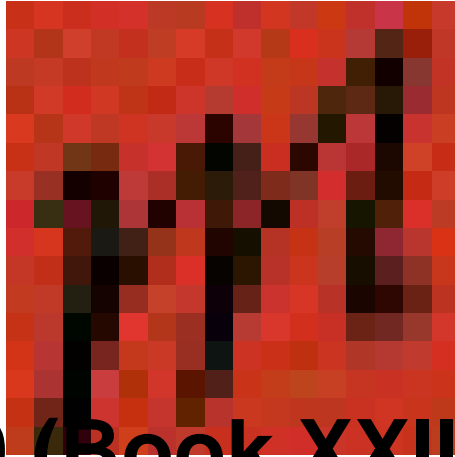


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Annex 20 (Book XXIII, chapter 5)

- The Spirit of Law - Annexes to the edition of 1758 -

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There are countries where a lawful wife enjoys in the house about the same honors as a single wife has in our part of the world ; there, the concubines' children are assumed to belong to the first wife. That is how it works in China. Filial respect [1] and the ceremony of a deep mourning are not owed to the natural mother, but to this mother who gives the law.

Aided by such a fiction, [2] there are no longer any bastard children ; and in countries where this fiction does not obtain, it is clear that the law that legitimates the concubines' children is a forced law : for it would be most of the nation that would be stigmatized by the law. Nor is it a matter in these countries of children of adultery. The separations of wives, the enclosure, the eunuchs, the bolts, make the thing so difficult that the law judges it impossible. Moreover, the same sword would exterminate the mother and the child.

[1] Father du Halde, vol. II, p. 124.

[2] Women are divided into large and small, legitimate or not ; but there is no similar distinction among the children. That is the great doctrine of the empire ; it is said in a great Chinese work on morality translated by the same Father Du Halde, p. 140.