

ARTICLE II.

JUSTICE — WHAT IS IT?

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Τίς εἶη ἡ παραβολὴ αὕτη. — Luke viii. 9.

SOME of our most obvious ideas are obvious only to a superficial attention. They grow obscure when we begin to think. They open a door into a dark temple; but every one to whom the door is open does not explore the recess. When an opponent denies the truism, though at first he may seem very absurd, yet his denial excites inquiry, and new difficulties only lead to new solutions. Suppose a column of some old temple should be found in the sands of Palmyra, and some one should deny that it was a column, but say it was brought there by foreign aid, and, on digging, should find that it rested on a stone pedestal, and that pediment on charcoal, and the charcoal on shells; every step of our investigation would go to remove our first impression, and to show that the column was placed there by art, and was a relic of a now desolated edifice. So some common words challenge investigation, and every step in the progress serves to modify our views and lead us to a longer examination and a profounder principle.

No word is more common in our discourses than "Justice"; and no word opens a sharper investigation, or leads to a longer train of thought.

Such a remarkable word calls for examination: First, we shall consider what justice is; and, secondly, consider its importance to a local polity, limited in extent and duration, and then to a whole universe of immortal beings.

I. *What is Justice?*

It is a growing idea. It resembles that fish in Hindu story, — one of the incarnations of Vishnu; first seen in a basin, then in a tub, then in a cistern, then in a lake, and last in the vast ocean; and, in whatever receptacle thrown, instantly filling them all. Justice is as essential to the moral world as space is to the material; as we survey it more, we better comprehend its vast extent. It passes through successive gradations. It begins with children in their family experience, and accompanies them in their sports and games. Most children have experienced this in the discipline of the family; however kind or just their parents may have been, it is impossible for them always to proportion their blame or punishment or their rewards exactly to the disposition of their child. Hence most children can remember occasions when they received more censure than they expected, and rewards which they felt they did not deserve; all signifying that they had formed an idea and expected the execution of strict justice. So in the sports and plays of boys you will frequently hear, as you pass along the streets, sharp disputes; and, in nine cases out of ten, the substance of these disputes will be about *puerile* justice: "you ought to have done so and so; you were unfair; I wont play unless," etc. When we pass to manhood justice begins in regulating property, in making a bargain, in fixing the rate of taxing. Our first idea of it is paying a debt; signing a promissory note; paying a workman; keeping a promise; or in removing or not removing an ancient landmark. But we soon find that justice extends to invisible things, to mental qualities; to all the injuries and blessings which affect the heart. We read in scripture that "Hanun took David's servants, and shaved off the one half of their beards, and cut off their garments in the middle, even to their buttocks, and sent them away" (2 Sam. x. 4). Here is no robbery, no very great loss of property, yet a bitter injury, an act of injustice, leading to a fierce war and an extensive destruction.

We must not regard the act merely, but the signification of the act. Hume, in his *Essay on Justice*, seems to be disposed to confine its influence to property. He makes two suppositions to support his theory. Suppose the spontaneous productions of the earth to be as abundant as they were in the golden age, when the rivers ran with wine, and honey dropped from the oak. He thinks that this plenty would supersede the necessity of justice or law, as now we need no law to restrain us in the use of water or air. We have a curious example of the effect of such abundance in our own country. At the close of the revolutionary war, a British officer was passing through Virginia. He says: "If a traveller, even a negro, observes an orchard full of fine fruit, either apples or peaches, in or near his way, he alights without ceremony and fills his pocket, and even his bag, if he has one, without asking permission; or, if the proprietor should see him, he is not in the least offended, but makes him perfectly welcome, and assists him in choosing out the fairest fruit. But this is less to be admired at when it is considered that there is no sale here for any kind of fruit, and the finest peaches imaginable are so abundant that the inhabitants daily feed their hogs with them during the season."¹

Hume presents another example. "Suppose," says he, "that, though the necessities of the human race continue the same as at present, yet the mind is so enlarged and so replete with friendship and generosity that every man has the utmost tenderness for every man, and feels no more concern for his own interest than for that of his fellows; it seems evident that the *use* of justice would, in that case, be suspended by such an extended benevolence, nor would the divisions and barriers of property and obligations have ever been thought of. Why should I bind another by a deed, or promise, to do me a good office when I know he is already prompted by the strongest inclination to seek my happiness, and would of himself perform the desired service, except the hurt he thereby received be greater than the benefit thereby accruing to

