against me. Would the issue have been equally uncertain, if I had had nothing to trust to but the plain, unperturbed sense of a jury of my neighbours, founded in the ideas they entertained of general justice? Lawyers have absurdly maintained, that the expensiveness of law is necessary to prevent the unbounded multiplication of suits; but the true source of this multiplication is uncertainty. Men do not quarrel about that which is evident, but that which is obscure.

Mode in
which it must
be studied.

He that would study the laws of a country accustomed to

legal

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legal security, must begin with the volumes of the statutes. He must add a strict enquiry into the common or unwritten law; and he ought to digress into the civil, the ecclesiastical and canon law. To understand the intention of the authors of a law, he must be acquainted with their characters and views, and with the various circumstances, to which it owed its rise, and by which it was modified while under deliberation. To understand the weight and interpretation that will be allowed to it in a court of justice, he must have studied the whole collection of records, decisions and precedents. Law was originally devised that ordinary men might know what they had to depend upon, and there is not at this day a lawyer existing in Great Britain, presumptuous and vain-glorious enough to pretend that he has mastered the code. Nor must it be forgotten that time and industry, even were they infinite, would not suffice. It is a labyrinth without end; it is a mass of contradictions that cannot be extricated. Study will enable the lawyer to find in it plausible, perhaps unanswerable, arguments for any side of almost any question; but it would argue the utmost folly to suppose that the study of law can lead to knowledge and certainty.

A farther consideration that will demonstrate the absurdity of law in its most general acceptation is, that it is of the nature of prophecy. Its task is to describe what will be the actions of mankind, and to dictate decisions respecting them. Its merits in this respect have already been decided under the head of promises.

3. pretends to
foretel future
events.Laws are a
species of
promises.

5 F

promises.

BOOK VII.
CHAP. VIII.check the
freedom of
opinion:

promises*. The language of such a procedure is, "We are for wife; that we can draw no additional knowledge from circumstances as they occur; and we pledge ourselves that, if it be otherwise, the additional knowledge we acquire shall produce no effect upon our conduct." It is proper to observe, that this subject of law may be considered in some respects as more properly belonging to the topic of the preceding book. Law tends no less than creeds, catechisms and tests, to fix the human mind in a stagnant condition; and to substitute a principle of permanence, in the room of that unceasing perfectibility which is the only salubrious element of mind. All the arguments therefore which were employed upon that occasion may be applied to the subject now under consideration.

are destruc-
tive of the
principles of
reason.

The fable of Procrustes presents us with a faint shadow of the perpetual effort of law. In defiance of the great principle of natural philosophy, that there are not so much as two atoms of matter of the same form through the whole universe, it endeavours to reduce the actions of men, which are composed of a thousand evanescent elements, to one standard. We have already seen the tendency of this endeavour in the article of murder †. It was in the contemplation of this system of jurisprudence, that the strange maxim was invented, that "strict

* Book III, Chap. III.

† Book II, Chap. VI, p. 131. Book VII, Chap. IV, p. 718.

justice

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justice would often prove the highest injustice*." There is no more real justice in endeavouring to reduce the actions of men into classes, than there was in the scheme to which we have just alluded, of reducing all men to the same stature. If on the contrary justice be a result flowing from the contemplation of all the circumstances of each individual case, if the only criterion of justice be general utility, the inevitable consequence is that, the more we have of justice, the more we shall have of truth, virtue and happiness.

From all these considerations we cannot hesitate to conclude universally that law is an institution of the most pernicious tendency.

The subject will receive some additional elucidation, if we consider the perniciousness of law in its immediate relation to those who practise it. If there ought to be no such thing as law, the profession of a lawyer is no doubt entitled to our disapprobation. A lawyer can scarcely fail to be a dishonest man. This is less a subject for censure than for regret. Men are the creatures of the necessities under which they are placed. He that is habitually goaded by the incentives of vice, will not fail to be vicious. He that is perpetually conversant in quibbles, false colours and sophistry, cannot equally cultivate the generous

Dishonesty of
lawyers.* *Summum jus summa injuria.*

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emotions

emotions of the soul and the nice discernment of rectitude. If a single individual can be found who is but superficially tainted with the contagion, how many men on the other hand, in whom we saw the promise of the sublimest virtues, have by this trade been rendered indifferent to consistency or accessible to a bribe? Be it observed, that these remarks apply principally to men eminent or successful in their profession. He that enters into an employment carelessly and by way of amusement, is much less under its influence (though he will not escape), than he that enters into it with ardour and devotion.

An honest
lawyer mis-
chievous.

Let us however suppose, a circumstance which is perhaps altogether impossible, that a man shall be a perfectly honest lawyer. He is determined to plead no cause that he does not believe to be just, and to employ no argument that he does not apprehend to be solid. He designs, as far as his sphere extends, to strip law of its ambiguities, and to speak the manly language of reason. This man is no doubt highly respectable so far as relates to himself, but it may be questioned whether he be not a more pernicious member of society than the dishonest lawyer. The hopes of mankind in relation to their future progress, depend upon their observing the genuine effects of erroneous institutions. But this man is employed in softening and masking these effects. His conduct has a direct tendency to postpone the reign of sound policy, and to render mankind tranquil in the midst of imperfection and ignorance. It may appear indeed

a para-

a paradox to affirm that virtue can be more pernicious than vice. But the true solution of this difficulty lies in the remark, that virtue, such as is here described, is impossible. We may amuse ourselves with enquiring in such instances as this whether theory could not afford us a better system of intellectual progress than the mixed system which takes place in the world. But the true answer probably is, that what we call vice is mere error of the understanding, a necessary part of the gradation that leads to good, and in a word that the course of nature and the course of a perfect theory are in all cases the same.

The true principle which ought to be substituted in the room of law, is that of reason exercising an uncontrolled jurisdiction upon the circumstances of the case. To this principle no objection can arise on the score of wisdom. It is not to be supposed that there are not men now existing, whose intellectual accomplishments rise to the level of law. Law we sometimes call the wisdom of our ancestors. But this is a strange imposition. It was as frequently the dictate of their passion, of timidity, jealousy, a monopolising spirit, and a lust of power that knew no bounds. Are we not obliged perpetually to revise and remodel this misnamed wisdom of our ancestors? to correct it by a detection of their ignorance and a condemnation of their intolerance? But, if men can be found among us whose wisdom is equal to the wisdom of law, it will scarcely be maintained, that the truths they have to communicate will be the worse for

Abolition of
law vindic-
ated on the
score of wis-
dom:

having

BOOK VII. having no authority, but that which they derive from the
 CHAP. VIII. reasons that support them.

of candour: It may however be alledged that, "if there be little difficulty in securing a current portion of wisdom, there may nevertheless be something to be feared from the passions of men. Law may be supposed to have been constructed in the tranquil serenity of the soul, a suitable monitor to check the inflamed mind with which the recent memory of ills might induce us to proceed to the exercise of coercion." This is the most considerable argument that can be adduced in favour of the prevailing system, and therefore deserves a mature examination.

from the nature of man:

The true answer to this objection is that nothing can be improved but in conformity to its nature. If we consult for the welfare of man, we must bear perpetually in mind the structure of man. It must be admitted that we are imperfect, ignorant, the slaves of appearances. These defects can be removed by no indirect method, but only by the introduction of knowledge. A specimen of the indirect method we have in the doctrine of spiritual infallibility. It was observed that men were liable to error, to dispute for ever without coming to a decision, to mistake in their most important interests. What was wanting, was supposed to be a criterion and a judge of controversies. What was attempted, was to endue truth with a visible form, and then repair to the oracle we had erected.

The

The case respecting law is exactly parallel to this. Men were aware of the deceitfulness of appearances, and they sought a talisman to guard them from imposition. Suppose I were to determine at the commencement of every day upon a certain code of principles to which I would conform the conduct of the day, and at the commencement of every year the conduct of the year. Suppose I were to determine that no circumstances should be allowed by the light they afforded to modify my conduct, lest I should become the dupe of appearance and the slave of passion. This is a just and accurate image of every system of permanence. Such systems are formed upon the idea of stopping the perpetual motion of the machine, lest it should sometimes fall into disorder.

This consideration must sufficiently persuade an impartial mind that, whatever inconveniences may arise from the passions of men, the introduction of fixed laws cannot be the genuine remedy. Let us consider what would be the operation and progressive state of these passions, provided men were trusted to the guidance of their own discretion. Such is the discipline that a reasonable state of society employs with respect to man in his individual capacity*: why should it not be equally valid with respect to men acting in a collective capacity? Inexperience and zeal would prompt me to restrain my neighbour whenever he is acting wrong, and, by penalties and inconveniences

* Book V, Chap. XX, p. 548.

designedly

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designedly interposed, to cure him of his errors. But reason evinces the folly of this proceeding, and teaches me that, if he be not accustomed to depend upon the energies of intellect, he will never rise to the dignity of a rational being. As long as a man is held in the trammels of obedience, and habituated to look to some foreign guidance for the direction of his conduct, his understanding and the vigour of his mind will sleep. Do I desire to raise him to the energy of which he is capable? I must teach him to feel himself, to bow to no authority, to examine the principles he entertains, and render to his mind the reason of his conduct.

The habits which are thus salutary to the individual will be equally salutary in the transactions of communities. Men are weak at present, because they have always been told they are weak, and must not be trusted with themselves. Take them out of their shackles; bid them enquire, reason and judge; and you will soon find them very different beings. Tell them that they have passions, are occasionally hasty, intemperate and injurious, but they must be trusted with themselves. Tell them that the mountains of parchment in which they have been hitherto intrenched, are fit only to impose upon ages of superstition and ignorance; that henceforth we will have no dependence but upon their spontaneous justice; that, if their passions be gigantic, they must rise with gigantic energy to subdue them; that, if their decrees be iniquitous, the iniquity shall be all their

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own. The effect of this disposition of things will soon be visible; mind will rise to the level of its situation; juries and umpires will be penetrated with the magnitude of the trust reposed in them.

It may be no uninteresting spectacle to survey the progressive establishment of justice in the state of things which is here recommended. At first it may be a few decisions will be made uncommonly absurd or atrocious. But the authors of these decisions will be confounded with the unpopularity and disgrace in which they have involved themselves. In reality, whatever were the original source of law, it soon became cherished as a cloke for oppression. Its obscurity was of use to mislead the inquisitive eye of the sufferer. Its antiquity served to divert a considerable part of the odium from the perpetrator of the injustice to the author of the law, and still more to disarm that odium by the influence of superstitious awe. It was well known that unvarnished, barefaced oppression could not fail to be the victim of its own operations.

Future history of political justice.

Errors that might arise in the commencement.

To this statement it may indeed be objected, "that bodies of men have often been found callous to censure, and that the disgrace, being amicably divided among them all, is intolerable to none." In this observation there is considerable force, but it is inapplicable to the present argument. To this species of abuse one of two things is indispensably necessary, either num-

BOOK VII.
CHAP. VIII. bers or secrecy. To this abuse therefore it will be a sufficient remedy, that each jurisdiction be considerably limited, and all transactions conducted in an open and explicit manner.—To proceed.

Its gradual
progress.

The juridical decisions that were made immediately after the abolition of law, would differ little from those during its empire. They would be the decisions of prejudice and habit. But habit, having lost the centre about which it revolved, would diminish in the regularity of its operations. Those to whom the arbitration of any question was intrusted, would frequently recollect that the whole case was committed to their deliberation, and they could not fail occasionally to examine themselves respecting the reason of those principles which had hitherto passed uncontroverted. Their understandings would grow enlarged, in proportion as they felt the importance of their trust, and the unbounded freedom of their investigation. Here then would commence an auspicious order of things, of which no understanding of man at present in existence can foretel the result, the dethronement of implicit faith and the inauguration of unclouded justice.

Its effects on
criminal law :

Some of the conclusions of which this state of things would be the harbinger, have been already seen in the judgment that would be made of offences against the community*. Offences

* Book II, Chap. VI, p. 131. Book VII, Chap. IV, p. 718.

arguing

BOOK VII.
CHAP. VIII. arguing infinite variety in the depravity from which they sprung, would no longer be confounded under some general name. Juries would grow as perspicacious in distinguishing, as they are now indiscriminate in confounding the merit of actions and characters.

Let us consider the effects of the abolition of law as it respects the article of property. As soon as the minds of men became somewhat weaned from the unfeeling uniformity of the present system, they would begin to enquire after equity. In this situation let us suppose a litigated succession brought before them, to which there were five heirs, and that the sentence of their old legislation had directed the division of this property into five equal shares. They would begin to enquire into the wants and situation of the claimants. The first we will suppose to have a fair character and be prosperous in the world : he is a respectable member of society, but farther wealth would add little either to his usefulness or his enjoyment. The second is a miserable object, perishing with want, and overwhelmed with calamity. The third, though poor, is yet tranquil ; but there is a situation to which his virtue leads him to aspire, and in which he may be of uncommon service, but which he cannot with propriety accept, without a capital equal to two fifths of the whole succession. One of the claimants is an unmarried woman past the age of childbearing. Another is a widow, unprovided, and with a numerous family depending on her succour.

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succour. The first question that would suggest itself to unprejudiced persons, having the allotment of this succession referred to their unlimited decision, would be, what justice is there in the indiscriminate partition which has hitherto prevailed? This would be one of the early suggestions that would produce a shock in the prevailing system of property. To enquire into the general issue of these suggestions is the principal object of the following book.

An observation which cannot have escaped the reader in the perusal of this chapter, is, that law is merely relative to the exercise of political force, and must perish when the necessity for that force ceases, if the influence of truth do not still sooner extirpate it from the practice of mankind.

C H A P.

C H A P. IX.

O F P A R D O N S.

THEIR ABSURDITY.—THEIR ORIGIN.—THEIR ABUSES.—
THEIR ARBITRARY CHARACTER.—DESTRUCTIVE OF MORALITY.

THERE is one other topic which belongs to the subject of the present book, but which may be dismissed in a very few words, because, though it has unhappily been in almost all cases neglected in practice, it is a point that seems to admit of uncommonly simple and irresistible evidence: I mean, the subject of pardons.

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The very word to a reflecting mind is fraught with absurdity. Their absurdity.
“What is the rule that ought in all cases to prescribe to my conduct?” Surely justice; understanding by justice the greatest utility of the whole mass of beings that may be influenced by my conduct. “What then is clemency?” It can be nothing but the pitiable egotism of him who imagines he can do something better than justice. “Is it right that I should suffer constraint for a certain offence?” The rectitude of my suffering must be founded in its tendency to promote the general welfare. He therefore

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CHAP. IX.

therefore that pardons me, iniquitously prefers the imaginary interest of an individual, and utterly neglects what he owes to the whole. He bestows that which I ought not to receive, and which he has no right to give. "Is it right on the contrary that I should not undergo the suffering in question? Will he by rescuing me from suffering, do a benefit to me and no injury to others?" He will then be a notorious delinquent, if he allow me to suffer. There is indeed a considerable defect in this last supposition. If, while he benefits me, he do no injury to others, he is infallibly performing a public service. If I suffered in the arbitrary manner which the supposition includes, the whole would sustain an unquestionable injury in the injustice that was perpetrated. And yet the man who prevents this odious injustice, has been accustomed to arrogate to himself the attribute of clement, and the apparently sublime, but in reality tyrannical, name of forgiveness. For, if he do more than has been here described, instead of glory, he ought to take shame to himself, as an enemy to the interest of human kind. If every action, and especially every action in which the happiness of a rational being is concerned, be susceptible of a certain rule, then caprice must be in all cases excluded: there can be no action, which, if I neglect, I shall have discharged my duty; and, if I perform, I shall be entitled to applause.

Their origin.

The pernicious effects of the system of pardons is peculiarly glaring. It was first invented as the miserable supplement to a sanguinary

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CHAP. IX.

sanguinary code, the atrociousness of which was so conspicuous, that its ministers either dreaded the resistance of the people if it were indiscriminately executed, or themselves shrunk with spontaneous repugnance from the devastation it commanded. The system of pardons naturally associates with the system of law; for, though you may call every instance in which one man occasions the death of another by the name of murder, yet the injustice would be too great, to apply to all instances the same treatment. Define murder as accurately as you please, the same consequence, the same disparity of cases will obtrude itself. It is necessary therefore to have a court of reason, to which the decisions of a court of law shall be brought for revival.

But how is this court, inexpressibly more important than the other, to be constituted? Here lies the essence of the matter; the rest is form. A jury is impanelled, to tell you the generical name of the action; a judge presides, to read out of the vocabulary of law the sentence annexed to that name; last of all, comes the court of enquiry which is to decide whether the remedy of the dispensatory be suitable to the circumstances of this particular case. This authority has usually been lodged in the first instance with the judge, and in the last resort with the king in council. Now, laying aside the propriety or impropriety of this particular selection, there is one grievous abuse which ought to strike the most superficial observer. These persons, with whom the principal trust is reposed, consider their functions in this

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CHAP. IX.

this respect as a matter purely incidental, exercise them with suspiciousness, and in many instances with the most scanty materials to guide their judgment. This grows in a considerable degree out of the very name of pardon, which implies a work of supererogatory benevolence.

Their arbitrary character.

From the manner in which pardons are dispensed inevitably flows the uncertainty of punishment. It is too evident that punishment is inflicted by no certain rules, and of consequence the lives of a thousand victims are immolated in vain. Not more than one half or one third of the offenders whom the law condemns to death in this metropolis, are made to suffer the sentence that is pronounced. Is it possible that each offender should not flatter himself that he shall be among the number that escapes? Such a system, to speak it truly, is a lottery of death, in which each man draws his ticket for reprieve or execution, as undefinable accidents shall decide.

It may be asked whether the abolition of law would not produce equal uncertainty? By no means. The principles of king and council in such cases are very little understood, either by themselves or others. The principles of a jury of his neighbours commissioned to pronounce upon the whole of the case, the criminal easily guesses. He has only to appeal to his own sentiments and experience. Reason is a thousand times more explicit and intelligible than law; and when we were accustomed to

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consult her, the certainty of her decisions would be such as men practised in our present courts are totally unable to conceive.

Destructive of morality.

