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**The Works Of the late Right Honorable Henry St. John,
Lord Viscount Bolingbroke**

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Bolingbroke, Henry St. John

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XX.

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binical system of religion and law. When a gentile became a "profelyte of justice*," he became, according to this system, a new man, and lost all his former relations by this regeneration. He could not be affected, therefore, by the law that forbid the marriage of a mother, a daughter, or a sister, for he had none; and yet the prohibition was extended to him by the blundering casuistry of the rabbins, as it may seem, even when these relations were doubly dissolved, and the mother, the daughter, or the sister was a profelyte of justice, as well as himself.

XX.

AFTER saying thus much of ecclesiastical and civil laws, that forbid what the laws of nature permit, something must be said of those which permit, or enjoin, what the laws of nature forbid, such things as are in direct opposition not only to reasonable nature, but to physical instinct. Sodomy was permitted among several nations, and if we dare not say that the moral SOCRATES practised it, we may say that the divine PLATO recommended it, in some of his juvenile verses at least: and yet sodomy is very inconsistent with the intention of nature, which can be carried on by the conjunction of the two sexes only. Of bestiality I say nothing, because I do not remember any proof that it was used by any people except the Israelites, who must have been very prone to this unnatural crime, since so great severity of law was necessary to restrain them from it. Castration and celibacy may be cited on this occasion. They are both contradictions to the law of nature; the first wantonly permitted, the second deceitfully and ambitiously commanded. The first makes obedience to the law impracticable, for two the most

* SELD. de Jure, &c. l. 5.

filly purposes imaginable, to provide guards for the seraglios of the east, and fingers for the theatres of the west. The second came into fashion early in the christian church, to speak of no other, under the pretence of greater purity, and was pleaded for, and practised by orthodox enthusiasts, as well as by heretics. But when the church, with the bishop of Rome at the head of it, made a bold, and successful push to be every where superior to the state, the celibacy of priests became a coercive law. GREGORY the seventh made the whole clergy submit to it, and the council of Trent maintained it strenuously for the same reason of ecclesiastical ambition, that the religious society might be every where more independent on the civil, and less attached, by the ties of nature as well as of law, to the state.

THERE are other examples of the same kind, which cannot be brought without the utmost horror; because in them it is supposed impiously, against principles as self-evident as any of those necessary truths which are such of all knowledge, that the Supreme Being commands by one law what he forbids by another. The zealots among the Jews assumed a right to assassinate any Jew, or any other man, who should seem to them to violate by public and strong appearances "Speciebus " aliquot facti atrocioribus,^a" the sanctity of the Divinity, of the temple, or of the nation^b. Thus MATTATHIAS^c, in the fury of his holy zeal, rushed on the Jew who was about to sacrifice in obedience to the edict of ANTIOCHUS^d, and on the officer appointed to take care of the execution of the edict, and murdered them both. In this case the appearances were not equivocal, most certainly. In many they might be so, and

a) SELD. de Jure &c. l. iv. c. 4.
temp'i, five gentis.

b) Sanctitatem five numinis, five
c) Ibid. d) Maccab. JOSEPH.

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were so most probably very often, as in that for instance of a priest who was supposed to perform his office without a due purification*, and who might be dragged out of the temple on this presumption by the young priests; too young to be employed in any other sacerdotal function, but to whom it was lawful to dash out his brains with their clubs. In all cases it was against the very essence, as well as forms of justice, to trust in any hands a power which none but enthusiasts would exercise. This strange power, however, was founded on their traditional or oral law; and the example of PHINEAS, who murdered ZIMRI and COZBI in the act of fornication †, and the approbation which God is said to have given to this action, were brought to authorise the zealots in a practice which produced such scenes of horror among the Jews, even whilst they were besieged by a common enemy, as no other nation ever exhibited: such scenes as lions and tigers, provoked by hunger, and let loose together, would hardly have afforded.

IF we take for granted all that we find related, and as it stands related, in the books of the old Testament; we must believe that the all-perfect Being approved, and commanded on many particular occasions, the most abominable violations of the general laws of nature, which were his own at least, as certainly as any of those that could be given by immediate revelation, and more certainly than any of those which were assumed on the authority of MOSES, or on any authority afterwards to be so given. Now this we cannot believe as thefts; nor are we, I think, under any obligation of believing it as Jews, and much less as Christians. As thefts we cannot believe the all-perfect Being liable to one of the greatest of hu-

* in immunditie suâ.

