

Source readings: Elements of economic theory and American political economy¹

1. Aristotle (384-322 B.C.)

[**Aristotle's theory of the nuclear family household:** man as matrimonial or 'conjugal' animal, *Nicomachean Ethics VIII, 12*]²

Between man and wife a natural friendship seems to exist, for they are more inclined by nature to conjugal than political society. This is so because the home is older and more necessary than the state, and because generation is common to all animals.

Only to this extent do animals come together. Men, however, cohabit not only to procreate children but also to have whatever is needed for life. Indeed, from the beginning, family duties are distinct; some are proper to the husband, others to the wife. Thus mutual needs are provided for, when each contributes his own services to the common good.

Therefore, this friendship seems to possess both utility and pleasure. But it can exist for the sake of virtue if the husband and wife are virtuous, for each has his proper virtue and they can delight in it.

Children seem to be a bond of union. Hence sterile [childless] couples separate more readily, for children are a common good of both parties; and what is common maintains friendship.

[**Aristotle on the goods parents provide their children:** existence, rearing, and instruction; *Nicomachean Ethics VIII, 11*]³

Each form of government seems to involve a kind of friendship inasmuch as justice is present.

The friendship of a king and his subjects is one of superiority of beneficences, for he confers benefactions on them if he is a good ruler, taking care that his subjects act virtuously; he is regarded as a shepherd of his flock. Hence Homer called Agamemnon the shepherd of his people.

Such too is the friendship of a father.

These friendships, though, differ in the greatness of benefits. A father is the cause of his son's existence (considered the greatest good in this life), rearing and instruction—benefits that man attributed also to a man's ancestors.

Likewise, by nature a father rules his sons, an ancestor his descendants, and a king his subjects.

[**Aristotle's theory of the agricultural estate:** *Politics* Book I, Ch. 3⁴]

Now that I have explained what are the component parts of a city, and since these include households, it is essential to begin with the economics of the household. This topic can be subdivided so as to correspond to the parts of which a complete household is

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² St. Thomas Aquinas, *Commentary on Aristotle's Nicomachean Ethics*, Translated by C.I. Litzinger, O.P., Foreword by Ralph McInerney, Dumb Ox Books, Notre Dame, IN, 1964, 520). I use Litzinger's translation here because it expresses Aristotle's description of marriage more felicitously than Ross's translation, which I use otherwise because of its greater availability.

³ Ibid, 515.

⁴ Aristotle, *The Politics*, translated with an introduction by T.A. Sinclair, Penguin Books, 1962, 30; available in a different translation at http://www.constitution.org/ari/polit_00.htm.

made up, namely, the free and the slaves; but our analytical method requires us to examine everything when it has been reduced to its smallest parts, and the smallest division of a household into parts gives us three pairs—master and slave, husband and wife, father and children. And so we must ask ourselves what is, and what ought to be, each one of these three relationships. The word ‘despotic’ is used to describe the first, and we may use ‘matrimonial’ and ‘paternal’ respectively to describe the other two, as there is no more exact term for either. We may accept these three; but we find that there is a fourth element, one so important that some people regard it as covering the whole. I refer to what is called ‘financial operations.’

[**Aristotle’s theory of production:** people and property, *Politics* Book I, Ch. 4⁵]

Now property is part of a household and the acquisition of property part of the economics of a household; for neither life itself nor the good life is possible without a certain minimum standard of wealth. Again, for any given craft the existence of the proper tools will be essential for the performance of its task. Tools may be animate as well as inanimate; a ship’s captain uses a lifeless rudder [for steering], but a living man for watch; for the worker in a craft is, from the point of view of the craft, one of its tools. So any piece of property can be regarded as a tool enabling a man to live; and his property is an assemblage of such tools, including his slaves; and a slave, being a living creature like any other servant, is a tool worth many tools. For suppose that every tool we had could perform its function, either at our bidding or itself perceiving the need,...then manufacturers would have no need of workers nor masters of slaves.

Tools in the ordinary sense are productive tools, whereas property is useful in itself. I mean, for example, a shuttle produces something other than its own use, a bed or a garment does not. Moreover, since production and action differ in kind and both require tools, the difference between their tools must be of the same kind, tools proper for production, property for action...

[**Aristotle’s distinction of distributive and ‘rectificatory’ justice:** *Nicomachean Ethics* Book V, Ch. 2⁶]

Of particular justice and that which is just in the corresponding sense, (A) one kind is that which is manifested in distributions of honour or money or the other things that fall to be divided among those who have a share in the constitution (for in these it is possible for one man to have a share either unequal or equal to that of another), and (B) one is that which plays a rectifying part in transactions between man and man. Of this there are two divisions; of transactions (1) some are voluntary and (2) others involuntary—voluntary such transactions as sale, purchase, loan for consumption, pledging, loan for use, depositing, letting (they are called voluntary because the *origin* of these transactions is voluntary), while of the involuntary (a) some are clandestine, such as theft, adultery, poisoning, procuring, enticement of slaves, assassination, false witness, and (b) others are violent, such as assault, imprisonment, murder, robbery with violence, mutilation, abuse, insult.

[**Aristotle’s formula of distributive justice:** geometrical proportion between each person’s relative significance and distributive share: *Nicomachean Ethics* Book V, Ch.

⁵ Ibid, 31-2.

⁶ Aristotle, *Nicomachean Ethics*, Translated and introduced by Sir David [W. D.] Ross, first published Clarendon Press, Oxford, 1908; available at http://www.constitution.org/ari/ethic_00.htm. Text cites World’s Classics Oxford University Press edition, 111-112.

3⁷] 3. (A) We have shown that both the unjust man and the unjust act are unfair and unequal; now it is clear that there is also an intermediate between the two unequals involved in either case. And this is the equal; for in any kind of action in which there is a more and a less there is also what is equal. If, then, the unjust is unequal the just is equal, as all men suppose it to be, even apart from argument. And since the equal is intermediate, the just will be an intermediate. Now equality implies at least two things. The just, then, must be both intermediate and equal and relative (i.e., for certain persons). And qua intermediate it must be between certain things (which are respectively greater and less); qua equal, it involves two things: qua just, it is for certain people. The just, therefore, involves at least four terms; for the persons for whom it is fact just are two, and the things in which it is manifested, the objects distributed, are two. And the same equality will exist between the persons and between the things concerned; for as the latter—the things concerned—are related, so are the former; if they are not equal, they will not have what is equal, but this is the origin of quarrels and complaints—when either equals have and are awarded unequal shares, or unequals equal shares. Further, this is plain from the fact that awards should be ‘according to merit,’; for all men agree that what is just in distribution must be according to merit in some sense, though they do not all specify the same sort of merit, but democrats identify it with the status of freeman, supporters of oligarchy with wealth (or with noble birth), and supporters of aristocracy with excellence....

This, then, is one species of the just.

[**Aristotle’s rectificatory justice** as arithmetical equality: *Nicomachean Ethics* Book V, Ch. 4⁸] 4. (B) The remaining one is rectificatory, which arises in connection with transactions both voluntary and involuntary. This form of the just has a different specific character from the former. For the justice which distributes common possessions is always in accordance with the kind of [geometrical] proportion mentioned above (for in the case also in which the distribution is made from the common funds of a partnership it will be according to the same ratio which the funds put into the business by the partners bear to one another); and the injustice opposed to this kind of justice is that which violates the proportion. But the just in transactions between man and man is a sort of equality indeed, and the injustice a sort of inequality; not according to that kind of proportion, however, but according to arithmetical proportion. For it makes no difference whether a good man has defrauded a bad man or a bad man a good one, nor whether it is a good man or a bad man that has committed adultery; the law looks only to the distinctive character of the injury, and treats the parties as equal, if one is in the wrong and the other is being wronged, and if one inflicted an injury and the other has received it. Therefore, this kind of injustice being an inequality, the judge tries to equalize it; for in the case also in which one has received and the other has inflicted a wound, or one has slain and the other has been slain, the suffering and the action have been unequally distributed; but the judge tries to equalize things by means of a penalty, taking away from the gain of the assailant. For the term ‘gain’ is applied generally to such cases—even if it be not a term appropriate in certain cases, e.g. to the person who inflicts a wound—and ‘loss’ to the sufferer; at all events when the suffering has been estimated, the one is called loss and the other gain. Therefore the equal is the intermediate between the greater and

⁷ Ibid, 112-114.

⁸ Ibid, 114-117.

the less, but the gain and the loss are respectively greater and less in contrary ways; more of the good and less of the evil are gain, and the contrary is loss; intermediate between them is, as we saw, the equal, which we say is just; therefore corrective justice will be the intermediate between loss and gain. This is why, when people dispute, they take refuge in the judge; and to go to the judge is to go to justice; for the nature of the judge is to be a sort of animate justice; and they seek the judge as an intermediate; and in some states they call judges mediators, on the assumption that if they get what is intermediate they will get what is just. The just, then, is an intermediate, since the judge is so. Now the judge restores equality; it is as though there were a line divided into unequal parts, and he took away that by which the smaller exceeds the half, and added it to the smaller segment. And when the whole has been equally divided, then they say that they have 'their own'—i.e. when they have got what is equal. The equal is intermediate between the greater and the lesser line according to arithmetical proportion.... These names, both loss and gain, have come from voluntary exchange; for to have more than one's own is called gaining, and to have less than one's original share is called losing, e.g. in buying and selling and in other matters in which the law has left people free to make their own terms; but when they get neither more nor less but just what belongs to themselves, they say that they have their own and that they neither lose nor gain.

Therefore, the just is intermediate between a sort of gain and a sort of loss, viz. those which are involuntary; it consists in having an equal amount before and after the transaction.

[**Aristotle's formula for justice in exchange** (modern "equilibrium"): factor compensation equals product value: *Nicomachean Ethics*, Book V, Ch. 5⁹]

5. Some think that *reciprocity* is without qualification just, as the Pythagoreans did; for they defined justice without qualification as reciprocity. Now 'reciprocity' fits neither distributive nor rectificatory justice...for in many cases reciprocity and rectificatory justice are not in accord; e.g. (1) if an official has inflicted a wound, he should not be wounded in return, and if someone has wounded an official, he ought not to be wounded only but punished in addition. Further (2) there is a great difference between a voluntary and an involuntary act. But in associations for exchange this sort of justice does hold men together—reciprocity in accordance with a proportion and not on the basis of precisely equal return. For it is by proportionate requital that the city holds together. Men seek to return evil for either evil—and if they cannot do so, think their position mere slavery—or good for good—and if they cannot do so there is no exchange, but it is by exchange that they hold together....

Now proportionate return is secured by cross-conjunction. Let A be a builder, B a shoemaker, C a house, D a shoe. The builder, then, must get from the shoemakers the latter's work, and must himself give him in return his own. If then, first there is proportionate equality of goods, and then reciprocal action takes place, the result we mention will be effected. If not, the bargain is not equal, and does not hold; for there is nothing to prevent the work of the one being better than that of the other; they must therefore be equated. (And this is true of the other arts also; for they would have been destroyed if what the patient suffered had not been just what the agent did, and of the same amount and kind.) For it is not two doctors that associate for an exchange, but a doctor and a farmer, or in general people who are different and unequal; but these must

⁹Ibid, 117-121.

be equated. This is why all things that are exchanged must be somehow comparable. It is for this end that money has been introduced, and it becomes in a sense an intermediate; for it measures all things, and therefore the excess and the defect—how many shoes are equal to a house or to a given amount of food. The number of shoes exchange for a house must therefore correspond to the ratio of builder to shoemaker. For if this be not so, there will be no exchange and no intercourse. And this proportion will not be effected unless the goods are somehow equal. All goods must therefore be measure by some one thing, as we said before. Now this unit is in truth demand, which holds things together (for if men did not need one another's goods at all, or did not need them equally, there would be either no exchange or not the same exchange); but money has become a sort of representative of demand' and this is why it has the name 'money' [*noumisma*]¹⁰—because it exists not by nature but by law [*nomos*] and it is in our power to change it and make it useless. There will, then be reciprocity when the terms have been equated so that as farmer is to shoemaker, the amount of the shoemaker's work is to that of the farmer's work for which it exchanges....Money, then, acting as a measure, makes goods commensurate and equates them; for neither would there have been association if there were not exchange, nor exchange if there were not equality, nor equality if there were not commensurability. Now in truth it is impossible that things differing so much should become commensurate, but with reference to demand they may become so sufficiently. There must, then, be a unit, and that fixed by agreement (for which reason it is called money); for it is this that makes all things commensurate, since all things are measure by money. Let A be a house B ten *minae*, C a bed. A is half of B, if the house is worth five *minae* or equal to them; the bed, C, a tenth of B; it is plain, then, how many beds will equal a house, viz. five. That exchange took place thus before there was money is plain; for it makes no difference whether it is five beds that exchange for a house, or the money value of five beds.

We have now defined the unjust and the just....

[**Aristotle on monopoly and its regulation:** *Politics* Book I, Ch. 11¹⁰] About these ways of getting a living I have spoken only in a general way, but adequately for the present purpose. For, however useful a detailed account might be for those likely to be engaged in such occupations, it would be out of place to spend much time on them now.¹¹.... The material is scattered, and it would be advisable to make a collection of all those methods by which have succeeded in the business of money-making. It would certainly be very useful for those who, like the philosopher Thales, attach much importance to the acquisition of wealth. Thales used a financial device which, though it was ascribed to his skill as a philosopher, is really open to anybody. The story is as follows: people had been saying to Thales that philosophy was useless, as it had left him a poor man. But he, deducing from his knowledge of the stars that there would be a good crop of olives, while it was still winter raised a little capital and used it to pay deposits on all the oil-presses in Miletus and Chios, thus securing an option on their hire. This cost him only a small sum as there were no other bidders. Then the time of the olive-harvest came and as there was a sudden and simultaneous demand for oil-presses, he hired them

¹⁰ Op. cit., 48-9.

¹¹ [Aristotle's footnote] I will just add this: those require most skill which depend least on luck; those are most banal which cause most deterioration of the bodies of the workers; most slavish where the body has most to do, most ignoble where there is least need of goodness.

out at any price he liked to ask. He made a lot of money and demonstrated that it is easy for philosophers to be rich, if they want to; but that is not their object in life. Such is the story of Thales, how he gave proof of his cleverness; but, as we have said, the principle can be generally applied; the way to make money in business is to get, if you can, a monopoly for yourself. Hence we find governments also on certain occasions employing this method when they are short of money. They secure a sales-monopoly for themselves. There was a man in Sicily, too, who used a sum of money that had been deposited with him to buy up all the iron from the foundries; then, when the buyers arrived from the various firms, he was the only seller; and without raising the price unduly he turned his fifty talents into a hundred. When the ruler Dionysius heard of this he told the man that he regarded such practices as detrimental to the country's interest and that he must therefore depart from Syracuse at once, though he might take his money with him. The example of Thales and this one are in principle the same; both managed to create a monopoly for themselves. All this knowledge about commodities and supply and demand is useful also for statesmen; for many cities are in greater need of money and of these sources of supply than a household. Hence we sometimes find those who direct the affairs of state make this their entire policy.