Another very important consequence grows out of the system of pardons. A system of pardons is a system of unmitigated slavery. I am taught to expect a certain desirable event, from what? From the clemency, the uncontroled, unmerited kindness of a fellow mortal. Can any lesson be more degrading? The pusillanimous servility of the man who devotes himself with everlasting obsequiousness to another, because that other, having begun to be unjust, relents in his career; the ardour with which he confesses the rectitude of his sentence and the enormity of his deserts, will constitute a tale that future ages will find it difficult to understand.

What are the sentiments in this respect that are alone worthy of a rational being? Give me that and that only, which without injustice you cannot refuse. More than justice it would be disgraceful for me to ask, and for you to bestow. I stand upon the foundation of right. This is a title, which brute force may refuse to acknowledge, but which all the force in the world cannot annihilate. By resisting this plea you may prove yourself unjust, but in yielding to it you grant me but my due. If, all things considered, I be the fit subject of a benefit, the benefit is merited: merit in any other sense is contradictory and absurd. If you bestow upon me unmerited advantage, you are a recreant from

BOOK VII. the general good. I may be base enough to thank you; but, if
 CHAP. IX. I were virtuous, I should condemn you.

These sentiments alone are consistent with true independence of mind. He that is accustomed to regard virtue as an affair of favour and grace, cannot be eminently virtuous. If he occasionally perform an action of apparent kindness, he will applaud the generosity of his sentiments; and, if he abstain, he will acquit himself with the question, "May I not do what I will with my own?" In the same manner, when he is treated benevolently by another, he will in the first place be unwilling to examine strictly into the reasonableness of this treatment, because benevolence, as he imagines, is not subject to any inflexibility of rule; and, in the second place, he will not regard his benefactor with that erect and unembarrassed mien, that complete sense of equality, which is the only immovable basis of virtue and happiness.

A N

A N

E N Q U I R Y

CONCERNING

P O L I T I C A L J U S T I C E.

B O O K V I I I.

O F P R O P E R T Y.

C H A P. I.

GENUINE SYSTEM OF PROPERTY DELINEATED.

IMPORTANCE OF THIS TOPIC.—ABUSES TO WHICH IT HAS BEEN EXPOSED.—CRITERION OF PROPERTY: JUSTICE.—ENTITLES EACH MAN TO THE SUPPLY OF HIS ANIMAL WANTS AS FAR AS THE GENERAL STOCK WILL AFFORD IT—TO THE MEANS OF WELL BEING.—ESTIMATE OF LUXURY.—ITS PERNICIOUS EFFECTS ON THE INDIVIDUAL WHO PARTAKES OF IT.—IDEA OF LABOUR AS THE FOUNDATION OF PROPERTY CONSIDERED.—ITS UNREA-

5 H 2

SONABLENESS.

SONABLENESS.—SYSTEM OF POPULAR MORALITY ON THIS SUBJECT.—DEFECTS OF THAT SYSTEM.

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CHAP. I.

Importance
of this topic.

Book V.

Book VI.

Book VII.

THE subject of property is the key stone that completes the fabric of political justice. According as our ideas respecting it are crude or correct, they will enlighten us as to the consequences of a *simple form of society without government*, and remove the prejudices that attach us to complexity. There is nothing that more powerfully tends to distort our *judgment* and *opinions*, than erroneous notions concerning the goods of fortune. Finally, the period that shall put an end to the system of *coercion* and *punishment*, is intimately connected with the circumstance of property's being placed upon an equitable basis.

Abuses to
which it has
been exposed.

Various abuses of the most incontrovertible nature have insinuated themselves into the administration of property. Each of these abuses might usefully be made the subject of a separate investigation. We might enquire into the vexations of this sort that are produced by the dreams of national greatness or magistral vanity. This would lead us to a just estimate of the different kinds of taxation, landed or mercantile, having the necessities or the luxuries of life for their subject of operation. We might examine into the abuses which have adhered to the commercial system; monopolies, charters, patents, protecting duties, prohibitions and bounties. We might remark upon the consequences that flow from the feudal system and the system of

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ranks;

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ranks; seignorial duties, fines, conveyances, entails, estates freehold, copyhold and manorial, vassalage and primogeniture. We might consider the rights of the church; first fruits and tithes; and we might enquire into the propriety of the regulation by which a man, after having possessed as sovereign a considerable property during his life, is permitted to dispose of it at his pleasure, at the period which the laws of nature seem to have fixed as the termination of his authority. All these enquiries would tend to show the incalculable importance of this subject. But, excluding them all from the present enquiry, it shall be the business of what remains of this work to consider, not any particular abuses which have incidentally risen out of the administration of property, but those general principles by which it has in almost all cases been directed, and which, if erroneous, must not only be regarded as the source of the abuses above enumerated, but of others of innumerable kinds, too multifarious and subtle to enter into so brief a catalogue.

What is the criterion that must determine whether this or that substance, capable of contributing to the benefit of a human being, ought to be considered as your property or mine? To this question there can be but one answer—Justice. Let us then recur to the principles of justice*.

Criterion of
property:
justice.

To whom does any article of property, suppose a loaf of bread,

* Book II, Chap. II.

justly

Entitles each
man to the
supply of his
animal wants,
as far as the

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The
general stock
will afford it

justly belong? To him who most wants it, or to whom the possession of it will be most beneficial. Here are six men famished with hunger, and the loaf is, absolutely considered, capable of satisfying the cravings of them all. Who is it that has a reasonable claim to benefit by the qualities with which this loaf is endowed? They are all brothers perhaps, and the law of primogeniture bestows it exclusively on the eldest. But does justice confirm this award? The laws of different countries dispose of property in a thousand different ways; but there can be but one way which is most conformable to reason.

It would have been easy to put a case much stronger than that which has just been stated. I have an hundred loaves in my possession, and in the next street there is a poor man expiring with hunger, to whom one of these loaves would be the means of preserving his life. If I withhold this loaf from him, am I not unjust? If I impart it, am I not complying with what justice demands? To whom does the loaf justly belong?

I suppose myself in other respects to be in easy circumstances, and that I do not want this bread as an object of barter or sale, to procure me any of the other necessaries of a human being. Our animal wants have long since been defined, and are stated to consist of food, clothing and shelter. If justice have any meaning, nothing can be more iniquitous, than for one man to possess superfluities,

perfluities, while there is a human being in existence that is not adequately supplied with these.

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Justice does not stop here. Every man is entitled, so far as the general stock will suffice, not only to the means of being, but of well being. It is unjust, if one man labour to the destruction of his health or his life, that another man may abound in luxuries. It is unjust, if one man be deprived of leisure to cultivate his rational powers, while another man contributes not a single effort to add to the common stock. The faculties of one man are like the faculties of another man. Justice directs that each man, unless perhaps he be employed more beneficially to the public, should contribute to the cultivation of the common harvest, of which each man consumes a share. This reciprocity indeed, as was observed when that subject was the matter of separate consideration, is of the very essence of justice. How the latter branch of it, the necessary labour, is to be secured, while each man is admitted to claim his share of the produce, we shall presently have occasion to enquire.

to the mean
of well being.

This subject will be placed in a still more striking light, if we reflect for a moment on the nature of luxuries. The wealth of any state may intelligibly enough be considered as the aggregate of all the incomes, which are annually consumed within that state, without destroying the materials of an equal consumption in

Estimate of
luxury.

in the ensuing year. Considering this income as being, what in almost all cases it will be found to be, the produce of the industry of the inhabitants, it will follow that in civilised countries the peasant often does not consume more than the twentieth part of the produce of his labour, while his rich neighbour consumes perhaps the produce of the labour of twenty peasants. The benefit that arises to this favoured mortal ought surely to be very extraordinary.

Its pernicious effects on the individual who partakes of it.

But nothing is more evident than that the condition of this man is the reverse of beneficial. The man of an hundred pounds *per annum*, if he understand his own happiness, is a thousand times more favourably circumstanced. What shall the rich man do with his enormous wealth? Shall he eat of innumerable dishes of the most expensive viands, or pour down hogheads of the most highly flavoured wines? A frugal diet will contribute infinitely more to health, to a clear understanding, to chearful spirits, and even to the gratification of the appetites. Almost every other expence is an expence of ostentation. No man, but the most sordid epicure, would long continue to maintain even a plentiful table, if he had no spectators, visitors or servants, to behold his establishment. For whom are our sumptuous palaces and costly furniture, our equipages, and even our very clothes? The nobleman, who should for the first time let his imagination loose to conceive the style in which he would live, if he had nobody to observe,

observe, and no eye to please but his own, would no doubt be surpris'd to find that vanity had been the first mover in all his actions.

The object of this vanity is to procure the admiration and applause of beholders. We need not here enter into the intrinsic value of applause. Taking it for granted that it is as estimable an acquisition as any man can suppose it, how contemptible is the source of applause to which the rich man has recourse? "Applaud me, because my ancestor has left me a great estate." What merit is there in that? The first effect then of riches is to deprive their possessor of the genuine powers of understanding, and render him incapable of discerning absolute truth. They lead him to fix his affections on objects not accommodated to the wants and the structure of the human mind, and of consequence entail upon him disappointment and unhappiness. The greatest of all personal advantages are, independence of mind, which makes us feel that our satisfactions are not at the mercy either of men or of fortune; and activity of mind, the chearfulness that arises from industry perpetually employed about objects, of which our judgment acknowledges the intrinsic value.

In this case we have compared the happiness of the man of extreme opulence with that of the man of one hundred pounds *per annum*. But the latter side of this alternative was assumed merely in compliance with existing prejudices. Even in the present

present state of human society we perceive, that a man, who should be perpetually earning the necessary competence by a very moderate industry, and with his pursuits uncrossed by the peevishness or caprice of his neighbours, would not be less happy than if he were born to that competence. In the state of society we are here contemplating, where, as will presently appear, the requisite industry will be of the lightest kind, it will be the reverse of a misfortune to any man, to find himself necessarily stimulated to a gentle activity, and in consequence to feel that no reverse of fortune could deprive him of the means of subsistence and contentment.

Idea of labour
as the foundation
of property
considered.

But it has been alledged, "that we find among different men very different degrees of labour and industry, and that it is not just they should receive an equal reward." It cannot indeed be denied that the attainments of men in virtue and usefulness ought by no means to be confounded. How far the present system of property contributes to their being equitably treated it is very easy to determine. The present system of property confers on one man immense wealth in consideration of the accident of his birth. He that from beggary ascends to opulence, is usually known not to have effected this transition by methods very creditable to his honesty or his usefulness. The most industrious and active member of society is frequently with great difficulty able to keep his family from starving.

2

But,

Its unrea-
sonableness.

But, to pass over these iniquitous effects of the unequal distribution of property, let us consider the nature of the reward which is thus proposed to industry. If you be industrious, you shall have an hundred times more food than you can eat, and an hundred times more clothes than you can wear. Where is the justice of this? If I be the greatest benefactor the human species ever knew, is that a reason for bestowing on me what I do not want, especially when there are thousands to whom my superfluity would be of the greatest advantage? With this superfluity I can purchase nothing but gaudy ostentation and envy, nothing but the pitiful pleasure of returning to the poor under the name of generosity that to which reason gives them an irresistible claim, nothing but prejudice, error and vice.

The doctrine of the injustice of accumulated property has been the foundation of all religious morality. The object of this morality has been, to excite men by individual virtue to repair this injustice. The most energetic teachers of religion have been irresistibly led to assert the precise truth upon this interesting subject. They have taught the rich, that they hold their wealth only as a trust, that they are strictly accountable for every atom of their expenditure, that they are merely administrators, and by no means proprietors in chief*. The defect of this system is, that they rather excite us to palliate our injustice than to forsake it.

System of
popular mo-
rality on this
subject.

* See Swift's Sermon on Mutual Subjection, quoted Book II, Chap. II.

No truth can be more simple than that which they inculcate. There is no action of any human being, and certainly no action that respects the disposition of property, that is not capable of better and worse, and concerning which reason and morality do not prescribe a specific conduct. He that sets out with acknowledging that other men are of the same nature as himself, and is capable of perceiving the precise place he would hold in the eye of an impartial spectator, must be fully sensible, that the money he employs in procuring an object of trifling or no advantage to himself, and which might have been employed in purchasing substantial and indispensable benefit to another, is unjustly employed. He that looks at his property with the eye of truth, will find that every shilling of it has received its destination from the dictates of justice. He will at the same time however be exposed to considerable pain, in consequence of his own ignorance as to the precise disposition that justice and public utility require.

Does any man doubt of the truth of these assertions? Does any man doubt that, when I employ a sum of money small or great in the purchase of an absolute luxury for myself, I am guilty of vice? It is high time that this subject should be adequately understood. It is high time that we should lay aside the very names of justice and virtue, or that we should acknowledge that they do not authorise us to accumulate luxuries upon ourselves, while we see others in want of the indispensable means of improvement and happiness.

But,

But, while religion inculcated on mankind the impartial nature of justice, its teachers have been too apt to treat the practice of justice, not as a debt, which it ought to be considered, but as an affair of spontaneous generosity and bounty. They have called upon the rich to be clement and merciful to the poor. The consequence of this has been that the rich, when they bestowed the most slender pittance of their enormous wealth in acts of charity, as they were called, took merit to themselves for what they gave, instead of considering themselves as delinquents for what they withheld.

Religion is in reality in all its parts an accommodation to the prejudices and weaknesses of mankind. Its authors communicated to the world as much truth, as they calculated that the world would be willing to receive. But it is time that we should lay aside the instruction intended only for children in understanding*, and contemplate the nature and principles of things. If religion had spoken out, and told us it was just that all men should receive the supply of their wants, we should presently have been led to suspect that a gratuitous distribution to be made by the rich, was a very indirect and ineffectual way of arriving at this object. The experience of all ages has taught us, that this system is productive only of a very precarious supply. The principal object which it seems to propose, is to place this supply in the disposal of a few, enabling them to make a show of

* 1 Cor. Chap. III. Ver. 1, 2.

generosity

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generosity with what is not truly their own, and to purchase the gratitude of the poor by the payment of a debt. It is a system of clemency and charity, instead of a system of justice. It fills the rich with unreasonable pride by the spurious denominations with which it decorates their acts, and the poor with servility, by leading them to regard the slender comforts they obtain, not as their incontrovertible due, but as the good-pleasure and the grace of their opulent neighbours.

CHAP.

CHAP. II.

BENEFITS ARISING FROM THE GENUINE SYSTEM OF PROPERTY.

CONTRASTED WITH THE MISCHIEFS OF THE PRESENT SYSTEM, AS CONSISTING—1. IN A SENSE OF DEPENDENCE. 2. IN THE PERPETUAL SPECTACLE OF INJUSTICE, LEADING MEN ASTRAY IN THEIR DESIRES—AND PERVERTING THE INTEGRITY OF THEIR JUDGMENTS.—THE RICH ARE THE TRUE PENSIONERS.—3. IN THE DISCOURAGEMENT OF INTELLECTUAL ATTAINMENTS.—4. IN THE MULTIPLICATION OF VICE—GENERATING THE CRIMES OF THE POOR—THE PASSIONS OF THE RICH—AND THE MISFORTUNES OF WAR.—5. IN DEPOPULATION.

HAVING seen the justice of an equal distribution of property, let us next consider the benefits with which it would be attended. And here with grief it must be confessed, that, however great and extensive are the evils that are produced by monarchies and courts, by the imposture of priests and the iniquity of criminal laws, all these are imbecil and impotent compared with the evils that arise out of the established system of property.

Its

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Contrasted with the mischiefs of the present system, as consisting:

Its first effect is that which we have already mentioned, a sense of dependence. It is true that courts are mean spirited, intriguing and servile, and that this disposition is transferred by contagion from them to all ranks of society. But property brings home a servile and truckling spirit by no circuitous method to every house in the nation. Observe the pauper fawning with abject vileness upon his rich benefactor, and speechless with sensations of gratitude for having received that, which he ought to have claimed with an erect mien, and with a consciousness that his claim was irresistible. Observe the servants that follow in a rich man's train, watchful of his looks, anticipating his commands, not daring to reply to his insolence, all their time and their efforts under the direction of his caprice. Observe the tradesman, how he studies the passions of his customers, not to correct, but to pamper them; the vileness of his flattery and the systematical constancy with which he exaggerates the merit of his commodities. Observe the practices of a popular election, where the great mass are purchased by obsequiousness, by intemperance and bribery, or driven by unmanly threats of poverty and persecution. Indeed "the age of chivalry is" not "gone *!" The feudal spirit still survives, that reduced the great mass of mankind to the rank of slaves and cattle for the service of a few.

We have heard much of visionary and theoretical improvements. It would indeed be visionary and theoretical to expect

virtue from mankind, while they are thus subjected to hourly corruption, and bred from father to son to sell their independence and their conscience for the vile rewards that oppression has to bestow. No man can be either useful to others or happy to himself who is a stranger to the grace of firmness, and who is not habituated to prefer the dictates of his own sense of rectitude to all the tyranny of command, and allurements of temptation. Here again, as upon a former occasion, religion comes in to illustrate our thesis. Religion was the generous ebullition of men, who let their imagination loose on the grandest subjects, and wandered without restraint in the unbounded field of enquiry. It is not to be wondered at therefore if they brought home imperfect ideas of the sublimest views that intellect can furnish. In this instance religion teaches that the true perfection of man is to divest himself of the influence of passions; that he must have no artificial wants, no sensuality, and no fear. But to divest the human species under the present system of the influence of passions is an extravagant speculation. The enquirer after truth and the benefactor of mankind will be desirous of removing from them those external impressions by which their evil propensities are cherished. The true object that should be kept in view, is to extirpate all ideas of condescension and superiority, to oblige every man to feel, that the kindness he exerts is what he is bound to perform, and the assistance he asks what he has a right to claim.