† Num. c. 25.

man imperfections, liable to contradict himself. Nothing is more conformable to our idea of such a being, than to believe that human reason cannot account for the proceedings of infinite wisdom in a multitude of instances, in many of those perhaps which seem the most obvious to it. But nothing is, at the same time more inconsistent with this idea than to believe that this Being perplexes his laws with apparent contradictions, or deviates from them like human legislators in the particular applications of them; and that God, who never acts against the perfections of his own nature, commands his creatures to act upon any occasion against the perfection of theirs. If we try the whole system of the religion and policy of the Jews, by this rule, I apprehend that all the sophism which has been, or can be employed, with the help of begging the question throughout, will not be sufficient to acquit this system in many cases at the tribunal of informed and unprejudiced reason. The thief, as a thief, can never admit that laws, which are inconsistent with that reason, and process of reasoning by which he discovers, and can alone discover the existence and the will, relatively to man, of an all-perfect Being, were given at any time or to any people by this Being. He will never give up one for the sake of the other, nor renounce demonstration in the highest degree for probability in the highest, and much less in the lowest. All such laws, therefore, as are manifest violations of the laws of his nature, will be ascribed by him to man not to God.

A LARGE field of particulars opens itself. Let us confine ourselves to that on which we have touched already. One law of nature forbids murder, as well as one law of the decalogue. Another allows it as far as it is necessary to self-defence, and to the preservation of society, that is, to the maintenance of the whole system of natural law. It will not be
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pretended, I suppose, that these two laws contradict one another. They coincide in the same plan. The general and the particular law tend to the same purpose; they shew the wisdom of the legislator by their consistency, and his goodness by their universality. It cannot be pretended with any appearance of truth, I am sure, that the same may be said of the mosaical laws about murder. The whole system of the law of MOSES, like the whole system of his conduct, was founded on murder, and the exceptions which he made, by particular laws in favor of it, to the general law against it were so numerous, as to make this in great measure vain; which may be thought, without absurdity, not to be one mark of his divine legation. The thirteenth chapter of Deuteronomy might find its place here; and many singular reflections might be made, concerning the precautions taken against false prophets, whose seductions could be of little force in opposition to a true prophet; and against dreamers of dreams, that could have little force in opposition to daily and almost hourly miracles, wrought in the sight of all Israel. Others might be made on certain precepts, from which I will suppose, candidly, that the inquisition established in your church has copied the instructions she gives to her familiars; and others again on a spirit of cruelty, that involves the innocent with the guilty, spares neither man, woman, nor beast, neither the brother, the son, the daughter, the wife, nor the friend, but makes of the whole chapter such an edict as could not be imputed to ATTILA, without doing injustice to the uncircumcised as well as unchristian king of the Huns. Such observations, I say, might be made, and be pushed to conviction; to inward conviction I mean, for there are those that will not own it when they feel it, but have recourse rather to trifling distinctions and dogmatical affirmation, the last entrenchments of obstinacy. In these let us leave them. Let it avail as much

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as it can avail, to say that the laws referred to, and written in blood, like those of DRACO, were given to the Israelites alone; that the Israelites were God's people exclusively of all others; that he was their king by a particular covenant, as well as their God; that idolatry was in every Israelite a breach of this covenant, an act of high treason, a political crime, and fit to be punished as such; in a word, that on all these accounts God might give them such laws in the former relation, as he could not have given to them, nor to any other people, in the latter alone, without contradicting, and obliging those who obeyed them to contradict, the general law of nature, whereof he was the author, and by which the punishment of individuals "in "terrorem" according to their several degrees of guilt, not the undistinguishing extermination of collective bodies, and especially for matters of opinion, is allowed. I have met with arguments of this sort employed to justify the mosaical law. They will not be admitted by some, perhaps, because MOSES made use of the same cruel, and undiscerning jurisprudence, on account of their idolatry, against the Canaanites, who had no such covenant with God, nor were the subjects of such theocracy; who were obnoxious to divine vengeance in no other respect than that which was common to them and all the heathen nations; and who had provoked the Israelites by no other injury than that of self-defence; that these laws were therefore in the mouth of MOSES, and in the understanding of all the people, the laws of God as God, and not merely as king. But whatever be determined, the example is to my purpose. He who can persuade himself that God, as king of a particular people, whom, as God, he had separated from the rest of mankind, gave these laws to the Israelites, must still confess, that these laws are repugnant to those of nature, which will leave the difficulty much where he found it. He, who instead of resting on this distinction, confounds the king
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and the God together, as MOSES and the Israelites certainly did, is reduced to the necessity of owning what no sincere and consistent theist can own, that the Supreme Being contradicted his own laws in this instance. A sincere and consistent theist, then, must look on the thirteenth chapter of Deuteronomy, as an example of human laws that command what the laws of nature forbid.