[**Aristotle on just and unjust constitutions, faction and ideology:** *Politics* Book III, Ch. 6-9] 6. Having settled these questions we must proceed to our next and ask whether we are to posit only one constitution or more than one; and if more than one, ask what they are and how many and what are the differences between them. By the 'constitution' we mean the organization of the various authorities and in particular the sovereign authority that is above all the others. Now in every case the citizen-body is sovereign; the constitution *is* the sum total of all the *politeuma*. Thus in democratic constitutions the people or demos is supreme, in oligarchies the few. *That* is what makes one constitution differ from another—the composition of the citizen-body; and the same criterion can be applied to the others also.

We ought at the outset to state the purpose for which the state has come to be, as well as the nature and number of kinds of rule or authority controlling the men of the city and their life as members of a common society. At the beginning of this work, when we drew a distinction between ruling a household and despotic rule, we also stated that man is by nature a political animal. Men have a natural desire for life in society, even when they have no need to seek each other's help. Nevertheless common interest is a factor bringing them together, since the interest of all contributes to the good life of each. The good life is indeed the chief end of the state both corporately and individually, but men form and continue this kind of association for the sake of life itself. Perhaps we may say that there is an element of value even in mere living, provided that life is not excessively beset with troubles. Certainly most men, in their desire to keep alive, are prepared to face a great deal of suffering, finding in life itself a certain comfort and a feeling that it is good to be alive.

But to return to authority, it is not difficult to distinguish the named varieties of it—I often speak of their definition in my public lectures. First the authority of master over slave; this is exercised primarily for the benefit of the master and only incidentally for the benefit of the slave; strictly speaking, one whose nature is to be a slave has no other interest than that of his master by nature. But the master has an interest in maintaining the relationship; which cannot be done unless the slave is alive and able to work. Then there

is the authority of a man over his wife, his children and his household, to which form of government we give the name 'household management.' This is exercised either for the benefit of those subject to the authority or for the common benefit of both parties. Properly and in itself it is for the benefit of the subjects as we see by the analogy of other skilled activities, such as the work of a doctor or of an athlete's trainer, who are only incidentally concerned with their own interests.¹²

Thirdly the political authority: whenever it is constituted on a basis of equality and similarity between citizens, these claim the right to take it in turns to exercise authority, to govern.¹³ It is clear then that those constitutions which aim at the common good are *right*, as being in accord with absolute justice; while those which aim only at the good of the rulers are *wrong*. They are all deviations from the right standard. They are like the rule of master over slave, where the master's interest is paramount. But the state is an association of free men.

7. Having drawn this distinction we must next consider what constitutions there are and how many. We begin with those that aim at securing the good of all, which we have called 'straight' constitutions, since, when these have been defined, it will be easy to see the deviation-types. As we have seen, constitution and *politeuma* are really the same; the citizen body is the sovereign power in states. Sovereignty must reside either in one man, or in a few, or in the many. Whenever the One, the Few, or the Many rule with a view to the common weal, these constitutions must be right; but if they look to the advantage of one section only, be it the One or the Few or the Mass, it is a deviation. For either we must say that those who participate are not citizens or they must share in the common good. The usual names for right constitutions are as follows:

(1) One man rule aiming at the common good—Kingship.

(2) Rule of more than one but only a few—Aristocracy.¹⁴

(3) Rule exercised by the bulk of the citizens for the good of the whole community—Polity.¹⁵

The corresponding deviations are: from kingship, tyranny; from aristocracy, oligarchy; from polity or constitutional government by the many, democracy. For tyranny is sole government for the benefit of the sole ruler, oligarchy for the benefit of men of

¹² [Aristotle's footnote] Of course there is nothing to prevent a trainer on occasion being himself a member of the team in training, as the man who steers the ship is always a member of the ship's company. Trainer and pilot alike look to the good of those under their direction, but when he too is one of these he gets the same good out of it *per accidens* as they do.

¹³ [Aristotle's footnote] This principle is very old but in earlier times it was applied in a natural and proper manner; men thought it their duty each to take a turn at public service and, during tenure in office, look out for the interests of someone else, who would do or had done the same for him. But nowadays there is more to be gained out of public services and offices; so instead of being content to take their turn, men want to be continually in office. They could hardly be more zealous in their place-hunting if they were ill and their recovery depended on securing office.

¹⁴ [Aristotle's footnote] So called either because the *best* men rule or because it aims at what is *best* for the state and all its members.

¹⁵ [Aristotle's footnote] This is the same word as constitution. But it is reasonable to use this term, because, while it is possible for one man or a few to be of outstanding ability, it is difficult for a larger number to reach a high standard in all forms of excellence. But it may be reached in fighting qualities by the general run of people. And that is why in this 'constitutional constitution' the citizen-army is the sovereign body and only those who bear arms are members of it.

means, democracy for the benefit of the men without means. None of the three aims at the advantage of the whole community.

8. We must however go into a little more detail about the nature of these various constitutions. Certain questions are involved which one whose aim is strictly practical might be allowed to pass over, but which we, looking at each subject from a philosophical standpoint, cannot neglect. We must state the true nature of each.

Tyranny, as has been said, is that form of monarchical rule which is despotically exercised over the political association called the state; oligarchy occurs when the sovereign power is in the hands of those possessed of property, democracy when it is in the hands of those who have no accumulated wealth, who are without means. The first set of this set of questions concerns definitions of oligarchy and democracy: suppose the majority to be well-off and to be the sovereign power in the state, then we have a democracy, since the mass of the people is sovereign. So too, if it should occur that those who had no property, while fewer in number than those who had, were yet more powerful and in control of government, then that is an oligarchy since the few are in power. It looks therefore as if there were something wrong with our way of defining constitutions. Even if we try to include both criteria, combining wealth with fewness of numbers in one case, lack of wealth with large numbers in the other, even then we are only raising a fresh difficulty. For if there is not in fact any other constitution than the six with which we have been dealing, what names can we give to the two just mentioned, one in which the wealthy are more numerous and one in which the non-wealthy are less numerous, each class being in the case in control of government? The argument seems to show that the real criterion should be property, that it is a matter of accident whether those in power be few or many, the one in oligarchies, the other in democracies. It just happens that way because everywhere the rich are few and the poor are many. So the basis of the difference has been wrongly given; what differentiates oligarchy and democracy is wealth or the lack of it. The essential point is that where the possession of political power is due to the possession of economic power or wealth, whether the number of persons be large or small, that is oligarchy, and when the unpropertied class have power that is democracy. But, as we have said, in actual fact the former are few, the latter many. Few wealthy but all share freedom alike: and these are the bases of their claim to a share in the *politeia*, property in the one case, free status in the other.

9. First we must ask what are the defining marks of oligarchy and democracy, and in particular what is the oligarchic and what is the democratic view of Justice. For all aim at justice of some kind, but they do not proceed beyond a certain point and are not referring to the whole of absolute justice when they speak of it. Thus it appears that the just is equal, and so it is, but not for all persons, only for those that are equal. The unequal also appears to be just; and so it is, but not for all, only for the unequal. We make bad mistakes if we neglect this 'for whom' when we are deciding what is just. The reason is that we are making decisions about ourselves, and people are generally bad judges where their own interests are involved. So, as justice means just for certain persons and also just in relation to certain things (a distinction pointed out in my *Ethics*), these people, while agreeing as to the equality of the thing disagree about the persons for whom; and this chiefly for the reason already stated of judging from their own case, and therefore judging badly. There is also this further reason that they imagine themselves to be talking about absolute justice simply because they have, both parties of them, a certain amount of

right on their side, justice in a limited sense. Thus it is an error to suppose that men unequal in one respect, e.g. property, are unequal in all, just as it is an error to suppose that men equal in one respect, e.g. that they are free men, are equal in every respect. To argue thus is to neglect the essential: if persons originally come together and form an association based on ownership of property, then they share in that association, the state, in proportion to their ownership of property.

This is the basis of the oligarchs' view of the state and of justice; and in its favour it can certainly be said that it is not just that out of a sum of a hundred pounds he that contributed one pound should receive equal shares with him who found the remaining ninety-nine, and this applies equally to the original hundred pounds capital and to any profits subsequently made. But a state is something more than an investment; its purpose is not merely to provide a living but to make a life that is worth while. Otherwise a state might be made up of slaves or animals, and that is impossible, because slaves and animals are not free agents and do not participate in well-being.

A state is also something more than a pact of mutual protection or an agreement to exchange goods and services; for in that case Etruscans and Carthaginians, and all others with contractual obligations to each other, would be taken as citizens of a single state. Certainly they have trade-agreements, non-aggression pacts, and written documents governing their alliance. But this is very different from being one state with one citizenship; for in the first place each has its separate government and there are no official bodies to which they are equally subject. Secondly neither is concerned with the *quality* of the citizens of the other, or even with their behaviour, whether it is honest or dishonest, except in dealings with members of the other state. But all who are concerned with lawful behaviour must make it their business to have an eye to the goodness or badness of the citizens. It thus becomes evident that that which is genuinely and not just nominally called a state must concern itself with virtue. Otherwise the state-partnership is a mere alliance, differing only in location and extent from alliance in the usual sense; and under such conditions Law becomes a mere contract or, as Lycophron the sophist put it, 'a mutual guarantee of rights' and quite unable to make citizens good and just, which it ought to do.

That this is the essential quality in a state will be clear from some further illustrations. Suppose you merge the territories into one, making the walls, say, of Corinth and Megara contiguous, that does not make a single state of them; nor would it, even if they established rights of marriage between the two, though is one of the closest possible ties. Or again, suppose you had ten thousand people living at some distance from each other, but near enough not to lose contact; carpenter, farmer, leatherworker, and other necessary craftsmen are there, and furthermore they all accept laws and regulations prohibiting dishonesty in their dealings with each other; yet, so long as their associations with each other do not go beyond commercial exchanges and defence, that is still not a state. And why not? you may ask. The reason is certainly not that it is a loosely knit community. For even if they lived closer together, while otherwise maintaining only such contacts as I have described, except that each governed his household like a state, not at any rate in the strict sense, since the nature of their association is the same whether they live together or far apart.

It is clear therefore that the state cannot be defined merely as a community dwelling in the same place and preventing its members from wrong-doing and promoting the

exchange of goods and services. Certainly all these must be present if there is to be a state, but even the presence of every one of them does not *ipso facto* make a state. The state is intended to enable all, in their households and their kinships, to live *well*, meaning a full and satisfying life. This will not be attained unless these groups occupy one and the same territory and can inter-marry. It is indeed on that account that we find in various cities associations formed of relatives by marriage, brotherhoods, family reunions for sacrifices to the gods, and other ways of social intercourse. All these activities are an expression of affection, for it is our love of others that causes us to prefer life in a society; and they all contribute towards that good life which is the purpose of a state (one could also make a *polis* out of an association of clans and villages, so long as the aim was a full and satisfying life); and that, we hold, means living happily and nobly. So we must lay it down that the political association which we call a state exists not simply for the purpose of living together but for the sake of noble actions. Those who do noble deeds are therefore contributing to the quality of the political association, and those who contribute most are entitled to a larger share than those who, though they may be equal or even superior in free birth and family, are inferior in noble deeds and so in the essential goodness that belongs to the *polis*. Similarly they are entitled to a larger share than those who are superior in riches but inferior in goodness.

All this makes it more clear than ever that those who speak of justice in connexion with various types of constitution are using the term in a limited and relative sense.

2. Marcus Tullius Cicero (106-43 B.C.)

[Cicero on justice and property rights: *On Duties*¹⁶ I, 20]

On justice, the first office is that no man should harm another unless he has been provoked by injustice; the next that one should treat common goods as common and private ones as one's own.

(21) Now no property is private by nature, but rather by long occupation (as when men moved into some empty property in the past), or by victory (when men acquired it in war), or by law, by settlement, by agreement or by lot. The result is that the land of Arpinum is said to belong to the Arpinates, and that of Tusculum to the Tusculani. The distribution of private property is of a similar kind. Consequently, since what becomes each man's own comes from what had in nature been common, each man should hold on to whatever has fallen to him. If anyone else should seek any of it for himself, he will be violating the law of human friendship.

(22) We are not born for ourselves alone, to use Plato's splendid words, but our country claims for itself one part of our birth, and our friends another. Moreover, as the Stoics believe, everything produced on the earth is created for the use of mankind, and men are born for the sake of men, so that they may be able to assist one another. Consequently, we ought in this to follow nature as our leader, to contribute to the common stock the things that benefit everyone together, and by the exchange of dutiful services, by giving and receiving expertise and effort and means, to bind fast the fellowship of men with each other. (23) Moreover, the keeping of faith is fundamental to justice, that is constancy in what is said and agreed....

[Cicero on beneficence and liberality (personal distribution): *On Duties* I, 41-59¹⁷]

¹⁶ Cicero, *On Duties*, edited by M.T. Griffin and E.M. Atkins, Cambridge University Press, 1991, 9-10.

¹⁷ *Ibid*, 19-25.

I have now said enough about justice. (42) Next, I must do as I proposed and speak about beneficence and liberality. Nothing is more suited to human nature than this, but there are many caveats. For first one must see that that kindness harms neither the very people whom one seems to be treating kindly, nor others; next, that one's kindness does not exceed one's capabilities; and then, that kindness is bestowed upon each person according to his standing. Indeed, that is fundamental to justice, to which all these things ought to be referred. For those who do someone a favour in such a way that they harm him whom they appear to want to assist, should be judged neither beneficent nor liberal, but dangerous flatterers. Those who, in order to be liberal towards some, harm others, fall into the same injustice as if they had converted someone else's possession to their own account.

(43) There are, though, many especially those greedy for renown and glory, who steal from one group the very money that they lavish upon another. They think that they will appear beneficent towards their friends if they enrich them by any method whatsoever. But that is so far from being a duty that in fact nothing could be more opposed to duty. We should therefore see that the liberality we exercise in assisting our friends does not harm anyone. Consequently, the transference of money by Lucius Sulla and Gaius Caesar from its lawful owners ought not to be seen as liberal: nothing is liberal that is not also just.