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2. in the perpetual spectacle of injustice: leading men astray in their desires:

A second evil that arises out of the established system of property is the perpetual spectacle of injustice it exhibits. This consists partly in luxury and partly in caprice. There is nothing more pernicious to the human mind than luxury. Mind, being in its own nature essentially active, necessarily fixes on some object public or personal, and in the latter case, on the attainment of some excellence, or something which shall command the esteem and deference of others. No propensity, absolutely considered, can be more valuable than this. But the established system of property directs it into the channel of the acquisition of wealth. The ostentation of the rich perpetually goads the spectator to the desire of opulence. Wealth, by the sentiments of servility and dependence it produces, makes the rich man stand forward as the only object of general esteem and deference. In vain are sobriety, integrity and industry, in vain the sublimest powers of mind and the most ardent benevolence, if their possessor be narrowed in his circumstances. To acquire wealth and to display it, is therefore the universal passion. The whole structure of human society is made a system of the narrowest selfishness. If self love and benevolence were apparently reconciled as to their object, a man might set out with the desire of eminence, and yet every day become more generous and philanthropical in his views. But the passion we are here describing is accustomed to be gratified at every step, by inhumanly trampling upon the interest of others. Wealth is acquired by overreaching our neighbours, and is spent in insulting them.

The

The spectacle of injustice which the established system of property exhibits, consists partly in caprice. If you would cherish in any man the love of rectitude, you must take care that its principles be impressed on him; not only by words, but actions. It sometimes happens during the period of education, that maxims of integrity and consistency are repeatedly enforced, and that the preceptor gives no quarter to the base suggestions of selfishness and cunning. But how is the lesson that has been read to the pupil confounded and reversed, when he enters upon the scene of the world? If he ask, "Why is this man honoured?" the ready answer is, "Because he is rich." If he enquire farther, "Why is he rich?" the answer in most cases is, "From the accident of birth, or from a minute and sordid attention to the cares of gain." The system of accumulated property is the offspring of civil policy; and civil policy, as we are taught to believe, is the production of accumulated wisdom. Thus the wisdom of legislators and senates has been employed, to secure a distribution of property the most profligate and unprincipled, that bids defiance to the maxims of justice and the nature of man. Humanity weeps over the distresses of the peasantry of all civilised nations; and, when she turns from this spectacle to behold the luxury of their lords, gross, imperious and prodigal; her sensations certainly are not less acute. This spectacle is the school in which mankind have been educated. They have been accustomed to the sight of injustice, oppression and iniquity, till their feelings are made

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and perverting the integrity of their judgments.

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callous,

callous, and their understandings incapable of apprehending the nature of true virtue.

The rich are
the true pen-
sioners.

In beginning to point out the evils of accumulated property, we compared the extent of those evils with the correspondent evils of monarchies and courts. No circumstances under the latter have excited a more pointed disapprobation than pensions and pecuniary corruption, by means of which hundreds of individuals are rewarded, not for serving, but betraying the public, and the hard earnings of industry are employed to fatten the servile adherents of despotism. But the rent roll of the lands of England is a much more formidable pension list, than that which is supposed to be employed in the purchase of ministerial majorities. All riches, and especially all hereditary riches, are to be considered as the salary of a sinecure office, where the labourer and the manufacturer perform the duties, and the principal spends the income in luxury and idleness*. Hereditary wealth is in reality a premium paid to idleness,

* This idea is to be found in Ogilvie's Essay on the Right of Property in Land, published about two years ago, Part I, Sect. iii, par. 38, 39. The reasonings of this author have sometimes considerable merit, though he has by no means gone to the source of the evil.

It might be amusing to some readers to recollect the authorities, if the citation of authorities were a proper mode of reasoning, by which the system of accumulated property is openly attacked. The best known is Plato in his treatise of a Republic.

ness, an immense annuity expended to retain mankind in brutality and ignorance. The poor are kept in ignorance by the want of leisure. The rich are furnished indeed with the means of cultivation and literature, but they are paid for being dissipated and indolent. The most powerful means that malignity could have invented, are employed to prevent them from improving their talents, and becoming useful to the public.

This leads us to observe, thirdly, that the established system

3. In the dis-
couragement

Republic. His steps have been followed by sir Thomas More in his Utopia. Specimens of very powerful reasoning on the same side may be found in Gulliver's Travels, particularly, Part IV, Chap. VI. Mably, in his book *De la Legislation*, has displayed at large the advantages of equality, and then quits the subject in despair from an opinion of the incorrigibility of human depravity. Wallace, the contemporary and antagonist of Hume, in a treatise entitled, *Various Prospects of Mankind*, Nature and Providence, is copious in his eulogium of the same system, and deserts it only from fear of the earth becoming too populous: see below, Chap. VII. The great practical authorities are Crete, Sparta, Peru and Paraguay. It would be easy to swell this list, if we added examples where an approach only to these principles was attempted, and authors who have incidentally confirmed a doctrine, so interesting and clear, as never to have been wholly eradicated from any human understanding.

It would be trifling to object that the systems of Plato and others are full of imperfections. This indeed rather strengthens their authority; since the evidence of the truth they maintained was so great, as still to preserve its hold on their understandings, though they knew not how to remove the difficulties that attended it.

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of intellectual
attainments.

of property, is the true levelling system with respect to the human species, by as much as the cultivation of intellect and truth, is more valuable and more characteristic of man, than the gratifications of vanity or appetite. Accumulated property treads the powers of thought in the dust, extinguishes the sparks of genius, and reduces the great mass of mankind to be immersed in fordid cares; beside depriving the rich, as we have already said, of the most salubrious and effectual motives to activity. If superfluity were banished, the necessity for the greater part of the manual industry of mankind would be superseded; and the rest, being amicably shared among all the active and vigorous members of the community, would be burthensome to none. Every man would have a frugal, yet wholesome diet; every man would go forth to that moderate exercise of his corporal functions that would give hilarity to the spirits; none would be made torpid with fatigue, but all would have leisure to cultivate the kindly and philanthropical affections of the soul, and to let loose his faculties in the search of intellectual improvement. What a contrast does this scene present us with the present state of human society, where the peasant and the labourer work, till their understandings are benumbed with toil, their sinews contracted and made callous by being for ever on the stretch, and their bodies invaded with infirmities and hurried to an untimely grave? What is the fruit of this disproportioned and unceasing toil? At evening they return to a family, famished with hunger, exposed half naked to the in-

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clemencies of the sky, hardly sheltered, and denied the slenderest instruction; unless in a few instances, where it is dispensed by the hands of ostentatious charity, and the first lesson communicated is unprincipled servility. All this while their rich neighbour—but we visited him before.

How rapid and sublime would be the advances of intellect, if all men were admitted into the field of knowledge? At present ninety-nine persons in an hundred are no more excited to any regular exertions of general and curious thought, than the brutes themselves. What would be the state of public mind in a nation, where all were wise, all had laid aside the shackles of prejudice and implicit faith, all adopted with fearless confidence the suggestions of truth, and the lethargy of the soul was dismissed for ever? It is to be presumed that the inequality of mind would in a certain degree be permanent; but it is reasonable to believe that the geniuses of such an age would far surpass the grandest exertions of intellect that are at present known. Genius would not be depressed with false wants and niggardly patronage. It would not exert itself with a sense of neglect and oppression rankling in its bosom. It would be freed from those apprehensions that perpetually recal us to the thought of personal emolument, and of consequence would expatiate freely among sentiments of generosity and public good.

From ideas of intellectual let us turn to moral improvement. And here it is obvious that all the occasions of crime would be

cut off for ever. All men love justice. All men are conscious that man is a being of one common nature, and feel the propriety of the treatment they receive from one another being measured by a common standard. Every man is desirous of assisting another; whether we should choose to ascribe this to an instinct implanted in his nature which renders this conduct a source of personal gratification, or to his perception of the reasonableness of such assistance. So necessary a part is this of the constitution of mind, that no man perpetrates any action however criminal, without having first invented some sophistry, some palliation, by which he proves to himself that it is best to be done*. Hence it appears, that offence, the invasion of one man upon the security of another, is a thought alien to mind, and which nothing could have reconciled to us but the sharp sting of necessity. To consider merely the present order of human society, it is evident that the first offence must have been his who began a monopoly, and took advantage of the weakness of his neighbours to secure certain exclusive privileges to himself. The man on the other hand who determined to put an end to this monopoly, and who peremptorily demanded what was superfluous to the possessor and would be of extreme benefit to himself, appeared to his own mind to be merely avenging the violated laws of justice. Were it not for the plausibility of this apology, it is to be presumed that there would be no such thing as crime in the world.

The crimes of
the poor.

* Book II, Chap. III, p. 98.

The

The fruitful source of crimes consists in this circumstance, one man's possessing in abundance that of which another man is destitute. We must change the nature of mind, before we can prevent it from being powerfully influenced by this circumstance, when brought strongly home to its perceptions by the nature of its situation. Man must cease to have senses, the pleasures of appetite and vanity must cease to gratify, before he can look on tamely at the monopoly of these pleasures. He must cease to have a sense of justice, before he can clearly and fully approve this mixed scene of superfluity and distress. It is true that the proper method of curing this inequality is by reason and not by violence. But the immediate tendency of the established system is to persuade men that reason is impotent. The injustice of which they complain is upheld by force, and they are too easily induced, by force to attempt its correction. All they endeavour is the partial correction of an injustice, which education tells them is necessary, but more powerful reason affirms to be tyrannical.

Force grew out of monopoly. It might accidentally have occurred among savages whose appetites exceeded their supply, or whose passions were inflamed by the presence of the object of their desire; but it would gradually have died away, as reason and civilisation advanced. Accumulated property has fixed its empire; and henceforth all is an open contention of the strength and cunning of one party against the strength and cunning of

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the other. In this case the violent and premature struggles of the necessitous are undoubtedly an evil. They tend to defeat the very cause in the success of which they are most deeply interested; they tend to procrastinate the triumph of truth. But the true crime is in the malevolent and partial propensities of men, thinking only of themselves, and despising the emolument of others; and of these the rich have their share.

The spirit of oppression, the spirit of servility, and the spirit of fraud, these are the immediate growth of the established system of property. These are alike hostile to intellectual and moral improvement. The other vices of envy, malice and revenge are their inseparable companions. In a state of society where men lived in the midst of plenty, and where all shared alike the bounties of nature, these sentiments would inevitably expire. The narrow principle of selfishness would vanish. No man being obliged to guard his little store, or provide with anxiety and pain for his restless wants, each would lose his own individual existence in the thought of the general good. No man would be an enemy to his neighbour, for they would have nothing for which to contend; and of consequence philanthropy would resume the empire which reason assigns her. Mind would be delivered from her perpetual anxiety about corporal support, and free to expatiate in the field of thought which is congenial to her. Each man would assist the enquiries of all.

Let.

Let us fix our attention for a moment upon the revolution of principles and habits that immediately grow out of an unequal distribution of property. Till it was thus distributed men felt what their wants required, and sought the supply of those wants. All that was more than this, was regarded as indifferent. But no sooner is accumulation introduced, than they begin to study a variety of methods, for disposing of their superfluity with least emolument to their neighbour, or in other words by which it shall appear to be most their own. They do not long continue to buy commodities, before they begin to buy men. He that possesses or is the spectator of superfluity soon discovers the hold which it affords us on the minds of others. Hence the passions of vanity and ostentation. Hence the despotic manners of them who recollect with complacency the rank they occupy, and the restless ambition of those whose attention is engrossed by the possible future.

Ambition is of all the passions of the human mind the most extensive in its ravages. It adds district to district, and kingdom to kingdom. It spreads bloodshed and calamity and conquest over the face of the earth. But the passion itself, as well as the means of gratifying it, is the produce of the prevailing system of property*. It is only by means of accumulation that one man obtains an unresisted sway over multitudes of others. It is by means of a certain distribution of income that the present govern-

* Book V, Chap. XVI.

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ments of the world are retained in existence. Nothing more easy than to plunge nations so organised into war. But, if Europe were at present covered with inhabitants, all of them possessing competence, and none of them superfluous, what could induce its different countries to engage in hostility? If you would lead men to war, you must exhibit certain allurements. If you be not enabled by a system, already prevailing and which derives force from prescription, to hire them to your purposes, you must bring over each individual by dint of persuasion. How hopeless a task by such means to excite mankind to murder each other? It is clear then that war in every horrid form is the growth of unequal property. As long as this source of jealousy and corruption shall remain, it is visionary to talk of universal peace. As soon as the source shall be dried up, it will be impossible to exclude the consequence. It is property that forms men into one common mass, and makes them fit to be played upon like a brute machine. Were this stumbling block removed, each man would be united to his neighbour in love and mutual kindness a thousand times more than now: but each man would think and judge for himself. Let then the advocates for the prevailing system, at least consider what it is for which they plead, and be well assured that they have arguments in its favour which will weigh against these disadvantages.

5. in depopulation.

There is one other circumstance which, though inferior to those above enumerated, deserves to be mentioned. This is population.

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tion. It has been calculated that the average cultivation of Europe might be improved, so as to maintain five times her present number of inhabitants*. There is a principle in human society by which population is perpetually kept down to the level of the means of subsistence. Thus, among the wandering tribes of America and Asia, we never find, through the lapse of ages, that population has so increased, as to render necessary the cultivation of the earth. Thus, among the civilised nations of Europe, by means of territorial monopoly the sources of subsistence are kept within a certain limit, and, if the population became overstocked, the lower ranks of the inhabitants would be still more incapable of procuring for themselves the necessaries of life. There are no doubt extraordinary concurrences of circumstances, by means of which changes are occasionally introduced in this respect; but in ordinary cases the standard of population is held in a manner stationary for centuries. Thus the established system of property may be considered as strangling a considerable portion of our children in their cradle. Whatever may be the value of the life of man, or rather whatever would be his capability of happiness in a free and equal state of society, the system we are here opposing may be considered as arresting upon the threshold of existence four fifths of that value and that happiness.

* Ogilvie, Part I, Sect. iii, par. 35.

CHAP. III.

OF THE OBJECTION TO THIS SYSTEM FROM THE ADMIRABLE EFFECTS OF LUXURY.

NATURE OF THE OBJECTION.—LUXURY NOT NECESSARY—EITHER TO POPULATION—OR TO THE IMPROVEMENT OF THE MIND.—ITS TRUE CHARACTER.

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THESE ideas of justice and improvement are as old as literature and reflexion themselves. They have suggested themselves in detached parts to the inquisitive in all ages, though they have perhaps never been brought together so as sufficiently to strike the mind with their consistency and beauty. But, after having furnished an agreeable dream, they have perpetually been laid aside as impracticable. We will proceed to examine the objections upon which this supposed impracticability has been founded; and the answer to these objections will gradually lead us to such a development of the proposed system, as by its completeness and the regular adjustment of its parts will be calculated to carry conviction to the most prejudiced mind.

Nature of the objection.

There is one objection that has chiefly been cultivated on English ground, and to which we will give the priority of examination.

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tion. It has been affirmed "that private vices are public benefits." But this principle, thus coarsely stated by one of its original advocates*, was remodelled by his more elegant successors†. They observed, "that the true measure of virtue and vice was utility, and consequently that it was an unreasonable calumny to state luxury as a vice. Luxury," they said, "whatever might be the prejudices that cynics and ascetics had excited against it, was the rich and generous soil that brought to perfection the true prosperity of mankind. Without luxury men must always have remained solitary savages. It is luxury by which palaces are built and cities peopled. How could there have been high population in any country, without the various arts in which the swarms of its inhabitants are busied? The true benefactor of mankind is not the scrupulous devotee who by his charities encourages insensibility and sloth; is not the surly philosopher who reads them lectures of barren morality; but the elegant voluptuary who employs thousands in sober and healthful industry to procure dainties for his table, who unites distant nations in commerce to supply him with furniture, and who encourages the fine arts and all the sublimities of invention to furnish decorations for his residence."

I have brought forward this objection, rather that nothing ma-

Luxury not necessary, either to population:

* Mandeville; Fable of the Bees.

† Coventry, in a treatise entitled, Philemon to Hydaspes: Hume; Essays, Part II, Essay II.

terial:

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terial might appear to be omitted, than because it requires a separate answer. The true answer has been anticipated. It has been seen that the population of any country is measured by its cultivation. If therefore sufficient motives can be furnished to excite men to agriculture, there is no doubt, that population may be carried on to any extent that the land can be made to maintain. But agriculture, when once begun, is never found to stop in its career, but from positive discountenance. It is territorial monopoly that obliges men unwillingly to see vast tracts of land lying waste, or negligently and imperfectly cultivated, while they are subjected to the miseries of want. If land were perpetually open to him who was willing to cultivate it, it is not to be believed but that it would be cultivated in proportion to the wants of the community, nor by the same reason would there be any effectual check to the increase of population.

or to the improvement of the mind.

Undoubtedly the quantity of manual labour would be greatly inferior to that which is now performed by the inhabitants of any civilised country, since at present perhaps one twentieth part of the inhabitants performs the agriculture which supports the whole. But it is by no means to be admitted that this leisure would be found a real calamity.

Its true character.

As to what sort of a benefactor the voluptuary is to mankind, this was sufficiently seen when we treated of the effects of dependence and injustice. To this species of benefit all the crimes and

and moral evils of mankind are indebted for their perpetuity. If mind be to be preferred to mere animal existence, if it ought to be the wish of every reasonable enquirer, not merely that man, but that happiness should be propagated, then is the voluptuary the bane of the human species.

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OF THE OBJECTION TO THIS SYSTEM FROM THE ALLUREMENTS OF SLOTH.

THE OBJECTION STATED.—SUCH A STATE OF SOCIETY MUST HAVE BEEN PRECEDED BY GREAT INTELLECTUAL IMPROVEMENT.—THE MANUAL LABOUR REQUIRED IN THIS STATE WILL BE EXTREMELY SMALL.—UNIVERSALITY OF THE LOVE OF DISTINCTION.—OPERATION OF THIS MOTIVE UNDER THE SYSTEM IN QUESTION—WILL FINALLY BE SUPERSEDED BY A BETTER MOTIVE.

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The objection stated.

