

## CHAPTER III.

THE QUESTION FOR SOLUTION.  

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ALL civilised communities agree in the general fact, that legislation of some kind or other is desirable and necessary. All agree in establishing rules of action for the body politic, and all agree in enforcing those enactments by the strong arm of physical power. It cannot be denied, however, that the utmost diversity of opinion prevails on the subject of politics. Principles of the most opposite nature and tendency are professed and defended by parties of different interests, and by the people of different nations. Creeds in politics are almost as diverse as creeds in religion; and numerous as these creeds are, their professors are still further subdivided by shades of opinion, which almost exclude the possibility of classification. Practically there is no rule in politics, no common groundwork or basis on which opinions are established; and if there be in reality a science capable of being expounded, of being taught as a branch of knowledge, and of being made the rule of legislation, either it remains to be discovered, or, if already discovered, it is utterly disregarded.

It is quite evident, that if anterior to any legislation things be not altogether indifferent, there must be some principles of good and evil, of right and wrong, in which legislation ought to originate, or otherwise it ought not to exist at all. If, then, anterior to legislation, there be rules or principles of political right and duty, what are they? where are they contained? and are they invariably adhered to? But, be it observed, that if a rule or principle exist and be capable of being known, it must of necessity be a certain one, or else could not justly be taken as the basis of legislative enactment. And also a rule in its own nature is certain, for only in so far as it is certain is it a rule.

But how can we reconcile with the existence of a rule the prevailing diversity of opinion? Whence does it arise that a rule should exist and be so little known, and that it should not at once, and in all cases, be referred to as the ultimate and only measure of social right and wrong? It does exist, or legislative acts are neither right nor wrong,—a proposition which few, I apprehend, will be inclined to maintain.

Historically, however, it cannot be concealed that, except in a few rare instances, men have never legislated according to a rule. A rule is objective, something that exists outside and independently of the legislator, something that can be weighed and studied and examined by all men, something that the *intellect* can appreciate and pronounce judgment on, before the will reduces it to the form of an enactment.

When there is a rule, there is an acknowledgment of something anterior and paramount to the will of the legislator, something by which the legislator himself is bound, something that rules even the ruler, and from which he cannot lawfully depart. But when there is no rule, the *will* of the legislator is paramount; he acts, not because his judgment is convinced, but because his passions or his desires require satisfaction; and his enactments, so far from being the expression of deliberative judgment, are neither more nor less than the expression of a will that may run in one direction to-day, and in another direction to-morrow, without a guide, without a bridle, and with no other object than its own immediate gratification.\* In the relation of lord and serf we have legislation without a rule. The lord does as he pleases in the first instance, and his power is only restrained step by step after a long course of mutual

\* "The hereditary kings of Denmark and Norway shall be in effect, and ought to be esteemed by their subjects, the only supreme head on earth; they shall be above all human laws, and shall acknowledge in all ecclesiastical and civil affairs no higher power than God alone. The king shall enjoy the right of making and interpreting the laws, of abrogating, adding to, and dispensing with them. He may also annul all the laws which either he or his predecessors shall have made, excepting this royal law, which must remain irrevocable, and be considered as the fundamental law of the state. He has the power of declaring war, making peace, imposing taxes, and levying contributions of all sorts."—*Royal Law of Denmark*.

England in Henry VIII.'s time, France in the time of Louis XIV., and Russia now under the autocrat, may be considered as representing this phase of society. The present autocracy of the French Emperor is purely exceptional. France is essentially non-autocratic, although the present government is so—for a short season.

struggle, in which the serf succeeds in withdrawing portion after portion of his personal liberty from the unlicensed will of the lord. Every man who reads history must acknowledge that such has been the course of actual legislation. The rulers found themselves in a position of power, and enacted such laws as occurred to them, on any or on no principle of objective propriety. They had no rule before them to determine the just limits of legislation, and no rule to determine what legislation ought to be, even within its own legitimate limits. On some occasions they enacted laws of sterling value, which could not fail to improve the condition of society, and to restrain the evil-doer in his malpractices. On other occasions they enacted laws of the most frantic iniquity, such, in fact, as we can scarcely imagine to have emanated from the human mind. But in both cases the ultimate and only appeal was, not to the objective rule of right, but to the subjective will of the legislator or ruler, who was to all intents and purposes the lord paramount, irresponsible and accountable to none for good or for evil.