THAT neither the Jew, nor the Christian, is under any obligation to look on it otherwise, may be collected from hence. The saducees rejected the whole oral law, and all the traditions of the pharisees; they rejected too, most probably, the whole written law, except the five books ascribed to MOSES, tho this has been controverted; they denied the immortality of the soul, the resurrection of the dead, and a state of future rewards and punishments, which they esteemed to be doctrines invented or adopted by the pharisees, and which we may believe, on very good grounds, to have been introduced into the jewish church at different times, as well as from different churches, wherein we know that they were taught, since there are no evident traces of these, but rather of the contrary opinions, in the mosaical system of religion. The saducees, therefore, opposed on all these points, not only the pharisees first, but the doctrine of CHRIST, to whom few of them were converted afterwards. The saducees, however, continued members of the jewish church, and sacrificed at Jerusalem, whilst the samaritans were driven out, or drove themselves out, and sacrificed on the mountain of Gerizaim: neither do we find, that the former were so obnoxious to the censure of CHRIST, as the pharisees. But the pharisees were still the orthodox, that is, the sect in fashion; and how much they multiplied the observances of the law by their traditions, and varied the sense of it by their interpretations of it, is enough known in

general by every one. Now it seems very plain, that a Jew, whether saducee or pharisee, might have softened by different methods, agreeably to the principles of his sect, the abominable violations of the natural, by the mosaical law. This too, one may believe, would have been done, if the cruel spirit of their law had not made them a nation of enthusiasts; and if long habits had not made the spilling of blood more familiar to them than to most other people. The saducees were famous for their strict attachment to the rules of justice; and some are of opinion, that they took their name from an hebrew word, signifying justice, rather than from SADOc the disciple of ANTIGONUS SOCHAEUS. Surely then a Jew, in the character of a saducee, might reject out of the pentateuch, with a due regard to natural justice, those unnatural, unjust, and bloody institutions, as reasonably, and as reconcilably with his judaism, as he rejected the whole oral law in opposition to the pharisees, and all the other books of their scriptures, in conformity to the samaritans. A Jew, in the character of a pharisee, might have reconciled, with still greater ease, the law of MOSES to the law of nature, that is, the assumed law of God to the real. A third law, the oral, might have brought this about, and this would have been the very best use to which it was ever put. When I say this might have been done with still greater ease, by interpretation than by retrenchment, I do not speak without sufficient grounds; since I may undertake to shew, from SELDEN, BASNAGE, and other authors, who deal in the talmud, and in talmudical writings of rabbins, which they render intelligible even to me, that it would cost less improbability of tradition, and less subtilty of sophism in commenting, than many other opinions did, which these men had the credit to establish. The latitude of interpretation according to various senses, and the authority of a cabbala, were certain expedients by which the
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imputation might have been taken from the Supreme Being, or the severity and injustice have been softened and excused in MOSES. Nothing of this kind having been done, I conclude once more, that this chapter of Deuteronomy stands, and must stand, an example of human laws, that command what the laws of nature forbid.

LITTLE more consideration will be necessary to discover that a christian, who professes a religion promulgated by God himself, and in every point conformable to the law of nature, is obliged to deny any precept which is repugnant to this law to come from God, let it come on what authority, or be assumed on what pretence soever. The proceedings of providence are represented, on one occasion particularly, by St. PAUL, to be merely arbitrary, and the presumption of those who should inquire into the reason of them, is very prudently reprov'd before hand. How just the representation, or the reproof is, may be questioned, as the first of them has been, and as they both may be the more reasonably, because these proceedings relate to God's dealings with men; for the justice of which we are told by divines, that he appeals even to men. But this apostle himself does not, I think, prescribe any thing directly opposite to the law of nature, as the command of God to man; tho his writings abound with mysterious refinements that favor strongly of the pharisaical school, and with the mirabilia and inopinata of the portic, a school not unknown to the former.