ANOTHER objection which has been urged against the system which counteracts the accumulation of property, is, “ that it would put an end to industry. We behold in commercial countries the miracles that are operated by the love of gain. Their inhabitants cover the sea with their fleets, astonish mankind by the refinement of their ingenuity, hold vast continents in subjection in distant parts of the world by their arms, are able to defy the most powerful confederacies, and, oppressed with taxes and debts, seem to acquire fresh prosperity under their accumulated burthens. Shall we lightly part with a system that seems pregnant with such inexhaustible motives? Shall we believe that men will cultivate assiduously what they have no assurance

ance they shall be permitted to apply to their personal emolument? It will perhaps be found with agriculture as it is with commerce, which then flourishes best when subjected to no control, but, when placed under rigid restraints, languishes and expires. Once establish it as a principle in society that no man is to apply to his personal use more than his necessities require, and you will find every man become indifferent to those exertions which now call forth the energy of his faculties. Man is the creature of sensations; and, when we endeavour to strain his intellect, and govern him by reason alone, we do but show our ignorance of his nature. Self love is the genuine source of our actions*, and, if this should be found to bring vice and partiality along with it, yet the system that should endeavour to supersede it, would be at best no more than a beautiful romance. If each man found that, without being compelled to exert his own industry, he might lay claim to the superfluity of his neighbour, indolence would perpetually usurp his faculties, and such a society must either starve, or be obliged in its own defence to return to that system of injustice and sordid interest, which theoretical reasoners will for ever arraign to no purpose.”

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This is the principal objection that prevents men from yielding without resistance to the accumulated evidence that has already been adduced. In reply, it may be observed in the first place, that the equality for which we are pleading is an equality

Such a state of society must have been preceded by great intellectual improvement.

* For an examination of this principle see Book IV, Chap. VIII.

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that would succeed to a state of great intellectual improvement. So bold a revolution cannot take place in human affairs, till the general mind has been highly cultivated. The present age of mankind is greatly enlightened; but it is to be feared is not yet enlightened enough. Hasty and undigested tumults may take place under the idea of an equalisation of property; but it is only a calm and clear conviction of justice, of justice mutually to be rendered and received, of happiness to be produced by the desertion of our most rooted habits, that can introduce an inviolable system of this sort. Attempts without this preparation will be productive only of confusion. Their effect will be momentary, and a new and more barbarous inequality will succeed. Each man with unaltered appetite will watch his opportunity to gratify his love of power or his love of distinction, by usurping on his inattentive neighbours.

Is it to be believed then that a state of so great intellectual improvement can be the forerunner of barbarism? Savages, it is true, are subject to the weakness of indolence. But civilised and refined states are the scene of peculiar activity. It is thought, acuteness of disquisition, and ardour of pursuit, that set the corporeal faculties at work. Thought begets thought. Nothing can put a stop to the progressive advances of mind, but oppression. But here, so far from being oppressed, every man is equal, every man independent and at his ease. It has been observed that the establishment of a republic is always attended with public enthusiasm and irresistible enterprise. Is it to be believed that equality,

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lity, the true republicanism, will be less effectual? It is true that in republics this spirit sooner or later is found to languish. Republicanism is not a remedy that strikes at the root of the evil. Injustice, oppression and misery can find an abode in those seeming happy seats. But what shall stop the progress of ardour and improvement, where the monopoly of property is unknown?

This argument will be strengthened, if we reflect on the amount of labour that a state of equal property will require. What is this quantity of exertion from which we are supposing many members of the community to shrink? It is so light a burden as rather to assume the appearance of agreeable relaxation and gentle exercise, than of labour. In this community scarcely any can be expected in consequence of their situation or avocations to consider themselves as exempted from manual industry. There will be no rich men to recline in indolence and fatten upon the labour of their fellows. The mathematician, the poet and the philosopher will derive a new stock of cheerfulness and energy from the recurring labour that makes them feel they are men. There will be no persons employed in the manufacture of trinkets and luxuries; and none in directing the wheels of the complicated machine of government, tax-gatherers, beadles, excisemen, tide-waiters, clerks and secretaries. There will be neither fleets nor armies, neither courtiers nor footmen. It is the unnecessary employments that at present occupy the great mass of the inhabitants of every civilised nation, while the peasant labours incessantly

The manual labour required in this state will be extremely small.

BOOK VIII. incessantly to maintain them in a state more pernicious than idleness.
CHAP. IV.

It has been computed that not more than one twentieth of the inhabitants of England are employed seriously and substantially in the labours of agriculture. Add to this, that the nature of agriculture is such, as necessarily to give full occupation in some parts of the year, and to leave others comparatively unemployed. We may consider these latter periods as equivalent to a labour which, under the direction of sufficient skill, might suffice in a simple state of society for the fabrication of tools, for weaving, and the occupation of taylor, bakers and butchers. The object in the present state of society is to multiply labour, in another state it will be to simplify it. A vast disproportion of the wealth of the community has been thrown into the hands of a few, and ingenuity has been continually upon the stretch to find out ways in which it may be expended. In the feudal times the great lord invited the poor to come and eat of the produce of his estate upon condition of their wearing his livery, and forming themselves in rank and file to do honour to his well born guests. Now that exchanges are more facilitated, we have quitted this artificial mode, and oblige the men we maintain out of our incomes to exert their ingenuity and industry in return. Thus in the instance just mentioned, we pay the taylor to cut our clothes to pieces, that he may sew them together again, and to decorate them with stitching and various ornaments, without which experience:

rience would speedily show that they were in no respect less useful. We are imagining in the present case a state of the most rigid simplicity.

From the sketch which has been here given it seems by no means impossible, that the labour of every twentieth man in the community would be sufficient to maintain the rest in all the absolute necessaries of human life. If then this labour, instead of being performed by so small a number, were amicably divided among them all, it would occupy the twentieth part of every man's time. Let us compute that the industry of a labouring man engrosses ten hours in every day, which, when we have deducted his hours of rest, recreation and meals, seems an ample allowance. It follows that half an hour a day, seriously employed in manual labour by every member of the community, would sufficiently supply the whole with necessaries. Who is there that would shrink from this degree of industry? Who is there that sees the incessant industry exerted in this city and this island, and would believe that, with half an hour's industry *per diem*, we should be every way happier and better than we are at present? Is it possible to contemplate this fair and generous picture of independence and virtue, where every man would have ample leisure for the noblest energies of mind, without feeling our very souls refreshed with admiration and hope?

When we talk of men's sinking into idleness if they be not excited

University
of the love of
distinction.

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excited by the stimulus of gain, we have certainly very little considered the motives that at present govern the human mind. We are deceived by the apparent mercenariness of mankind, and imagine that the accumulation of wealth is their great object. But the case is far otherwise. The present ruling passion of the human mind is the love of distinction. There is no doubt a class in society that are perpetually urged by hunger and need, and have no leisure for motives less gross and material. But is the class next above them less industrious than they? I exert a certain species of industry to supply my immediate wants; but these wants are soon supplied. The rest is exerted that I may wear a better coat, that I may clothe my wife with gay attire, that I may not merely have a shelter but a handsome habitation, not merely bread or flesh to eat, but that I may set it out with a suitable decorum. How many of these things would engage my attention, if I lived in a desert island, and had no spectators of my economy? If I survey the appendages of my person, is there one article that is not an appeal to the respect of my neighbours, or a refuge against their contempt? It is for this that the merchant braves the dangers of the ocean, and the mechanical inventor brings forth the treasures of his meditation. The soldier advances even to the cannon's mouth, the statesman exposes himself to the rage of an indignant people, because they cannot bear to pass through life without distinction and esteem. Exclusively of certain higher motives that will presently be mentioned, this is the purpose of all the great exertions of mankind. The man who
has

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has nothing to provide for but his animal wants, scarcely ever shakes off the lethargy of his mind; but the love of praise hurries us on to the most incredible achievements. Nothing is more common than to find persons who surpass the rest of their species in activity, inexcusably remiss in the melioration of their pecuniary affairs.

In reality those by whom this reasoning has been urged, have mistaken the nature of their own objection. They did not sincerely believe that men could be roused into action only by the love of gain; but they imagined that in a state of equal property men would have nothing to occupy their attention. What degree of truth there is in this idea we shall presently have occasion to estimate.

Meanwhile it is sufficiently obvious, that the motives which arise from the love of distinction are by no means cut off, by a state of society incompatible with the accumulation of property. Men, no longer able to acquire the esteem or avoid the contempt of their neighbours by circumstances of dress and furniture, will divert the passion for distinction into another channel. They will avoid the reproach of indolence, as carefully as they now avoid the reproach of poverty. The only persons who at present neglect the effect which their appearance and manners may produce, are those whose faces are ground with famine and distress. But in a state of equal society no man will be oppressed,

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Operation of
this motive
under the
system in
question:

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CHAP. IV.

and of consequence the more delicate affections of the soul will have time to expand themselves. The general mind having, as we have already shown, arrived at a high pitch of improvement, the impulse that carries it out into action will be stronger than ever. The fervour of public spirit will be great. Leisure will be multiplied, and the leisure of a cultivated understanding is the precise period in which great designs, designs the tendency of which is to secure applause and esteem, are conceived. In tranquil leisure it is impossible for any but the sublimest mind to exist without the passion for distinction. This passion, no longer permitted to lose itself in indirect channels and useless wanderings, will seek the noblest course, and perpetually fructify the seeds of public good. Mind, though it will perhaps at no time arrive at the termination of its possible discoveries and improvements, will nevertheless advance with a rapidity and firmness of progression of which we are at present unable to conceive the idea.

will finally be
superfeded by
a better mo-
tive.

The love of fame is no doubt a delusion. This like every other delusion will take its turn to be detected and abjured. It is an airy phantom, which will indeed afford us an imperfect pleasure so long as we worship it, but will always in a considerable degree disappoint us, and will not stand the test of examination. We ought to love nothing but good, a pure and immutable felicity, the good of the majority, the good of the general. If there be any thing more substantial than all the rest, it is justice,

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justice, a principle that rests upon this single postulatam, that man and man are beings of the same nature, and susceptible, under certain limitations, of the same advantages. Whether the benefit proceed from you or me, so it be but conferred, is a pitiful distinction. Justice has the farther advantage, which serves us as a countercheck to prove the goodness of this species of arithmetic, of producing the only solid happiness to the man by whom it is practised, as well as the good of all. But fame cannot benefit me, any more than serve the best purposes to others. The man who acts from the love of it, may produce public good; but, if he do, it is from indirect and spurious views. Fame is an unsubstantial and delusive pursuit. If it signify an opinion entertained of me greater than I deserve, to pursue it is vicious. If it be the precise mirror of my character, it is desirable only as a means, in as much as I may perhaps be able to do most good to the persons who best know the extent of my capacity and the rectitude of my intentions.

The love of fame, when it perishes in minds formed under the present system, often gives place to a greater degeneracy. Selfishness is the habit that grows out of monopoly. When therefore this selfishness ceases to seek its gratification in public exertion, it too often narrows itself into some frigid conception of personal pleasure, perhaps sensual, perhaps intellectual. But this cannot be the process where monopoly is banished. Selfishness has there no kindly circumstances to foster it. Truth, the over-

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powering truth of general good, then feizes us irresistibly. It is impossible we should want motives, so long as we see clearly how multitudes and ages may be benefited by our exertions, how causes and effects are connected in an endless chain, so that no honest effort can be lost, but will operate to good, centuries after its author is consigned to the grave. This will be the general passion, and all will be animated by the example of all.

C H A P.

C H A P. V.

OF THE OBJECTION TO THIS SYSTEM FROM THE
IMPOSSIBILITY OF ITS BEING RENDERED
PERMANENT.

GROUNDS OF THE OBJECTION.—ITS SERIOUS IMPORT.—
ANSWER.—THE INTRODUCTION OF SUCH A SYSTEM
MUST BE OWING, 1. TO A DEEP SENSE OF JUSTICE — 2.
TO A CLEAR INSIGHT INTO THE NATURE OF HAPPINESS.
—AS BEING PROPERLY INTELLECTUAL — NOT CONSIST-
ING IN SENSUAL PLEASURE — OR THE PLEASURES OF
DELUSION.—INFLUENCE OF THE PASSIONS CONSIDERED.
—MEN WILL NOT ACCUMULATE EITHER FROM INDIVI-
DUAL FORESIGHT—OR FROM VANITY.

LET us proceed to another objection. It has sometimes been said by those who oppose the doctrine here maintained, "that equality might perhaps contribute to the improvement and happiness of mankind, if it were consistent with the nature of man that such a principle should be rendered permanent; but that every expectation of that kind must prove abortive. Confusion would be introduced under the idea of equality to-day, but the old vices and monopolies would return to-morrow. All that the rich would have purchased by the most generous sacrifice,"

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Grounds of
the objection.

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face, would be a period of barbarism, from which the ideas and regulations of civil society must commence as from a new infancy. The nature of man cannot be changed. There would at least be some vicious and designing members of society, who would endeavour to secure to themselves indulgencies beyond the rest. Mind would not be reduced to that exact uniformity which a state of equal property demands; and the variety of sentiments which must always in some degree prevail, would inevitably subvert the refined systems of speculative perfection."

Its serious
import.

No objection can be more essential than that which is here adduced. It highly becomes us in so momentous a subject to resist all extravagant speculations: it would be truly to be lamented, if, while we parted with that state of society through which mind has been thus far advanced, we were replunged into barbarism by the pursuit of specious appearances. But what is worst of all, is that, if this objection be true, it is to be feared there is no remedy. Mind must go forward. What it sees and admires, it will some time or other seek to attain. Such is the inevitable law of our nature. But it is impossible not to see the beauty of equality, and to be charmed with the benefits it seems to promise. The consequence is sure. Man, according to the system of these reasoners, is prompted to advance for some time with success; but after that time, in the very act of pursuing farther improvement, he necessarily plunges beyond the compass of his powers, and has then his petty career to begin afresh.

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The objection represents him as a foul abortion, with just understanding enough to see what is good, but with too little to retain him in the practice of it.—Let us consider whether equality, once established, would be so precarious as it is here represented.

In answer to this objection it must first be remembered, Answer. that the state of equalisation we are here supposing is not the result of accident, of the authority of a chief magistrate, or the over earnest persuasion of a few enlightened thinkers, but is produced by the serious and deliberate conviction of the community at large. We will suppose for the present that it is possible for such a conviction to take place among a given number of persons living in society with each other: and, if it be possible in a small community, there seems to be no sufficient reason to prove that it is impossible in one of larger and larger dimensions. The question we have here to examine is concerning the probability, when the conviction has once been introduced, of its becoming permanent.

The conviction rests upon two intellectual impressions, one of justice, and the other of happiness. Equalisation of property cannot begin to assume a fixed appearance in human society, till the sentiment becomes deeply wrought into the mind, that the genuine wants of any man constitute his only just claim to the appropriating any species of commodity. If the general sense of mankind.

The intro-
duction of
such a system
must be
owing, 1. to
a deep sense
of justice.

mankind were once so far enlightened, as to produce a perpetual impression of this truth, of so forcible a sort as to be exempt from all objections and doubt, we should look with equal horror and contempt at the idea of any man's accumulating a property he did not want. All the evils that a state of monopoly never fails to engender would stand forward in our minds, together with all the existing happiness that attended upon a state of freedom. We should feel as much alienation of thought from the consuming uselessly upon ourselves what would be beneficial to another, or from the accumulating property for the purpose of obtaining some kind of ascendancy over the mind of our neighbours, as we now feel from the commission of murder. No man will dispute, that a state of equal property once established; would greatly diminish the evil propensities of man. But the crime we are now supposing is more atrocious than any that is to be found in the present state of society. Man perhaps is incapable under any circumstance of perpetrating an action of which he has a clear and undoubted perception that it is contrary to the general good. But be this as it will, it is hardly to be believed that any man for the sake of some imaginary gratification to himself would wantonly injure the whole, if his mind were not first ulcerated with the impression of the injury that society by its ordinances is committing against him. The case we are here considering is that of a man; who does not even imagine himself injured; and yet wilfully subverts a state of happiness to which

which no description can do justice, to make room for the return of all those calamities and vices with which mankind have been infected from the earliest page of history.

The equalisation we are describing is farther indebted for its empire in the mind to the ideas with which it is attended of personal happiness. It grows out of a simple, clear and unanswerable theory of the human mind, that we first stand in need of a certain animal subsistence and shelter, and after that, that our only true felicity consists in the expansion of our intellectual powers, the knowledge of truth, and the practice of virtue. It might seem at first sight as if this theory omitted a part of the experimental history of mind, the pleasures of sense and the pleasures of delusion. But this omission is apparent; not real. However many are the kinds of pleasure of which we are susceptible, the truly prudent man will sacrifice the inferior to the more exquisite. Now no man who has ever produced or contemplated the happiness of others with a liberal mind, will deny that this exercise is infinitely the most pleasurable of all sensations. But he that is guilty of the smallest excess of sensual pleasures, by so much diminishes his capacity of obtaining this highest pleasure. Not to add, if that be of any importance, that rigid temperance is the reasonable means of tasting sensual pleasures with the highest relish. This was the system of Epicurus; and must be the system of every man who ever speculated deeply on the nature of human happiness. For the pleasures of delusion, they are absolutely incompatible.

2. to a clear insight into the nature of happiness:

as being properly intellectual:

not consisting in sensual pleasure:

or the pleasures of delusion.

incompatible with our highest pleasure. If we would either promote or enjoy the happiness of others, we must seek to know in what it consists. But knowledge is the irreconcilable foe of delusion. In proportion as mind rises to its true element, and shakes off those prejudices which are the authors of our misery, it becomes incapable of deriving pleasure from flattery, fame or power, or indeed from any source that is not compatible with, or in other words does not make a part of the common good. The most palpable of all classes of knowledge is that I am, personally considered, but an atom in the ocean of mind.—The first rudiment therefore of that science of personal happiness which is inseparable from a state of equalisation, is, that I shall derive infinitely more pleasure from simplicity, frugality and truth, than from luxury, empire and fame. What temptation has a man, entertaining this opinion, and living in a state of equal property, to accumulate?

Influence of
the passions
considered.