In pursuing our inquiry into the primary rule of political right, we shall not attempt to determine what laws the legislator ought to enact or to refrain from enacting, but we shall commence at an earlier period of the investigation, and endeavour to ascertain the origin of the legislator's right to enact any law whatever. The lord and the serf (and these still represent, to a certain extent, the ruler and the ruled) are for us two *men*, into whose mutual relations we

institute a rational inquiry. We have first to ask whether there ought or ought not to be any ruler whatever, before we can possibly determine the duties of the ruler's office; and this question can only be determined by an inquiry into the natural relations of men. To assume the legislator's office, and then to inquire into the propriety of certain laws, must ever leave one of the most important parts of the subject without satisfactory explanation. Besides which, there is the invariable fallacy of assuming the actual or present legislators as those who are rightfully invested with legislative power,—a question that has still to undergo discussion in more than one country of Europe.

In endeavouring to ascertain the original principles from which a right to legislate must spring before it can be legitimate, we shall naturally be led to inquire into the original rights of mankind, and to determine how much or how little is naturally inherent in the individual, for no principle can be plainer than that "the whole can contain no more than the aggregate of all its parts." When this truth is applied to societies, it teaches us that no society, no aggregate body of men, no community, no majority, can by any possibility have rights that do not exist originally and essentially in the various individuals of which the society is composed. And it is only when the rights of individuals have been ascertained on a principle that admits of no arbitrary determination, that we can proceed to inquire into the relations of those individuals when associated

into communities, and acting in a public capacity as a state or nation. Scientific knowledge consists in the knowledge of *relations*, and viewed in this light the science of politics is the science that treats of the original and immutable relations of men. But when we come to define more clearly what the particular object of politics really is, we shall immediately recognise a difficulty that does not attach to the sciences of mathematics and mechanics, inasmuch as the inquiry present to politics is not "*what is,*" but "*what ought to be done;*" and when we speak of relations that are immutable, we speak not of that natural immutability that attaches to the principles of the natural sciences, but of that moral immutability which depends on the constitution of the human mind, and obliges it to pronounce a judgment of a particular character in all ages and in all circumstances the same. When the inquiry is limited to the investigation of *what is,* we find that it is impossible to discover any conditions of matter or of men that do not fully and perfectly accord with such laws as have been already ascertained to be true. But, on the other hand, no sooner do we endeavour to discover the laws of *what ought to be,* than we find the most infinite variety of circumstances presented to our consideration, all as contrary and as contradictory as can possibly be conceived. So soon as a truth is proven in the physical sciences, no circumstance whatever can be adduced in which that truth is infringed, and no conditions of matter can be made by man in which

the proposition is not actually and invariably true. Truth in the physical sciences receives its constant illustration from the actual conditions of matter, and we cannot so arrange its circumstances that it shall not present to our view the very phenomena that accord with the *intellectual proposition* already ascertained. The mental proposition—the thought—was obtained from realities that have passed away, from real occurrences which began and terminated, it may be a century before we were born, but that thought is as true to-day as it was then, and the real occurrences of to-day *illustrate* but do not belie it. What the reason discovered to be *true* yesterday, the senses may realise to-day in the actual conditions and actual modes of operation. All the items may be dissimilar, all the substantial realities unlike, but the permanent element of truth remains, and shows phenomena shadowing forth the immutable principles of reason. Every single actuality that sense can perceive may be *not the same*, every change in the phenomena may be on a larger or a smaller scale, but the truth, the permanent *thought*, remains, and be the changes as they may, the substratum of rational assertion is *identical*. Far otherwise, however, is it with the moral sciences. Let it be granted that a proposition is demonstrated in such a manner that no possible doubt can remain concerning its absolute and necessary truth. Shall we thence infer that we can walk into the fields of nature and of society, and find its confirmation in those circumstances which can be appreciated by