IN all cases, and however this may be, the gospel of CHRIST is one continued lesson of the strictest morality, of justice, of benevolence, and of universal charity. He could have called for fire down from heaven, or for an army of destroying angels, to terrify those who did not believe, or to

exterminate such as fell from the faith. But he breathed quite another spirit; and his instructions to his apostles went no further than to preach, to exhort, to reprove; and, where they could not prevail to have their doctrine received, to shake off the dust of their feet. In cases of the most enormous crimes, and even of apostacy, the apostles exercised no other power than that of separating such sinners from the communion of the faithful. If it should be urged that they could exercise no other, because they were not chief magistrates, nor legislators in any civil society as MOSES was, and therefore that no argument ought to be drawn from what they did not do, to condemn what MOSES did and commanded, it would be urged in vain. They healed the lame, they cured the blind, and even raised the dead to prove their mission. MOSES proved his mission by miracles likewise. But the miracles wrought by them, in the mild and beneficent spirit of christianity, tended to the good of mankind; whereas the miracles he wrought, in the fierce and cruel spirit of judaism, tended to the destruction of mankind. In this case, therefore, the difference was great; but in the other, in that of keeping the Jews attached to their religion, and the Christians to theirs, the difference was total. MOSES exercised, and commanded the exercise of a political power, the most tyrannical, the most contrary to the laws of nature, and the most irreconcilable to every sentiment of humanity, for this purpose. The apostles, who might have exercised, for the same purpose, a divine, and a much greater power, exercised no other than that which has been mentioned, which was not cruel, most certainly, and can be scarce called coercive, in the course of their ministry, how much occasion forever heresy, apostacy, and other flagrant crimes in the churches they had planted, gave them for it. ELYMAS, indeed, was struck blind by St. PAUL, and ANANIAS and SA-

PHIRA fell dead at the feet of St. PETER. But these were particular and extraordinary interpositions of providence. CHRIST gave no instruction for the exercise of such judgments in any case. He had reproved this kind of spirit in his disciples, when he was among them, and as long as his spirit remained in his church, the mosaical spirit, as opposite to his law, as to the law of nature, could not arise. When they, who called themselves the successors of his apostles, hearkened to the suggestions of their passions, and called them zeal; that is, when political rather than religious motives guided them, they imitated MOSES, outdo him they could not: and besides persecuting to convert, they not only promoted the utmost severity of punishment against those who fell back into idolatry or judaism, or who embraced any heresy; but, like MOSES, they pretended to do all this by the command of God: so that the church of CHRIST imitated, in this instance, as it did in many more when it was fallen into corruption, and not before, such institutions as the church and state of the Jews adopted in the primitive purity, such as that purity was, of their original establishment.

UPON the whole matter, a christian, who takes his religion from the gospel, and not from systems of theology, far from being under any obligation of believing, is under the strongest of rejecting every law, whether perpetual or occasional, whether given to the Jews alone or to them and to others, that is evidently repugnant to the law of nature and of right reason, to the precepts of the gospel, to the example of CHRIST, to the practice of his first disciples, and to the genuine spirit of the religion they taught. If this was the spirit of God in the days of CHRIST, it was the spirit of God in the days of MOSES: and whatever difference there might be in the several dispensations, and the objects of them, God could have effected

effected his purposes without contradicting his spirit. We may believe any thing sooner than this, that immutability admits of change; and yet we must admit both the contradiction and the change, if we give entire credit to all that we find related, and as it stands related, in the books of the old Testament.

XXI.

I HAVE quoted from father SIMON, in one of my Letters* to my lord CORNBURY, a divine of the faculty of Paris, who held that the authenticity of these books, and divine inspiration of their authors, should be understood to extend no further than to matters purely of doctrine, or to such as have a necessary connection with these. Upon the same and even a stronger principle of reason, we may assert that as the sacred writers have no claim to inspiration, when they write on other subjects; so neither have they when they write any thing on these which is evidently inconsistent with right reason, in matters that are proper objects of reason, and with the first principles of natural law, which are at the same time the first principles of christianity. What the french divine advanced, and what I have advanced here, will be treated as an impious paradox by some of those trifling solemn dogmatists in criticism and theology, who have advanced so many absurd and impious, really impious, paradoxes of their own. But let us see, in the present case, on whose side the paradox and the impiety lie. I say that the law of nature is the law of God. Of this I have the same demonstrative knowledge, that I have of the existence of God, the all-perfect Being. I say that the all-perfect Being cannot contradict himself; that he would

* Let. III.

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