(44) The second need for caution is lest anyone's kindness exceeds one's capabilities. For those who want to be kinder than their possessions allow just go wrong by being unjust to those nearest to them; they transfer to strangers resources which would more fairly be provided for, or left to, them. Usually there lurks within such liberality a greediness to plunder and deprive unjustly, so that resources may be available for lavish gifts. One can see that most men are not so much liberal by nature as drawn by a kind of glory, and in order to be seen beneficent they do many things that appear to stem not from goodwill, but from ostentation. Such pretence is closer to sham than to either liberality or honourableness.

(45) The third point I had laid down was that when exercising benevolence make choices according to standing. Here we should look both at the conduct of the man on whom we are conferring a kindness, and at the spirit in which he views us, at the associate and fellowship of our lives together, and at the dutiful services he has previously carried out for our benefit. It is desirable that all such considerations should come together. If they do not, then the more numerous and more important grounds will carry more weight....

(50) ...Perhaps, though, we should examine more thoroughly what are the natural principles of human fellowship and community. First is something that is seen in the fellowship of the entire human race. For its bonding consists of reason and speech, which reconcile men to one another, through teaching, learning, communicating, debating and making judgments, and unite them in a kind of natural fellowship. It is this that most distances us from the nature of other animals. To them we often impute courage, as with horses or lions, but we do not impute to them justice, fairness or goodness. For they have no share in reason or speech.

(51) The most widespread fellowship existing among men is that of all with all others. Hence we must preserve the communal sharing of all the things that nature bring forth for the common use of mankind, in such a way that whatever is assigned by statutes and civil

law should remain in such possession as those laws may have laid down, but the rest should be regarded as the Greek proverb has it: everything is common among friends. The things that are common to all men seem to be of the kind that Ennius defines in one case, from which we can extrapolate to many cases:

A man who kindly shows the path to someone who is lost lights another's light, so to speak, from his own. For his own shines no less because he has lit another's.

With this one instance, he advises us that if any assistance can be provided without detriment to oneself, it should be given even to a stranger. (52) Therefore such things as the following are to be shared: one should not keep from others fresh water, should allow them to take fire from your fire, should give trustworthy counsel to someone who is seeking advice; for they are useful to those who receive them and give no trouble to the giver. We should therefore both make use of them and always be contributing something to the common benefit. Since, though, the resources of individuals are small, but the mass of those who are in need is infinitely great, general liberality is measured must be measured according to the limit laid down by Ennius, that his own light shine no less; then we shall still be capable of being liberal to those close to us.

(53) There are indeed several degrees of fellowship among men. To move from the one that is unlimited, next there is a closer one in the same race, tribe and tongue. More intimate still is that of the same city, as citizens have many things that are shared with one another: the forum, temples, porticoes and roads, laws and legal rights, law-courts and political elections; and besides these acquaintances and companionship, and those business and commercial transactions that many of them make with many others. A tie narrower still is that of the fellowship between relations: moving from the vast fellowship of the human race we end up with a confined and limited one.

(54) For since it is by nature common to all animals that they have a drive to procreate, the first fellowship exists within marriage itself, and the next with one's children. Then, there is the one house in which everything is shared. Indeed, that is the principle of a city and the seed-bed, as it were, of a political community. Next there follow bonds between brothers, and then between first cousins and second cousins, who cannot be contained in one house and go out to other houses, as if to colonies. Finally there follow marriages and those connections of marriage from which even more relations arise. In such propagation and increase political communities have their origin. Moreover, the bonding of blood holds men together by goodwill and by love; (55) for it is a great thing to have the same ancestral memorials, to practice the same religious rites, and to share common ancestral tombs.

Of all fellowships, however, none is more important, and none stronger, than when good men of similar conduct are bound by familiarity. For honourableness—the thing that I so often mention—moves us, even if we see it in someone else, and makes us friends of him in whom it seems to reside. (56) (All virtue indeed lures us to itself and leads us to love those in whom it seems to reside, but justice and liberality do so the most.) Moreover, nothing is more lovable and nothing more tightly binding than similarity in conduct that is good. For when men have similar pursuits and inclinations, it comes about that each one is as much delight with the other as he is with himself; the result is what Pythagoras wanted in friendship, that several be united into one. Important also are the common bonds that are created by kindnesses reciprocally given and received, which,

provided that they are mutual and gratefully received, bind together those concerned in an unshakeable fellowship.

(57) But when you have surveyed everything with reason and spirit, of all fellowships none is more serious, and none dearer, than that of each of us with the republic. Parents are dear, and children, relatives and acquaintances are dear, but our country has on its own embraced all the affections of all of us. What good man would hesitate to face death on her behalf, if it would do her a service? How much more detestable, then, is the monstrousness of those who have savaged their country with all manner of crime and who have been, and are still, engaged in destroying her utterly?

(58) Now were there a comparison, or competition, as to who ought most to receive our dutiful services, our country and our parents would be foremost; for we are obliged to them for the greatest kindnesses. Next would be our children and our whole household, which looks to us alone and can have no other refuge. Then our relations, who are congenial to us and with whom our fortunes are generally shared. Therefore whatever is most necessary to support life is most owed to those whom I have just mentioned; on the other hand a shared life and a shared living, counsel and conversation, encouragement, comfort, and sometimes even reproofs, flourish most of all in friendships; and friendship is most pleasing when it is cemented by similarity of conduct.

(59) But, one ought when bestowing all these dutiful services to look at what each person most greatly needs, and what each would or would not be able to secure without our help. Thus the degrees of ties of relationship will not be the same as those of circumstance. Some duties are owed to one group of people rather than to another. You should, for example, assist your neighbor sooner than your brother or companion in gathering his harvest; but you should in a suit in the lawcourts defend a relative or friend rather than your neighbour.

In every case of duty, therefore, considerations such as these ought to be examined, and we should adopt this habit and should practice so that we can become good calculators of our duties, and can see by adding and subtracting what is the sum that remains; from this you can understand how much is owed to each person. (60) But neither doctors nor generals nor orators are able, however much they have taken to heart advice about their art, to achieve anything very worthy of praise without experience and practice. Similarly, advice on observing duty certainly has been handed down, as I myself am now handing it down, but a matter of such importance also demands experience and practice. And now I have said enough on the question of how honourableness, upon which our duty hangs, is derived from those things that constitute the justice of human fellowship.

3. Augustine (Aurelius Augustinus, 354-430)

[**Augustine defines marriage**: fidelity and offspring (and for Christians, sacrament); *Of the good of marriage*,¹⁸ (401 A.D.), excerpts (1; 32)]

1. Forasmuch as each man is a part of the human race, and human nature is something social, and hat for a great and natural good, the power also of friendship; on this account God willed to create all men out of one, in order that they may be held in their society not only by likeness of kind, but also by bond of kindred. Therefore, the first natural bond of

¹⁸ Translated by Rev. C.L. Cornish, available at <http://www.newadvent.org/fathers/1309.htm>. accessed 4/25/2007..

human society is man and wife. Nor did God create each by himself, and join them together as alien by birth; but He created the one out of the other, setting a sign also of the power of the union in the side, when she was drawn, was drawn, was formed. For they are joined on to another side by side, who will walk together, and look together whither they walk. Then follows the connexion of fellowship in children, which is the one alone worthy fruit, not of the union of male and female, but of the sexual intercourse. For it were possible that there should exist in either sex, even without such intercourse, a certain friendly and true union of the one ruling, and the other obeying....

32. Therefore, the good of marriage throughout all nations and all men stands in the occasion of begetting, and faith of chastity: but so far as pertains unto the people of God, also in the sanctity of the Sacrament, by reason of which it is unlawful for one who leaves her husband, even when she has been put away, to be married to another, so long as her husband lives, no not even for the sake of bearing children: and whereas this alone is the cause, wherefore marriage takes place, not even where that very thing, wherefore it takes place, follows not, is the marriage bond loosed, save by the death of the husband or wife. In like manner as if there take place an ordination of clergy in order to form a congregation of people, although the congregation of people follow not, yet there remains in the ordained persons the Sacrament of Ordination; and if, for any fault, any be removed from his office, he will not be without the Sacrament of the Lord once for all set upon him, albeit continuing unto condemnation. Therefore that marriage takes place for the begetting of children, the Apostle is a witness thus, "I will," says he, "that the younger women be married." And, as though it were said to him, For what purpose? Straightway he added, "to have children, to be mothers of families." But unto the faith of chastity pertains that saying, "The wife hath no power of her own body, but the husband: likewise also the husband hath not power of his own body, but the wife." But unto the sanctity of the sacrament that saying, "The wife not depart from her husband, but in case she shall have departed, to remain unmarried, or to be reconciled to her husband: and let not the husband put away his wife." All these are goods, on account of which marriage is a good: offspring (*proles*), faith (*fides*), sacrament (*sacramentum*)....

[**Augustine distinguishes private and public goods:** individual vs. joint consumption; *On Free Will*, viii, 19 (388-395 A.D.)]¹⁹

In the case of corporeal things, that is, things we perceive with the bodily senses, when we cannot both perceive them together but must do so severally, it is due to the fact that we make them completely ours by consuming them and making them part of ourselves, like food and drink of which you cannot consume the same part as I do.... It is therefore evident that things which we perceive with the bodily senses without causing them to change are by nature...common to us both, because they are not converted and changed into something which is our peculiar and almost private property. By 'peculiar and private property' I mean that which belongs to each of us alone, which each of us perceives by himself alone, which is part of the natural being of each of us severally. By common and almost public property, I mean that which is perceived by all sensitive beings without thereby being affected and changed.

[**Augustine on love and utility as scales of preference** (for persons as ends and other things as means, respectively): *On Christian Doctrine*²⁰ (396-397 A.D.), excerpts]

¹⁹ *Augustine: Earlier Writings*, selected and translated by J.H.S. Burleigh, Library of Christian Classics, Westminster Press, Philadelphia, 1953; 146.

Book I, Chap. 3.—*Some things are for use, some for enjoyment*

3. There are some things, then, which are to be enjoyed, others which are to be used, others still which enjoy and use. Those things which are objects of enjoyment make us happy. Those things which are objects of use assist and (so to speak) support us in our efforts after happiness, so that we can attain the things that make us happy and rest in them. We ourselves, again, who enjoy and use these things, being placed among both kinds of objects, if we set ourselves to enjoy those which we ought to use, are hindered in our course, and sometimes even led away from it; so that, getting entangled in the love of lower gratification, we lag behind in, or even altogether turn back from, the pursuit of the real and proper objects of enjoyment.

Chap. 4—*Difference of use and enjoyment*

4. For to enjoy a thing is to rest with satisfaction in it for its own sake. To use, on the other hand, is to employ whatever means are at one's disposal to obtain what one desires, if it is a proper object of desire; for an unlawful use ought rather to be called an abuse. Suppose, then, we were wanderers in a strange country, and could not live happily away from our fatherland, and that we felt wretched in our wandering, and wishing to put an end to our misery, determined to return home. We find, however, that we must make use of some mode of conveyance, either by land or water, in order to reach that fatherland where our enjoyment is to commence. But the beauty of the country of the country through which we pass, and the very pleasure of the motion, charm our hearts, and turning these things which we ought to use into objects of enjoyment, we become unwilling to hasten the end of our journey; and become engrossed in a fictitious delight, our thoughts are diverted from that home whose delights would make us truly happy. Such is a condition in this life of mortality. We wandered far from God; and if we wish to return to our Father's home, this world must be used, not enjoyed, so that the invisible things of God may be clearly seen, being understood by the things that are made—that is, that by means of what is material and temporary we may lay hold upon that which is spiritual and eternal.

Chap. 5—*The Trinity the true object of enjoyment*

5. The true objects of enjoyment, then, are the Father and the Son and the Holy Spirit, who are at the same time the Trinity, one Being, supreme above all, and common to all who enjoy Him, if He is an object, and not rather the cause of all objects, or indeed if He is the cause of all. For it is not easy to find a name that will suitably express so great excellence, unless it is better to speak in this way: The Trinity, one God, of whom all things are all things, through whom are all things, in whom are all things.

Chap. 22.—*God alone to be enjoyed*

20. Among these things, then, those only are the true objects of enjoyment which we have spoken of as eternal and unchangeable. The rest are for use, that we may be able to arrive at the full enjoyment of the former. We, however, who enjoy and use other things are things ourselves. For a great thing truly is man, made after the image and similitude of God, not as respects the mortal body in which he is clothed, but as respects the rational soul by which he is exalted in honour above the beasts. Chap. 23—Man needs no injunction to love himself and his own body.

Chap. 23.—*Man needs no injunction to love himself and his own body*

²⁰ Available at <http://www.ccel.org/a/augustine/doctrine/doctrine.html>, accessed 1/9/2002.

22. Those things which are objects of use are not all, however, to be loved, but those only which are either united with us in a common relation to God, such as a man or an angel, or are so related to use as to need the goodness of God through our instrumentality, such as the body.... As, then, there are four kinds of things to be loved,—first, that which is above us; second, ourselves; third, that which is on a level with us; fourth, that which is beneath us,—no precepts need to be given about the second and fourth of these. For, however far a man may fall away from the truth, he still continues to love himself, and to love his own body.

Chap. 25.—*A man may love something more than his own body, but does not therefore hate his body.*

26. Man, therefore, ought to be taught the due measure of loving, that is, in what measure he may love himself so as to be of service to himself. For that he does love himself, and does desire to do good to himself, nobody but a fool would doubt. He is to be taught, too, in what measure to love his body, so as to care for it wisely and within due limits. For it is equally manifest that he loves his body also, and desires to keep it safe and sound. And yet a man may have something that he loves better than the safety and soundness of his body. For many have been found voluntarily to suffer both pains and amputations of some of their limbs that they might obtain other objects which they valued more highly. But no one is to be told not to desire the safety and health of his body because there is something he desires more. For the miser, though he loves money, buys bread for himself,—that is, he gives away money that he is very fond of and desires to heap up,—but it is because he values more highly the bodily health which the bread sustains. It is superfluous to argue any longer on a point so very plain, but this is just what the error of wicked men often compels us to do.

Chap. 26.—*The command to love God and our neighbour includes a command to love ourselves*

27. Seeing, then, that there is no need of a command that every man should love himself and his own body,—seeing, that is, that we love ourselves, and what is beneath us but connected with us, through a law of nature which has never been violated, and which is common to us with the beasts (for even the beasts love themselves and their own bodies),—it only remained necessary to lay injunctions upon us in regard to God above us, and our neighbour beside us. “Thou shalt love,” He says, “the Lord thy God with all thy heart, and with all thy soul, and with all thy mind; and thou shalt love thy neighbour as thyself. On these two commandments hang all the law and the prophets.” Thus the end of the commandment is love, and that twofold, love of God and the love of our neighbour. Now, if you take yourself in your entirety,—that is, soul and body together—and your neighbour in his entirety, soul and body together (for man is made up of soul and body), you will find that none of these classes of things that are to be loved is overlooked in these two commandments. For though, when the love of God comes first, and the measure of our love for him is prescribed in such terms that it is evident all other things are to find their centre in Him, nothing seems to be said about our love for ourselves; yet when it is said, “Thou shalt love thy neighbour as thyself,” it at once becomes evident that our love for ourselves has not been overlooked.