the natural intellect? On the contrary, let the proposition be as true as it may, we shall find it infringed in thousands of different circumstances, because *what ought to be done* has no necessary and invariable power to determine *what is done*. In our investigation, therefore, when we speak of principles that are immutable, and of rights that are immutable, we are well aware that thousands of circumstances can be adduced in which those principles have no actual illustration, and in which those rights have no other reality than that which attaches to their demonstration. Such, however, must always be the case so long as man continues to infringe the laws of his Creator, and to erect himself into the independent judge and author of his actions. Were it permitted to carry an illustration into that better land where there is no evil and no error, it might be said that *there* every moral proposition that is *true* finds its real illustration in the actual circumstances of the ministering spirits who do His pleasure, and that no discord whatever is to be found between the intellectual perception of *what ought to be*, and the observed appreciation of *what is*. Neither let us too hopelessly conclude that the discord even here is so utterly beyond redeem, that man can do nothing to lessen it, and that he must ever remain the slave of those despotic principles of evil which have made our fair mother earth a temple of the adversary, a reeking altar of Baal on which the race of man has been offered a perpetual sacrifice. Shroud it as we will, the history of man



has been but a dreary tale, and yet it is better to hope and to struggle than to let a craven fear overwhelm us, and paralyse our efforts which (if we faint not) we have the surest ground for expecting shall yet be crowned with success.

In examining into the original and necessary relations of men, two prominent objects naturally arrest our attention—man and the earth. On the one hand, we have the race of sentient and intelligent beings who are capable of acting *justly* or *unjustly* towards each other. With them lies the question of human *liberty*, its nature, its origin, its limits (if there be any), and the form of society best suited to preserve to every man those natural *rights* which he inherits from the mere fact of his being a *man*.

On the other hand, we have the *earth*—the land, the sea, the air. This earth must be possessed, and with it lies the question of human *property*. How and on what principles is this earth to be divided and portioned out amongst its inhabitants? What is property? Whence is the concept of *property* derived?—for property is not a quality residing in the object itself that can be appreciated through the senses like colour, temperature, weight, &c. What is the just and rightful division of the land, so that no man shall possess more than he is entitled to, no man less than he is entitled to? And this not determined on an arbitrary principle of opinion, but on a principle of axiomatic reason, which either decides the question positively, or if unable to do

so, leaves a negative result, which practically is as definite so far as *right* is concerned.

Such are the questions we propose to examine in the following pages. And now for the principles on which the examination is to be conducted. Politics is a moral science. Do we therefore intend to treat it as a branch of that higher morals known as religion, and to appeal to the books of revelation for the establishment of our propositions? No.

Revelation is given to make men wise unto salvation, but not to teach men science. There is in the human mind a principle of *equity* acknowledged in its abstract form by all the communities on earth. This principle of equity is capable of investigation, it has axioms attached to it, and it produces propositions which are true *à priori*, independently of the will of any man or of any body of men whatever.

Every question has a certain number of possibilities attached to it, and no more. We may exhaust them, and one of them must necessarily be true, even although we may have no sufficient means for determining which is the true one. Let us apply this to legislation. What are the possibilities of the case?

1st, Anterior to legislation there must exist natural principles on which legislation ought to be founded; or else,—

2d, Some particular and definite form of legislation must be of divine institution and establishment; or else,—

3d, Legislation ought not to exist.

One of these must be true. The latter we shall not inquire into at present. The second is *possible*, the only objection to it is the total absence of evidence that it is true. The first is supported by the common judgment of mankind. It is true, for the anterior principles can be adduced. And it must be admitted by every man who admits legislation at all, because it is the necessary position into which every such man will come, if he is consistent with himself, and refrains from holding two contradictory propositions. But if these anterior principles exist, they can be logically investigated like the principles of any other science, quite independently of those higher truths that are more peculiarly intended to guide man in his eternal welfare. And being so considered, they are placed on the broader basis of axiomatic universality, and are laid open to the general verification of the human intellect, wherever it may be found willing to examine them.

Now, therefore, although I have the most perfect belief and conviction, that whatever is thus naturally true, is also in strict harmony with that which is revealed, or of divine communication, I do not, in the first place, intend to examine revelation, because it is as a natural science that I propose to treat the theory of politics,—as something that may be studied by the unaided intellect, as something that may be known by all men, whether they have or have not the books of revelation. There is a natural theory of political equity, quite independent of the truths of revelation, and though it cannot fail to be interesting

