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**XXVI.19 That one must not  
decide by civil laws things that  
must be decided by domestic  
laws**

- The Spirit of Law - Book XXVI. On laws in the relation they must have with the order of things on which they bear -  
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## **XXVI.19 That one must not decide by civil laws things that must be decided by domestic laws**

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The law of the Visigoths required slaves to bind the man and woman they caught in adultery, and to present them to the husband and to the judge [1] : a fearsome law, which placed the enforcement of public, domestic, and individual vengeance in the hands of those baseborn persons !

This law would be good only in Oriental seraglios, where the slave who is in charge of the harem is at fault the moment there is a fault. He arrests the criminals less to have them judged than to have himself judged, and obtain from an inquiry into the circumstances of the act whether the suspicion of his negligence can be overlooked.

But in countries where the women are not guarded, it is mad for the civil law to subject them, who govern the house, to inquisition by their slaves.

That inquisition could be, in certain cases at the very most, an individual domestic law, and never a civil law.

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[1] *Lex Visigothorum*, book III, tit. 4, §6.