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# I.1 On law in its relation to various beings

- The Spirit of Law - Book I. On law in general -

Date de mise en ligne : lundi 20 août 2018

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Laws, in the broadest sense, are the necessary relations which derive from the nature of things ; and in this sense all beings have their laws : the deity has its laws, [1] the material world has its laws, intelligences higher than man have their laws, beasts have their laws, man has his laws.

Those who have said that *a blind fate has produced all the effects that we see in the world* have uttered a great absurdity ; for what greater absurdity is there than a blind fate that had produced intelligent beings ?

There is therefore a primordial reason ; and laws are the relations that exist between it and the different beings, and the relations of those various beings to each other.

God has a relationship with the universe as creator and as preserver ; the laws by which he created are those by which he preserves ; he acts according to those rules because he knows them ; he knows them, because he made them ; he made them, because they have a relationship with his wisdom and might.

As we see that the world, formed by the movement of matter, and lacking intelligence, ever subsists, its movements must have invariable laws ; and if we could imagine a world different from this one, it would have constant rules, or it would be destroyed.

Thus creation, which appears to be an arbitrary act, supposes rules as invariable as the fatality of atheists. It would be absurd to say that the creator could govern the world without those rules, because the world would not subsist without them.

Those rules are a continually established relationship. Between one body in motion and another body in motion, it is in accordance with relations of mass and velocity that all movements are absorbed, increased, diminished, or lost : every diversity is *uniformity* ; every change is *constancy*.

Individual intelligent beings can have laws they have made ; but they also have some which they have not made. Intelligent beings, before they existed, were possible ; they therefore had possible relations, and consequently possible laws. Before any laws had been made, there were possible relations of justice. To say that there is nothing just or unjust but what specific laws ordain or forbid is to say that until a circle had been drawn all radii were not equal.

We must therefore allow relations of equity prior to the specific law that establishes them ; as for example, supposing there were societies of men, it would be just to follow their laws ; that if there were intelligent beings who had received some benefit from another being, they ought to have some gratitude for it ; that if an intelligent being had created an intelligent being, the created one ought to remain in the dependency it has been in since its origin ; that an intelligent being who has done harm to an intelligent being deserves to incur the same harm ; and so forth.

But the intelligent world is far from being governed as well as the physical world. For though it too has laws which by their nature are invariable, it does not follow them constantly as the physical world follows its own laws. The reason for this is that individual intelligent beings are limited by their nature, and consequently subject to error ; and on the other hand, it is in their nature to act by themselves. Therefore they do not constantly follow their primordial laws, nor do they always follow even those they have given themselves.

We do not know whether beasts are governed by the general laws of movement, or by a particular motion. However that may be, they do not have a more intimate relation with God than the rest of the material world ; and feeling is of use to them only in the relationship they have amongst themselves, either with other individual beings, or with themselves.

By the attraction of pleasure they preserve their individual being, and by the same attraction they preserve their

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species. They have natural laws because they are united by feeling ; they have no specific laws, because they are not united by consciousness. Nevertheless they do not invariably follow their natural laws : plants, in which we observe neither consciousness nor feeling, follow them better.

Beasts have not the supreme advantages we have, but they have some which we have not. They do not have our hopes, nor do they have our fears ; they experience death as we do, but without knowing it ; most of them even preserve themselves better than we do, and do not make such a poor use of their passions.

Man, as a physical being, is like other bodies governed by invariable laws. As an intelligent being, he is forever violating the laws which God has established, and he changes those which he himself establishes. He must determine his conduct, and yet he is a limited being, he is subject to ignorance and error like all finite intelligences ; additionally he loses, as a sensitive creature, what feeble knowledge he has : he becomes subject to a thousand passions. Such a being could at every moment forget his creator ; God has called him back to himself through the laws of religion. Such a being could at every moment forget himself ; philosophers have warned him through the laws of morality. Made to live in society, he could forget others ; legislators have restored him to his duties through political and civil laws.

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[1] The law, says Plutarch, is the queen of all mortals and immortals : in the treatise "That it is required of a prince that he be a scholar."