¹ See *Annual Register*, 1784, p. 84.

me? In which case he knows that, from my innate humanity and friendship, I should be the first to oppose myself to his imprudent generosity. Why raise landmarks between my neighbor's field and mine, when my heart has made no division between our interests; but shares all his joys and sorrows with the same force and vivacity as if originally my own? Every man upon this supposition, being a second self to another, would trust all his interests to the discretion of every man, without jealousy, without partition, without distinction. And the whole human race would form only one family, where all would be in common and be used freely without regard to property; but cautiously, too, with as entire a regard to the necessities of each individual as if our interest were most intimately connected."¹

We can hardly conceive that so subtle a writer should not have seen the fallacy of his own logic. In the first case, when justice is suspended as to its use by the outward abundance, there is always a possibility of intervening scarcity; the peaches may fail; the harvest may be burned; the plenty is seen to be precarious; and thus the use of justice returns with the returning wants of man. And even in the author's own examples of air and water, which are commonly so abundant as to need no restraint in their use, we all see that cases may occur in which their distribution must be regulated by law, as in the use of wells in Abraham's day (Gen. xxi. 25-30). When one hundred and forty-six Englishmen, in 1756, were confined in the Black-hole in Calcutta, and twenty-three only were found alive the next morning, in this sad condition how valuable would have been a breath of air, communicated for an hour by some tube in the wall! The modification of justice is only confined to the specific lines in which the plenty is found. As to the other case which the writer imagines, namely, supreme benevolence, it is only exchanging coercive justice for voluntary; for who has a clearer idea of what justice is than the man whose generous heart contains the fountain

¹ *Essays*, Vol. ii. p. 212, 213.

from which it flows? In his soul it is pictured to perfection. One man has learned the importance of justice by his sad experience on the other side of the question — by a life of trickery, and spending half his days in a state-prison; and another by the most spontaneous integrity of character and the most effusive benevolence. In which breast is the clearest conception found?

It must be granted, we think, that it is impossible to confine the use of justice to the use of property; for the only evil of invading a man's property is, that through his purse you wound his heart. Now, if the same pain is inflicted in any other way, it is impossible not to see that the same analogy holds. Pain has been inflicted, and a bad intention has been evinced in the deed. The apostle enjoins: "Render, therefore, to all their dues; tribute to whom tribute is due, custom to whom custom, fear to whom fear, honor to whom honor" (Rom. iii. 7). If you meet a man one day, and slip your hand into his pocket, and take out a ten dollar bill, and never return its value, and meet him again a few months after, and refuse to call him Captain, or Colonel, if the title is contested, and he value it the more, and you know it, I cannot see why refusing the title should not be a greater act of injustice than purloining the paper. The Bible says: "He that uttereth a slander is a fool." If a man, now, values his character more than his property (and thousands do), we cannot see why the slanderer is not a thief, in being a fool.

"Who steals my purse steals trash; 'tis something, nothing;
 'Twas mine, 'tis his, and has been slave to thousands;
 But he that filches from me my good name
 Robs me of that which not enriches him,
 And makes me poor indeed."

The analogy is perfect, and cannot fail to be seen. *Property is not the limit of justice.* Justice is a divine principle, and disdains to have either her privileges or duties confined within these material precincts. When you have led ethereal justice to these material walls, like invisible space she is

sure to stretch beyond them, and sure to impress the conviction of the authority of her claims.¹

Hume makes the object of justice to be utility. It is founded, he says, solely on utility; but he does not say whether this utility is confined to our span of time, or whether it reaches to the retributions of eternity. The word "utility" suggests a meaning which goes back to a mental motive, and stretches forward to all the joys of heaven and all the agonies of hell. It is *useful* to escape the one, and secure the other.²

¹ See how Cicero introduces justice in an unexpected connection: "Ne justitia quidem sinet te ista facere; cui minimum esse videtur in hac causa loci; quae tamen ita dicit, dupliciter esse te injustum, cum et alienum appetas, qui mortalis natus, conditionem postules immortalium, et graviter feras, te, quod utendum acciperis, reddidisse" (Tusculan Questions, lib. iii. § 17).