Chap. 27.—*The order of love*

28. Now he is a man of just and holy life who forms an unprejudiced estimate of things, and keeps his affections under strict control, so that he neither loves what he ought not to love, nor fails to love what he ought to love, nor loves that more which ought to be loved less, nor loves that equally which ought to be loved either less or more, nor loves that less or more which ought to be loved equally. No sinner is to be loved as a sinner and every man is to be loved as a man for God's sake; but God is to be loved for his own sake. And if God is to be loved more than any man, each man ought to love God more than himself. Likewise he ought to love another man better than his own body, because all things are to be loved in reference to God, and another man can have fellowship with us in the enjoyment of God, whereas our body cannot; for the body only lives through the soul, and it is by the soul that we enjoy God.

Chap. 28.—*How we are to decide whom to aid*

29. Further, all men are to be loved equally. But since you cannot do good to all, you are to pay special regard to those who, by the accidents of time, or place, or circumstance, are brought into closer connection with you. For suppose you had a great deal of some commodity, and felt bound to give it away to somebody who had none, and that it could not be given to more than one person; if two persons presented themselves, neither of whom had either from need or relationship a greater claim upon you than the other, you could do nothing fairer than choose by lot to which you would give what could not be given to both. Just so among men: since you cannot consult for the good of them all, you must take the matter as decided for you by a sort of lot, according as each man happens for the time being to be more closely connected with you.

Chap. 29.—*We are to desire and endeavour that all men may love God*

30. Now of all who can with us enjoy God, we love partly those to whom we render services [i.e. make a gift], partly those who render services [i.e. make a gift] to us, partly those who both help us in our need and in turn are helped by us [i.e. exchange], partly those upon whom we confer no advantage and from whom we look for none [i.e. no transaction]. We ought to desire, however, that they should all join with us in loving God, and all the assistance that we either give them or accept from them should tend toward that one end....

Chap. 31.—*God uses rather than enjoys us*

34. And on this ground, when we say that we enjoy only that which we love for its own sake, and that nothing is a true object of enjoyment except that which makes us happy, and that all other things are for use, there seems still something that requires explanation. For God loves us, and Holy Scripture frequently sets before us the love He has towards us. In what way then does He love us? As objects of use or enjoyment? If He enjoys us, He must be in need of good from us, and no sane man will say that; for all the good we enjoy is either Himself, or what comes from Himself. And no one can be ignorant or in doubt as to the fact that the light stands in no need of the glitter of the things it has itself lit up. The Psalmist says most plainly, "I said to the LORD, Thou art my God, for Thou needest not my goodness." He does not enjoy us then, but makes use of us. For if He neither enjoys nor uses us, I am at a loss to discover in what way He can love us.

Chap. 32.—*In what way God uses man*

35. But neither does He use us after our fashion of using. For when we use objects, we do so with a view to the full enjoyment of the goodness of God. God, however, in His use of us, has reference to His own goodness. For it is because He is good we exist; and so

far as we truly exist we are good. And, further, because He is also just, we cannot with impunity be evil; and so far as we are evil so far is our existence less complete. Now He is the first and supreme existence, who is altogether unchangeable, and who could say in the fullest sense of the words, I AM THAT I AM," and "Thou shalt say to them, I AM has sent me unto you;" So that all other things that exist, both owe their existence entirely to Him, and are good only so far as He has given it to them to be so. That use, then, which God is said to make of us has no reference to His own advantage, but to ours only; and so far as He is concerned, has reference only to His own goodness. When we take pity upon a man and care for him, it is for his advantage we do so; but somehow or other our own advantage follows by a sort of natural consequence, for God does not leave the mercy we show to him who needs it go without reward. Now this is our highest reward, that we should fully enjoy Him, and that all who enjoy Him should enjoy one another in Him.

Chap. 35—*The fulfillment and end of Scripture is the love of God and our neighbour*

39. Of all, then, that has been said since we entered upon the discussion about things, this is the sum: that we should clearly understand that the fulfillment and the end of the Law, and of all Holy Scripture, is the love of an object which is to be enjoyed, and the love of an object which can enjoy that other fellowship with ourselves. For there is no need of a command that each man should love himself. The whole temporal dispensation of our salvation, therefore, was framed by the providence of God that we might know this truth and be able to act upon it; and we ought to use that dispensation, not with such love and delight as if it were a good to rest in, but with a transient feeling rather, such as we have for the road, or carriages, or other things that are merely means. Perhaps some other comparison can be found that will more suitably express the idea that we are to love the things by which we are borne only for the sake of that toward which we are borne.

[**Augustine's theory of utility** as a scale of preference for useful, scarce means: *City of God*²¹ Book XI, Ch. 16]

16. *The distinctions among created things; and their different ranking by the scales of utility and logic.*

Now among those things which exist in any mode of being, and are distinct from God who made them, living things are ranked above inanimate objects; those which have the power of reproduction, or even the urge towards it, are superior to those who lack that impulse. Among living things, the sentient rank above the insensitive, and animals above trees. Among the sentient, the intelligent take precedence over the unthinking—men over cattle. Among the intelligent, immortal beings are higher than mortals, angels higher than men.

This is the scale according to the order of nature; but there is another gradation which employs utility as the criterion of value. On this other scale we would put some inanimate things above some creatures of sense—so much so that if we had the power, we should be ready to remove these creatures from the world of nature, whether in ignorance of the place they occupy in it, or, though knowing that, still subordinating them to our own convenience. For instance, would not anyone prefer to have food in his house, rather than mice, or money rather than fleas? There is nothing surprising in this; for we

²¹ Augustine, *Concerning the City of God against the pagans*, a new translation by Henry Bettenson with an introduction by John O'Meara, Penguin Books, New York, 1984, 447-8; a different translation is available at <http://www.newadvent.org/fathers/120111.htm>.

find the same criterion operating in the value we place on human beings, for all the undoubted worth of a human creature. A higher price is often paid for a horse than a slave, for a jewel than for a maidservant.

For there is a very wide difference between a rational consideration, in its free judgment, and the constraint of need, or the attraction of desire. Rational consideration decides on the position of each thing in the scale of importance, on its own merits, whereas need thinks only of its own interests. Reason looks for the truth as it is revealed to the enlightened intelligence; desire has an eye for what allures by the promise of sensual enjoyment.

Now in establishing the order of rational beings, such weight is attached to the qualities of freedom and love, that although angels are superior to men in the order of nature, good men rank above the evil angels according to the criterion of righteousness.

4. Thomas Aquinas (1225-1274)

[**Aquinas divides moral philosophy by subject:** individual, domestic and political (vs. Aristotle's twofold division into ethics and politics); *Commentary on Aristotle's Nicomachean Ethics*, Lecture I²² (1271-72)]

1 As the Philosopher says in the beginning of the *Metaphysics* (Bk. I, Ch. 2, 982a18; St. Th. Lect. II, 41-42), it is the business of the wise man to order. The reason for this is that wisdom is the most powerful perfection of reason whose characteristic is to know order. Even if the sensitive powers know some things absolutely, nevertheless to know the order of one thing to another is exclusively the work of intellect or reason. Now a twofold order is found in things. One kind is that of parts of a totality, that is, a group, among themselves, as the parts of a house are mutually ordered to each other. The second order is that of things to an end. This order is of greater importance than the first. For, as the Philosopher says in the eleventh book of the *Metaphysics* (Bk. XII, Ch. 10, 1075a15; St. Th. Bk. XII, 2629-2631), the order of the parts of an army among themselves exists because of the order of the whole army to the commander. Now order is related to reason in a fourfold way. There is one order that reason does not establish but only beholds, such is the order of things in nature. There is a second order that reason establishes in its own act of consideration, for example, when it arranges its concepts among themselves, and the signs of concepts as well, because words express the meaning of the concepts. There is a third order that reason in deliberating establishes in the operations of the will. There is a fourth order that reason in planning establishes in external things, which it causes, such as a chest and a house.

2 Because the operation of reason is perfected by habit, according to the different modes of order that reason considers in particular, a differentiation among the sciences arises. The function of natural philosophy is to consider the order of things that human reason considers but does not establish—understand that with natural philosophy here we include metaphysics. The order that reason makes in its own act of consideration pertains to rational philosophy (logic), which properly concerns the order of the parts of verbal expression with one another and the order of principles to one another and to their conclusions. The order of voluntary actions pertains to the consideration of moral philosophy. The order that reason in planning establishes in external things arranged by

²² Thomas Aquinas, *Commentary on Aristotle's Nicomachean Ethics*, translated by C.I. Litzinger, Foreword by Ralph McInerny, Dumb Ox Books, Notre Dame, IN, 1993, 1-3.

human reason pertains to the mechanical arts. Accordingly it is proper to moral philosophy, to which our attention is at present directed, to consider human operations insofar as they are ordered to one another and to an end.

3 I am talking about human operations, those springing from man's will following the order of reason. But if some operations are found in man that are not subject to the will and reason, they are not properly called human but natural, as clearly appears in operations of the vegetative soul. These in no way fall under the consideration of moral philosophy. As the subject of natural philosophy is motion, or mobile being, so the subject of moral philosophy is human action ordered to an end, or even man, as he is an agent voluntarily acting for an end.

4 It must be understood that, because man is by nature a social animal, needing many things to live which he cannot get for himself if alone, he naturally is a part of a group that furnishes him help to live well. He needs this help for two reasons. First, to have what is necessary for life, without which he cannot live the present life; and for this, man is helped by the domestic group of which he is a part. For every man is indebted to his parents for his generation and his nourishment and instruction. Likewise, individuals, who are members of the family, help one another to procure the necessities of life. In another way, man receives help from the group of which he is a part, to have a perfect sufficiency for life; namely, that man may not only live but live well, having everything sufficient for living; and in this way man is helped by the civic group, of which he is a member, not only in regard to bodily needs—as certainly in the state there are many crafts which a single household cannot provide—but also in regard to right conduct, inasmuch as public authority restrains with fear of punishment delinquent young men whom paternal admonition is not able to correct.

5 It must be known moreover that the whole which the political group or the family constitutes has only a unity of order, for it is not something absolutely one. A part of this whole, therefore, can have an operation that is not the operation of the whole, as a soldier in an army has an activity that does not belong to the whole army. However, this whole does have an operation that is not proper to its parts but to the whole—for example, an assault of the entire army. Likewise the movement of a boat is a combined operation of the crew rowing the boat. There is also a kind of whole that has not only a unity of order but of composition, or of conjunction, or even of continuity, and according to this unity a thing is one absolutely; and there is no operation of the part that does not belong to the whole. For in things all of one piece the motion of the whole and of the part is the same. Similarly in composites and in conjoined things, the operation of a part is principally that of the whole. For this reason it is necessary that such a consideration of both the whole and its parts should belong to the same science. It does not, however, pertain to the same science to consider the whole, which has solely the unity of order and the parts of the whole.

6 Thus it is that moral philosophy is divided into three parts. The first of these, which is called individual (monastic) ethics, considers an individual's operations as ordered to an end. The second, called domestic ethics, considers the operations of the domestic group. The third, called political science, considers the operations of the civic group.

[Aquinas on the order of government in a secular or (Catholic) Christian society: *On Kingship*²³, Book I, Ch. 14-15 (c.1267)]

THAT THE ORDER OF GOVERNING THE KINGDOM SHOULD BE LEARNED FROM DIVINE
GOVERNMENT

[102] Just as the founding of a city or kingdom may suitably be learned from the way in which the world was created, so too the way to govern may be learned from the divine government of the world.

[103] Before going into that, however, we should consider that to govern is to lead the thing governed in a suitable way to its proper end. Thus a ship is said to be governed when, through the skill of the pilot, it is brought unharmed and by a direct route to harbour. Consequently, if a thing be directed to an end outside itself (as a ship to the harbour), it is the governor's duty, not only to preserve the thing unharmed, but further to guide it toward this end. If, on the contrary, there be a thing whose end is not outside itself, then the governor's endeavours will merely tend to preserve the thing undamaged in its proper perfection.

[104] Nothing of this kind is to be found in reality, except God Himself, Who is the end of all. However, as concerns the thing which is directed to an end outside itself, care is exercised by different providers in different ways. One might have the task of preserving a thing in its being, another of bringing it to a further perfection. Such is clearly the case in the example of the ship; (the first meaning of the word *gubernator* [governor] is *pilot*. It is the carpenter's business to repair anything that might be broken, while the pilot bears the responsibility of bringing the ship to port. It is the same with man. The doctor sees to it that a man's life is preserved; the tradesman supplies the necessities of life; the teacher takes care that man may learn the truth; and the tutor sees that he lives according to reason.

[105] Now if man were not ordained to another end outside himself, the above-mentioned cares would be sufficient for him. But as long as man's mortal life endures there is an extrinsic good for him, namely, final beatitude which is looked for after death in the enjoyment of God, for as the Apostle says: "As long as we are in the body we are far from the Lord." Consequently the Christian man, for whom that beatitude has been purchased by the blood of Christ, and who, in order to attain it, has received the earnest of the Holy Ghost, needs another and spiritual care to direct him to the harbour of eternal salvation, and this care is provided for the faithful by the ministers of the Church of Christ.

[106] Now the same judgment is to be formed about the end of society as a whole as about the end of one man. If, therefore, the ultimate end of man were some good that existed in himself, then the ultimate end of the multitude to be governed would likewise be for the multitude to acquire such good, and persevere in its possession. If such an ultimate end either of an individual man or a multitude were a corporeal one, namely life and health of body, to govern would then be a physician's charge. If that ultimate end were an abundance of wealth, then knowledge of economics would have the last word in the community's government. If the good of the knowledge of truth were of such a kind that the multitude might attain it, the king would have to be a teacher. It is, however, clear that the end of a multitude gathered together is to live virtuously. For men form a group for the purpose of *living well* together, a thing which the individual man living alone could not attain, and *good life* is virtuous life. Therefore, virtuous life is the end for which men gather together. The

²³ Thomas Aquinas, *On Kingship, to the King of Cyprus*, trans. by Gerard B. Phelan, rev. with introduction and notes by I. Th. Eschmann, Pontifical Institute of Medieval Studies, Toronto, 1982 (1949, 1267); 58-67.

evidence for this lies in the fact that only those who render mutual assistance to one another in living well form a genuine part of an assembled multitude. If men assembled merely to live, then animals and slaves would form part of the civil community. Of, if men assembled only to accrue wealth, then all those who traded together would belong to one city. Yet we see that only such are regarded as forming one multitude as are directed by the same laws and the same government to live well.

