Part II  Of justice and injustice

1 Justice, whether a natural or artificial virtue?

I have already hinted, that our sense of every kind of virtue is not natural; but that there are some virtues, that produce pleasure and approbation by means of an artifice or contrivance, which arises from the circumstances and necessity of mankind. Of this kind I assert justice to be; and shall endeavour to defend this opinion by a short, and I hope, convincing argument, before I examine the nature of the artifice, from which the sense of that virtue is derived.

It is evident, that when we praise any actions, we regard only the motives that produced them, and consider the actions as signs or indications of certain principles in the mind and temper. The external performance has no merit. We must look within to find the moral quality. This we cannot do directly; and therefore fix our attention on actions, as on external signs. But these actions are still considered as signs; and the ultimate object of our praise and approbation is the motive, that produced them.

After the same manner, when we require any action, or blame a person for not performing it, we always suppose, that one in that situation should be influenced by the proper motive of that action, and we esteem it vicious in him to be regardless of it. If we find, upon enquiry, that the virtuous motive was still powerful over his breast, though checked in its operation by some circumstances unknown to us, we retract our blame, and have the same esteem for him, as if he had actually performed the action, which we require of him.

It appears, therefore, that all virtuous actions derive their merit only from virtuous motives, and are considered merely as signs of those motives. From this principle I conclude, that the first virtuous motive, which bestows a merit on any action, can never be a regard to the virtue of that action. but must be some other natural motive or principle. To suppose, that the mere regard to the virtue of the action. may be the first motive, which produced the action, and rendered it virtuous, is to reason in a circle. Before we can have such a regard, the action must be really virtuous; and this virtue must be derived from some virtuous motive: And consequently the virtuous motive must be different from the regard to the virtue of the action. A virtuous motive is requisite to render an action virtuous. An action must be virtuous, before we can have a regard to its virtue. Some virtuous motive, therefore, must be antecedent to that regard.

Nor is this merely a metaphysical subtlety; but enters into all our reasonings in common life, though perhaps we may not be able to place it in such distinct philosophical terms. We blame a father for neglecting his child. Why? because it shews a want of natural affection, which is the duty of every parent. Were not natural affection a duty, the care of children could not be a duty; and it would be impossible we could have the duty in our eye in the attention we give to our offspring. In this case, therefore, all men suppose a motive to the action distinct from a sense of duty.
Here is a man, that does many benevolent actions; relieves the distressed, comforts the afflicted, and extends his bounty even to the greatest strangers. No character can be more amiable and virtuous. We regard these actions as proofs of the greatest humanity. This humanity bestows a merit on the actions. A regard to this merit is, therefore, a secondary consideration, and derived from the antecedent principle of humanity, which is meritorious and laudable.

In short, it may be established as an undoubted maxim, that no action can be virtuous, or morally good, unless there be in human nature some motive to produce it, distinct from the sense of its morality.

But may not the sense of morality or duty produce an action, without any other motive? I answer, But this is no objection to the present doctrine. When any virtuous motive or principle is common in human nature, a person, who feels his heart devoid of that motive, may hate himself upon that account, and may perform the action without the motive, from a certain sense of duty, in order to acquire by practice, that virtuous principle, or at least, to disguise to himself, as much as possible, his want of it. A man that really feels no gratitude in his temper, is still pleased to perform grateful actions, and thinks he has, by that means, fulfilled his duty. Actions are at first only considered as signs of motives: But it is usual, in this case, as in all others, to fix our attention on the signs, and neglect, in some measure, the thing signified. But though, on some occasions, a person may perform an action merely out of regard to its moral obligation, yet still this supposes in human nature some distinct principles, which are capable of producing the action, and whose moral beauty renders the action meritorious.

Now to apply all this to the present case: I suppose a person to have lent me a sum of money, on condition that it be restored in a few days; and also suppose, that after the expiration of the term agreed on, he demands the sum: I ask, What reason or motive have I to restore the money? It will, perhaps, be said, that my regard to justice, and abhorrence of villainy and knavery, are sufficient reasons for me, if I have the least grain of honesty, or sense of duty and obligation. And this answer, no doubt, is just and satisfactory to man in his civilized state, and when trained up according to a certain discipline and education. But in his rude and more natural condition, if you are pleased to call such a condition natural, this answer would be rejected as perfectly unintelligible and sophistical. For one in that situation would immediately ask you, Wherein consists this honesty and justice, which you find in restoring a loan, and abstaining from the property of others? It does not surely lie in the external action. It must, therefore be placed in the motive, from which the external action is derived. This motive can never be a regard to the honesty of the action. For it is a plain fallacy to say, that a virtuous motive is requisite to render an action honest, and at the same time that a regard to the honesty is the motive of the action. We can never have a regard to the virtue of an action, unless the action be antecedently virtuous. No action can be virtuous, but so far as it proceeds from a virtuous motive. A virtuous motive, therefore, must precede the regard to the virtue, and it is impossible, that the virtuous motive and the regard to the virtue can be the same.

requisite, then, to find some motive to acts of justice and honesty, distinct from our regard to the honesty; and in this lies the great difficulty. For should we say, that a concern for our private interest or reputation is the legitimate motive to all honest actions; it would follow, that wherever that concern ceases, honesty can no longer have place. But it is certain, that self-love, when it acts at its liberty, instead of engaging us to honest actions, is the source of all injustice and violence; nor can a man ever correct those vices, without correcting and restraining the natural movements of that appetite.