to study the politics of Scripture, it is of primary necessity that the politics of nature should receive that due attention, without which the sanction of revelation would too easily degenerate into theocratic tyranny and priestly domination. We learn from history, that those who based their theories too exclusively on Scripture, fell into the error of confounding sins against the Almighty with crimes against society, and animated with the best possible intentions, they did establish laws essentially tyrannical, and endeavoured to exclude from *civil* rights those who were only obnoxious to *ecclesiastical* censure or discipline. The pilgrim fathers who fled from persecution at home, and who willingly expatriated themselves in the cause of civil and religious liberty, —when they settled on the western shores of the Atlantic, endeavoured to found a *scriptural* community. And what was the result? Those very men who had maintained the cause of human rights and human liberty, who had thrown their all into the contest with the noble recklessness of the truest heroism, founded a theocratic association, and made church membership the criterion of civil privileges. The temptations to such a course were no doubt most powerful under the circumstances of their exile, but the laws were nevertheless essentially tyrannical, and brought forth the natural fruits of dissension, coupled with the hypocrisy or heresy of those who purchased their civil status by assenting to religious forms and ceremonies in which they had no real interest. The Scriptures do, no doubt, contain the best and purest

principles of political rectitude, but where is the man of so perfect judgment, and so perfect impartiality, that he can from Scripture draw the line of true demarcation between the things that man may justly take cognisance of, and the things which the Creator and Divine Judge has reserved for his own supreme disposal? Besides, even grant that the Scriptures contain the principles of right and wrong as applied to societies, it will be found on more minute examination that something more definite is required before a community can justly assume the form of a state in which one man rules and another is ruled. The Scripture sanctions no particular man, but the ruler must be a particular man; the Scripture sanctions no particular form of constitution, but the form of constitution must be a particular one. Now, who is to determine which man shall fill the ruler's office, and who is to determine what particular form of constitution shall be established in the state, and upon what principles are these to be determined? These are questions which Scripture does not answer, and does not profess to enlighten us on. They are left to the judgment of mankind, to be determined on some other principle than that of divine revelation. Scripture sanctions all good and equitable constitutions, but by no means determines the peculiar form that is most in accordance with the will of the Creator. No license is afforded in Scripture for the domination of one man over another, backed with the awful authority of eternal power and wisdom. The ruler and the ruled equally receive approbation,

so long as they act rightly in their stations; but what the particular form of that rightly is, Scripture does not trace in such minute detail as to allow any man or any body of men to assume the proposition that they have the authority of Heaven to interfere in any way whatever with their fellows. Scripture arms no man against his fellow-man, but gives the sanction of authority to every act that is just, and righteous, and benevolent, and kind and charitable, leaving it to men themselves to arrange their own forms of government, or of law, within those general limits which justice legitimately admits. No act of *injustice* receives the sanction of the Scriptures, and every act of injustice is threatened with the visitation of divine displeasure. But in the formation of a State, which necessarily involves positive enactment on the part of the community, something more is required than the mere negative prohibition of injustice, namely, the determination of what injustice is; and this *something else* must be sought for, not in the Scriptures, in the first place, but in those natural principles of equity, whose existence Scripture takes for granted when it gives its sanction to the just, and promulgates its threatenings against the unjust. Many illustrations of justice, both as applied to individuals and to communities, may be found in the books of revelation, and many valuable precepts may be gathered for the conduct of societies; but we must clearly remember, that Scripture presupposes the existence of that *justice* which it so often inculcates and sanctions, but does not originate.

From these considerations, therefore, it is evident that Scripture must be appealed to, not for the purpose of teaching us a divine science of politics, but for sanctioning and approving all such human systems as are naturally just and equitable. Tyranny, whether the tyranny of the many or the few, is equally hateful and equally reprobated in the eye of revelation. Licentiousness, which is only tyranny under another name, meets with no more favour than unbridled despotism.

If any great principle of practical application can plainly be derived from Scripture, in so general a signification as to cast aside dispute, it is that which sanctions the *supremacy of law*, making the law paramount and supreme, and holding it with the most even-handed justice over both the ruler and the ruled. In the eye of Scripture, no man is independent to act according to the dictates of his will; no man is allowed, whatever be his station, to form a code of action for himself, or to do as he pleases, merely because no other man is powerful enough to call him to account. The ruler has his boundaries which he may not lawfully overstep, whatever be his power, or whatever be his designation. The law is the objective principle of right, by which the ruler must be bound exactly in the same sense as the ruled, and no authority is given for a ruler's licentiousness any more than for the licentiousness of the subject multitude. Every forcible departure from the law of even-handed justice is licentiousness, whether it be on the part of the ruler or the ruled;