² The word "utility" is a remarkable one. A materialist, when he uses it, is not apt to consider all its suggestions. As a diamond in perfect darkness, however excellent, cannot give out any of its light, and always sparkles more the more external light is shed upon it, so utility enlarges its meaning as it changes its position and shows its connections. If a friend or a sovereign seeks my utility, his motive is good-will to me, or benevolence. What is utility in my experience is benevolence in his. If he gives me an annuity, the gift increases the longer my life lasts. If that life is prolonged to immortality, the gift and the motive for giving swell into an infinite idea; and utility must be an eternal heaven and a release from guilt and punishment. Now, it is impossible to understand Hume's utility, without surveying it through these magnifying-glasses. Nay, the gift itself becomes a spiritual one, when we consider what true happiness is. It is perfect virtue in the heart, and an endless progression to enjoy it in. When a metaphysician, therefore, tells us that utility is the foundation of justice, we must endeavor to show him what he means. He must mean (there is no stopping short) that justice is one of the modifications of divine benevolence, promoting by necessary rules the immortal happiness of his immortal kingdom. And if he replies: "I never thought of all this: I used the word in a narrower sense; I was thinking of man and his weakness, and time with its limitation," you must reply to him: "You have no right to draw a finite line, and say it cannot be extended; you must be prepared for all the questions which your principles provoke. Utility is nothing in morals, but as the object of a previous intention that seeks it; and the very possibility of the extension of the laws of justice shows that we can only see its nature in its final operation. If even in a speculative dream you plant a tree under a high heaven, you must expect it to grow, until 'it was strong, whose height reached unto heaven, and the sight thereof to the end of all the earth.'"

Utility implies an active being that seeks it for a passive being who feels it. It is a benefit existing between two minds; and these minds may be immortal,

This is a question of some importance; and this opens the field in which justice must ever be a growing idea. One of the most fanciful, and at the same time one of the most philosophic of the Roman poets has thus sung the praises of the goddess of corn:

“Prima Ceres unco glebam dimovit aratro,
Prima dedit fruges, alimentiaque mitia terris,
Prima dedit leges—Cereris sumus omnia munus,
Illa canenda mihi.”¹

Even over material things a higher spirit must always preside. There must be foresight and retrospection, and earth must always lean on heaven. “A goddess first taught to plough the earth; a goddess first gave them laws. All things are her gift, and she is to be celebrated with the loudest praise.”

The meaning is, soon as man leaves his acorns and his hunting-grounds, and becomes a wheat-eating and an iron-using citizen, justice is necessary to procure his daily bread. For who will use the iron, or cultivate the earth, unless he is protected by law in the enjoyment of his crops? In early times civilization seems to have been in the centre of surrounding barbarism, and there was a contest whether men should live by the plough, or the sword—by industry, or by robbery. Such was the condition of Abraham and Job. The latter described the population among which he dwelt: “But now they that are younger than I have me in derision, whose fathers I would have disdained to set with the dogs of my flock. Yea, whereto might the strength of their hands profit me in whom old age was perished? For want and famine they were solitary, fleeing into the wilderness in former time, desolate and waste. Who cut up mallows by the bushes, and juniper-roots for their meat. They were driven forth from among men; they cried after them as

and the benefit as lasting as they are. You cannot creep out of the sublimities of religion by calling its benefits utilities. An immortal soul, when sanctified, is a utility; Heaven is a utility; the death of Christ, to sinful man is a utility, but a utility beyond the enjoyments of time, or the conception of a sensual heart. An earthly utility may grow into immortal bliss.

¹ Ovid, *Met. lib. v. l. 341-344.*

after a thief; to dwell in the clefts of the valleys, in caves of the earth, and in rocks. Among bushes they brayed, under the nettles they were gathered together. They were children of fools, yea, children of base men; they were viler than the earth" (Job xxx. 1-8). They were men whom idleness had reduced to want, and want had compelled to be robbers. In Palestine, even now, men are still reduced to two classes—the industrious, who are oppressed, and the robbers, who will not work. We talk of Abraham's faith; but, considered as a citizen of this life, he had something better than even faith. Surrounded by tribes that were daily degenerating and living on the toils of their neighbors, he set a persevering example of living an industrious and peaceful life, and never drew his sword, but to repel invasion and defend the rights of his family and kindred. He taught industry; he taught honesty; he promoted a religious civilization. "Was not Abraham your father justified by works, when he had offered his son on the altar?" And was he not justified by works when he armed his trained servants, "born in his house, three hundred and eighteen, and pursued them unto Dan, and brought back all the goods, and also brought again his brother Lot" (Gen. xiv. 14, 15, 16)? "Seest thou how faith wrought with his works, and by works was faith made perfect" (James ii. 22)? There was no opposition between faith and works, in the examples of Abraham; for his faith was the only principle that could produce such works.