But should it be affirmed, that the reason or motive of such actions is the regard to public interest, to which nothing is more contrary than examples of injustice and dishonesty; should this be said, I would propose the three following considerations, as worthy of our attention. First, public interest is not naturally attached to the observation of the rules of justice; but is only connected with it, after an artificial convention for the establishment of these rules, as shall be shewn more at large hereafter. Secondly, if we suppose, that the loan was secret, and that it is necessary for the interest of the person, that the money be restored in the same manner (as when the lender would conceal his
riches) in that case the example ceases, and the public is no longer interested in the actions of the borrower; though I suppose there is no moralist, who will affirm, that the duty and obligation ceases. Thirdly, experience sufficiently proves, that men, in the ordinary conduct of life, look not so far as the public interest, when they pay their creditors, perform their promises, and abstain from theft, and robbery, and injustice of every kind. That is a motive too remote and too sublime to affect the generality of mankind, and operate with any force in actions so contrary to private interest as are frequently those of justice and common honesty.

In general, it may be affirmed, that there is no such passion in human minds, as the love of mankind, merely as such, independent of personal qualities, of services, or of relation to ourself. It is true, there is no human, and indeed no sensible, creature, whose happiness or misery does not, in some measure, affect us when brought near to us, and represented in lively colours: But this proceeds merely from sympathy, and is no proof of such an universal affection to mankind, since this concern extends itself beyond our own species. An affection between the sexes is a passion evidently implanted in human nature; and this passion not only appears in its peculiar symptoms, but also in inflaming every other principle of affection, and raising a stronger love from beauty, wit, kindness, than what would otherwise flow from them. Were there an universal love among all human creatures, it would appear after the same manner. Any degree of a good quality would cause a stronger affection than the same degree of a bad quality would cause hatred; contrary to what we find by experience. Men’s tempers are different, and some have a propensity to the tender, and others to the rougher, affections: But in the main, we may affirm, that man in general, or human nature, is nothing but the object both of love and hatred, and requires some other cause, which by a double relation of impressions and ideas, may excite these passions. In vain would we endeavour to elude this hypothesis. There are no phaenomena that point out any such kind affection to men, independent of their merit, and every other circumstance. We love company in general; but it is as we love any other amusement. An Englishman in Italy is a friend: A Europaean in China; and perhaps a man would be beloved as such, were we to meet him in the moon. But this proceeds only from the relation to ourselves; which in these cases gathers force by being confined to a few persons.

If public benevolence, therefore, or a regard to the interests of mankind, cannot be the original motive to justice, much less can private benevolence, or a regard to the interests of the party concerned, be this motive. For what if he be my enemy, and has given me just cause to hate him? What if he be a vicious man, and deserves the hatred of all mankind? What if he be a miser, and can make no use of what I would deprive him of? What if he be a profligate debauchee, and would rather receive harm than benefit from large possessions? What if I be in necessity, and have urgent motives to acquire something to my family? In all these cases, the original motive to justice would fail; and consequently the justice itself, and along with it all property, tight, and obligation.

A man’s property is supposed to be fenced against every mortal, in every possible case. But private benevolence is, and ought to be, weaker in some persons, than in others: And in many, or indeed in most persons, must absolutely fail. Private benevolence, therefore, is not the original motive of justice.
From all this it follows, that we have no real or universal motive for observing the laws of equity, but the very equity and merit of that observance; and as no action can be equitable or meritorious, where it cannot arise from some separate motive, there is here an evident sophistry and reasoning in a circle. Unless, therefore, we will allow, that nature has established a sophistry, and rendered it necessary and unavoidable, we must allow, that the sense of justice and injustice is not derived from nature, but arises artificially, though necessarily from education, and human conventions.

I shall add, as a corollary to this reasoning, that since no action can be laudable or blameable, without some motives or impelling passions, distinct from the sense of morals, these distinct passions must have a great influence on that sense. according to their general force in human nature, that we blame or praise. In judging of the beauty of animal bodies, we always carry in our eye the oeconomy of a certain species; and where the limbs and features observe that proportion, which is common to the species, we pronounce them handsome and beautiful. In like manner we always consider the natural and usual force of the passions, when we determine concerning vice and virtue; and if the passions depart very much from the common measures on either side, they are always disapproved as vicious. A man naturally loves his children better than his nephews, his nephews better than his cousins, his cousins better than strangers, where every thing else is equal. Hence arise our common measures of duty, in preferring the one to the other. Our sense of duty always follows the common and natural course of our passions.

