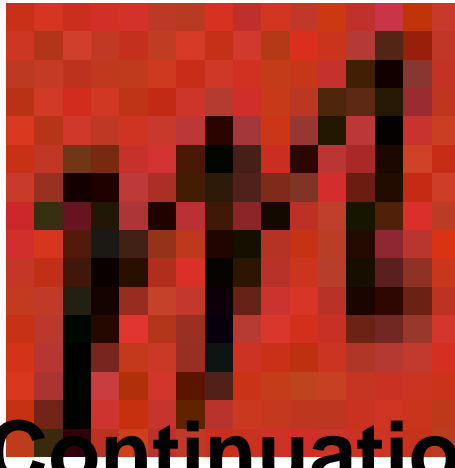


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XXIX.2 Continuation of the same subject

- The Spirit of Law - Book XXIX. On the manner of composing laws -

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XXIX.2 Continuation of the same subject

Cecilius, in Aulus Gellius, [1] discoursing on the law of the Twelve Tables, which allowed the creditor to cut the insolvent debtor into pieces, justifies it by its very atrocity, which prevented people from borrowing beyond their means. [2] Will the cruellest laws then be the best ones ? The good will be excess, and all the relationships of things destroyed ?

[1] Book XX, ch. i.

[2] Cecilius says that he has never seen nor read that this penalty had been inflicted, but it seems likely it was never instituted ; the opinion of some jurisconsults that the law of the Twelve Tables addressed only the division of the price of the sale of the debtor is very plausible.