This question has been perpetually darkened by the doctrine, so familiar to writers of morality, of the independent operations of reason and passion. Such distinctions must always darken. Of how many parts does mind consist? Of none. It consists merely of a series of thought succeeding thought from the first moment of our existence to its termination*. This word passion, which has produced such extensive mischief in the philosophy of mind, and has no real archetype, is perpetually shifting its meaning. Some-

* Book IV, Chap. VII, p. 335.

times it is applied universally to all those thoughts, which, being peculiarly vivid, and attended with great force of argument real or imaginary, carry us out into action with uncommon energy. Thus we speak of the passion of benevolence, public spirit or courage. Sometimes it signifies those vivid thoughts only, which upon accurate examination appear to be founded in error. In the first sense the word might have been unexceptionable. Vehement desire is the result of a certain operation of the understanding, and must always be in a joint ratio of the supposed clearness of the proposition and importance of the practical effects. In the second sense, the doctrine of the passions would have been exceedingly harmless, if we had been accustomed to put the definition instead of the thing defined. It would then have been found that it merely affirmed that the human mind must always be liable to precisely the same mistakes as we observe in it at present, or in other words affirmed the necessary permanence in opposition to the necessary perfectibility of intellect. Who is there indeed that sees not, in the case above stated, the absurdity of supposing a man, so long as he has a clear view of justice and interest lying on one side of a given question, to be subject to errors that irresistibly compel him to the other? The mind is no doubt liable to fluctuation. But there is a degree of conviction that would render it impossible for us any longer to derive pleasure from intemperance, dominion or fame, and this degree in the incessant progress of thought must one day arrive.

This proposition of the permanence of a system of equal property, after it has once been brought into action by the energies of reason and conviction, will be placed out of the reach of all equitable doubt, if we proceed to form to ourselves an accurate picture of the action of this system. Let us suppose that we are introduced to a community of men, who are accustomed to an industry proportioned to the wants of the whole, and to communicate instantly and unconditionally, each man to his neighbour, that for which the former has not and the latter has immediate occasion. Here the first and simplest motive to personal accumulation is instantly cut off. I need not accumulate to protect myself against accidents, sickness or infirmity, for these are claims the validity of which is not regarded as a subject of doubt, and with which every man is accustomed to comply. I can accumulate in a considerable degree nothing but what is perishable, for exchange being unknown, that which I cannot personally consume adds nothing to the sum of my wealth.—Meanwhile it should be observed, that, though accumulation for private purposes under such a system would be in the highest degree irrational and absurd, this by no means precludes such accumulation, as may be necessary to provide against public contingencies. If there be any truth in the preceding reasonings, this kind of accumulation will be unattended with danger. Add to this, that the perpetual tendency of wisdom is to preclude contingency. It is well known that dearths are principally owing to the false precautions

cautions and false timidity of mankind; and it is reasonable to suppose that a degree of skill will hereafter be produced, which will gradually annihilate the failure of crops and other similar accidents.

It has already appeared, that the principal and unintermitting or vanity. motive to private accumulation, is the love of distinction and esteem. This motive is also withdrawn. As accumulation can have no rational object, it would be viewed as a mark of infamy, not a title to admiration. Men would be accustomed to the simple principles of justice, and know that nothing was entitled to esteem but talents and virtue. Habituated to employ their superfluity to supply the wants of their neighbour, and to dedicate the time which was not necessary, for manual labour to the cultivation of intellect, with what sentiments would they behold the man, who was foolish enough to sew a bit of lace upon his coat, or affix any other ornament to his person? In such a community property would perpetually tend to find its level. It would be interesting to all to be informed of the person in whose hands a certain quantity of any commodity was lodged, and every man would apply with confidence to him for the supply of his wants in that commodity. Putting therefore out of the question every kind of compulsion, the feeling of depravity and absurdity, that would be excited with relation to the man who refused to part with that for which he had no real need, would operate in all cases as a sufficient discouragement to so odious an innovation.

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Innovation. Every man would conceive that he had a just and complete title to make use of my superfluity. If I refused to listen to reason and expostulation on this head, he would not stay to adjust with me a thing so vicious as exchange, but would leave me in order to seek the supply from some rational being. Accumulation, instead, as now, of calling forth every mark of respect, would tend to cut off the individual who attempted it from all the bonds of society, and sink him in neglect and oblivion. The influence of accumulation at present is derived from the idea of eventual benefit in the mind of the observer; but the accumulator then would be in a case still worse than that of the miser now, who, while he adds thousands to his heap, cannot be prevailed upon to part with a superfluous farthing, and is therefore the object of general derision.

C H A P.

C H A P. VI.

OF THE OBJECTION TO THIS SYSTEM FROM THE
INFLEXIBILITY OF ITS RESTRICTIONS.

NATURE OF THE OBJECTION.—NATURAL AND MORAL INDEPENDENCE DISTINGUISHED.—THE FIRST BENEFICIAL.—THE SECOND INJURIOUS.—TENDENCY OF RESTRICTION PROPERLY SO CALLED.—THE GENUINE SYSTEM OF PROPERTY NOT A SYSTEM OF RESTRICTIONS—DOES NOT REQUIRE COMMON LABOUR, MEALS OR MAGAZINES.—SUCH RESTRICTIONS ABSURD—AND UNNECESSARY.—EVILS OF COOPERATION.—ITS PROVINCE MAY PERPETUALLY BE DIMINISHED.—MANUAL LABOUR MAY BE EXTINGUISHED.—CONSEQUENT ACTIVITY OF INTELLECT.—IDEAS OF THE FUTURE STATE OF COOPERATION.—ITS LIMITS.—ITS LEGITIMATE PROVINCE.—EVILS OF COHABITATION—AND MARRIAGE.—THEY OPPOSE THE DEVELOPMENT OF OUR FACULTIES—ARE INIMICAL TO OUR HAPPINESS—AND DEPRAVE OUR UNDERSTANDINGS.—MARRIAGE A BRANCH OF THE PREVAILING SYSTEM OF PROPERTY.—CONSEQUENCES OF ITS ABOLITION.—EDUCATION NEED NOT IN THAT STATE OF SOCIETY BE A SUBJECT OF POSITIVE INSTITUTION.—THESE PRINCIPLES

PRINCIPLES DO NOT LEAD TO A SULLEN INDIVIDUALITY.—PARTIAL ATTACHMENTS CONSIDERED.—BENEFITS ACCRUING FROM A JUST AFFECTION—MATERIALLY PROMOTED BY THESE PRINCIPLES.—THE GENUINE SYSTEM OF PROPERTY DOES NOT PROHIBIT ACCUMULATION—IMPLIES A CERTAIN DEGREE OF APPROPRIATION—AND DIVISION OF LABOUR.

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Nature of the
objection.

AN objection that has often been urged against a system of equal property, is, "that it is inconsistent with personal independence. Every man according to this scheme is a passive instrument in the hands of the community. He must eat and drink, and play and sleep at the bidding of others. He has no habitation, no period at which he can retreat into himself, and not ask another's leave. He has nothing that he can call his own, not even his time or his person. Under the appearance of a perfect freedom from oppression and tyranny, he is in reality subjected to the most unlimited slavery."

Natural and
moral inde-
pendence
distinguished:
the first bene-
ficial:

the second
injurious.

To understand the force of this objection it is necessary that we should distinguish two sorts of independence, one of which may be denominated natural, and the other moral. Natural independence, a freedom from all constraint except that of reason and argument presented to the understanding, is of the utmost importance to the welfare and improvement of mind. Moral independence on the contrary is always injurious. The dependence which
is

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is essential in this respect to the wholesome temperament of society, includes in it articles that are no doubt unpalatable to a multitude of the present race of mankind, but that owe their unpopularity only to weakness and vice. It includes a censure to be exercised by every individual over the actions of another, a promptness to enquire into them, and to judge them. Why should I shrink from this? What could be more beneficial than for each man to derive every possible assistance for correcting and moulding his conduct from the perspicacity of his neighbours? The reason why this species of censure is at present exercised with illiberality, is because it is exercised clandestinely and we submit to its operation with impatience and aversion. Moral independence is always injurious: for, as has abundantly appeared in the course of the present enquiry, there is no situation in which I can be placed, where it is not incumbent upon me to adopt a certain species of conduct in preference to all others, and of consequence where I shall not prove an ill member of society, if I act in any other than a particular manner. The attachment that is felt by the present race of mankind to independence in this respect, the desire to act as they please without being accountable to the principles of reason, is highly detrimental to the general welfare.

But, if we ought never to act independently of the principles of reason, and in no instance to shrink from the candid examination of another, it is nevertheless essential that we should at all times be free to cultivate the individuality and follow the dictates

Tendency of
restriction,
properly so
called.

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of our own judgment. If there be any thing in the scheme of equal property that infringes this principle, the objection is conclusive. If the scheme be, as it has often been represented, a scheme of government, constraint and regulation, it is no doubt in direct hostility with the principles of this work.

The genuine system of property not a system of restrictions : does not require common labour, meals or magazines.

But the truth is, that a system of equal property requires no restrictions or superintendence whatever. There is no need of common labour, common meals or common magazines. These are feeble and mistaken instruments for restraining the conduct without making conquest of the judgment. If you cannot bring over the hearts of the community to your party, expect no success from brute regulations. If you can, regulation is unnecessary. Such a system was well enough adapted to the military constitution of Sparta ; but it is wholly unworthy of men who are enlisted in no cause but that of reason and justice. Beware of reducing men to the state of machines. Govern them through no medium but that of inclination and conviction.

Such restrictions absurd :

Why should we have common meals? Am I obliged to be hungry at the same time that you are? Ought I to come at a certain hour, from the museum where I am working, the recess where I meditate, or the observatory where I remark the phenomena of nature, to a certain hall appropriated to the office of eating ; instead of eating, as reason bids me, at the time and place most suited to my avocations? Why have common magazines?

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and unnecessary.

For the purpose of carrying our provisions a certain distance, that we may afterwards bring them back again? Or is this precaution really necessary, after all that has been said in praise of equal society and the omnipotence of reason, to guard us against the knavery and covetousness of our associates? If it be, for God's sake let us discard the parade of political justice, and go over to the standard of those reasoners who say, that man and the practice of justice are incompatible with each other.

Once more let us be upon our guard against reducing men to the condition of brute machines. The objectors of the last chapter were partly in the right when they spoke of the endless variety of mind. It would be absurd to say that we are not capable of truth, of evidence and agreement. In these respects, so far as mind is in a state of progressive improvement, we are perpetually coming nearer to each other. But there are subjects about which we shall continually differ, and ought to differ. The ideas, the associations and the circumstances of each man are properly his own ; and it is a pernicious system that would lead us to require all men, however different their circumstances, to act in many of the common affairs of life by a precise general rule. Add to this, that, by the doctrine of progressive improvement, we shall always be erroneous, though we shall every day become less erroneous. The proper method for hastening the decay of error, is not, by brute force, or by regulation which is one of the classes of force,

Evils of co-operation.

to endeavour to reduce men to intellectual uniformity; but on the contrary by teaching every man to think for himself.

From these principles it appears that every thing that is usually understood by the term cooperation, is in some degree an evil. A man in solitude, is obliged to sacrifice or postpone the execution of his best thoughts to his own convenience. How many admirable designs have perished in the conception by means of this circumstance? The true remedy is for men to reduce their wants to the fewest possible, and as much as possible to simplify the mode of supplying them. It is still worse when a man is also obliged to consult the convenience of others. If I be expected to eat or to work in conjunction with my neighbour, it must either be at a time most convenient to me, or to him, or to neither of us. We cannot be reduced to a clock-work uniformity.

Its province
may perpetually
be diminished.

Hence it follows that all supererogatory cooperation is carefully to be avoided, common labour and common meals. "But what shall we say to cooperation that seems to be dictated by the nature of the work to be performed?" It ought to be diminished. At present it is unreasonable to doubt, that the consideration of the evil of cooperation is in certain urgent cases to be postponed to that urgency. Whether by the nature of things cooperation of some sort will always be necessary, is a question that we are scarcely competent to decide. At present, to pull down a tree, to cut

cut a canal, to navigate a vessel, requires the labour of many. Will it always require the labour of many? When we look at the complicated machines of human contrivance, various sorts of mills, of weaving engines, of steam engines, are we not astonished at the compendium of labour they produce? Who shall say where this species of improvement must stop? At present such inventions alarm the labouring part of the community; and they may be productive of temporary distress, though they conduce in the sequel to the most important interests of the multitude. But in a state of equal labour their utility will be liable to no dispute. Hereafter it is by no means clear that the most extensive operations will not be within the reach of one man; or, to make use of a familiar instance, that a plough may not be turned into a field, and perform its office without the need of superintendance. It was in this sense that the celebrated Franklin conjectured, that "mind would one day become omnipotent over matter."

The conclusion of the progress which has here been sketched, is something like a final close to the necessity of manual labour. It is highly instructive in such cases to observe how the sublime geniuses of former times anticipated what seems likely to be the future improvement of mankind. It was one of the laws of Lycurgus, that no Spartan should be employed in manual labour. For this purpose under his system it was necessary that they should be plentifully supplied with slaves devoted to drudgery. Matter, or

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to speak more accurately, the certain and unintermitting laws of the universe, will be the Helots of the period we are contemplating. We shall end in this respect, oh immortal legislator! at the point from which you began.

Consequent
activity of
intellect.

To these prospects perhaps the objection will once again be repeated, "that men, delivered from the necessity of manual labour, will sink into supineness." What narrow views of the nature and capacities of mind do such objections imply? The only thing necessary to put intellect into action is motive. Are there no motives equally cogent with the prospect of hunger? Whose thoughts are most active, most rapid and unwearied, those of Newton or the ploughman? When the mind is stored with prospects of intellectual greatness and utility, can it sink into torpor?

Ideas of the
future state of
cooperation.
Its limits.

To return to the subject of cooperation. It may be a curious speculation to attend to the progressive steps by which this feature of human society may be expected to decline. For example: shall we have concerts of music? The miserable state of mechanism of the majority of the performers is so conspicuous, as to be even at this day a topic of mortification and ridicule. Will it not be practicable hereafter for one man to perform the whole? Shall we have theatrical exhibitions? This seems to include an absurd and vicious cooperation. It may be doubted whether men will hereafter come forward in any mode gravely to repeat words and ideas not their own? It may be doubted whether any musical performer

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performer will habitually execute the compositions of others? We yield supinely to the superior merit of our predecessors, because we are accustomed to indulge the inactivity of our own faculties. All formal repetition of other men's ideas seems to be a scheme for imprisoning for so long a time the operations of our own mind. It borders perhaps in this respect upon a breach of sincerity, which requires that we should give immediate utterance to every useful and valuable idea that occurs to our thoughts.

Having ventured to state these hints and conjectures, let us endeavour to mark the limits of individuality. Every man that receives an impression from any external object, has the current of his own thoughts modified by force; and yet without external impressions we should be nothing. We ought not, except under certain limitations, to endeavour to free ourselves from their approach. Every man that reads the composition of another, suffers the accession of his ideas to be in a considerable degree under the direction of his author. But it does not seem as if this would ever form a sufficient objection against reading. One man will always have stored up reflections and facts that another wants; and mature and digested discourse will perhaps always, in equal circumstances, be superior to that which is extempore. Conversation is a species of cooperation, one or the other party always yielding to have his ideas guided by the other: and yet conversation and the intercourse of mind with mind seem to be the most fertile sources of improvement. It is here as it is with punishment. He that

Its legitimate
province.

BOOK VIII. CHAP. VI. in the gentlest manner undertakes to reason another out of his vices, will probably occasion pain; but this species of punishment ought upon no account to be superseded.

Evils of cohabitation:

Another article which belongs to the subject of cooperation is cohabitation. A very simple process will lead us to a right decision in this instance. Science is most effectually cultivated, when the greatest number of minds are employed in the pursuit of it. If an hundred men spontaneously engage the whole energy of their faculties upon the solution of a given question, the chance of success will be greater, than if only ten men were so employed. By the same reason the chance will be also increased, in proportion as the intellectual operations of these men are individual, in proportion as their conclusions are directed by the reason of the thing, uninfluenced by the force either of compulsion or sympathy. All attachments to individuals, except in proportion to their merits, are plainly unjust. It is therefore desirable, that we should be the friends of man rather than of particular men, and that we should pursue the chain of our own reflexions, with no other interruption than information or philanthropy requires.

and marriage.

This subject of cohabitation is particularly interesting, as it includes in it the subject of marriage. It will therefore be proper to extend our enquiries somewhat further upon this head. Cohabitation is not only an evil as it checks the independent progress of mind; it is also inconsistent with the imperfections and propensities

They oppose the development of our faculties:

penalties of man. It is absurd to expect that the inclinations and wishes of two human beings should coincide through any long period of time. To oblige them to act and to live together, is to subject them to some inevitable portion of thwarting, bickering and unhappiness. This cannot be otherwise, so long as man has failed to reach the standard of absolute perfection. The supposition that I must have a companion for life, is the result of a complication of vices. It is the dictate of cowardice, and not of fortitude. It flows from the desire of being loved and esteemed for something that is not desert.

But the evil of marriage as it is practised in European countries lies deeper than this. The habit is, for a thoughtless and romantic youth of each sex to come together, to see each other for a few times and under circumstances full of delusion, and then to vow to each other eternal attachment. What is the consequence of this? In almost every instance they find themselves deceived. They are reduced to make the best of an irretrievable mistake. They are presented with the strongest imaginable temptation to become the dupes of falsehood. They are led to conceive it their wisest policy to shut their eyes upon realities, happy if by any perversion of intellect they can persuade themselves that they were right in their first crude opinion of their companion. The institution of marriage is a system of fraud; and men who carefully mislead their judgments in the daily affair of their life, must always have a crippled judgment in every other

BOOK VIII. CHAP. VI. are inimical to our happiness:

and deprave our understandings.

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concern. We ought to dismiss our mistake as soon as it is detected; but we are taught to cherish it. We ought to be incessant in our search after virtue and worth; but we are taught to check our enquiry, and shut our eyes upon the most attractive and admirable objects. Marriage is law, and the worst of all laws. Whatever our understandings may tell us of the person from whose connexion we should derive the greatest improvement, of the worth of one woman and the demerits of another, we are obliged to consider what is law, and not what is justice.

Marriage a
branch of the
prevailing
system of pro-
perty.