To avoid giving offence, I must here observe, that when I deny justice to be a natural virtue, I make use of the word, natural, only as opposed to artificial. In another sense of the word; as no principle of the human mind is more natural than a sense of virtue; so no virtue is more natural than justice. Mankind is an inventive species; and where an invention is obvious and absolutely necessary, it may as properly be said to be natural as any thing that proceeds immediately from original principles, without the intervention of thought or reflection. Though the rules of justice be artificial, they are not arbitrary. Nor is the expression improper to call them Laws of Nature; if by natural we understand what is common to any species, or even if we confine it to mean what is inseparable from the species.

2 Of the origin of justice and property

We now proceed to examine two questions, viz, concerning the manner, in which the rules of justice are established by the artifice of men; and concerning the reasons, which determine us to attribute to the observance or neglect of these rules a moral beauty and deformity. These questions will appear afterwards to be distinct. We shall begin with the former.

Of all the animals, with which this globe is peopled, there is none towards whom nature seems, at first sight, to have exercised more cruelty than towards man, in the numberless wants and necessities, with which she has loaded him, and in the slender means, which she affords to the relieving these necessities. In other creatures these two particulars generally compensate each other. If we consider the lion as a voracious and carnivorous animal, we shall easily discover him to be very necessitous; but if we turn our eye to his make and temper, his agility, his courage, his arms, and his force, we shall find, that his advantages hold proportion with his wants. The sheep and ox are deprived of all these advantages; but their appetites are moderate, and their food is of easy purchase. In man alone, this unnatural conjunction of infirmity, and of necessity, may be observed in its greatest perfection. Not only the food, which is required for his sustenance, flies his search and approach, or at least requires his labour to be produced, but he must be possessed of cloaths and lodging, to defend him against the injuries of the weather; though to consider him only in himself, he is provided neither with arms, nor force, nor other natural abilities, which are in any degree answerable to so many necessities.

It is by society alone he is able to supply his defects, and raise himself up to an equality with his fellow-creatures, and even acquire a superiority above them. By society all his infirmities are compensated; and though in that situation his wants multiply every moment upon
him, yet his abilities are still more augmented, and leave him in every respect more satisfied and happy, than it is possible for him, in his savage and solitary condition, ever to become. When every individual person labours a-part, and only for himself, his force is too small to execute any considerable work; his labour being employed in supplying all his different necessities, he never attains a perfection in any particular art; and as his force and success are not at all times equal, the least failure in either of these particulars must be attended with inevitable ruin and misery. Society provides a remedy for these three inconveniences. By the conjunction of forces, our power is augmented: By the partition of employments, our ability encreases: And by mutual succour we are less exposed to fortune and accidents. It is by this additional force, ability, and security, that society becomes advantageous.

But in order to form society, it is requisite not only that it be advantageous, but also that men be sensible of these advantages; and it is impossible, in their wild uncultivated state, that by study and reflection alone, they should ever be able to attain this knowledge. Most fortunately, therefore, there is conjoined to those necessities, whose remedies are remote and obscure, another necessity, which having a present and more obvious remedy, may justly be regarded as the first and original principle of human society. This necessity is no other than that natural appetite between the sexes, which unites them together, and preserves their union, till a new tye takes place in their concern for their common offspring. This new concern becomes also a principle of union between the parents and offspring, and forms a more numerous society; where the parents govern by the advantage of their superior strength and wisdom, and at the same time are restrained in the exercise of their authority by that natural affection, which they bear their children. In a little time, custom and habit operating on the tender minds of the children, makes them sensible of the advantages, which they may reap from society, as well as fashions them by degrees for it, by rubbing off those rough corners and untoward affections, which prevent their coalition.

For it must be confest, that however the circumstances of human nature may render an union necessary, and however those passions of lust and natural affection may seem to render it unavoidable; yet there are other particulars in our natural temper, and in our outward circumstances, which are very incommodious, and are even contrary to the requisite conjunction. Among the former, we may justly esteem our selfishness to be the most considerable. I am sensible, that generally speaking, the representations of this quality have been carried much too far; and that the descriptions, which certain philosophers delight so much to form of mankind in this particular, are as wide of nature as any accounts of monsters, which we meet with in fables and romances. So far from thinking, that men have no affection for any thing beyond themselves, I am of opinion, that though it be rare to meet with one, who loves any single person better than himself; yet it is as rare to meet with one, in whom all the kind affections, taken together, do not overbalance all the selfish. Consult common experience: Do you not see, that though the whole expence of the family be generally under the direction of the master of it, yet there are few that do not bestow the largest part of their fortunes on the pleasures of their wives, and the education of their children, reserving the smallest portion for their own proper use and entertainment. This is what we may observe concerning such as have those endearing ties; and may presume, that the case would be the same with others, were they placed in a like situation.