and every such departure is tyranny in its essence. What, so far as the *liberties* of a state are concerned, can be more licentious than the assumption of a right to regulate the mode in which men shall worship their Creator, and to visit with pains and penalties those who do not conform to the church by law established? And what, so far as the *property* of a state is concerned, can be more licentious than the grant of thirty or forty thousand acres of the nation's land to an individual who may happen to have performed some trifling service to the person of the king? Yet, both of these have occurred in Britain, both have received the sanction of the law, both have been publicly enforced by the strong arm of physical power, and both have been defended as justifiable actions. Now, if any political truth stand out prominently on the face of Scripture, it is that there are limits to the ruler's sphere of action which he may not lawfully overstep. He himself, whether he be represented by the person of a king, or an aristocracy, or a popular parliament, can only act rightfully within those natural limits of justice in which every man's rights are preserved to him entire, without infringement and without diminution. The ruler must have the same objective law as the ruled, and his province is merely that of the public servant, who watches over the various members of the community, and takes care that none is allowed to interfere unjustly with his neighbour. Of himself he can originate nothing that is in anywise binding upon any other man whatever, so long as it is the



mere expression of the ruler's *will*; for neither reason, nor nature, nor Scripture, do in any way whatever recognise the subjection of one man to another. The *law*, the objective rule of right, must in every case be paramount and supreme; and the ruler is only the person to whose share it falls to carry that law into just and general operation. Neither do we here intend such law as may happen to have received a form of sanction by human enactment, but that general and anterior law which every man may judge of, and which every man must recognise, whether it have or have not been promulgated by the legislator. Every State should sit in judgment on those enactments that the ruler attempts to enforce, and try them by the primary principles of equity, written in the constitution of the human mind by the finger of the Creator. If the State do this, its course is a course of liberty, becoming more and more perfect with the lapse of years. If it do not, its course is a course of slavery and degradation, of vice, and crime, and licentiousness, whose only natural termination is the tempest of revolution and bloodshed, by which the disorder of the laws of equity is for a moment superseded by the destruction of society. The circumstances of any country permit only a certain amount of injustice; if this be exceeded, society becomes disorganised, and an appeal to arms must be made as between enemies who are openly at war. This natural termination to tyranny proves, beyond a doubt, that society tends to recover the equilibrium of equity according to

certain laws of nature, which allow of disturbance only within given limits, which limits are probably determined by the amount of true knowledge that happens to be disseminated throughout a population. If the population be ignorant and superstitious, the amount of injustice to which they will submit before revolt is so great that we can scarcely say how far it may not be carried with impunity. When the population, on the contrary, is instructed, when its judgment has been cultivated, and is, to a certain degree, matured, a much less amount of legislative injustice is sufficient to fan its energies into a flame of insurrection, and to produce an appeal to those anterior principles of justice which are always forthcoming when required, though so easily forgotten and neglected when the pressing occasion has gone by. Knowledge would be far less valuable than it is, if it did not possess this constant tendency to preserve the liberties of a people. The surest of all safeguards against insurrection and popular tumult is the absence of the cause that produces them,—namely, legislative injustice. No other security can possibly be permanent; for sooner or later the equilibrium of equity must be restored. And if true liberty be the surest ground of social peace and order, knowledge and virtue are at once the most certain bases of liberty and its most certain safeguards. A virtuous and well-instructed population can scarcely be oppressed; an ignorant and vicious population neither knows nor values, nor is able to appreciate, the inestimable blessing of equitable laws

carefully administered in the single intention of the nation's welfare.