Add to this, that marriage is an affair of property, and the worst of all properties. So long as two human beings are forbidden by positive institution to follow the dictates of their own mind, prejudice is alive and vigorous. So long as I seek to engross one woman to myself, and to prohibit my neighbour from proving his superior desert and reaping the fruits of it, I am guilty of the most odious of all monopolies. Over this imaginary prize men watch with perpetual jealousy, and one man will find his desires and his capacity to circumvent as much excited, as the other is excited to traverse his projects and frustrate his hopes. As long as this state of society continues, philanthropy will be crossed and checked in a thousand ways, and the still augmenting stream of abuse will continue to flow.

Consequences
of its aboli-
tion.

The abolition of marriage will be attended with no evils. We are apt to represent it to ourselves as the harbinger of brutal

lust

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lust and depravity. But it really happens in this as in other cases, that the positive laws which are made to restrain our vices, irritate and multiply them. Not to say, that the same sentiments of justice and happiness which in a state of equal property would destroy the relish for luxury, would decrease our inordinate appetites of every kind, and lead us universally to prefer the pleasures of intellect to the pleasures of sense.

The intercourse of the sexes will in such a state fall under the same system as any other species of friendship. Exclusively of all groundless and obstinate attachments, it will be impossible for me to live in the world without finding one man of a worth superior to that of any other whom I have an opportunity of observing. To this man I shall feel a kindness in exact proportion to my apprehension of his worth. The case will be precisely the same with respect to the female sex. I shall assiduously cultivate the intercourse of that woman whose accomplishments shall strike me in the most powerful manner. "But it may happen that other men will feel for her the same preference that I do." This will create no difficulty. We may all enjoy her conversation; and we shall all be wise enough to consider the sensual intercourse as a very trivial object. This, like every other affair in which two persons are concerned, must be regulated in each successive instance by the unforced consent of either party. It is a mark of the extreme depravity of our present habits, that we are inclined to suppose the sensual intercourse any wise material to the advantages arising from the purest affection. Reasonable men now

5 Q 2

eat

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eat and drink, not from the love of pleasure, but because eating and drinking are essential to our healthful existence. Reasonable men then will propagate their species, not because a certain sensible pleasure is annexed to this action, but because it is right the species should be propagated; and the manner in which they exercise this function will be regulated by the dictates of reason and duty.

Such are some of the considerations that will probably regulate the commerce of the sexes. It cannot be definitively affirmed whether it be known in such a state of society who is the father of each individual child. But it may be affirmed that such knowledge will be of no importance. It is aristocracy, self love and family pride that teach us to set a value upon it at present. I ought to prefer no human being to another, because that being is my father, my wife or my son, but because, for reasons which equally appeal to all understandings, that being is entitled to preference. One among the measures which will successively be dictated by the spirit of democracy, and that probably at no great distance, is the abolition of surnames.

Education need not in that state of society be a subject of positive institution.

Let us consider the way in which this state of society will modify education. It may be imagined that the abolition of marriage would make it in a certain sense the affair of the public; though, if there be any truth in the reasonings of this work, to provide for it by the positive institutions of a community, would be extremely inconsistent with the true principles of the

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intellectual system*. Education may be regarded as consisting of various branches. First, the personal cares which the helpless state of an infant requires. These will probably devolve upon the mother; unless, by frequent parturition or by the very nature of these cares, that were found to render her share of the burthen unequal; and then it would be amicably and willingly participated by others. Secondly, food and other necessary supplies. These, as we have already seen, would easily find their true level, and spontaneously flow from the quarter in which they abounded to the quarter that was deficient †. Lastly, the term education may be used to signify instruction. The task of instruction, under such a form of society as that we are contemplating, will be greatly simplified and altered from what it is at present. It will then be thought no more legitimate to make boys slaves, than to make men so. The business will not then be to bring forward so many adepts in the egg-shell, that the vanity of parents may be flattered by hearing their praises. No man will then think of vexing with premature learning the feeble and inexperienced, for fear that, when they came to years of discretion, they should refuse to be learned. Mind will be suffered to expand itself in proportion as occasion and impression shall excite it, and not tortured and enervated by being cast in a particular mould. No creature in human form will be expected to learn any thing, but because he desires it and has some conception of

* Book VI, Chap. VIII. † Chap. V, p. 837.

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its utility and value ; and every man, in proportion to his capacity, will be ready to furnish such general hints and comprehensive views, as will suffice for the guidance and encouragement of him who studies from a principle of desire.

These principles do not lead to a full individuality.

Before we quit this part of the subject it will be necessary to obviate an objection that will suggest itself to some readers. They will say "that man was formed for society and reciprocal kindness ; and therefore is by his nature little adapted to the system of individuality which is here delineated. The true perfection of man is to blend and unite his own existence with that of another, and therefore a system which forbids him all partialities and attachments, tends to degeneracy and not to improvement."

No doubt man is formed for society. But there is a way in which for a man to lose his own existence in that of others, that is eminently vicious and detrimental. Every man ought to rest upon his own centre, and consult his own understanding. Every man ought to feel his independence, that he can assert the principles of justice and truth, without being obliged treacherously to adapt them to the peculiarities of his situation, and the errors of others.

Partial attachments considered.

No doubt man is formed for society. But he is formed for, or in other words his faculties enable him to serve, the whole and

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and not a part. Justice obliges us to sympathise with a man of merit more fully than with an insignificant and corrupt member of society. But all partialities strictly so called, tend to the injury of him who feels them, of mankind in general, and even of him who is their object. The spirit of partiality is well expressed in the memorable saying of Themistocles, "God forbid that I should sit upon a bench of justice, where my friends found no more favour than strangers!" In fact, as has been repeatedly seen in the course of this work, we sit in every action of our lives upon a bench of justice ; and play in humble imitation the part of the unjust judge, whenever we indulge the smallest atom of partiality.

Such are the limitations of the social principle. These limitations in reality tend to improve it and render its operations beneficial. It would be a miserable mistake to suppose that the principle is not of the utmost importance to mankind. All that in which the human mind differs from the intellectual principle in animals is the growth of society. All that is excellent in man is the fruit of progressive improvement, of the circumstance of one age taking advantage of the discoveries of a preceding age, and setting out from the point at which they had arrived.

Benefits accruing from a just affection :

Without society we should be wretchedly deficient in motives to improvement. But what is most of all, without society our improvements would be nearly useless. Mind without benevolence

materially promoted by these principles.

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volence is a barren and a cold existence. It is in seeking the good of others, in embracing a great and expansive sphere of action, in forgetting our own individual interests, that we find our true element. The tendency of the whole system delineated in this Book is to lead us to that element. The individuality it recommends tends to the good of the whole, and is valuable only as a means to that end. Can that be termed a selfish system, where no man desires luxury, no man dares to be guilty of injustice, and every one devotes himself to supply the wants, animal or intellectual, of others?—To proceed.

The genuine system of property does not prohibit accumulation:

As a genuine state of society is incompatible with all laws and restrictions, so it cannot have even this restriction, that no man shall amass property. The security against accumulation, as has already been said, lies in the perceived absurdity and inutility of accumulation. The practice, if it can be conceived in a state of society where the principles of justice were adequately understood, would not even be dangerous. The idea would not create alarm, as it is apt to do in prospect among the present advocates of political justice. Men would feel nothing but their laughter or their pity excited at so strange a perversity of human intellect.

implies a certain degree of appropriation.

What would denominate any thing my property? The fact, that it was necessary to my welfare. My right would be coeval with the existence of that necessity. The word property would probably

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probably remain; its signification only would be modified. The mistake does not so properly lie in the idea itself, as in the source from which it is traced. What I have, if it be necessary for my use, is truly mine; what I have, though the fruit of my own industry, if unnecessary, it is an usurpation for me to retain.

Force in such a state of society would be unknown; I should part with nothing without a full consent. Caprice would be unknown; no man would covet that which I used, unless he distinctly apprehended, that it would be more beneficial in his possession than it was in mine. My apartment would be as sacred to a certain extent, as it is at present. No man would obtrude himself upon me to interrupt the course of my studies and meditations. No man would feel the whim of occupying my apartment, while he could provide himself another as good of his own. That which was my apartment yesterday would probably be my apartment to-day. We have few pursuits that do not require a certain degree of apparatus; and it would be for the general good that I should find in ordinary cases the apparatus ready for my use to-day that I left yesterday. But, though the idea of property thus modified would remain, the jealousy and selfishness of property would be gone. Bolts and locks would be unknown. Every man would be welcome to make every use of my accommodations, that did not interfere with my own use of them. Novices as we are, we may figure

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to ourselves a thousand disputes, where property was held by so slight a tenure. But disputes would in reality be impossible. They are the offspring of a mishapen and disproportioned love of ourselves. Do you want my table? Make one for yourself; or, if I be more skilful in that respect than you, I will make one for you. Do you want it immediately? Let us compare the urgency of your wants and mine, and let justice decide.

and division
of labour.

These observations lead us to the consideration of one additional difficulty, which relates to the division of labour. Shall each man make all his tools, his furniture and accommodations? This would perhaps be a tedious operation. Every man performs the task to which he is accustomed more skilfully and in a shorter time than another. It is reasonable that you should make for me, that which perhaps I should be three or four times as long making, and should make imperfectly at last. Shall we then introduce barter and exchange? By no means. The abstract spirit of exchange will perhaps govern; every man will employ an equal portion of his time in manual labour. But the individual application of exchange is of all practices the most pernicious. The moment I require any other reason for supplying you than the cogency of your claim, the moment, in addition to the dictates of benevolence, I demand a prospect of advantage to myself, there is an end of that political justice and pure society of which we treat. No man will have a trade. It cannot be supposed that a man will construct any species of commodity, but in proportion

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proportion as it is wanted. The profession paramount to all others and in which every man will bear his part, will be that of man, and in addition perhaps that of cultivator.

The division of labour, as it has been treated by commercial writers, is for the most part the offspring of avarice. It has been found that ten persons can make two hundred and forty times as many pins in a day as one person*. This refinement is the growth of luxury. The object is to see into how vast a surface the industry of the lower classes may be beaten, the more completely to gild over the indolent and the proud. The ingenuity of the merchant is whetted, by new improvements of this sort to transport more of the wealth of the powerful into his own coffers. The possibility of effecting a compendium of labour by this means will be greatly diminished, when men shall learn to deny themselves superfluities. The utility of such a saving of labour, where labour is so little, will scarcely balance against the evils of so extensive a cooperation. From what has been said under this head it appears, that there will be a division of labour, if we compare the society in question with the state of the solitaire and the savage. But it will produce an extensive composition of labour, if we compare it with that to which we are at present accustomed in civilised Europe.

* Smith's Wealth of Nations, Book I, Chap. I.

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OF THE OBJECTION TO THIS SYSTEM FROM THE PRINCIPLE OF POPULATION.

THE OBJECTION STATED.—RE MOTENESS OF ITS OPERATION.—CONJECTURAL IDEAS RESPECTING THE ANTIDOTE.—OMNIPOTENCE OF MIND.—ILLUSTRATIONS.—CAUSES OF DECREPITUDE.—YOUTH IS PROLONGED BY CHEARFULNESS—BY CLEARNESS OF APPREHENSION—AND A BENEVOLENT CHARACTER.—THE POWERS WE POSSESS ARE ESSENTIALLY PROGRESSIVE.—EFFECTS OF ATTENTION.—THE PHENOMENON OF SLEEP EXPLAINED. PRESENT UTILITY OF THESE REASONINGS.—APPLICATION TO THE FUTURE STATE OF SOCIETY.

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The objection stated.

A N author who has speculated widely upon subjects of government *, has recommended equal, or, which was rather his idea, common property, as a complete remedy, to the usurpation and distress which are at present the most powerful enemies of human kind, to the vices which infect education in some instances, and the neglect it encounters in more, to all the turbulence of passion, and all the injustice of selfishness. But, after

* Wallace: Various Prospects of Mankind, Nature and Providence, 1761.

having exhibited this picture, not less true than delightful, he finds an argument that demolishes the whole, and restores him to indifference and despair, in the excessive population that would ensue.

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One of the most obvious answers to this objection is, that to reason thus is to foresee difficulties at a great distance. Three fourths of the habitable globe is now uncultivated. The parts already cultivated are capable of immeasurable improvement. Myriads of centuries of still increasing population may probably pass away, and the earth still be found sufficient for the subsistence of its inhabitants. Who can say how long the earth itself will survive the casualties of the planetary system? Who can say what remedies shall suggest themselves for so distant an inconvenience, time enough for practical application, and of which we may yet at this time have not the smallest idea? It would be truly absurd for us to shrink from a scheme of essential benefit to mankind, lest they should be too happy, and by necessary consequence at some distant period too populous.

Remoteness of its operation.

But, though these remarks may be deemed a sufficient answer to the objection, it may not be amiss to indulge in some speculations to which such an objection obviously leads. The earth may, to speak in the style of one of the writers of the Christian Scriptures, "abide for ever*." It may be in danger of becoming too populous. A remedy may then be necessary. If it may,

Conjectural ideas respecting the antidote.

* Ecclesiastes, Chap. I, ver. 4.

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why should we sit down in supine indifference and conclude that we can discover no glimpse of it? The discovery, if made, would add to the firmness and consistency of our prospects; nor is it improbable to conjecture that that which would form the regulating spring of our conduct then, might be the medium of a salutary modification now. What follows must be considered in some degree as a deviation into the land of conjecture. If it be false, it leaves the great system to which it is appended in all sound reason as impregnable as ever. If this do not lead us to the true remedy, it does not follow that there is no remedy. The great object of enquiry will still remain open, however defective may be the suggestions that are now to be offered.

Omnipotence
of mind.

Let us here return to the sublime conjecture of Franklin, that "mind will one day become omnipotent over matter*." If over all other matter, why not over the matter of our own bodies? If over matter at ever so great a distance, why not over matter which, however ignorant we may be of the tie that connects it with the thinking principle, we always carry about with us, and which is in all cases the medium of communication between that principle and the external universe? In a word, why may not man be one day immortal?

* I have no other authority to quote for this expression than the conversation of Dr. Price. Upon enquiry I am happy to find it confirmed to me by Mr. William Morgan, the nephew of Dr Price, who recollects to have heard it repeatedly mentioned by his uncle.

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CHAP. VII.
Illustrations.

The different cases in which thought modifies the external universe are obvious to all. It is modified by our voluntary thoughts or design. We desire to stretch out our hand, and it is stretched out. We perform a thousand operations of the same species every day, and their familiarity annihilates the wonder. They are not in themselves less wonderful than any of those modifications which we are least accustomed to conceive.—Mind modifies body involuntarily. Emotion excited by some unexpected word, by a letter that is delivered to us, occasions the most extraordinary revolutions in our frame, accelerates the circulation, causes the heart to palpitate, the tongue to refuse its office, and has been known to occasion death by extreme anguish or extreme joy. These symptoms we may either encourage or check. By encouraging them habits are produced of fainting or of rage. To discourage them is one of the principal offices of fortitude. The effort of mind in resisting pain in the stories of Cranmer and Mucius Scævola is of the same kind. It is reasonable to believe that that effort with a different direction might have cured certain diseases of the system. There is nothing indeed of which physicians themselves are more frequently aware, than of the power of the mind in assisting or retarding convalescence.

Why is it that a mature man soon loses that elasticity of limb, which characterises the heedless gaiety of youth? Because he desists from youthful habits. He assumes an air of dignity incompatible with the lightness of childish follies. He is visited and vexed with all the cares that rise out of our mistaken institutions,

Causes of de-
crepitude.

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and his heart is no longer satisfied and gay. Hence his limbs become stiff and unwieldy. This is the forerunner of old age and death.

Youth is prolonged by
cheerfulness:

The first habit favourable to corporeal vigour is cheerfulness. Every time that our mind becomes morbid, vacant and melancholy, a certain period is cut off from the length of our lives. Listlessness of thought is the brother of death. But cheerfulness gives new life to our frame and circulation to our juices. Nothing can long be stagnant in the frame of him, whose heart is tranquil, and his imagination active.

by clearness
of apprehension:

A second requisite in the case of which we treat is a clear and distinct conception. If I know precisely what I wish, it is easy for me to calm the throbs of pain, and to assist the sluggish operations of the system. It is not a knowledge of anatomy, but a quiet and steady attention to my symptoms, that will best enable me to correct the distemper from which they spring. Fainting is nothing else but a confusion of mind, in which the ideas appear to mix in painful disorder, and nothing is distinguished.

and a benevolent
character.

The true source of cheerfulness is benevolence. To a youthful mind, while every thing strikes with its novelty, the individual situation must be peculiarly unfortunate, if gaiety of thought be not produced, or, when interrupted, do not speedily return with its healing oblivion. But novelty is a fading charm, and perpetually decreases. Hence the approach of inanity and listlessness

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listlessness. After we have made a certain round, life delights no more. A deathlike apathy invades us. Thus the aged are generally cold and indifferent; nothing interests their attention, or rouses the sluggishness of their soul. How should it be otherwise? The pursuits of mankind are commonly frigid and contemptible, and the mistake comes at last to be detected. But virtue is a charm that never fades. The soul that perpetually overflows with kindness and sympathy, will always be cheerful. The man who is perpetually busied in contemplations of public good, will always be active.

The application of these reasonings is simple and irresistible. If mind be now in a great degree the ruler of the system, why should it be incapable of extending its empire? If our involuntary thoughts can derange or restore the animal economy, why should we not in process of time, in this as in other instances, subject the thoughts which are at present involuntary to the government of design? If volition can now do something, why should it not go on to do still more and more? There is no principle of reason less liable to question than this, that, if we have in any respect a little power now, and if mind be essentially progressive, that power may, and, barring any extraordinary concussions of nature, infallibly will, extend beyond any bounds we are able to prescribe to it.

The powers
we possess are
essentially
progressive.