But though this generosity must be acknowledged to the honour of human nature, we may at the same time remark, that so noble an affection, instead of fitting men for large societies, is almost as contrary to them, as the most narrow selfishness. For while each person loves himself better than any other single person, and in his love to others bears the greatest affection to his relations and acquaintance, this must necessarily produce an opposition of passions, and a consequent opposition of actions; which cannot but be dangerous to the new-established union.

It is however worth while to remark, that this contrariety of passions would be attended with but small danger, did it not concur with a peculiarity in our outward circumstances, which affords it an opportunity of exerting itself. There are different species of goods, which we are possessed of; the internal satisfaction of our minds, the external advan-
tages of our body, and the enjoyment of such possessions as we have acquired by our industry and good fortune. We are perfectly secure in the enjoyment of the first. The second may be ravished from us, but can be of no advantage to him who deprives us of them. The last only are both exposed to the violence of others, and may be transferred without suffering any loss or alteration; while at the same time, there is not a sufficient quantity of them to supply every one’s desires and necessities. As the improvement, therefore, of these goods is the chief advantage of society, so the instability of their possession, along with their scarcity, is the chief impediment.

In vain should we expect to find, in uncultivated nature, a remedy to this inconvenience; or hope for any inartificial principle of the human mind, which might controul those are remote and obscure, another necessity, which having a present and more obvious remedy, may justly be regarded as the first and original principle of human society. This necessity is no other than that natural appetite between the sexes, which unites them together, and preserves their union, till a new tye takes place in their concern for their common offspring. This new concern becomes also a principle of union between the parents and offspring, and forms a more numerous society; where the parents govern by the advantage of their superior strength and wisdom, and at the same time are restrained in the exercise of their authority by that natural affection, which they bear their children. In a little time, custom and habit operating on the tender minds of the children, makes them sensible of the advantages, which they may reap from society, as well as fashions them by degrees for it, by rubbing off those rough corners and untoward affections, which prevent their coalition.

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It is however worth while to remark that this contrariety of passions would be attended with but small danger did it not concur with a peculiarity in our outward circumstances, which affords it an opportunity of exerting itself. There are different species of goods, which we are possessed of; the internal safaction of our minds, the external advantages of our body, and the enjoyment of such possessions as we have acquired by our industry and good fortune. We are perfectly secure in the enjoyment of the first. The second may be ravished from us, but can be of no advantage to him who deprives us of them. The last only are both exposed to the violence of others, and may be transferred without suffering any loss or alteration; while at the same time, there
is not a sufficient quantity of them to supply every one’s desires and necessities. As the improvement, therefore, of these goods is the chief advantage of society, so the instability of their possession, along with their scarcity, is the chief impediment.

In vain should we expect to find, in uncultivated nature, a remedy to this inconvenience; or hope for any inartificial principle of the human mind, which might controul those partial affections, and make us overcome the temptations arising from our circumstances. The idea of justice can never serve to this purpose, or be taken for a natural principle, capable of inspiring men with an equitable conduct towards each other. That virtue, as it is now understood, would never have been dreamed of among rude and savage men. For the notion of injury or injustice implies an immorality or vice committed against some other person: And as every immorality is derived from some defect or un-soundness of the passions, and as this defect must be judged of, in a great measure, from the ordinary course of nature in the constitution of the mind; ‘twill be easy to know, whether we be guilty of any immorality, with regard to others, by considering the natural, and usual force of those several affections, which are directed towards them. Now it appears, that in the original frame of our mind, our strongest attention is confined to ourselves; our next is extended to our relations and acquaintance; and it is only the weakest which reaches to strangers and indifferent persons. This partiality, then, and unequal affection, must not only have an influence on our behaviour and conduct in society, but even on our ideas of vice and virtue; so as to make us regard any remarkable transgression of such a degree of partiality, either by too great an enlargement, or contraction of the affections, as vicious and immoral. This we may observe in our common judgments concerning actions, where we blame a person, who either centers all his affections in his family, or is so regardless of them, as, in any opposition of interest, to give the preference to a stranger, or mere chance acquaintance. From all which it follows, that our natural uncultivated ideas of morality, instead of providing a remedy for the partiality of our affections, do rather conform themselves to that partiality, and give it an additional force and influence.