[107] Yet through virtuous living man is further ordained to a higher end, which consists in the enjoyment of God, as we have said above. Consequently, since society must have the same end as the individual man, it is not the ultimate end of an assembled multitude to live virtuously, but through virtuous living to attain to the possession of God.

[108] If this end could be attained by the power of human nature, then the duty of a king would have to include the direction of men to it. We are supposing, of course, that he is called a king to whom the supreme power of governing in human affairs is entrusted. Now the higher the end to which a government is ordained, the loftier that government is. Indeed, we always find that the one to whom it pertains to achieve the final end commands those who execute the things ordained to that end. For example, the captain, whose business it is to regulate navigation, tells the shipbuilder what kind of ship he must construct to be suitable for navigation; and the ruler of a city, who makes use of arms, tells the blacksmith what kind of arms to make. But because a man does not attain his end, which is the possession of God, by human power but by divine—according to the words of the Apostle: “By the grace of God everlasting”—, therefore the task of leading him to that end does not pertain to human but to divine government.

[109] Consequently, government of this kind pertains to that king who is not only a man, but also God, namely, our Lord Jesus Christ, Who by making men sons of God brought them to glory of Heaven.... Hence a royal priesthood is derived from Him, and what is more, all those who believe in Christ, in so far as they are his members, are called kings and priests.

[110] Thus, in order that spiritual things might be distinguished from earthly things, the ministry of this kingdom has been entrusted not to earthly kings but to priests, and most of all to the chief priest, the successor of St. Peter, the Vicar of Christ, the Roman Pontiff. To him all the kings of the Christian People are to be subject as to our Lord Jesus Christ himself. For those to whom pertains the care of intermediate ends should be subject to him to whom pertains the care of the ultimate end, and be directed by his rule.

[111] Because the priesthood of the gentiles and the whole worship of their gods existed merely for the acquisition of temporal goods (which are all ordained to the common good of the multitude, whose care devolved upon the king), the priests of the gentiles were very properly subject to the kings. Similarly, since in the old law earthly goods were promised to religious people (not indeed by demons but by the true God), the priests of the old law, we read, were also subject to the kings. But in the new law there is a higher priesthood by which men are guided to heavenly goods. Consequently, in the law of Christ, kings must be subject to priests....

THAT REGAL GOVERNMENT SHOULD BE ORDAINED PRINCIPALLY TO ETERNAL BEATITUDE

[114] As the life by which men live well here on earth is ordained, as to its end, to that blessed life which we hope for in heaven, so too whatever particular goods are procured by man’s agency—whether wealth, profits, health, eloquence, or learning—are ordained to the good life of the multitude. If, then, as we have said, the person who is charged with

the care of our ultimate end ought to be over those who have charge of things ordained to that end, and to direct them by his rule, it clearly follows that, just as the king ought to be subject to the divine government administered by the office of the priesthood, so he ought to preside over all human offices, and regulate them by the rule of his government.

[116] What conduces to true beatitude and what hinders it are learned from the law of God, the teaching of which belongs to the office of the priest.... Thus the king, taught the law of God, which should have for his principal concern the means by which the multitude subject to him may live well.

[117] This concern is threefold: first of all, to establish a virtuous life in the multitude subject to him; second, to preserve it once established; and third, having preserved it, to promote its greater perfection.

[118] For an individual man to lead a good life two things are required. The first and most important is to act in a virtuous manner (for virtue is that by which one live well); the second, which is secondary and instrumental, is a sufficiency of those bodily goods whose use is necessary for virtuous life. Yet the unity of man is brought about by nature, while the unity of multitude, which we call peace, must be procured through the efforts of the ruler. Therefore, to establish virtuous living in a multitude three things are necessary. First of all, that the multitude be established in the unity of peace. Second, that the multitude thus united in the bond of peace, be directed to acting well. For just as a man can do nothing well unless unity within his member be presupposed, so a multitude of men of men lacking the unity of peace will be hindered from virtuous action but the fact that it is fighting against itself. In the third place, it is necessary that there be at hand a sufficient supply of the things required for proper living, procured by the ruler's efforts.

[119] When virtuous living is set up in a multitude by the efforts of the king, it then remains for him to look to its conservation. Now there are three things which prevent the permanence of the public good. One of these arises from nature. The good of the multitude should not be established for one time only; it should be in a sense perpetual. Men, on the other hand, cannot abide forever, because they are mortal. Even while they are alive they do not always preserve the same vigour, for the life of man is subject to many changes, and thus a man is not equally suited to the performance of the same duties throughout the whole span of his life. A second impediment to the preservation of the public good, which comes from within, consists in the perversity of the wills of men, inasmuch as they are either too lazy to perform what the commonweal demands, or, still further, they are harmful to the peace of the multitude because, by transgressing justice, they disturb the peace of others. The third hindrance to the preservation of the commonweal comes from without, namely, when peace is destroyed through the attacks of enemies and, as it sometimes happens, the kingdom is completely blotted out.

[120] In regard to these three dangers, a triple charge is laid upon the king. First of all, he must take care of the appointment of men to succeed or replace others in charge of the various offices. Just as in regard to corruptible things (which cannot remain the same forever) the government of God made provision that through generation one would take the place of another in order that, in this way, the integrity of the universe might be maintained, so too the good of the multitude subject to the king will be preserved through his care when he sets himself to attend to the appointment of new men to fill the places of those who drop out. In the second place, by his laws and orders, punishments and rewards, he should restrain the wickedness of the men subject to him from wickedness

and induce them to virtuous deeds, following the example of God, Who gave His law to man and requites those who observe it with rewards, and those who transgress it with punishments. The king's third charge is to keep the multitude entrusted to him safe from the enemy, for it would be useless to prevent internal dangers if the multitude could not be defended against external dangers.

[121] Finally, for the proper direction of the multitude there remains the third duty of the kingly office, namely, that he be solicitous for its improvement. He performs this duty when, in each of the things we have mentioned, he corrects what is out of order and supplies what is lacking, and if any of them can be done better he tries to do so. This is why the Apostle exhorts the faithful to be "zealous for the better gifts."

[122] These then are the duties of the kingly office, each of which must now be treated in greater detail.

[**Aquinas on (regulating) foreign trade** : *On Kingship*, Book II, Ch. 3²⁴]

THAT THE CITY SHOULD HAVE AN ABUNDANT SUPPLY OF FOOD

[134] It is not enough, however, that the place chosen for the site of a city be such as to preserve the health of its inhabitants; it must also be sufficiently fertile to provide food. A multitude of men cannot live where there is not a sufficient supply of food....

[135] Now there are two ways in which an abundance of foodstuffs can be supplied to a city. The first we have already mentioned, where the soil is so fertile that it amply provides for all the necessities of human life. The second is by trade, through which the necessities of life are brought to the town in sufficient quantity from different places.

[136] It is quite clear that the first means is better. The more dignified a thing is, the more self-sufficient it is, since whatever needs another's help is by that fact proven to be deficient. Now the city which is supplied by the surrounding country with all its vital needs is more self-sufficient than another which must obtain those supplies by trade. A city therefore which has an abundance of food from its own territory is more dignified than one which is provisioned through trade.

[137] It seems that self-sufficiency is also safer, for the import of supplies and the access of merchants can easily be prevented whether owing to wars or to the many hazards of the sea, and thus the city may be overcome through lack of food.

[138] Moreover, this first method of supply is more conducive to the preservation of civic life. A city which must engage in much trade in order to supply its needs has to put up with the continuous presence of foreigners. But intercourse with foreigners, according to Aristotle's *Politics*, is particularly harmful to civic customs. It is inevitable that strangers, brought up under other laws and customs, will in many cases act as the citizens are not wont to act and thus, since the citizens are drawn by their example to act likewise, their own civic life is upset.

[139] Again, if the citizens devote their life to matters of trade, the way will be opened to many vices. Since the foremost tendency of traders is to make money, greed is awakened in the hearts of the citizens through the pursuit of trade. The result is that everything in the city will become venal; good faith will be destroyed and the way opened to all kinds of trickery; each one will work only for his own profit, despising the public good; the cultivation of virtue will fail since honour, virtue's reward, will be bestowed upon the rich. Thus, in such a city, civic life will necessarily become corrupted.

²⁴ Ibid, 74-78.

[140] The pursuit of trade is also very unfavourable to military activity. Tradesmen, not being used to the open air and not doing any hard work but enjoying all pleasures, grow soft in spirit and their bodies are weakened and rendered unsuitable to military labours. In accordance with this view, Civil Law forbids soldiers to engage in business.

[141] Finally, that city enjoys a greater measure of peace whose people are more sparsely assembled together and dwell in smaller proportion within the walls of the town, for when men are crowded together it is an occasion for quarrels and all the elements for seditious plots are provided. Hence, according to Aristotle's doctrine, it is more profitable to have people engaged outside the cities than for them to dwell constantly within the walls. But if a city is dependent on trade, it is of prime importance that the citizens stay within the town and there engage in trade. It is better, therefore, that the supplies of food be furnished to the city from its own fields rather than it be wholly dependent on trade.

[142] Still, trade must not be entirely kept out of a city, since one cannot easily find any place so overflowing with the necessities of life as not to need some commodities from other parts. Also, when there is an over-abundance of some commodities in one place, those goods would serve no purpose if they could not be carried elsewhere by professional traders. Consequently, the perfect city will make a moderate use of merchants.

[Aquinas on (freedom of) domestic commerce: *Summa theologiae* I-II Q105 A2²⁵]

I answer that, as Augustine says (*De Civ. Dei* ii. 21), quoting Tully [Cicero], *a nation is a body of men united together by consent to the law and community of welfare*. Consequently it is of the essence of a nation that the mutual relations of the citizens be ordered by just laws. Now the relations of one man with another are twofold: some are effected under the guidance of those in authority; others are effected by the will of private individuals. And since whatever is subject to the power of an individual can be disposed of according to his will, hence it is that the decision of matters between one man and another, and the punishment of evildoers, depend on the direction of those in authority, to whom men are subject. On the other hand, the power of private persons is exercised over the things they possess: and consequently their dealings with one another, as regards such things, depend on their own will, for instance in buying, selling, giving, and so forth.

5. Samuel Pufendorf (1632-1694)

[Pufendorf's (Protestant) demarcation of natural law, civil law, and moral theology: *On the Duty of Man and Citizen According to Natural Law*: Preface (excerpts)²⁶]

I. It is evident that there are three sources of man's knowledge of his duty, of what he is to do in this life because it is right [*honestum*] and of what he is to omit because it is wrong [*turpe*]: the light of reason, the civil laws and the particular revelation of the Divinity. From the first flow the common duties of a man, particularly those which render him capable of society [*sociabilis*] with other men; from the second flow the duties of a

²⁵ St. Thomas Aquinas, *Summa Theologica*, translated by Fathers of the Dominican Province, 1948 Benziger Brothers, published by Christian Classics, 1981, Vol. II, 1094.

²⁶ Samuel Pufendorf, *On the Duty of Man and Citizen According to Natural Law*, tr. Michael Silverthorne, ed. James Tully, Cambridge University Press, 1991.

man as a citizen living in a particular state [*civitas*]; from the third, the duties of a Christian.

Hence there are three distinct disciplines. The first is the discipline of natural law, which is common to all nations; the second is the discipline of the civil law of the individual states, which has, or may have, as many forms as there are states into which the human race is divided; the third discipline is called moral theology, and is distinct from the part of theology which explains the articles of our faith.

II. Each of these disciplines has its own method of proving its dogmas, corresponding to its principle. In natural law a thing is affirmed as to be done because it is inferred by right reason to be essential to sociality [*socialitas*] among men. The ultimate foundation of the precepts of civil law is that the legislator has imposed them. The final reference point of the moral theologian is that God has so commanded in the Holy Scriptures....

[Pufendorf on man's duty to God, or natural religion: *On the Duty of Man and Citizen*, Book I, Ch. 4]

1 So far as man's duty to God can be traced out on the basis of natural reason, it has no more than two articles: first, to have right notions of God, and secondly, to conform our actions to His will. Hence natural religion consists of theoretical propositions and practical propositions.

2 Of all the notions which everyone must hold about God, the first is the settled conviction that God exists, that is, that there really is a supreme and first being on whom this universe depends. This has been most plainly demonstrated by philosophers from the subordination of causes which must find an end in some first thing, from motion, from reflection on the fabric of the universe, and by similar arguments. Claiming not to understand these arguments is no excuse for atheism. For since this conviction has been a constant possession of the whole human race, anyone who wished to overthrow it would not only have to produce a solid refutation of all the arguments which prove God's existence, but also come forward with more convincing reasons for his own position. At the same time, since the salvation of the human race has been believed hitherto to depend on this conviction, he would also have to show that atheism would be better for the human race than to maintain a sound worship of God. Since this cannot be done, we must heartily detest and severely punish the impiety of all who make any attempt whatever to shatter this conviction.

3 The second notion is that God is the Creator of the universe. For since it is self-evident that all this world did not come into existence of itself, it must have a cause and that its cause is what we call God....

[Pufendorf on duty to oneself: *On the Duty of Man and Citizen*, Book I, Ch. 5]

1 Self-love is implanted deep in man; it compels him to have a careful concern for himself and to get all the good he can in every way. In view of this it seems superfluous to invent an obligation of self-love. Yet from another point of view a man surely does have certain obligations to himself. For man is not born of himself alone; the end for which he has been endowed by his Creator with such excellent gifts is that he may celebrate his glory and be a fit member of human society. He is therefore bound so to conduct himself as not to permit the Creator's gifts to perish for lack of use, and to contribute what he can to human society. So, by analogy, though a person's ignorance is

his own shame and loss, yet the master is right to flog the pupil who neglects to learn such skills as his capacity allows.

2 Furthermore, man consists of two parts, soul [*anima*] and body. The soul has the function of ruler, the body of servant and instrument; consequently, we employ the mind [*animus*] for government and the body for service. We must care for both, but particularly the former. Above all the mind [*animus*] must be formed to accept social life with ease; it must be steeped in a sense and a love of duty and goodness. Every man must also receive some education in accordance with his capacity and fortune, so that no one shall be a useless burden on the earth, a problem to himself and a nuisance to others. He must also choose in due time an honest way of life in accordance with his natural bent, his mental and physical abilities, the condition of his birth, his fortune, his parents' wishes, the commands of the civil rulers, opportunity or necessity....