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*Notes.*—But while it is maintained that Scripture sanctions and authenticates, but *does not originate*, the principles of natural justice, it must not be forgotten that Scripture is the Word of God, a revelation from the Creator of the world and of man. And it is only because Scripture does not contain a complete system of worldly policy that we are obliged to have recourse to the axiomatic principles of equity implanted by the Creator in the constitution of the human mind. And here it is necessary to draw a distinction between the science of morals that furnishes an answer to the question, "What ought to be?" and those other abstract sciences that furnish an answer to the question, "What is?" When the human mind is engaged in the inquiry of *What is*, its convictions and its belief are determined by a law of imperious necessity, over which it has no control. It believes, and necessarily believes, according to the sufficiency of the evidence brought before it; and a *demonstrated truth* is a proposition that the human mind can by no possibility refrain from believing, so soon as it apprehends the process of the demonstration. No latitude is allowed it, no swerving to the right hand or the left; but so soon as the demonstration is understood, that moment does the mind acquire a conviction that it can neither eradicate nor alter. Revelation can produce no change here; for the demonstration, if, indeed, it be a demonstration, is complete, unalterable, and eternal; and so long as the constitution of man remains the same, the demonstrated truth must be believed, simply because no power of man can conceive its falsehood. Far otherwise, however, is it with the science of morals, that inquires, *What ought to be?* God is the moral Governor of the universe, and, as man's creator, he has the most undoubted RIGHT to establish such laws as seem to him good, and to promulgate those laws in such circumstances, and in such a manner, as seem most befitting to his wisdom and his will.

As the Scriptures, then, are a revelation from the Creator, and a declaration of his *will*, it becomes us most carefully to ascertain their contents, and to inquire, not how far do they coincide with the principles of natural equity, but how far do the principles of natural equity coincide with *them*. When it is a question of "What ought to be," the *revelation* must ever be paramount and supreme; and if actions the most contrary to every principle of *natural* justice be commanded, those actions must be performed as sacred duties, without any other inquiry,

on the part of *the created*, than a due and legitimate inquiry into the authenticity of the revelation. Neither are we to suppose this an imaginary case, or one that has not really occurred. It has occurred, and the whole history of a people was a continued assertion of God's moral supremacy to command, and of man's incumbent duty to *obey*. What could be more licentious, or more contrary to every principle of *natural justice*, than the invasion of the land of Canaan by the Hebrews, coupled, as it was, with principles of absolute extermination, to which mercy was unknown? And yet, where is the man, admitting the divine origin of Scripture, who can for a single moment call in question God's RIGHT to employ the Hebrews as the executors of his just displeasure, and thus to substitute a new law of divine command for that natural law of equity that depends on the mutual relations of mankind? And where is the man, denying the divine origin of Scripture, who does not at once assent to the abstract principle, that the obedience of the Hebrews would have been a duty, provided the revealed command was duly authenticated as coming from the Creator?

In attempting an inquiry, therefore, into the natural relations of men, it is with the fullest admission of the supremacy of Scripture. Whatever results may be arrived at, those results can only be *principles of right*, inasmuch as they contradict no portion of the written Word of God. Whatever is revealed is of primary obligation, and the results of reason hold but that secondary place that belongs to them, either from the absence of revelation or from its coincidence. Where revelation is silent, there reason may hold her legitimate domain; and where reason coincides with Scripture, there she acquires a heavenly confirmation, that sheds the halo of divine truth over the emanations of the human understanding.

Again, amid the moral precepts of the Bible, there are many that refer to the conduct of men as associated in society. Some of these are incumbent on men as *men*, and some of them are incumbent on men as *Christians*. The first contain the objective principles of human duty; the second, those peculiar principles that are given to the Christian to guide his conduct in circumstances where his judgment might be at a loss. The first would condemn tyranny and oppression, and denounce judgment against the unrighteous ruler for his iniquity. The second, on the other hand, may teach the Christian to obey even the most unrighteous ruler in all matters not forbidden by the Scriptures. The first may say, "Thou shalt not steal;" the second, "If any man take thy cloak, let him have thy coat also." We must, therefore, distinguish between the *rectitude of the action* and the *duty of the Christian*. What the Christian may be called upon to *suffer*, forms no criterion whatever of the rightfulness of

the law, or system, by which he *may* suffer. The law may be unjust, and the system bad, and yet it may be the Christian's duty to submit to both until he have the legal opportunity to procure their abrogation.