The remedy, then, is not derived from nature, but from artifice; or more properly speaking, nature provides a remedy in the judgment and understanding, for what is irregular and incommodious in the affections. For when men, from their early education in society, have become sensible of the infinite advantages that result from it, and have besides acquired a new affection to company and conversation; and when they have observed, that the principal disturbance in society arises from those goods, which we call external, and from their looseness and easy transition from one person to another; they must seek for a remedy by putting these goods, as far as possible, on the same footing with the fixed and constant advantages of the mind and body. This can be done after no other manner, than by a convention entered into by all the members of the society to bestow stability on the possession of those external goods, and leave every one in the peaceable enjoyment of what he may acquire by his fortune and industry. By this means, every one knows what he may safely possess; and the passions are restrained in their partial and contradictory motions. Nor is such a restraint contrary to these passions; for if so, it could never be entered into, nor maintained; but it is only contrary to their heedless and impetuous movement. Instead of departing from our own interest, or from that of our nearest friends, by abstaining from the possessions of others, we cannot better consult both these interests, than by such a convention; because it is by that means we maintain society, which is so necessary to their well-being and subsistence, as well as to our own.

This convention is not of the nature of a promise: For even promises themselves, as we shall see afterwards, arise from human conventions. It is only a general sense of common interest; which sense all the members of the society express to one another, and which induces them to regulate their conduct by certain rules. I observe, that it will be for my interest to leave another in the possession of his goods, provided he will act in the same manner with regard to me. He is sensible of a like interest in the regulation of his conduct. When this common sense of interest is mutually expressed, and is known to both, it produces a suitable resolution and behaviour. And this may properly enough be called a convention or agreement between us, though without the
interposition of a promise; since the actions of each of us have a reference to those of the other, and are performed upon the supposition, that something is to be performed on the other part. Two men, who pull the oars of a boat, do it by an agreement or convention, though they have never given promises to each other. Nor is the rule concerning the stability of possession the less derived from human conventions, that it arises gradually, and acquires force by a slow progression, and, by our repeated experience of the inconveniences of transgressing it. On the contrary, this experience assures us still more, that the sense of interest has become common to all our fellows, and gives us a confidence of the future regularity of their conduct: And it is only on the expectation of this, that our moderation and abstinence are founded. In like manner are languages gradually established by human conventions without any promise. In like manner do gold and silver become the common measures of exchange, and are esteemed sufficient payment for what is of a hundred times their value.

After this convention, concerning abstinence from the possessions of others, is entered into, and every one has acquired a stability in his possessions, there immediately arise the ideas of justice and injustice; as also those of property, right, and obligation. The latter are altogether unintelligible without first understanding the former. Our property is nothing but those goods, whose constant possession is established by the laws of society; that is, by the laws of justice. Those, therefore, who make use of the words property, or right, or obligation, before they have explained the origin of justice, or even make use of them in that explication, are guilty of a very gross fallacy, and can never reason upon any solid foundation. A man’s property is some object related to him. This relation is not natural, but moral, and founded on justice. very preposterous, therefore, to imagine, that we can have any idea of property, without fully comprehending the nature of justice, and shewing its origin in the artifice and contrivance of man. The origin of justice explains that of property. The same artifice gives rise to both. As our first and most natural sentiment of morals is founded on the nature of our passions, and gives the preference to ourselves and friends, above strangers; it is impossible there can be naturally any such thing as a fixed right or property, while the opposite passions of men impel them in contrary directions, and are not restrained by any convention or agreement.

No one can doubt, that the convention for the distinction of property, and for the stability of possession, is of all circumstances the most necessary to the establishment of human society, and that after the agreement for the fixing and observing of this rule, there remains little or nothing to be done towards settling a perfect harmony and concord. All the other passions, besides this of interest, are either easily restrained, or are not of such pernicious consequence, when indulged. Vanity is rather to be esteemed a social passion, and a bond of union among men. Pity and love are to be considered in the same light. And as to envy and revenge, though pernicious, they operate only by intervals, and are directed against particular persons, whom we consider as our superiors or enemies. This avidity alone, of acquiring goods and possessions for ourselves and our nearest friends, is insatiable, perpetual, universal, and directly destructive of society. There scarce is any one, who is not actuated by it; and there is no one, who has not reason to fear from it, when it acts without any restraint, and gives way to its first and most natural movements. So that upon the whole, we are to esteem the difficulties in the establishment of society, to be greater or less, according to those we encounter in regulating and restraining this passion.