Nothing can be more irrational and presumptuous than to
5 S conclude,

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conclude, because a certain species of supposed power is entirely out of the line of our present observations, that it is therefore altogether beyond the limits of the human mind. We talk familiarly indeed of the limits of our faculties, but nothing is more difficult than to point them out. Mind, in a progressive view at least, is infinite. If it could have been told to the savage inhabitants of Europe in the times of Theseus and Achilles, that man was capable of predicting eclipses and weighing the air, of explaining the phenomena of nature so that no prodigies should remain, of measuring the distance and the size of the heavenly bodies, this would not have appeared to them less wonderful, than if we had told them of the possible discovery of the means of maintaining the human body in perpetual youth and vigour. But we have not only this analogy, showing that the discovery in question forms as it were a regular branch of the acquisitions that belong to an intellectual nature; but in addition to this we seem to have a glimpse of the specific manner in which the acquisition will be secured. Let us remark a little more distinctly the simplicity of the process.

Effects of
attention.

We have called the principle of immortality in man cheerfulness, clearness of conception and benevolence. Perhaps we shall in some respects have a more accurate view of its potency, if we consider it as of the nature of attention. It is a very old maxim of practical conduct, that whatever is done with attention, is done well. It is because this was a principal requisite, that many persons

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sons endowed in an eminent degree with cheerfulness, perspicacity and benevolence, have perhaps not been longer lived than their neighbours. We are not capable at present of attending to every thing. A man who is engaged in the sublimest and most delightful exertions of mind, will perhaps be less attentive to his animal functions than his most ordinary neighbour, though he will frequently in a partial degree repair that neglect, by a more cheerful and animated observation, when those exertions are suspended. But, though the faculty of attention may at present have a very small share of ductility, it is probable that it may be improved in that respect to an inconceivable degree. The picture that was exhibited of the subtlety of mind in an earlier stage of this work*, gives to this supposition a certain degree of moral evidence. If we can have three hundred and twenty successive ideas in a second of time, why should it be supposed that we shall not hereafter arrive at the skill of carrying on a great number of contemporaneous processes without disorder?

Having thus given a view of what may be the future improvement of mind, it is proper that we should qualify this picture to the sanguine temper of some readers and the incredulity of others, by observing that this improvement, if capable of being realised, is however at a great distance. A very obvious remark will render this eminently palpable. If an unintermitted attention to the animal economy be necessary, then, before death can be banished,

The phenomenon of
sleep explained.

* Book IV, Chap. VII, p. 330.

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we must banish sleep, death's image. Sleep is one of the most conspicuous infirmities of the human frame. It is not, as has often been supposed, a suspension of thought, but an irregular and distempered state of the faculty*. Our tired attention resigns the helm, ideas swim before us in wild confusion, and are attended with less and less distinctness, till at length they leave no traces in the memory. Whatever attention and volition are then imposed upon us, as it were at unawares, are but faint resemblances of our operations in the same kind when awake. Generally speaking, we contemplate sights of horror with little pain, and commit the most atrocious crimes with little sense of their true nature. The horror we sometimes attribute to our dreams, will frequently be found upon accurate observation to belong to our review of them when we wake.

Present utility
of these rea-
sonings.

One other remark may be proper in this place. If the remedies here prescribed tend to a total extirpation of the infirmities of our nature, then, though we cannot promise to them an early and complete success, we may probably find them of some utility now. They may contribute to prolong our vigour, though not to immortalise it, and, which is of more consequence, to make us live while we live. Every time the mind is invaded with anguish and gloom, the frame becomes disordered. Every time that languor and indifference creep upon us, our functions fall into decay. In proportion as we cultivate fortitude and equa-

* Book IV, Chap. VII, p. 335.

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nimity, our circulations will be cheerful. In proportion as we cultivate a kind and benevolent propensity, we may be secure of finding something for ever to interest and engage us.

Medicine may reasonably be stated to consist of two branches, the animal and intellectual. The latter of these has been infinitely too much neglected. It cannot be employed to the purposes of a profession; or, where it has been incidentally so employed, it has been artificially and indirectly, not in an open and avowed manner. "Herein the patient must minister to himself*." How often do we find a sudden piece of good news dissipating a distemper? How common is the remark, that those accidents, which are to the indolent a source of disease, are forgotten and extirpated in the busy and active? It would no doubt be of extreme moment to us, to be thoroughly acquainted with the power of motives, habit, and what is called resolution, in this respect. I walk twenty miles in an indolent and half determined temper, and am extremely fatigued. I walk twenty miles full of ardour and with a motive that engrosses my soul, and I come in as fresh and alert as when I began my journey. We are sick and we die, generally speaking, because we consent to suffer these accidents. This consent in the present state of mankind is in some degree unavoidable. We must have stronger motives and clearer views, before we can uniformly refuse it. But, though we cannot always, we may frequently refuse. This is a truth of which all mankind are

* Macbeth, Act V.

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to a certain degree aware. Nothing more common than for the most ignorant man to call upon his sick neighbour, to rouse himself, not to suffer himself to be conquered; and this exhortation is always accompanied with some consciousness of the efficacy of resolution. The wife and the good man therefore should carry with him the recollection of what cheerfulness and a determined spirit are able to do, of the capacity with which he is endowed of expelling the fevers and first slight appearances of indisposition.

The principal part of the preceding paragraph is nothing more than a particular application of what was elsewhere delivered respecting moral and physical causes*. It would have been easy to have cast the present chapter in a different form, and to have made it a chapter upon health, showing that one of the advantages of a better state of society would be a very high improvement of the vigour and animal constitution of man. In that case the conjecture of immortality would only have come in as an incidental remark, and the whole would have assumed less the air of conjecture than of close and argumentative deduction. But it was perhaps better to give the subject the most explicit form, at the risk of exciting a certain degree of prejudice.

Application
to the future
state of so-
ciety.

To apply these remarks to the subject of population. The tendency of a cultivated and virtuous mind is to render us indifferent to the gratifications of sense. They please at present

* Book I, Chap. VII, Part I.

by

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by their novelty, that is, because we know not how to estimate them. They decay in the decline of life indirectly because the system refuses them, but directly and principally because they no longer excite the ardour and passion of mind. It is well known that an inflamed imagination is capable of doubling and tripling the seminal secretions. The gratifications of sense please at present by their imposture. We soon learn to despise the mere animal function, which, apart from the delusions of intellect, would be nearly the same in all cases; and to value it, only as it happens to be relieved by personal charms or mental excellence. We absurdly imagine that no better road can be found to the sympathy and intercourse of minds. But a very slight degree of attention might convince us that this is a false road, full of danger and deception. Why should I esteem another, or by another be esteemed? For this reason only, because esteem is due, and only so far as it is due.

The men therefore who exist when the earth shall refuse itself to a more extended population, will cease to propagate, for they will no longer have any motive, either of error or duty, to induce them. [In addition to this they will perhaps be immortal.] The whole will be a people of men, and not of children. Generation will not succeed generation, nor truth have in a certain degree to recommence her career at the end of every thirty years. There will be no war, no crimes, no administration of justice as it is called, and no government. These latter

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latter articles are at no great distance; and it is not impossible that some of the present race of men may live to see them in part accomplished. But beside this, there will be no disease, no anguish, no melancholy and no repentment. Every man will seek with ineffable ardour the good of all. Mind will be active and eager, yet never disappointed. Men will see the progressive advancement of virtue and good, and feel that, if things occasionally happen contrary to their hopes, the miscarriage itself was a necessary part of that progress. They will know, that they are members of the chain, that each has his several utility, and they will not feel indifferent to that utility. They will be eager to enquire into the good that already exists, the means by which it was produced, and the greater good that is yet in store. They will never want motives for exertion; for that benefit which a man thoroughly understands and earnestly loves, he cannot refrain from endeavouring to promote.

Before we dismiss this subject it is proper once again to remind the reader, that the leading doctrine of this chapter is given only as matter of probable conjecture, and that the grand argument of this division of the work is altogether independent of its truth or falshood.

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OF THE MEANS OF INTRODUCING THE GENUINE
SYSTEM OF PROPERTY.

APPREHENSIONS THAT ARE ENTERTAINED ON THIS SUBJECT.—IDEA OF MASSACRE.—INFERENCE WE OUGHT TO MAKE UPON SUPPOSITION OF THE REALITY OF THESE APPREHENSIONS.—MISCHIEF BY NO MEANS THE NECESSARY ATTENDANT ON IMPROVEMENT.—DUTIES UNDER THIS CIRCUMSTANCE, 1. OF THOSE WHO ARE QUALIFIED FOR PUBLIC INSTRUCTORS — TEMPER — SINCERITY.—PERNICIOUS EFFECTS OF DISSIMULATION IN THIS CASE.—2. OF THE RICH AND GREAT.—MANY OF THEM MAY BE EXPECTED TO BE ADVOCATES OF EQUALITY.—CONDUCT WHICH THEIR INTEREST AS A BODY PRESCRIBES.—3. OF THE FRIENDS OF EQUALITY IN GENERAL.—OMNIPOTENCE OF TRUTH.—IMPORTANCE OF A MILD AND BENEVOLENT PROCEEDING.—CONNEXION BETWEEN LIBERTY AND EQUALITY.—CAUSE OF EQUALITY WILL PERPETUALLY ADVANCE.—SYMPTOMS OF ITS PROGRESS.—IDEA OF ITS FUTURE SUCCESS.—CONCLUSION.

HAVING thus stated explicitly and without reserve the great branches of this illustrious picture, there is but one subject

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subject that remains. In what manner shall this interesting improvement of human society be carried into execution? Are there not certain steps that are desirable for this purpose? Are there not certain steps that are inevitable? Will not the period that must first elapse, necessarily be stained with a certain infusion of evil?

Apprehensions that are entertained on this subject.

No idea has excited greater horror in the minds of a multitude of persons, than that of the mischiefs that are to ensue from the dissemination of what they call levelling principles. They believe "that these principles will inevitably ferment in the minds of the vulgar, and that the attempt to carry them into execution will be attended with every species of calamity." They represent to themselves "the uninformed and uncivilised part of mankind, as let loose from all restraint, and hurried into every kind of excess. Knowledge and taste, the improvements of intellect, the discoveries of sages, the beauties of poetry and art, are trampled under foot and extinguished by barbarians. It is another inundation of Goths and Vandals, with this bitter aggravation, that the viper that stings us to death was warmed in our own bosoms."

They conceive of the scene as "beginning in massacre." They suppose "all that is great, preeminent and illustrious as ranking among the first victims. Such as are distinguished by peculiar elegance of manners or energy of diction and composition,

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fition, will be the inevitable objects of envy and jealousy. Such as intrepidly exert themselves to succour the persecuted, or to declare to the public those truths which they are least inclined, but which are most necessary for them to hear, will be marked out for assassination."

Let us not, from any partiality to the system of equality delineated in this book, shrink from the picture here exhibited. Massacre is the too possible attendant upon revolution, and massacre is perhaps the most hateful scene, allowing for its momentary duration, that any imagination can suggest. The fearful, hopeless expectation of the defeated, and the blood-hound fury of their conquerors, is a complication of mischief that all which has been told of infernal regions cannot surpass. The cold-blooded massacres that are perpetrated under the name of criminal justice fall short of these in their most frightful aggravations. The ministers and instruments of law have by custom reconciled their minds to the dreadful task they perform, and bear their respective parts in the most shocking enormities, without being sensible to the passions allied to those enormities. But the instruments of massacre are actuated with all the sentiments of fiends. Their eyes emit flashes of cruelty and rage. They pursue their victims from street to street and from house to house. They tear them from the arms of their fathers and their wives. They glut themselves with barbarity and insult, and utter shouts of horrid joy at the spectacle of their tortures.

Idea of
massacre.

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Inference we
ought to
make upon
supposition
of the reality
of these ap-
prehensions.

We have now contemplated the tremendous picture; what is the conclusion it behoves us to draw? Must we shrink from reason, from justice, from virtue and happiness? Suppose that the inevitable consequence of communicating truth were the temporary introduction of such a scene as has just been described, must we on that account refuse to communicate it? The crimes that were perpetrated would in no just estimate appear to be the result of truth, but of the error which had previously been infused. The impartial enquirer would behold them as the last struggles of expiring despotism, which, if it had survived, would have produced mischiefs, scarcely less atrocious in the hour of their commission, and infinitely more calamitous by the length of their duration. If we would judge truly, even admitting the unfavourable supposition above stated, we must contrast a moment of horror and distress with ages of felicity. No imagination can sufficiently conceive the mental improvement and the tranquil virtue that would succeed, were property once permitted to rest upon its genuine basis.

And by what means suppress truth, and keep alive the salutary intoxication, the tranquillising insanity of mind which some men desire? Such has been too generally the policy of government through every age of the world: Have we slaves? We must assiduously retain them in ignorance. Have we colonies and dependencies? The great effort of our care is to keep them from being too populous and prosperous. Have we subjects? It is

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" by

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" by impotence and misery that we endeavour to render them supple: plenty is fit for nothing but to make them unmanageable, disobedient and mutinous*." If this were the true philosophy of social institutions, well might we shrink from it with horror. How tremendous an abortion would the human species be found, if all that tended to make them wise, tended to make them unprincipled and profligate? But this it is impossible for any one to believe, who will lend the subject a moment's impartial consideration. Can truth, the perception of justice and a desire to execute it, be the source of irretrievable ruin to mankind? It may be conceived that the first opening and illumination of mind will be attended with disorder. But every just reasoner must confess that regularity and happiness will succeed to this confusion. To refuse the remedy, were this picture of its operation ever so true, would be as if a man who had dislocated a limb, should refuse to undergo the pain of having it replaced. If mankind have hitherto lost the road of virtue and happiness, that can be no just reason why they should be suffered to go wrong for ever. We must not refuse a conviction of error, or even the treading over again some of the steps that were the result of it.

Another question suggests itself under this head: Can we suppress truth? Can we arrest the progress of the enquiring mind? If we can, it will only be done by the most unmitigated despotism. Mind has a perpetual tendency to rise. It cannot be held

* Book V, Chap. III, p. 405.

down.

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down but by a power that counteracts its genuine tendency through every moment of its existence. Tyrannical and sanguinary must be the measures employed for this purpose. Miserable and disgusting must be the scene they produce. Their result will be thick darkness of the mind, timidity, servility, hypocrisy. This is the alternative, so far as there is any alternative in their power, between the opposite measures of which the princes and governments of the earth have now to choose: they must either suppress enquiry by the most arbitrary stretches of power, or preserve a clear and tranquil field in which every man shall be at liberty to discover and vindicate his opinion.

No doubt it is the duty of governments to maintain the most unalterable neutrality in this important transaction. No doubt it is the duty of individuals to publish truth without diffidence or reserve, to publish it in its genuine form without seeking aid from the meretricious arts of publication. The more it is told, the more it is known in its true dimensions, and not in parts, the less is it possible that it should coalesce with or leave room for the pernicious effects of error. The true philanthropist will be eager, instead of suppressing discussion, to take an active share in the scene, to exert the full strength of his faculties in discovery, and to contribute by his exertions to render the operation of thought at once perspicuous and profound.

Mischief by
no means the

It being then sufficiently evident that truth must be told at whatever

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CHAP. VIII.necessary at-
tendant on
improvement.

whatever expence, let us proceed to consider the precise amount of that expence, to enquire how much of confusion and violence is inseparable from the transit which mind has to accomplish. And here it plainly appears that mischief is by no means inseparable from the progress. In the mere circumstance of our acquiring knowledge and accumulating one truth after another there is no direct tendency to disorder. Evil can only spring from the clash of mind with mind, from one body of men in the community outstripping another in their ideas of improvement; and becoming impatient of the opposition they have to encounter.

In this interesting period, in which mind shall arrive as it were at the true crisis of its story, there are high duties incumbent upon every branch of the community. First, upon those cultivated and powerful minds, that are fitted to be precursors to the rest in the discovery of truth. They are bound to be active, indefatigable and disinterested. It is incumbent upon them to abstain from inflammatory language, from all expressions of acrimony and resentment. It is absurd in any government to erect itself into a court of criticism in this respect, and to establish a criterion of liberality and decorum; but for that very reason it is doubly incumbent on those who communicate their thoughts to the public, to exercise a rigid censure over themselves. The tidings of liberty and equality are tidings of good will to all orders of men. They free the peasant from the iniquity that de-
presses

Duties under
this circum-
stance, i. of
those who
are qualified
for public
instructors:

temper:

BOOK VIII.
CHAP. VIII. presses his mind, and the privileged from the luxury and depotism by which he is corrupted. Let those who bear these tidings not stain their benignity, by showing that that benignity has not yet become the inmate of their hearts.

sincerity.

Nor is it less necessary that they should be urged to tell the whole truth without disguise. No maxim can be more pernicious than that which would teach us to consult the temper of the times, and to tell only so much as we imagine our contemporaries will be able to bear. This practice is at present almost universal, and it is the mark of a very painful degree of depravity. We retail and mangle truth. We impart it to our fellows, not with the liberal measure with which we have received it, but with such parsimony as our own miserable prudence may chance to prescribe. We pretend that truths fit to be practised in one country, nay, truths which we confess to be eternally right, are not fit to be practised in another. That we may deceive others with a tranquil conscience, we begin with deceiving ourselves. We put shackles upon our minds, and dare not trust ourselves at large in the pursuit of truth. This practice took its commencement from the machinations of party, and the desire of one wise and adventurous leader to carry a troop of weak, timid and selfish supporters in his train. There is no reason why I should not declare in any assembly upon the face of the earth that I am a republican. There is no more reason why, being a republican under a monarchical government, I should enter into
a desperate

a desperate faction to invade the public tranquillity, than if I were monarchical under a republic. Every community of men, as well as every individual, must govern itself according to its ideas of justice. What I should desire is, not by violence to change its institutions, but by reason to change its ideas. I have no business with factions or intrigue; but simply to promulgate the truth, and to wait the tranquil progress of conviction. If there be any assembly that cannot bear this, of such an assembly I ought to be no member. It happens much oftener than we are willing to imagine, that "the post of honour," or, which is better, the post of utility, "is a private station*."

The dissimulation here censured, beside its ill effects upon him who practises it, and by degrading and unnerving his character upon society at large, has a particular ill consequence with respect to the point we are considering. It lays a mine, and prepares an explosion. This is the tendency of all unnatural restraint. Meanwhile the unfettered progress of truth is always salutary. Its advances are gradual, and each step prepares the general mind for that which is to follow. They are sudden and unprepared emanations of truth, that have the greatest tendency to deprive men of their sobriety and self command. Reserve in this respect is calculated at once, to give a rugged and angry tone to the multitude whenever they shall happen to discover what is thus concealed, and to mislead the depositaries of political power. It

* Addison's Cato, Act IV.