In studying the precepts of Scripture, therefore, two distinct questions are presented to our consideration. First, What is right? and, second, What is the Christian's duty? Were all men Christians, the two questions might blend more nearly into one; but since, unhappily, it is not so, they must be studied in their own separate distinctness, because an answer to the one does not necessarily furnish an answer to the other. Scripture draws the distinction, and man ought not carelessly to overlook it. Compare, on this subject, the 21st chapter of Exodus, where the *rule of right* is laid down by Almighty God, with the 5th chapter of Matthew, where the rule of the *Christian's duty* is laid down by the Saviour of mankind. The distinction between the two is essential, because the former determines the rightfulness of reciprocal action, and includes *both* parties; the latter determines only the duty of *one* party. Our Saviour never intended to teach that it was right or just, or allowable, for any man to injure a Christian, neither is it his intention to give the *law of justice*, which had already been given, but he teaches his followers that, even if they have been injured by another party, and even if that other party *have* departed from the law of justice, it is his will and pleasure that his followers should *forgive*. There is no discrepancy whatever between the two laws. The one is the law of justice, which deals *equally* with all men; the other is the law of divine benevolence, to which those who desire to be saved in and through the merits of the Redeemer are called by the Son of God. The *natural* relations of men are relations of justice, and ought to be regulated by the law of justice; but the spiritual relations of the follower of Christ are relations of benevolence, and in his personal character of a follower of Christ every man is called upon to forgive every injury freely and fully from the heart, inasmuch as this, we are explicitly informed, is one of the conditions of his own salvation. It is my firm belief that the reader of Scripture may profitably consider the three laws of benevolence (which admits into itself no injustice), of justice (which does not *include* benevolence, but *excludes* all *detriment*,—namely, the opposite of benefit), and of benefit, which does not include either justice or benevolence, but confines itself to the inquiry of what is beneficial. When these are duly considered, the *harmony* of revelation is more clearly perceived, and many passages which appear contradictory immediately range themselves into an order that exhibits them as the *different parts* of the *same system*. To make this more plain, let us take an example:—In the first place, let us

contrast the first and the third laws. Suppose I have a hundred pounds of surplus money, and many of my neighbours are poor. This money I have acquired by my own labour, and have equitably discharged all just claims that could be brought against me. Consequently it is *my own*. In *justice* I may keep it all to myself,—that is, no other person can advance a *just* claim to any portion of it whatever. But still there is another law, which no man has a right to enforce upon me, as he has a right to enforce the law of justice, but which God tells me to act on, and makes me responsible to him, and not to my fellow-creatures, for obeying or disobeying. This is the law of benevolence. I have money to spare, and my neighbours are in want. Benevolence tells me assist them, and, as I have received benefits from God, so does benevolence teach me to share my good things with the needy. Now, let us imagine that I take the most extreme view of the case, and resolve to give *the whole* of my hundred pounds away, reserving no part to myself, but trusting to my own labour for future supplies. The law of benevolence is completely satisfied. I can do no more than give the whole. But now there is another law, according to which I must still be regulated. I have satisfied *justice*, I have satisfied *benevolence*; but the question has still to be determined, *How am I to lay out my hundred pounds to the greatest advantage of my poor neighbours?* Benevolence will never teach me this; justice will never teach me this. I must therefore study the law of *benefit*. One of my poor neighbours has an indifferently shabby wardrobe, and his wife is not overstocked with blankets, petticoats, and bibs for the children. “Oh, by all means give the poor fellow a ten-pound note, and set him up decently.” Not so fast, Mr Philanthropist; perhaps I may do him more good with a ten-pound note. If I give him a new suit of clothes, and his wife a supply of blankety for the house, where is he to get another coat when this one is done? What *good* will the coat do him except keep him warm for a little while? Now, suppose I happen to know that if my poor neighbour had a pony he could earn, in the gross, six shillings a-day by carting coals, wood, and country articles into the neighbouring town, whereas, by his present work on the roads he only has seven shillings a-week, and six children to feed. The keep of the pony, and tear and wear of the cart, in a part of the country where things are cheap, will cost him 1s. 6d. a-day. Now, for £15 I can get him a pony and cart, and set him on his feet, so that he shall not only be kept warm for a while, but shall, by his own labour, earn enough to clothe, feed, and shelter himself and his family. Now, this is not a question of *benevolence*, for I have already resolved to give the whole of my money; nor of *justice*, for my poor neighbour has no *claim* to my £15, but of *benefit*. Shall I give him £10 to purchase

clothes, or shall I give him £10 to purchase a pony, and lend him £5 to procure a cart. Who cannot see the difference in the result; and who cannot see that the course of inquiry in the three laws of benefit, the lowest, justice, the middle, and benevolence, the highest, is quite distinct, and that the mind is in quite a different attitude when engaged with the different questions? If we take the three laws from the bottom upwards, we find that they give an answer to three different questions, and that the lower does not include the one above it; while the higher does include the one below it. The law of *benefit* answers the question, *What is the most efficient mode of doing good?* but it does *not* inculcate, or even suggest to a man, his duty to do good. It is purely an intellectual calculation of consequences as to how far they are or are not beneficial. The most selfish and the most unjust man may have the clearest conception of this law, and may attain to a knowledge of it that would be of great service to the benevolent.