It is certain, that no affection of the human mind has both a sufficient force, and a proper direction to counterbalance the love of gain, and render men fit members of society, by making them abstain from the possessions of others. Benevolence to strangers is too weak for this purpose; and as to the other passions, they rather inflame this avidity, when we observe, that the larger our possessions are, the more ability we have of gratifying all our appetites. There is no passion, therefore, capable of controlling the interested affection, but the very affection itself, by an alteration of its direction. Now this alteration must necessarily take place upon the least reflection; since it is evident, that the passion is much better safed by its restraint, than by its liberty, and that in preserving society, we make much greater advances in the ac-
quiring possessions, than in the solitary and forlorn condition, which
must follow upon violence and an universal licence. The question,
therefore, concerning the wickedness or goodness of human nature,
enters not in the least into that other question concerning the origin
of society; nor is there any thing to be considered but the degrees of
men’s sagacity or folly. For whether the passion of self-interest be es-
teed vicious or virtuous, it is all a case; since itself alone restrains it:
So that if it be virtuous, men become social by their virtue; if vicious,
their vice has the same effect.

Now as it is by establishing the rule for the stability of possession,
that this passion restrains itself; if that rule be very abstruse, and of
difficult invention; society must be esteemed, in a manner, accidental,
and the effect of many ages. But if it be found, that nothing can be
more simple and obvious than that rule; that every parent, in order to
preserve peace among his children, must establish it; and that these
first rudiments of justice must every day be improved, as the society
enlarges: If all this appear evident, as it certainly must, we may con-
clude, that it is utterly impossible for men to remain any considerable
time in that savage condition, which precedes society; but that his very
first state and situation may justly be esteemed social. This, however,
hinders not, but that philosophers may, if they please, extend their rea-
soning to the supposed state of nature; provided they allow it to be a
mere philosophical fiction, which never had, and never could have any
reality. Human nature being composed of two principal parts, which
are requisite in all its actions, the affections and understanding; it is
certain, that the blind motions of the former, without the direction of
the latter, incapacitate men for society: And it may be allowed us to
consider separately the effects, that result from the separate operations
of these two component parts of the mind. The same liberty may be
permitted to moral, which is allowed to natural philosophers; and it is
very usual with the latter to consider any motion as compounded and
consisting of two parts separate from each other, though at the same
time they acknowledge it to be in itself un compounded and insepara-
ble.

This state of nature, therefore, is to be regarded as a mere fiction, not
unlike that of the golden age, which poets have invented; only with this
difference, that the former is described as full of war, violence and in-
justice; whereas the latter is pointed out to us, as the most charming
and most peaceable condition, that can possibly be imagined. The sea-
sons, in that first age of nature, were so temperate, if we may believe
the poets, that there was no necessity for men to provide themselves
with cloaths and houses as a security against the violence of heat and
cold. The rivers flowed with wine and milk: The oaks yielded honey;
and nature spontaneously produced her greatest delicacies. Nor were
these the chief advantages of that happy age. The storms and tem-
pests were not alone removed from nature; but those more furious tem-
pests were unknown to human breasts, which now cause such uproar,
and engender such confusion. Avarice, ambition, cruelty, selfishness,
were never heard of: Cordial affection, compassion, sympathy, were
the only movements, with which the human mind was yet acquainted.
Even the distinction of mine and thine was banished from that happy
race of mortals, and carried with them the very notions of property
and obligation, justice and injustice.

This, no doubt, is to be regarded as an idle fiction; but yet deserves
our attention, because nothing can more evidently shew the origin of
those virtues, which are the subjects of our present enquiry. I have al-
ready observed, that justice takes its rise from human conventions; and
that these are intended as a remedy to some inconveniences, which pro-
ceed from the concurrence of certain qualities of the human mind with
the situation of external objects. The qualities of the mind are selfish-
ness and limited generosity: And the situation of external objects is
their easy change, joined to their scarcity in comparison of the wants
and desires of men. But however philosophers may have been bewil-
dered in those speculations, poets have been guided more infallibly, by
a certain taste or common instinct, which in most kinds of reasoning
goes farther than any of that art and philosophy, with which we have
been yet acquainted. They easily perceived, if every man had a tender
regard for another, or if nature supplied abundantly all our wants and
desires, that the jealousy of interest, which justice supposes, could no
longer have place; nor would there be any occasion for those distinc-
tions and limits of property and possession, which at present are in use among mankind. Encrease to a sufficient degree the benevolence of men, or the bounty of nature, and you render justice useless, by supplying its place with much nobler virtues, and more valuable blessings. The selfishness of men is animated by the few possessions we have, in proportion to our wants; and it is to restrain this selfishness, that men have been obliged to separate themselves from the community, and to distinguish between their own goods and those of others.

Nor need we have recourse to the fictions of poets to learn this; but beside the reason of the thing, may discover the same truth by common experience and observation. It is easy to remark, that a cordial affection renders all things common among friends; and that married people in particular mutually lose their property, and are unacquainted with the mine and thine, which are so necessary, and yet cause such disturbance in human society. The same effect arises from any alteration in the circumstances of mankind; as when there is such a plenty of any thing as safies all the desires of men: In which case the distinction of property is entirely lost, and every thing remains in common. This we may observe with regard to air and water, though the most valuable of all external objects; and may easily conclude, that if men were supplied with every thing in the same abundance, or if every one had the same affection and tender regard for every one as for himself; justice and injustice would be equally unknown among mankind.