BOOK VIII. CHAP. VIII. soothes them into false security, and prompts them to maintain an inauspicious obstinacy.

2. Of the rich and great.

Many of them may be expected to be advocates of equality.

Having considered what it is that belongs in such a crisis to the enlightened and wise, let us next turn our attention to a very different class of society, the rich and great. And here in the first place it may be remarked, that it is a very false calculation that leads us universally to despair of having these for the advocates of equality. Mankind are not so miserably selfish, as satirists and courtiers have supposed. We never engage in any action without enquiring what is the decision of justice respecting it. We are at all times anxious to satisfy ourselves that what our inclinations lead us to do, is innocent and right to be done.* Since therefore justice occupies so large a share in the contemplations of the human mind, it cannot reasonably be doubted that a strong and commanding view of justice would prove a powerful motive to influence our choice. But that virtue which for whatever reason we have chosen, soon becomes recommended to us by a thousand other reasons. We find in it reputation, eminence, self complacence and the divine pleasures of an approving mind.

The rich and great are far from callous to views of general felicity, when such views are brought before them with that

* Book II, Chap. III, p. 98.

evidence and attraction of which they are susceptible. From one dreadful disadvantage their minds are free. They have not been soured with unrelenting tyranny, or narrowed by the perpetual pressure of distress. They are peculiarly qualified to judge of the emptiness of that pomp and those gratifications, which are always most admired when they are seen from a distance. They will frequently be found considerably indifferent to these things, unless confirmed by habit and rendered inveterate by age. If you show them the attractions of gallantry and magnanimity in resigning them, they will often be resigned without reluctance. Wherever accident of any sort has introduced an active mind, there enterprise is a necessary consequence; and there are few persons so inactive, as to sit down for ever in the supine enjoyment of the indulgences to which they were born. The same spirit that has led forth the young nobility of successive ages to encounter the hardships of a camp, might easily be employed to render them champions of the cause of equality: nor is it to be believed, that the circumstance of superior virtue and truth in this latter exertion, will be without its effect.

But let us suppose a considerable party of the rich and great to be actuated by no view but to their emolument and ease. It is not difficult to show them, that their interest in this sense will admit of no more than a temperate and yielding resistance. Much no doubt of the future tranquillity or confusion of man-

conduct which their interest as a body prescribes.

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kind depends upon the conduct of this party. To them I would say: "It is in vain for you to fight against truth. It is like endeavouring with the human hand to stop the inroad of the ocean. Retire betimes. Seek your safety in concession. If you will not go over to the standard of political justice, temporise at least with an enemy whom you cannot overcome. Much, inexpressibly much depends upon you. If you be wise, if you be prudent, if you would secure at least your lives and your personal ease amidst the general shipwreck of monopoly and folly, you will be unwilling to irritate and defy. Unless by your rashness, there will be no confusion, no murder, not a drop of blood will be spilt, and you will yourselves be made happy. If you brave the storm and call down every species of odium on your heads, still it is possible, still it is to be hoped that the general tranquillity may be maintained. But, should it prove otherwise, you will have principally to answer for all the consequences that shall ensue.

"Above all, do not be lulled into a rash and headlong security. We have already seen how much the hypocrisy and instability of the wise and enlightened of the present day, those who confess much, and have a confused view of still more, but dare not examine the whole with a steady and unflinching eye, are calculated to increase this security. But there is a danger still more palpable. Do not be misled by the unthinking and seeming general cry of those who have no fixed principles.

I
AddresseesBOOK VIII.
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Addressees have been found in every age a very uncertain criterion of the future conduct of a people. Do not count upon the numerous train of your adherents, retainers and servants. They afford a very feeble dependence. They are men, and cannot be dead to the interests and claims of mankind. Some of them will adhere to you as long as a sordid interest seems to draw them in that direction. But the moment yours shall appear to be the losing cause, the same interest will carry them over to the enemy's standard. They will disappear like the morning dew.

"May I not hope that you are capable of receiving impression from another argument? Will you feel no compunction at the thought of resisting the greatest of all benefits? Are you content to be regarded by the most enlightened of your contemporaries, and to be handed down to the remotest posterity, as the obstinate adversaries of philanthropy and justice? Can you reconcile it to your own minds, that, for a sordid interest, for the cause of general corruption and abuse, you should be found active in stifling truth, and strangling the new born happiness of mankind?" Would to God it were possible to carry home this argument to the enlightened and accomplished advocates of aristocracy! Would to God they could be persuaded to consult neither passion, nor prejudice, nor the flights of imagination, in deciding upon so momentous a question! "We know that truth does not stand in need of your alliance to secure her triumph. We do not fear your enmity. But our hearts bleed to see such gallantry.

BOOK VIII. CHAP. VIII. gallantry such talents and such virtue enslaved to prejudice, and enlisted in error. It is for your sakes that we expostulate, and for the honour of human nature."

s. of the friends of equality in general. Omnipotence of truth.

To the general mass of the adherents of the cause of justice it may be proper to say a few words. "If there be any force in the arguments of this work, thus much at least we are authorized to deduce from them, that truth is irresistible. If man be endowed with a rational nature, then whatever is clearly demonstrated to his understanding to have the most powerful recommendations, so long as that clearness is present to his mind, will inevitably engage his choice. It is to no purpose to say that mind is fluctuating and fickle; for it is so only in proportion as evidence is imperfect. Let the evidence be increased, and the persuasion will be made firmer, and the choice more uniform. It is the nature of individual mind to be perpetually adding to the stock of its ideas and knowledge. Similar to this is the nature of general mind, exclusively of casualties which, arising from a more comprehensive order of things, appear to disturb the order of limited systems. This is confirmed to us, if a truth of this universal nature can derive confirmation from partial experiments, by the regular advances of the human mind from century to century, since the invention of printing.

Importance of a mild and benevolent proceeding.

"Let then this axiom of the omnipotence of truth be the rudder of our undertakings. Let us not precipitately endeavour to accomplish that to-day, which the dissemination of truth will
make

BOOK VIII. CHAP. VIII. make unavoidable to-morrow. Let us not anxiously watch for occasions and events: the ascendancy of truth is independent of events. Let us anxiously refrain from violence: force is not conviction, and is extremely unworthy of the cause of justice. Let us admit into our bosoms neither contempt, animosity, resentment nor revenge. The cause of justice is the cause of humanity. Its advocates should overflow with universal good will. We should love this cause, for it conduces to the general happiness of mankind. We should love it, for there is not a man that lives, who in the natural and tranquil progress of things will not be made happier by its approach. The most powerful cause by which it has been retarded, is the mistake of its adherents, the air of ruggedness, brutishness and inflexibility which they have given to that which in itself is all benignity. Nothing less than this could have prevented the great mass of enquirers from bestowing upon it a patient examination. Be it the care of the now increasing advocates of equality to remove this obstacle to the success of their cause. We have but two plain duties, which, if we set out right, it is not easy to mistake. The first is an unwearied attention to the great instrument of justice, reason. We must divulge our sentiments with the utmost frankness. We must endeavour to impress them upon the minds of others. In this attempt we must give way to no discouragement. We must sharpen our intellectual weapons; add to the stock of our knowledge; be pervaded with a sense of the magnitude of our cause; and perpetually increase that calm presence of mind and self-possession.

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 feffion which muft enable us to do juftice to our principles. Our second duty is tranquillity."

Connexion between liberty and equality.

It will not be right to pafs over a question that will inevitably fuggelt itfelf to the mind of the reader. "If an equalifation of property be to take place, not by law, regulation or public inftitution, but only through the private conviction of individuals, in what manner fhall it begin?" In answering this question it is not neceffary to prove fo fimple a propofition, as that all republicanifm, all equalifation of ranks and immunities, ftrongly tends towards an equalifation of property. Thus, in Sparta this laft principle was completely admitted. In Athens the public largeffes were fo great as almoft to exempt the citizens from manual labour; and the rich and eminent only purchafed a toleration for their advantages, by the liberal manner in which they opened their ftore to the public. In Rome, agrarian laws, a wretched and ill chofen fubftitute for equality, but which grew out of the fame fpirit, were perpetually agitated. If men go on to increafe in difcernment, and this they certainly will with peculiar rapidity, when the ill-constructed governments which now retard their progrefs are removed, the fame arguments which fhewed them the injuftice of ranks, will fhew them the injuftice of one man's wanting that, which while it is in the poffeffion of another, conduces in no refpect to his well being.

Caufe of equality will

It is a common error to imagine, that this injuftice will be felt only

only by the lower orders who fuffer from it; and hence it would appear that it can only be corrected by violence. But in answer to this it may in the firft place be obferved that all fuffer from it, the rich who engrofs, as well as the poor who want. Secondly, it has been clearly fhown in the courfe of the prefent work, that men are not fo entirely governed by felf intereft as has frequently been fupposed. It has been fhown, if poffible, ftill more clearly, that the felfifh are not governed folety by fenfual gratification or the love of gain, but that the defire of eminence and diftinction is in different degrees an univerfal paffion. Thirdly and principally, the progrefs of truth is the moft powerful of all caufes. Nothing can be more absurd than to imagine that theory, in the beft fenfe of the word, is not effentially connected with practice. That which we can be perfuaded clearly and diftinctly to approve, will inevitably modify our conduct. Mind is not an aggregate of various faculties contending with each other for the maffery, but on the contrary the will is in all cafes correfpondent to the laft judgment of the underftanding. When men fhall diftinctly and habitually perceive the folly of luxury, and when their neighbours are impreffed with a fimilar difdain, it will be impoffible that they fhould purfue the means of it with the fame avidity as before.

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 perpetually advance.

It will not be difficult perhaps to trace, in the progrefs of modern Europe from barbarifm to refinement, a tendency towards the equalifation of property. In the feudal times, as

5 X

HOW

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now in India and other parts of the world, men were born to a certain station, and it was nearly impossible for a peasant to rise to the rank of a noble. Except the nobles there were no men that were rich; for commerce, either external or internal, had scarcely an existence. Commerce was one engine for throwing down this seemingly impregnable barrier, and shocking the prejudices of nobles, who were sufficiently willing to believe that their retainers were a different species of beings from themselves. Learning was another, and more powerful engine. In all ages of the church we see men of the basest origin rising to the highest eminence. Commerce proved that others could rise to wealth beside those who were cased in mail; but learning proved that the low-born were capable of surpassing their lords. The progressive effect of these ideas may easily be traced by the attentive observer. Long after learning began to unfold its powers, its votaries still submitted to those obsequious manners and servile dedications, which no man reviews at the present day without astonishment. It is but lately that men have known that intellectual excellence can accomplish its purposes without a patron. At present, among the civilised and well informed a man of slender wealth, but of great intellectual powers and a firm and virtuous mind, is constantly received with attention and deference; and his purse-proud neighbour who should attempt to treat him superciliously, is sure to be discountenanced in his usurpation. The inhabitants of distant villages, where long established prejudices are slowly destroyed, would be astonished

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astonished to see how comparatively small a share wealth has in determining the degree of attention with which men are treated in enlightened circles.

These no doubt are but slight indications. It is with morality in this respect as it is with politics. The progress is at first so slow as for the most part to elude the observation of mankind; nor can it indeed be adequately perceived but by the contemplation and comparison of events during a considerable portion of time. After a certain interval, the scene is more fully unfolded, and the advances appear more rapid and decisive. While wealth was every thing, it was to be expected that men would acquire it, though at the expence of character and integrity. Absolute and universal truth had not yet shown itself so decidedly, as to be able to enter the lists with what dazzled the eye or gratified the sense. In proportion as the monopolies of ranks and companies are abolished, the value of superfluities will not fail to decline. In proportion as republicanism gains ground, men will come to be estimated for what they are, not for what force has given, and force may take away.

Idea of its
future success.

Let us reflect for a moment on the gradual consequences of this revolution of opinion. Liberality of dealing will be among its earliest results, and of consequence accumulation will become less frequent and less enormous. Men will not be disposed, as now, to take advantage of each other's distresses, and to demand

5 X 2

a price

a price for their aid, not measured by a general standard, but by the wants of an individual. They will not consider how much they can extort, but how much it is reasonable to require. The master tradesman who employs labourers under him, will be disposed to give a more ample reward to their industry; which he is at present enabled to tax chiefly by the neutral circumstance of having provided a capital. Liberality on the part of his employer will complete in the mind of the artisan, what ideas of political justice will probably have begun. He will no longer spend the little surplus of his earnings in that dissipation, which is at present one of the principal causes that subject him to the arbitrary pleasure of a superior. He will escape from the irresolution of slavery and the fetters of despair, and perceive that independence and ease are scarcely less within his reach than that of any other member of the community. This is a natural step towards the still farther progression, in which the labourer will receive entire whatever the consumer may be required to pay, without having a middle man, an idle and useless monopoliser, as he will then be found, to fatten upon his spoils.

The same sentiments that lead to liberality of dealing, will also lead to liberality of distribution. The trader, who is unwilling to grow rich by extorting from his employer or his workmen, will also refuse to become rich by the not inferior injustice of withholding from his poor neighbour the supply he
wants.

wants. The habit which was created in the former case of being contented with moderate gains, is closely connected with the habit of being contented with slender accumulation. He that is not anxious to add to his heap, will not be reluctant by a benevolent distribution to prevent its increase. Wealth was once almost the single object of pursuit that presented itself to the gross and uncultivated mind. Various objects will hereafter divide men's attention, the love of liberty, the love of equality, the pursuits of art and the desire of knowledge. These objects will not, as now, be confined to a few, but will gradually be laid open to all. The love of liberty obviously leads to the love of man: the sentiment of benevolence will be increased, and the narrowness of the selfish affections will decline. The general diffusion of truth will be productive of general improvement; and men will daily approximate towards those views according to which every object will be appreciated at its true value. Add to which, that the improvement of which we speak is general, not individual. The progress is the progress of all. Each man will find his sentiments of justice and rectitude echoed, encouraged and strengthened by the sentiments of his neighbours. Apostacy will be made eminently improbable, because the apostate will incur, not only his own censure, but the censure of every beholder.

One remark will suggest itself upon these considerations. "If
2 Conclusion.
the

the inevitable progress of improvement insensibly lead towards an equalisation of property, what need was there of proposing it as a specific object to men's consideration?" The answer to this objection is easy. The improvement in question consists in a knowledge of truth. But our knowledge will be very imperfect so long as this great branch of universal justice fails to constitute a part of it. All truth is useful; can this truth, which is perhaps more fundamental than any, be without its benefits? Whatever be the object towards which mind spontaneously advances, it is of no mean importance to us to have a distinct view of that object. Our advances will thus become accelerated. It is a well known principle of morality, that he who proposes perfection to himself, though he will inevitably fall short of what he pursues, will make a more rapid progress, than he who is contented to aim only at what is imperfect. The benefits to be derived in the interval from a view of equalisation, as one of the great objects towards which we are tending, are exceedingly conspicuous. Such a view will strongly conduce to make us disinterested now. It will teach us to look with contempt upon mercantile speculations, commercial prosperity, and the cares of gain. It will impress us with a just apprehension of what it is of which man is capable and in which his perfection consists; and will fix our ambition and activity upon the worthiest objects. Mind cannot arrive at any great and illustrious attainment, however much the nature of mind may
carry

carry us towards it, without feeling some presages of its approach; and it is reasonable to believe that, the earlier these presages are introduced, and the more distinct they are made, the more auspicious will be the event.

F I N I S.

ERRATA.

VOL. I.

- Page 131, line 15,—*after* "quantity of wrong," *read* "and to invent a species of corporal punishment or restraint."
- P. 181, note, l. ult.,—*for* "of former times" *read* "of the ancient model."
- P. 182,—*read the side note* "from the unity of truth" *as belonging to the top of the page.*
- P. 182, l. 3 from the bottom,—*for* "purlue" *read* "prefs."
- , l. 2 from the bottom,—*for* "over whom he presided" *read* "among whom he resided."
- P. 185, 186, 187, 188, 189, running title,—*for* "OF OBEDIENCE" *read* "OF FORMS OF GOVERNMENT."
- P. 260, side note,—*read* "justice."
- P. 324, l. 4,—*read* "automatism."
- P. 330, side note,—*for* "Rapiditv" *read* "rapidity."
- P. 362, l. 15,—*for* "exceptions" *read* "exception."

VOL. II.

- P. 403, side note,—*for* "Dislike" *read* "dislike."
- P. 427, side note,—*for* "desire" *read* "desires."
- P. 471, l. 4, *for* "no reflexion" *read* "to reflexion."
- P. 503, note, l. ult.,—*for* "volume" *read* "work."
- P. 511, l. 5 from the bottom,—*for* "tranfaction" *read* "transactions"
- P. 551, l. 3 from the bottom,—*for* "understand it;" *read* "understand it,"
- P. 564, note,—*for* "Book IV, Chap. VII" *read* "Book IV, Chap. VI."
- P. 645, side note,—*for* "of libel;" *read* "of libel."
- P. 673, side note,—*read* "Reasons by which they are vindicated."
- P. 680, l. ult.,—*for* "necessity" *read* "necessity,"
- P. 706, l. 14,—*for* "look" *read* "voice."
- P. 730, l. 3 from the bottom,—*for* "domestic" *read* "municipal."
- P. 774, side note,—*for* "man;" *read* "man."
- P. 791, side note,—*for* "mean" *read* "means."
- P. 807, side note,—*after* "vice" *read* "generating."
- P. 808, side note,—*for* "The" *read* "the"
- P. 811, side note,—*read* "and the misfortunes of war."
- P. 837, side note,—*read* "or from vanity."
- P. 852, l. 10,—*for* "be known" *read* "will be known."
- P. 878, l. 3 from the bottom,—*for* "operation;" *read* "operations"
- P. 883, side note,—*for* "conduct" *read* "Conduct"

SA

DIRECTION TO THE BINDER.

The volumes are to be divided at page 379 in signature 3 C.
The tables of contents to precede the respective volumes.