[Pufendorf on the duty of every man to every man, and first of not harming others: *On the Duty of Man and Citizen* Book I, Ch. 6]

1 We come now to the duties which a man must perform towards other men. Some result from the common obligation by which the Creator has willed that all men be bound as men; others derive from a particular custom which has been introduced or accepted, or from a particular adventitious state. The former are to be shown by every man to every man, the latter only towards certain men on the basis of a particular condition or state. Hence you may call the former absolute, the later hypothetical.

2 First among the absolute duties is the duty not to harm others. This is at once the most far-reaching of all duties, extending as it does to all men as men, and the easiest, since it consists of mere omission of action, except insofar as passions in conflict with reason must be restrained. It is also the most essential duty, since without it human social life would be utterly impossible. For I can live at peace with a man who does me no positive service, and with a man who does not exchange even the commonest duties with me, provided he does me no harm. In fact, this is all we desire from mankind at large; it is only within a fairly small circle that we impart good things to each other. By contrast, there is no way I can live at peace with one who does me harm. For nature has implanted in each man such a tender love of himself and of what is his, that he cannot but repel by every means one who offers to do harm to either.

3 This duty affords protection not only to what we have from nature, as life, body, limbs, chastity, liberty, but also to what we have acquired on the basis of some institution and human convention. Hence this precept forbids anything which is ours by legitimate title to be taken, spoiled, damaged or removed from our use in whole or in part. By this precept all crimes are understood to be forbidden by which harm is inflicted on another, as killing, wounding, beating, robbery, theft, fraud and other forms of violence, whether inflicted directly or indirectly, in person or through an agent.

4 From this it follows that harm inflicted on one man by another, or loss of any kind caused in any way, must be made good so far as possible by the person who may rightly be held responsible. Otherwise the precept that one should not be harmed will be empty if when a man has in fact been harmed, he has to absorb the loss without recompense while the culprit enjoys the fruit of his crime in security and without making restitution. Again, without the necessity of making restitution, men in their wickedness will not refrain from

harming each other; and the one who suffered loss will not readily bring himself to make peace with the other as long as he has not obtained compensation....

[**Pufendorf on the duty of sovereigns**: *On the Duty of Man and Citizen*, Book II, Ch. 11]

1 A clear account of the precepts that govern the office of the sovereign may be drawn from the nature and end of states and from consideration of the functions of sovereignty....

3 This is the general rule for sovereigns: the safety of the people is the supreme law. For authority has been given them to achieve the end for which states were instituted. Princes must believe that nothing is good for them privately which is not good for the state.

4 The internal peace of the state requires that the wills of the citizens be governed and directed as the safety of the state requires. It is therefore the duty of the sovereign not only to lay down laws appropriate to that purpose, but also to lend authority to public discipline, so that the citizens conform to the precepts of the laws not so much through fear of punishment as by habituation. It also contributes to this end to ensure that the pure and sincere Christian doctrine flourishes in the state, and that the public schools teach dogmas consistent with the purpose of states.

8 Men have united in states to obtain security against wrongs by others. It is therefore the duty of the sovereigns to be severe in preventing men from wronging each other precisely because continual living together offers more frequent opportunity to do harm. Distinctions of rank and dignity ought not to have sufficient influence to allow the more powerful to trample at will on the humbler class. It is also contrary to the purpose of government that citizens should avenge with private violence what they think are wrongs done to them.

10 The only ground on which citizens must bear taxes and other burdens is so far as these are necessary to meet the state's expenses in times of war and peace. It is therefore the duty of sovereigns in this matter not to extract more than the necessities or major interests of the country require; and to keep the burdens as light as possible, so that the citizens suffer as little as possible. Then they must ensure that the taxes are assessed fairly and proportionately, and that immunities are not granted to some part of the citizens to defraud and exploit the rest. What is collected must be spent on the state's requirements, not squandered in extravagance, largesse, unnecessary ostentation or frivolity. Finally, one must ensure that expenditures correspond with revenues; when revenues fall short, the solution must be found in economy and retrenchment of unnecessary expenses.

11 Sovereigns are not obliged to maintain their subjects, though, exceptionally, charity requires them to take particular care of those who cannot support themselves because of some undeserved misfortune. Nevertheless, sovereigns must not merely collect from the citizens' property the funds necessary for the preservation of the state. For the strength of the state consists in the virtue and wealth of its citizens, and therefore the sovereign must take whatever measures he can to ensure the growth of the citizens' personal property. A step in this direction is to develop in the citizens the attitude that they should draw a rich harvest from the land and its waters; that they should apply their industry to their country's natural resources, not purchasing from others the labour which they can well perform themselves; and to achieve this, sovereigns must encourage

technical skills. It is also supremely important to promote trade and encourage navigation in the coastal districts. Idleness has to be banished; and the citizens recalled to habits of economy by sumptuary laws which prohibit excessive expenditures, especially those by which the citizens' wealth is transferred abroad. Here the example set by sovereigns is more effective than any law.

12 The internal health and stability of states results from the union of its citizens, and the more perfect it is, the more effectively the force of government will pervade the whole body of the state. It is therefore the sovereign's task to ensure that factions do not arise; to prevent citizens from forming associations by private agreements; to ensure that neither all nor some have a greater dependence on any other person whether within or without the state, under whatever guise, sacred or profane, than on their own prince, and that they believe they have more protection for themselves from him than from anyone else.

13 Finally, the relations of states to each other is a somewhat precarious peace. It is therefore the duty of sovereigns to take measures to develop military virtue and skill with weapons in the citizens, and to make ready in good time all that is needed for repelling force: fortified places, weapons, soldiers and—the sinews of action—money. But one should not take the initiative in aggression even with a just cause for war, unless a perfectly safe opportunity occurs and the country's condition can easily bear it. To the same end one must obtain accurate intelligence of the plans and projects of one's neighbours, and use prudence in contracting friendships and alliances.

6. Adam Smith (1723-1790)

[**Smith's advice to the United States—wealth before independence:** *Wealth of Nations* (1776)²⁷, Book II, Ch. 5] It has been the principal cause of the rapid progress of our American colonies towards wealth and greatness that almost their whole capitals have hitherto been employed in agriculture. They have no manufactures, those household and courser manufactures excepted which necessarily accompany the progress of agriculture, and which are the work of the women and children in every private family. The greater part both of the exportation and coasting trade of America is carried on by the capitals of merchants who reside in Great Britain. Even the stores and warehouses from which goods are retailed in some provinces, particularly in Virginia and Maryland, belong many of them to merchants who reside in the mother country, and afford one of the few instances of the retail trade of a society being carried on by the capitals of those who are not resident members of it. Were the Americans, either by combination or by any other sort of violence, to stop the importation of European manufactures, and, by thus giving a monopoly to such of their own countrymen as could manufacture the like goods, divert any considerable part of their capital into this employment, they would retard instead of accelerating the further increase in the value of their annual produce, and would obstruct, instead of promoting, the progress of their country towards real wealth and greatness. This would be still more the case were they to attempt, in the same manner, to monopolize to themselves their whole exportation trade.

7. Alexander Hamilton (1755-1804)

²⁷ Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations*, W. Strahan and T. Cadell, London, 2 vols., 1776; facsimile published by Augustus M. Kelley Publishers, New York, 1966.

[**Hamilton on natural rights**: *The Farmer Refuted* (1775)²⁸] I shall, for the present, pass over that part of your pamphlet in which you endeavor to establish the supremacy of the British Parliament over America. After a proper *éclaircissement* of this point, I shall draw such inferences as will sap the foundation of everything you have offered.

The first thing that presents itself is a wish, that "I had, explicitly, declared to the public my ideas of the *natural rights* of mankind. Man, in a state of nature (you say), may be considered as perfectly free from all restraint of *law* and *government*; and then, the weak must submit to the strong."

I shall, henceforth, begin to make some allowance for that enmity you have discovered to the *natural rights* of mankind. For, though ignorance of them, in this enlightened age, cannot be admitted as a sufficient excuse for you, yet it ought, in some measure, to extenuate your guilt. If you will follow my advice, there still may be hopes of your reformation. Apply yourself, without delay, to the study of the law of nature. I would recommend to your perusal, Grotius, Puffendorf, Locke, Montesquieu, and Burlamaqui. I might mention other excellent writers on this subject; but if you attend diligently to these, you will not require any others.

There is so strong a similitude between your political principles and those maintained by Mr. Hobbes, that, in judging from them, a person might very easily *mistake* you for a disciple of his. His opinion was exactly coincident with yours, relative to man in a state of nature. He held, as you do, that he was then perfectly free from all restraint of *law* and *government*. Moral obligation, according to him, is derived from the introduction of civil society; and there is no virtue but what is purely artificial, the mere contrivance of politicians for the maintenance of social intercourse. But the reason he ran into this absurd and impious doctrine was, that he disbelieved the existence of an intelligent, superintending principle, who is the governor, and will be the final judge, of the universe.

As you sometimes swear *by Him that made you*, I conclude your sentiments do not correspond with his in that which is the basis of the doctrine you both agree in; and this makes it impossible to imagine whence this congruity between you arises. To grant that there is a Supreme Intelligence who rules the world and has established laws to regulate the actions of His creatures, and still to assert that man, in a state of nature, may be considered as perfectly free from all restraints of *law* and *government*, appears, to a common understanding, altogether irreconcilable.

Good and wise men, in all ages, have embraced a very dissimilar theory. They have supposed that the Deity, from the relations we stand in to Himself and to each other, has constituted an eternal and immutable law, which is indispensably obligatory upon all mankind, prior to any human institution whatever.

This is what is called the law of nature, "which, being coeval with mankind, and dictated by God himself, is, of course, superior in obligations to any other. It is binding over all the globe, in all countries, and at all times. No human laws are of any validity, if contrary to this; and such of them as are valid derive all their authority, mediately or immediately, from this original."—BLACKSTONE.

Upon this law depend the natural rights of mankind: the Supreme Being gave existence to man, together with the means of preserving and beautifying that existence. He endowed him with rational faculties, by the help of which to discern and pursue such

²⁸ *The Works of Alexander Hamilton, ed. Henry Cabot Lodge (Federal Edition) (New York: G.P. Putnam's Sons, 1904). 12 vols; Vol. I, available at <http://oll.libertyfund.org/Home3/Book.php?recordID=0249.01>.*

things as were consistent with his duty and interest; and invested him with an inviolable right to personal liberty and personal safety.

Hence, in a state of nature, no man had any *moral* power to deprive another of his life, limbs, property, or liberty; nor the least authority to command or exact obedience from him, except that which arose from the ties of consanguinity.

Hence, also, the origin of all civil government, justly established, must be a voluntary compact between the rulers and the ruled, and must be liable to such limitations as are necessary for the security of the *absolute rights* of the latter; for what original title can any man, or set of men, have to govern others, except their own consent? To usurp dominion over a people in their own despite, or to grasp at a more extensive power than they are willing to intrust, is to violate that law of nature which gives every man a right to his personal liberty, and can therefore confer no obligation to obedience.

"The principal aim of society is to protect individuals in the enjoyment of those absolute rights which were vested in them by the immutable laws of nature, but which could not be preserved in peace without that mutual assistance and intercourse which is gained by the institution of friendly and social communities. Hence it follows, that the first and primary end of human laws is to maintain and regulate these *absolute rights* of individuals."—BLACKSTONE.

If we examine the pretensions of Parliament by this criterion, which is evidently a good one, we shall presently detect their injustice. First, they are subversive of our natural liberty, because an authority is assumed over us which we by no means assent to. And, secondly, they divest us of that moral security for our lives and properties, which we are entitled to, and which it is the primary end of society to bestow. For such security can never exist while we have no part in making the laws that are to bind us, and while it may be the interest of our uncontrolled legislators to oppress us as much as possible.

To deny these principles will be not less absurd than to deny the plainest axioms. I shall not, therefore, attempt any further illustration of them.

[Hamilton on the economic feasibility of American independence: *The Farmer Refuted*²⁹ (1775)]

But you insist upon it, we should not be able to live without the manufactures of Great Britain, and that we should be ruined by a prohibition of our exports. "The first winter after our English goods are consumed we shall be starving with cold"; after all our endeavours, "the requisite quantity of wool to clothe the inhabitants of this continent could not be obtained in twenty years." As to cotton, it "must come from the Southern colonies;" and the expense of bringing it by land would be too great for the poor. Besides, we have nobody to manufacture our materials after we have got them." All these, you think, are insuperable obstacles, and would, if duly considered, induce us to bend our necks tamely and quietly to the proffered yoke, as much less dreadful than the evils attendant upon our measures will inevitably be.

Nature has disseminated her blessings variously throughout this continent. Some parts of it are favorable to some things, others to others; some colonies are best calculated for grain, others for flax and hemp, others for cotton, and others for live stock of every kind. By this means a mutually advantageous intercourse may be established between them all. If we were to turn our attention from external to internal commerce, we should give greater stability and more lasting prosperity to our country than she can possibly have

²⁹ Ibid.

otherwise. We should not then import the luxuries and vices of foreign climes; nor should we make such hasty strides to public corruption and depravity....

With respect to cotton, you do not pretend to deny that a sufficient quantity of that might be produced. Several of the Southern colonies are so favorable to it that, with due cultivation, in a couple of years they would afford enough to clothe the whole continent.

As to the expense of bringing it by land, the best way will be to manufacture it where it grows, and afterward transport it to the other colonies. Upon this plan I apprehend the expense would not be greater than to build and equip large ships to import the manufactures of Great Britain from thence.

The difficulty of transportation would be attended with one great advantage. It would give employment and bread to a number of people; and would, among other things, serve to prevent there being those terrific bands of thieves, robbers, and highwaymen, which you endeavor to draw up in such formidable array against the Congress.

It would, however, be hardly possible to block up our ports in such a manner as to cut off all communication between the colonies by water.

There would remain some avenues in spite of all that could be done; and we should not be idle in making proper use of them

I mentioned before the vast quantities of skins in America, which would never let us want a warm and comfortable suit. This is one of our principal resources; and this you have passed over in silence. A suit made of skins would not be quite so elegant as one of broadcloth; but it would shelter us from the inclemency of the winter full as well.

Upon the whole, considering all the resources we have, and the time we shall have to prepare them before we are in actual want, there can be no room to doubt that we may live without the manufactures of Great Britain, if we are careful, frugal, and industrious.

But it is said we have no persons to manufacture our materials after we have provided them. Among the swarms of emigrants that have within these few years past come to the continent, there are numbers of manufactures in the necessary branches. These, for want of encouragement in their own occupations, have been obliged to apply themselves to other methods of getting a living, but would be glad of an opportunity to return to them. Besides these we should soon have a plenty of workmen from Great Britain and Ireland. Numbers who would be thrown out of employ *there*, would be glad to flock to us for subsistence. They would not stay at home and be miserable while there was any prospect of encouragement here. Neither is there any great difficulty in acquiring a competent knowledge of the manufacturing arts. In a couple of years many of our own people might become proficient enough to make the coarser kinds of stuffs and linens.