Here then is a proposition, which, I think, may be regarded as certain, that it is only from the selfishness and confined generosity of men, along with the scanty provision nature has made for his wants, that justice derives its origin. If we look backward we shall find, that this proposition bestows an additional force on some of those observations, which we have already made on this subject.

First, we may conclude from it, that a regard to public interest, or a strong extensive benevolence, is not our first and original motive for the observation of the rules of justice; since it is allowed, that if men were endowed with such a benevolence, these rules would never have been dreamt of.

Secondly, we may conclude from the same principle, that the sense of justice is not founded on reason, or on the discovery of certain connexions and relations of ideas, which are eternal, immutable, and universally obligatory. For since it is confest, that such an alteration as that above-mentioned, in the temper and circumstances of mankind, would entirely alter our duties and obligations, it is necessary upon the common system, that the sense of virtue is derived from reason, to shew the change which this must produce in the relations and ideas. But it is evident, that the only cause, why the extensive generosity of man, and the perfect abundance of every thing, would destroy the very idea of justice, is because they render it useless; and that, on the other hand, his confined benevolence, and his incessitious condition, give rise to that virtue, only by making it requisite to the public interest, and to that of every individual. Twas therefore a concern for our own, and the public interest, which made us establish the laws of justice; and nothing can be more certain, than that it is not any relation of ideas, which gives us this concern, but our impressions and sentiments, without which every thing in nature is perfectly indifferent to us, and can never in the least affect us. The sense of justice, therefore, is not founded on our ideas, but on our impressions.

Thirdly, we may farther confirm the foregoing proposition, that those impressions, which give rise to this sense of justice, are not natural to the mind of man, but arise from artifice and human conventions. For since any considerable alteration of temper and circumstances destroys equally justice and injustice; and since such an alteration has an effect only by changing our own and the public interest; it follows, that the first establishment of the rules of justice depends on these different interests. But if men pursued the public interest naturally, and with a hearty affection, they would never have dreamed of restraining each other by these rules; and if they pursued their own interest, without any precaution, they would run head-long into every kind of injustice and violence. These rules, therefore, are artificial, and seek their end in an oblique and indirect manner; nor is the interest, which gives rise to them, of a kind that could be pursued by the natural and inartificial passions of men.

To make this more evident, consider, that though the rules of jus-
tice are established merely by interest, their connexion with interest is somewhat singular, and is different from what may be observed on other occasions. A single act of justice is frequently contrary to public interest; and were it to stand alone, without being followed by other acts, may, in itself, be very prejudicial to society. When a man of merit, of a beneficent disposition, restores a great fortune to a miser, or a seditious bigot, he has acted justly and laudably, but the public is a real sufferer. Nor is every single act of justice, considered apart, more conducive to private interest, than to public; and it is easily conceived how a man may impoverish himself by a signal instance of integrity, and have reason to wish, that with regard to that single act, the laws of justice were for a moment suspended in the universe. But however single acts of justice may be contrary, either to public or private interest, it is certain, that the whole plan or scheme is highly conducive, or indeed absolutely requisite, both to the support of society, and the well-being of every individual. impossible to separate the good from the ill. Property must be stable, and must be fixed by general rules. Though in one instance the public be a sufferer, this momentary ill is amply compensated by the steady prosecution of the rule, and by the peace and order, which it establishes in society. And even every individual person must find himself a gainer, on balancing the account; since, without justice. society must immediately dissolve, and every one must fall into that savage and solitary condition, which is infinitely worse than the worst situation that can possibly be supposed in society. When therefore men have had experience enough to observe, that whatever may be the consequence of any single act of justice, performed by a single person, yet the whole system of actions, concurred in by the whole society, is infinitely advantageous to the whole, and to every part; it is not long before justice and property take place. Every member of society is sensible of this interest: Every one expresses this sense to his fellows, along with the resolution he has taken of squaring his actions by it, on condition that others will do the same. No more is requisite to induce any one of them to perform an act of justice, who has the first opportunity. This becomes an example to others. And thus justice establishes itself by a kind of convention or agreement; that is, by a sense of interest, supposed to be common to all, and where every single act is performed in expectation that others are to perform the like. Without such a convention, no one would ever have dreamed, that there was such a virtue as justice, or have been induced to conform his actions to it. Taking any single act, my justice may be pernicious in every respect; and it is only upon the supposition. that others are to imitate my example, that I can be induced to embrace that virtue; since nothing but this combination can render justice advantageous, or afford me any motives to conform my self to its rules.