The law of justice answers the question (not *how much* do I owe; this is a question of *fact*, not of *justice*, but), "Is there an incumbent duty on me to pay what I owe, and to abstain in all cases from injuring my neighbour?" but the law of *justice* does *not* inculcate the duty of giving money, or of giving service without a fair equivalent. The law of perfect *justice* may be carried out by a man of no benevolence. Such a man may discharge all just obligations, and may abstain from trespassing on the rights of his neighbour; but he may, at the same time, come short of the law of benevolence, and never do a charitable action from the love of God, or the love of his fellow-creatures.

The law of benevolence answers to the question, "Is there an incumbent obligation on me to share, with a willing heart, my property with my poorer neighbour, and to do him all the good in my power as occasion offers, without fee or reward?"

It will be observed, that men have a right to *enforce* the law of justice, but not to enforce the law of benevolence, because the law of justice is purely restrictive and negative, keeping every man to his own; whereas the law of benevolence is expansive and positive, and demands that a man should part with his own. The one is the law of mankind as a natural being, and ought to regulate all systems of society and associations of men. The other is the divine law given to each man for the regulation of his own personal conduct. For all actions measured by the law of justice, man is responsible to man; for all actions measured by the law of benevolence, man is responsible to God.

If any man abstain from the duties of justice, society may justly force him to attend to them; but if any man abstain entirely from the duties of benevolence, no other society than the church can justly take cognisance of his avarice. God has re-

served this case to himself, and He, in his own appointed time, will judge men according as they have done good or done evil.

Viewing these laws from the highest point and going downwards, we find that a different series of truths present themselves. Let us take the law of benevolence, and suppose it in *perfect* operation. "Love worketh no ill to his neighbour," and consequently, where benevolence is in perfect operation, there cannot be the slightest injustice; and therefore, as the absence of injustice is all that the law of justice requires, benevolence contains within itself the whole *duty* of justice. But benevolence in perfect operation is benevolence perfectly *inclined* to do good, and perfectly *enlightened* as to the most efficient means of doing it. Consequently the law of benevolence does, in its abstract form, contain the whole law of benefit, because, what is benevolence in its operation? It is the doing *good*. But how can good be done unless it be *known*? for the mere vague desire to do *something*, and the mere gratification of a propensity in the readiest way that presents itself, is totally unworthy of the name of benevolence,—the highest virtue of the Christian,—inasmuch as it may be the parting with money or service, to the absolute *detriment* of the recipient. What is *good* must be known and determined before benevolence can be *in operation*; and for this cause man requires an intellect to *know*, as well as an impulse to desire and execute. Strictly speaking, perfect benevolence is only to be found in the Deity, who, at the same moment, is infinitely good to desire, infinitely wise to know, and infinitely powerful to execute. And in the operations of the Deity there can be no doubt that the three laws of benevolence, justice, and benefit, do find a simultaneous execution in absolute perfection.

We have already said that justice does not *include* benevolence,—that is, justice may be perfect, and yet there may be the entire *absence* of benevolence. But yet justice contains within itself the law of benefit; not *necessarily*, but from the harmony which God has established between the axiomatic reason of mankind and the constitution of the external world,—a harmony that is similar to that which exists between the abstract principles of mathematics and the actually observed facts of mechanics. The pursuit of the inquiry into the law of justice is quite independent of any inquiry into the law of beneficial possession, and *vice versâ*; but it is found that the two terminate in a harmonious result, and that the abstract action called the just does invariably coincide with the concrete action called the beneficial. Had the intellect of man and the constitution of external nature not been constructed on a principle of reciprocal harmony, no science would have been possible, because the *rational calculation* would not, as now, have coincided with the observed phenomenon. Systematic truth depends not one iota more on the exist-



ence of the external phenomenon than it depends on the abstract preparation of the mind for the analysis of that phenomenon; and though this truth is sometimes thrust into the background, it forms by far the most wonderful illustration of God's wisdom that is to be found in the whole circle of created nature.