But, if it should be necessary, we have other resources besides all these. It will be impossible for the ships of Great Britain to line the vast extended coast of this continent in such a manner as to preclude the admission of foreign aids and supplies. After every possible precaution against it, we shall still be able to get large quantities of goods from France and Holland.

I shall conclude this head with one more observation, which is this: That all such as may be deprived of business by the operation of our measures in America may be employed in cultivating lands. We have enough and to spare. It is of no force to object, that "when our exports are stopped our grain would become of little worth." They can be occupied in raising other things that will be more wanted, to wit, materials for manufactures; and only a sufficiency of provisions for their own use. In such a country as

this, there can be no great difficulty in finding business for all its inhabitants. Those obstacles which, to the eye of timidity or disaffection seem like the *Alps*, would, to the hand of resolution and perseverance become mere *hillocks*....

[**Hamilton on independence and union before wealth: Report on Manufactures**³⁰ (1791), excerpts]

The Secretary of the Treasury, in obedience to the order of ye House of Representatives, of the 15th day of January, 1790, has applied his attention, at as early a period as his other duties would permit, to the subject of Manufactures; and particularly to the means of promoting such as will tend to render the United States, independent on foreign nations for military and other essential supplies. And he thereupon respectfully submits the following Report.

The expediency of encouraging manufactures in the United States, which was not long since deemed very questionable, appears at this time to be pretty generally admitted. The embarrassments, which have obstructed the progress of our external trade, have led to serious reflections on the necessity of enlarging the sphere of our domestic commerce: the restrictive regulations, which in foreign markets abridge the vent of the increasing surplus of our Agricultural produce, serve to beget an earnest desire, that a more extensive demand for that surplus may be created at home: And the complete success, which has rewarded manufacturing enterprise, in some valuable branches, conspiring with the promising symptoms, which attend some less mature essays, in others, justify a hope, that the obstacles to the growth of this species of industry are less formidable than they were apprehended to be, and that it is not difficult to find, in its further extension, a full indemnification for any external disadvantages, which are or may be experienced, as well as an accession of resources, favorable to national independence and safety....

It is now proper to proceed a step further, and to enumerate the principal circumstances, from which it may be inferred—that manufacturing establishments not only occasion a positive augmentation of the Produce and Revenue of the Society, but that they contribute essentially to rendering them greater than they could possibly be, without such establishments; These circumstances are—

1. The division of labour.
2. An extension of the use of Machinery.
3. Additional employment to classes of the community not ordinarily engaged in the business.
4. The promoting of emigration from foreign Countries.
5. The furnishing greater scope for the diversity of talents and dispositions which discriminate men from each other.
6. The affording a more ample and various field for enterprize.
7. The creating in some instances a new, and securing in all, a more certain and steady demand for the surplus produce of the soil.

Each of these circumstances has a considerable influence upon the total mass of industrious effort in a community: Together, they add to it a degree of energy and effect, which are not easily conceived. Some comments upon each of them, in the order in which they have been stated, may serve to explain their importance....

³⁰ 4 Works of Alexander Hamilton, available at <http://oll.libertyfund.org/Home3/HTML-voice.php?recordID=0249.04>.

Not only the wealth, but the independence and security of a Country, appear to be materially connected with the prosperity of manufactures. Every nation, with a view to those great objects, ought to endeavour to possess within itself all the essentials of national supply. These comprise the means of *Subsistence, habitation, clothing, and defence.*

The possession of these is necessary to the perfection of the body politic; to the safety as well as to the welfare of the society; the want of either is the want of an important Organ of political life and Motion; and in the various crises which await a state, it must severely feel the effects of any such deficiency. The extreme embarrassments of the United States during the late War, from an incapacity of supplying themselves, are still matter of keen recollection: A future war might be expected again to exemplify the mischiefs and dangers of a situation to which that incapacity is still in too great a degree applicable, unless changed by timely and vigorous exertion. To effect this change, as fast as shall be prudent, merits all the attention and all the Zeal of our Public Councils; 'tis the next great work to be accomplished....

One more point of view only remains in which to Consider: the expediency of encouraging manufactures in the United states

It is not uncommon to meet with an opinion that though the promoting of manufactures may be the interest of a part of the Union, it is contrary to that of another part. The Northern & southern regions are sometimes represented as having adverse interests in this respect. Those are called Manufacturing, these Agricultural states; and a species of opposition is imagined to subsist between the Manufacturing and Agricultural interests.

This idea of an opposition between those two interests is the common error of the early periods of every country; but experience gradually dissipates it. Indeed, they are perceived so often to Succor and to befriend each other, that they come at length to be considered as one: a supposition which has been frequently abused, and is not universally true. Particular encouragements of particular manufactures may be of a Nature to sacrifice the interests of landholders to those of manufacturers; But it is nevertheless a maxim, well established by experience, and generally acknowledged where there has been sufficient experience, that the *aggregate* prosperity of manufactures, and the *aggregate* prosperity of Agriculture are intimately connected. In the Course of the discussion which has had place, various weighty considerations have been adduced operating in support of that maxim. Perhaps the superior steadiness of the demand of a domestic market for the surplus produce of the soil, is alone a convincing argument of its truth.

Ideas of a contrariety of interests between the Northern and southern regions of the Union, are in the Main as unfounded as they are mischievous. The diversity of Circumstances on which such contrariety is usually predicated, authorizes a directly contrary conclusion. Mutual wants constitute one of the strongest links of political connection, and the extent of these bears a natural proportion to the diversity in the means of mutual supply.

Suggestions of an opposite complexion are ever to be deplored, as unfriendly to the steady pursuit of one great common cause, and to the perfect harmony of all the parts.

In proportion as the mind is accustomed to trace the intimate connection of interest which subsists between all the parts of a Society united under the same government—the

infinite variety of channels will serve to Circulate the prosperity of each to and through the rest—in that proportion will it be little apt to be disturbed by solitudes and Apprehensions which originate in local discriminations.

It is a truth as important as it is agreeable, and one to which it is not easy to imagine exceptions, that every thing tending to establish *substantial* and *permanent order* in the affairs of a Country, to increase the total mass of industry and opulence, is ultimately beneficial to every part of it. On the Credit of this great truth, an acquiescence may safely be accorded, from every quarter, to all institutions and arrangements which promise a confirmation of public order, and an augmentation of National Resource.

But there are more particular considerations which serve to fortify the idea that the encouragement of manufactures is the interest of all parts of the Union. If the Northern and Middle states should be the principal scenes of such establishments, they would immediately benefit the More southern, by creating a demand for productions, some of which they have in common with the other states, and others of which, are either peculiar to them, or more abundant, or of better quality, than elsewhere. These productions, principally, are Timber, flax, Hemp, Cotton, Wool, raw silk, Indigo, iron, lead, furs, hides, skins and coals. Of these articles Cotton and Indigo are peculiar to the southern states, as are hitherto *Lead* and *Coal*, Flax and Hemp are or may be raised in greater abundance there, than in the More Northern states; and the Wool of Virginia is said to be of better quality than that of any other state: a Circumstance rendered the more probable by the reflection that Virginia embraces the same latitudes with the finest Wool Countries of Europe. The Climate of the south is also better adapted to the production of silk.

The extensive cultivation of Cotton can perhaps, hardly be expected but from the previous establishment of domestic Manufactories of the Article; and the surest encouragement and vent, for the others, would result from similar establishments in respect to them.

If then, it satisfactorily appears, that it is the Interest of the United states, generally, to encourage manufactures, it merits particular attention, that there are circumstances which Render the present a critical moment for entering, with Zeal upon the important business. The effort cannot fail to be materially seconded by a considerable and increasing influx of money, in consequence of foreign speculations in the funds—and by the disorders, which exist in different parts of Europe.

The first circumstance not only facilitates the execution of manufacturing enterprises, but it indicates them as a necessary mean to turn the thing itself to advantage, and to prevent its being eventually an evil. If useful employment be not found for the Money of foreigners brought to the country to be invested in purchases of the Public Debt, it will quickly be re-exported to defray the expense of an extraordinary consumption of foreign luxuries; and distressing drains of our specie may hereafter be experienced, to pay the interest and redeem the Principal of the Purchased debt.

This useful employment too ought to be of a nature to produce solid and permanent improvements. If the money merely serves to give a temporary spring to foreign commerce; as it cannot procure new and lasting outlets for the products of the Country, there will be no real or durable advantage gained. As far as it shall find its way in Agricultural ameliorations, in opening canals, and in similar improvements, it will be productive of substantial utility. But there is reason to doubt whether in such channels, it is likely to find sufficient employment, and still more whether many of those who possess

it, would be as readily attracted to its objects of this nature, as to manufacturing pursuits, which bear greater analogy to those to which they are accustomed, and to the spirit generated by them.

To open the one field, as well as the other, will at least secure a better prospect of useful employment for whatever accession of money there has been or may be.

There is at the present juncture, a certain fermentation of mind, a certain activity of speculation and enterprise which if properly directed may be made subservient to useful purposes; but which if left entirely to itself, may be attended with pernicious effects.

The disturbed state of Europe, inclining its citizens to emigration, the requisite workmen will be more easily acquired than at another time; and the effect of multiplying the opportunities of employment to those who emigrate, may be an increase of the number and extent of valuable acquisitions to the population, arts, and industry of the Country.

To find pleasure in the calamities of other nations would be criminal; but to benefit ourselves, by opening an asylum to those who suffer, in consequence of them, is as justifiable as it is politic....

8. James Madison (1751-1836)

[Madison on each person's 'right to property' and 'property in his rights']³¹

Property

This term in its particular application means "that dominion which one man claims and exercises over the external things of the world, in exclusion of every other individual."

In its larger and juster meaning, it embraces every thing to which a man may attach a value and have a right; and *which leaves to every one else the like advantage*.

In the former sense, a man's land, or merchandize, or money is called his property.

In the latter sense, a man has a property in his opinions and the free communication of them.

He has a property of peculiar value in his religious opinions, and in the profession and practice dictated by them.

He has a property very dear to him in the safety and liberty of his person.

He has an equal property in the free use of his faculties and free choice of the objects on which to employ them.

In a word, as a man is said to have a right to his property, he may be equally said to have a property in his rights.

Where an excess of power prevails, property of no sort is duly respected. No man is safe in his opinions, his person, his faculties, or his possessions.

Where there is an excess of liberty, the effect is the same, tho' from an opposite cause.

³¹ 14 *The Papers of James Madison* 266-68 (29 Mar. 1792), edited by William T. Hutchinson et al. Chicago and London: University of Chicago Press, 1962--77 (vols. 1-10); Charlottesville: University Press of Virginia, 1977- (vols. 11-); available at http://press-pubs.uchicago.edu/founders/print_documents/v1ch16s23.html

Government is instituted to protect property of every sort; as well that which lies in the various rights of individuals, as that which the term particularly expresses. This being the end of government, that alone is a *just* government, which *impartially* secures to every man, whatever is his *own*.

According to this standard of merit, the praise of affording a just securing to property, should be sparingly bestowed on a government which, however scrupulously guarding the possessions of individuals, does not protect them in the enjoyment and communication of their opinions, in which they have an equal, and in the estimation of some, a more valuable property.

More sparingly should this praise be allowed to a government, where a man's religious rights are violated by penalties, or fettered by tests, or taxed by a hierarchy. Conscience is the most sacred of all property; other property depending in part on positive law, the exercise of that, being a natural and unalienable right. To guard a man's house as his castle, to pay public and enforce private debts with the most exact faith, can give no title to invade a man's conscience which is more sacred than his castle, or to withhold from it that debt of protection, for which the public faith is pledged, by the very nature and original conditions of the social pact.

That is not a just government, nor is property secure under it, where the property which a man has in his personal safety and personal liberty, is violated by arbitrary seizures of one class of citizens for the service of the rest. A magistrate issuing his warrants to a press gang, would be in his proper functions in Turkey or Indostan, under appellations proverbial of the most compleat despotism.

That is not a just government, nor is property secure under it, where arbitrary restrictions, exemptions, and monopolies deny to part of its citizens that free use of their faculties, and free choice of their occupations, which not only constitute their property in the general sense of the word; but are the means of acquiring property strictly so called. What must be the spirit of legislation where a manufacturer of linen cloth is forbidden to bury his own child in a linen shroud, in order to favour his neighbour who manufactures woolen cloth; where the manufacturer and wearer of woolen cloth are again forbidden the oeconomical use of buttons of that material, in favor of the manufacturer of buttons of other materials!

A just security to property is not afforded by that government, under which unequal taxes oppress one species of property and reward another species: where arbitrary taxes invade the domestic sanctuaries of the rich, and excessive taxes grind the faces of the poor; where the keenness and competitions of want are deemed an insufficient spur to labor, and taxes are again applied, by an unfeeling policy, as another spur; in violation of that sacred property, which Heaven, in decreeing man to earn his bread by the sweat of his brow, kindly reserved to him, in the small repose that could be spared from the supply of his necessities.

If there be a government then which prides itself in maintaining the inviolability of property; which provides that none shall be taken *directly* even for public use without indemnification to the owner, and yet *directly* violates the property which individuals have in their opinions, their religion, their persons, and their faculties; nay more, which *indirectly* violates their property, in their actual possessions, in the labor that acquires their daily subsistence, and in the hallowed remnant of time which ought to relieve their

fatigues and soothe their cares, the influence [inference?] will have been anticipated, that such a government is not a pattern for the United States.

If the United States mean to obtain or deserve the full praise due to wise and just governments, they will equally respect the rights of property, and the property in rights: they will rival the government that most sacredly guards the former; and by repelling its example in violating the latter, will make themselves a pattern to that and all other governments.