We come now to the second question we proposed, viz. Why we annex the idea of virtue to justice, and of vice to injustice. This question will not detain us long after the principles, which we have already established, All we can say of it at present will be dispatched in a few words: And for farther satisfaction, the reader must wait till we come to the third part of this book. The natural obligation to justice, viz, interest, has been fully explained; but as to the moral obligation, or the sentiment of right and wrong. ‘twill first be requisite to examine the natural virtues, before we can give a full and satisfactory account of it. After men have found by experience, that their selfishness and confined generosity, acting at their liberty, totally incapacitate them for society; and at the same time have observed, that society is necessary to the satisfaction of those very passions, they are naturally induced to lay themselves under the restraint of such rules, as may render their commerce more safe and commodious. To the imposition then, and observance of these rules, both in general, and in every particular instance, they are at first induced only by a regard to interest; and this motive, on the first formation of society, is sufficiently strong and forcible. But when society has become numerous, and has increased to a tribe or nation, this interest is more remote; nor do men so readily conceive, that disorder and confusion follow upon every breach of these rules, as in a more narrow and contracted society. But though in our own actions we may frequently lose sight of that interest, which we have in maintaining order, and may follow a lesser and more present interest, we never fail to observe the prejudice we receive, either mediately or immediately, from the injustice of others; as not being in that case either
blinded by passion, or byassed by any contrary temptation. Nay when
the injustice is so distant from us, as no way to affect our interest, it
still displeases us; because we consider it as prejudicial to human so-
ciety, and pernicious to every one that approaches the person guilty of
it. We partake of their uneasiness by sympathy; and as every thing,
which gives uneasiness in human actions, upon the general survey, is
called Vice, and whatever produces satisfaction, in the same manner, is
denominated Virtue; this is the reason why the sense of moral good
and evil follows upon justice and injustice. And though this sense,
in the present case, be derived only from contemplating the actions of
others, yet we fail not to extend it even to our own actions. The general
rule reaches beyond those instances, from which it arose; while at the
same time we naturally sympathize with others in the sentiments they
entertain of us. Thus self-interest is the original motive to the estab-
lishment of justice: but a sympathy with public interest is the source
of the moral approbation, which attends that virtue.

Though this progress of the sentiments be natural, and even neces-
sary, it is certain, that it is here forwarded by the artifice of politicians,
who, in order to govern men more easily, and preserve peace in hu-
man society, have endeavoured to produce an esteem for justice, and
an abhorrence of injustice. This, no doubt, must have its effect; but
nothing can be more evident, than that the matter has been carried too
far by certain writers on morals, who seem to have employed their ut-
most efforts to extirpate all sense of virtue from among mankind. Any
artifice of politicians may assist nature in the producing of those sen-
timents, which she suggests to us, and may even on some occasions,
produce alone an approbation or esteem for any particular action; but
it is impossible it should be the sole cause of the distinction we make
between vice and virtue. For if nature did not aid us in this particular, it
would be in vain for politicians to talk of honourable or dishonourable,
praiseworthy or blamable. These words would be perfectly unintel-
ligible, and would no more have any idea annexed to them, than if
they were of a tongue perfectly unknown to us. The utmost politicians
can perform, is, to extend the natural sentiments beyond their original
bounds; but still nature must furnish the materials, and give us some

As public praise and blame encrease our esteem for justice; so pri-
ivate education and instruction contribute to the same effect. For as
parents easily observe, that a man is the more useful, both to himself
and others, the greater degree of probity and honour he is endowed
with; and that those principles have greater force, when custom and
education assist interest and reflection: For these reasons they are in-
duced to inculcate on their children, from their earliest infancy, the
principles of probity, and teach them to regard the observance of those
rules, by which society is maintained, as worthy and honourable, and
their violation as base and infamous. By this means the sentiments of
honour may take root in their tender minds, and acquire such firmness
and solidity, that they may fall little short of those principles, which
are the most essential to our natures, and the most deeply radicated in
our internal constitution.

What farther contributes to encrease their solidity, is the interest of
our reputation, after the opinion, that a merit or demerit attends justice
or injustice, is once firmly established among mankind. There is noth-
ing, which touches us more nearly than our reputation, and nothing on
which our reputation more depends than our conduct, with relation to
the property of others. For this reason, every one, who has any regard
to his character, or who intends to live on good terms with mankind,
must fix an inviolable law to himself, never, by any temptation, to be
induced to violate those principles, which are essential to a man of
probity and honour.

I shall make only one observation before I leave this subject, viz,
that though I assert, that in the state of nature, or that imaginary state,
which preceded society, there be neither justice nor injustice, yet I
assert not, that it was allowable, in such a state, to violate the property
of others. I only maintain, that there was no such thing as property; and
consequently could be no such thing as justice or injustice. I shall have
occasion to make a similar reflection with regard to promises, when I
come to treat of them; and I hope this reflection, when duly weighed,
will suffice to remove all odium from the foregoing opinions, with
regard to justice and injustice.