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XXIV.13 On inexpiable crimes

- The Spirit of Law - Book XXIV. On laws in their relation with religion, considered in its doctrines and in itself -

Date de mise en ligne : vendredi 7 septembre 2018

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XXIV.13 On inexpiable crimes

It seems from a passage in the books of the pontiffs reported by Cicero [1] that the Romans had inexpiable crimes, [2] and it is on them that Zosimus bases his narrative, so apt to impugn the motives of Constantine's conversion, and Julian his bitter sarcasm about that same conversion in his *Cæsars*. [3]

Pagan religion, which forbade only a few gross crimes, which halted the hand and left the heart alone, could have inexpiable crimes ; but a religion that encompasses all the passions, which is not more jealous of acts than of desires and thoughts, which keeps us attached not by a few chains but by innumerable threads, which leaves human justice behind and commences another justice made to lead constantly from repentance to love and from love to repentance, which places between judge and criminal a great mediator, between the just and the mediator a great judge : such a religion ought not to have inexpiable crimes. But although it gives fears and hopes to all, it makes it clear enough that if there is no crime which by its nature is inexpiable, yet a whole life can be ; that it would be very dangerous to torment mercy with more crimes and more expiations ; that uneasy over old debts, never settled with the Lord, we must fear contracting new ones, filling the measure, and reaching the limit where paternal kindness comes to an end.

[1] Book II of *Laws*.

[2] *Sacrum commissum, quod neque expiari poterit, impie commissum est ; quod expiari poterit publici sacerdotes expiando.*

[3] [Emperor Julian "the apostate," *Cæsares*, 362 CE.]