9. George Washington (1732-1799)

Washington's Farewell address,³² excerpts on economic policy, morals and foreign policy (drafted by Hamilton, 1796)

The unity of government which constitutes you one people is also now dear to you. It is justly so, for it is a main pillar in the edifice of your real independence, the support of your tranquility at home, your peace abroad, of your safety, of your prosperity, of that very liberty which you so highly prize. But as it is easy to foresee that from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth, as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned, and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth or choice of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have in a common cause fought and triumphed together. The independence and liberty you possess are the work of joint councils and joint efforts, of common dangers, sufferings, and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The North, in an unrestrained intercourse with the South, protected by the equal laws of a common government, finds in the productions of the latter great additional resources of maritime and commercial enterprise and precious materials of manufacturing industry. The South, in the same intercourse, benefiting by the same agency of the North, sees its agriculture grow and its commerce expand. Turning partly into its own channels the

³² J.D. Richardson, ed., *Compilation of Messages and Papers of the Presidents*, vol.1 (1907), 213, available at <http://usinfo.state.gov/usa/infousa/facts/democrac/49.htm>.

seamen of the North, it finds its particular navigation invigorated; and while it contributes in different ways to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength to which itself is unequally adapted. The East, in a like intercourse with the West, already finds, and in the progressive improvement of interior communications by land and water will more and more find, a valuable vent for the commodities which it brings from abroad or manufactures at home. The West derives from the East supplies requisite to its growth and comfort, and what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as one nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While, then, every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations, and what is of inestimable value, they must derive from union an exemption from those broils and wars between themselves which so frequently afflict neighboring countries not tied together by the same governments, which their own rivalships alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence, likewise, they will avoid the necessity of those overgrown military establishments which, under any form of government, are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other....

Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. It is well worth a fair and full experiment. With such powerful and obvious motives to union affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who in any quarter may endeavor to weaken its bands.

In contemplating the causes which may disturb our union it occurs as matter of serious concern that any ground should have been furnished for characterizing parties by geographical discriminations--Northern and Southern, Atlantic and Western -- whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts is to misrepresent the opinions and aims of other districts. You can not shield yourselves too much against the jealousies and heartburnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection....

To the efficacy and permanency of your union a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute. They must inevitably experience the infractions and interruptions which all alliances in all times have experienced. Sensible of this momentous truth, you have

improved upon your first essay by the adoption of a Constitution of Government better calculated than your former for an intimate union and for the efficacious management of your common concerns. This Government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government. But the constitution which at any time exists till changed by an explicit and authentic act of the whole people is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established government....

Toward the preservation of your Government and the permanency of your present happy state, it is requisite not only that you steadily discountenance irregular oppositions to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretexts. One method of assault may be to effect in the forms of the Constitution alterations which will impair the energy of the system, and thus to undermine what can not be directly overthrown. In all the changes to which you may be invited remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions; that experience is the surest standard by which to test the real tendency of the existing constitution of a country; that facility in changes upon the credit of mere hypothesis and opinion exposes to perpetual change, from the endless variety of hypothesis and opinion; and remember especially that for the efficient management of your common interests in a country so extensive as ours a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the State, with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness and is truly their worst enemy....

It serves always to distract the public councils and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms; kindles the animosity of one part against another; foment occasionally riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passion. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchical cast patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency it is certain there will always be enough of that spirit for every salutary purpose; and there being constant danger of excess, the effort ought to be by force of public opinion to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest, instead of warming, it should consume.

It is important, likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism.... If in the opinion of the people the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness -- these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, Where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

It is substantially true that virtue or morality is a necessary spring of popular government. The rule indeed extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric? Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous

exertions in time of peace to discharge the debts which unavoidable wars have occasioned, not ungenerously throwing upon posterity the burthen which we ourselves ought to bear....

Observe good faith and justice toward all nations. Cultivate peace and harmony with all. Religion and morality enjoin this conduct. And can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and at no distant period a great nation to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt that in the course of time and things the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others should be excluded, and that in place of them just and amicable feelings toward all should be cultivated. The nation which indulges toward another an habitual hatred or an habitual fondness is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur.

So, likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter without adequate inducement or justification. It leads also to concessions to the favorite nation of privileges denied to others, which is apt doubly to injure the nation making the concessions by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted, or deluded citizens (who devote themselves to the favorite nation) facility to betray or sacrifice the interests of their own country without odium, sometimes even with popularity, gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good the base or foolish compliances of ambition, corruption, or infatuation....

Against the insidious wiles of foreign influence (I conjure you to believe me, fellow-citizens) the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike of another cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots who may resist the intrigues of the favorite are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations to have with them as little political connection as possible. So far as we have already formed engagements let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliances with any portion of the foreign world, so far, I mean, as we are now at liberty to do it, for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than to private affairs that honesty is always the best policy. I repeat, therefore, let those engagements be observed in their genuine sense. But in my opinion it is unnecessary and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, liberal intercourse with all nations are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand, neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the Government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard....

Though in reviewing the incidents of my Administration I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that

I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence, and that, after forty-five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love toward it which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectation that retreat in which I promise myself to realize without alloy the sweet enjoyment of partaking in the midst of my fellow-citizens the benign influence of good laws under a free government -- the ever-favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors, and dangers.

10. Friedrich List (1789-1846)

[List predicts America's world manufacturing pre-eminence from Hamiltonian development: *The National System of Political Economy*,³³ Book I, Ch. 9 (1846).] After our historical examination of the commercial policy of the European nations, with the exception of those from which there is nothing of importance to be learnt, we will cast a glance beyond the Atlantic Ocean at a people of colonists which has been raising itself almost before our eyes from the condition of entire dependence on the mother country, and of separation into a number of colonial provinces having no kind of political union between themselves, to that of a united, well-organised, free, powerful, industrious, rich, and independent nation, which will perhaps in the time of our grandchildren exalt itself to the rank of the first naval and commercial power in the world. The history of the trade and industry of North America is more instructive for our subject than any other can be, because here the course of development proceeds rapidly, the periods of free trade and protection follow closely on each other, their consequences stand out clearly and sharply defined, and the whole machinery of national industry and State administration moves exposed before the eyes of the spectator.

[List summarizes the historical lessons of national economic development: *The National System of Political Economy*,³⁴ Book I, Ch. 10.] Finally, history teaches us how nations which have been endowed by Nature with all resources which are requisite for the attainment of the highest grade of wealth and power, may and must—without on that account forfeiting the end in view—modify their systems according to the measure of their own progress: in the first stage, adopting free trade with more advanced nations as a means of raising themselves from a state of barbarism, and of making advances in agriculture; in the second stage, promoting the growth of manufactures, fisheries, navigation, and foreign trade by means of commercial restrictions; and in the last stage, after reaching the highest degree of wealth and power, by gradually reverting to the principle of free trade and of unrestricted competition in the home as well as in foreign markets, that so their agriculturists, manufacturers, and merchants may be preserved from

³³ Friedrich List, *The National System of Political Economy* [1846], first translated by Sampson S. Lloyd, 1885, published by Longmans, Green, and Co. London. 1909; available at <http://socserv2.socsci.mcmaster.ca/~econ/ugcm/3ll3/list/>.

³⁴ Friedrich List, *The National System of Political Economy*, op. cit.

indolence, and stimulated to retain the supremacy which they have acquired. In the first stage, we see Spain, Portugal, and the Kingdom of Naples; in the second, Germany and the United States of North America; France apparently stands close upon the boundary line of the last stage; but Great Britain alone at the present time has actually reached it.

11. Abraham Lincoln (1809-1865)

[**Lincoln on the functions of government**: public and quasi-public goods, 1854(?)]³⁵

Government is a combination of the people of a country to effect certain objects by joint effort. The best framed and best administered governments are necessarily expensive; while by errors in frame and maladministration most of them are more onerous than they need be, and some of them very oppressive. Why, then, should we have government? Why not each individual take to himself the whole fruit of his labor, without having any of it taxed away, in services, corn, or money? Why not take just so much land as he can cultivate with his own hands, without buying it of any one?

The legitimate object of government is ``to do for the people what needs to be done, but which they can not, by individual effort, do at all, or do so well, for themselves." There are many such things---some of them exist independently of the injustice in the world. Making and maintaining roads, bridges, and the like; providing for the helpless young and afflicted; common schools; and disposing of deceased men's property, are instances.

But a far larger class of objects springs from the injustice of men. If one people will make war upon another, it is a necessity with that other to unite and cooperate for defense. Hence the military department. If some men will kill, or beat, or constrain others, or despoil them of property, by force, fraud, or noncompliance with contracts, it is a common object with peaceful and just men to prevent it. Hence the criminal and civil departments.

[**Lincoln on free labor and increasing returns to education**: Address before the Wisconsin State Agricultural Society, Milwaukee, Wisconsin, September 30, 1859, excerpts³⁶]

The prudent, penniless beginner in the world, labors for wages awhile, saves a surplus with which to buy tools or land, for himself; then labors on his own account another while, and at length hires another new beginner to help him. This, say its advocates, is *free* labor -- the just and generous, and prosperous system, which opens the way for all -- gives hope to all, and energy, and progress, and improvement of condition to all. If any continue through life in the condition of the hired laborer, it is not the fault of the system, but because of either a dependent nature which prefers it, or improvidence, folly, or singular misfortune. I have said this much about the elements of labor generally, as introductory to the consideration of a new phase which that element is in process of assuming. The old general rule was that *educated* people did not perform manual labor. They managed to eat their bread, leaving the toil of producing it to the uneducated. This was not an insupportable evil to the working bees, so long as the class of drones remained very small. But *now*, especially in these free States, nearly all are educated -- quite too

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³⁶ Abraham Lincoln, Address before the Wisconsin State Agricultural Society, September 30, 1859, *Collected Works of Abraham Lincoln*, Roy P. Basler, ed., available at <http://showcase.netins.net/web/creative/lincoln/speeches/fair.htm>

nearly all, to leave the labor of the uneducated, in any wise adequate to the support of the whole. It follows from this that henceforth educated people must labor. Otherwise, education itself would become a positive and intolerable evil. No country can sustain, in idleness, more than a small per centage of its numbers. The great majority must labor at something productive. From these premises the problem springs, "How can *labor* and *education* be the most satisfactory combined?"

By the "*mud-sill*" theory it is assumed that labor and education are incompatible; and any practical combination of them impossible. According to that theory, a blind horse upon a tread-mill, is a perfect illustration of what a laborer should be -- all the better for being blind, that he could not tread out of place, or kick understandingly. According to that theory, the education of laborers, is not only useless, but pernicious, and dangerous. In fact, it is, in some sort, deemed a misfortune that laborers should have heads at all. Those same heads are regarded as explosive materials, only to be safely kept in damp places, as far as possible from that peculiar sort of fire which ignites them. A Yankee who could invent strong *handed* man without a head would receive the everlasting gratitude of the "*mud-sill*" advocates.

But Free Labor says "no!" Free Labor argues that, as the Author of man makes every individual with one head and one pair of hands, it was probably intended that heads and hands should cooperate as friends; and that that particular head, should direct and control that particular pair of hands. As each man has one mouth to be fed, and one pair of hands to furnish food, it was probably intended that that particular pair of hands should feed that particular mouth -- that each head is the natural guardian, director, and protector of the hands and mouth inseparably connected with it; and that being so, every head should be cultivated, and improved, by whatever will add to its capacity for performing its charge. In one word Free Labor insists on universal education.

I have so far stated the opposite theories of "*Mud-Sill*" and "Free Labor" without declaring any preference of my own between them. On an occasion like this I ought not to declare any. I suppose, however, I shall not be mistaken, in assuming as a fact, that the people of Wisconsin prefer free labor, with its natural companion, education.

[Lincoln on free and slave labor, capital, and the "overlapping generations" model of the family: Annual Message to Congress, December 3, 1861³⁷ (excerpt)]

It is not needed, nor fitting here, that a general argument should be made in favor of popular institutions; but there is one point, with its connexions, not so hackneyed as most others, to which I ask a brief attention. It is the effort to place capital on an equal footing with, if not above labor, in the structure of government. It is assumed that labor is available only in connexion with capital; that nobody labors unless somebody else, owning capital, somehow by the use of it, induces him to labor. This assumed, it is next considered whether it is best that capital shall *hire* laborers, and thus induce them to work by their own consent, or *buy* them, and drive them to it without their consent. Having proceeded so far, it is naturally concluded that all laborers are either *hired* laborers, or what we call slaves. And further it is assumed that whoever is once a hired laborer, is fixed in that condition for life.

³⁷ 5 *Collected Works of Abraham Lincoln 51-53*, Roy P. Basler, ed., New Brunswick, N.J.: Rutgers University Press, 1953.

Now, there is no such relation between capital and labor as assumed; nor is there any such thing as a free man being fixed for life in the condition of a hired laborer. Both these assumptions are false, and all inferences from them are groundless.

Labor is prior to, and independent of, capital. Capital is only the fruit of labor, and could never have existed if labor had not first existed. Labor is the superior of capital, and deserves much the higher consideration. Capital has its rights, which are as worthy of protection as any other rights. Nor is it denied that there is, and probably always will be, a relation between labor and capital, producing mutual benefits. The error is in assuming that the whole labor of community exists within that relation. A few men own capital, and that few avoid labor themselves, and with their capital, hire or buy another few to labor for them. A large majority belong to neither class—neither work for others, nor have others working for them. In most of the southern States, a majority of the whole people of all colors are neither slaves nor masters; while in the northern a large majority are neither hirers nor hired. Men with their families—wives, sons, and daughters—work for themselves, on their farms, in their houses, and in their shops, taking the whole product to themselves, and asking no favors of capital on the one hand, nor of hired laborers or slaves on the other. It is not forgotten that a considerable number of persons mingle their own labor with capital—that is, they labor with their own hands, and also buy or hire, and also buy or hire others to labor for them; but this is only a mixed, and not a distinct class. No principle is disturbed by the existence of this mixed class.

Again: as has already been said, there is not, of necessity, any such thing as the free hired laborer being fixed to that condition for life. Many independent men everywhere in these States, a few years back in their lives, were hired laborers. The prudent, penniless beginner in the world, labors for wages awhile, saves a surplus with which to buy tools or land for himself; then labors on his own account another while, and at length hires another new beginner to help him. This is the just, and generous, and prosperous system, which opens the way to all—gives hope to all, and consequent energy, and progress, and improvement of conditions to all. No men living are more worthy to be trusted than those who toil up from poverty—none less inclined to take, or touch, aught which they have not honestly earned. Let them beware of surrendering a political power which they already possess, and which, if surrendered, will surely be used to close the door of advancement against such as they, and to fix new disabilities and burdens upon them, till all of liberty shall be lost.

From the first taking of our national census to the last are seventy years; and we find our population at the end of the period eight times as great as it was at the beginning. The increase of those other things which men deem desirable has been even greater. We thus have at one view, what the popular principle applied to government, through the machinery of the States and the Union, has produced in a given time; and also what, if firmly maintained, it promises for the future. There are already those among us those, who, if the Union be preserved, will live to see it contain two hundred and fifty millions. The struggle of today, is not altogether for today—it is for a vast future also. With a reliance on Providence, all the more firm and earnest, let us proceed in the great task which events have devolved upon us.

December 3, 1861

Abraham Lincoln