But justice is a magnitude that still expands upon us. Justice is nothing, if it is not executed; and to give it its utmost power it must be perfectly executed by a perfect being. This is what we never see done on earth; and to reach it the soul must be immortal, and God must be on the judgment-seat, and a perfect judge must be himself a perfect witness. It is melancholy to see how rarely perfect justice,¹ even according to our low ideas of perfection, is found in our best courts.

¹ Modern metaphysicians tell us of the absolute, which always peers up over

“In the corrupted currents of this world
 Offence's gilded hand may shove by justice;
 And oft 't is seen the wicked prize itself
 Buys out the law. But 't is not so above;
 There is no shuffling; there the action lies
 In its true nature, and we ourselves compelled,
 Even to the teeth and forehead of our fault,
 To give in evidence.”

Justice may be known, by considering what it proceeds from, and what it tends to. It proceeds from perfect wisdom and benevolence in God, and tends to the everlasting happiness of all that imbibe its spirit and submit to its laws. The *utility* which Hume makes its object, as we trace the growing idea, expands into celestial felicity and an eternal escape from the pangs of hell. If we wish to know the nicer shadings of this great thought, we may lay alongside of it some of the adjacent virtues. We speak of a holy man, an honest man, a righteous man, and, more than all, a merciful man. The distinction, in the last instance, is very obvious. Mercy has no existence but as an offshoot of justice. Justice is the staple in the great beam from which all the virtues are suspended, and mercy is the first link in the dependent chain.

Thus justice is always a growing conception. It begins in our childhood, in regulating our very games. It is enlarged and enforced by our acquisition of property. It should preside over our bargains. We cannot till our grounds and raise our crops unless justice is enforced by the protection of laws. We then pass to the conception of

our material ideas, and shows us the perfection of which they are the ruder copies and indications. Thus a point, a line, or a surface in matter suggest an absolute point, or line, or surface in pure space. The finest dust is a copy of an indivisible atom. So justice, in all its lower forms, suggests an absolute idea; and that is found only in the mind of God, and seen only by him (See Calvin's Institutes, p. 121). The difference in explaining the divine law from what there would be in explaining any other, suggests this upward ascent. The absolute meets us, that is, the most imperfect form of law suggests a form absolved from all imperfection. We cannot contemplate the lowest rule of equity without pursuing it to an idea rising to perfection, and that perfection must be found in God.

it in analogous cases — all the invisible injuries of slander and defamation; and, lastly, when revelation discovers to us an immortal life and a boundless universe, we carry it up to the throne of God, and spread it over his vast creation. We make it of boundless extent, and turn it into an obligation among the immortals.

II. Let us consider *its importance* to a local polity, limited in extent and duration, and then to a whole universe, whose moral organization must last forever.

We begin by observing that the importance of justice is seen in its very nature, just as the infinity of space is suggested by the smallest portion of it that can be presented to the mind. Justice may be compared to the great law of attraction. It was well known, in its most common operations, before Kepler and Newton extended it over the universe. It was known that an unsupported body would fall to the ground. Every time a man dropped his pen-knife, or a lady her thimble, it was known that an unseen power sent these things to the floor, or the earth; and it was impossible to contemplate these simple incidents without seeing the clue to a more general application of the law; and it was impossible to find its universality without seeing its importance. So justice, as it swells in magnitude, rises in its character. It is important to the individual; it is the cause of his vexation or peace, as he departs from its narrow path, or keeps its onward way. It may be compared to a smooth passage through a rough pasture of rocks and briers, cavities and thorns, where if the traveller does not deviate, he moves safely; but if he turn from the way, his feet are torn with the thorns, or sunk in the cavities, or bleed on the rocks; and the meaning of his misfortune is, that he must turn to the safe direction. The importance of justice shows itself to the experience of every individual, and perhaps most bitterly to him that has deviated most. "There is no peace, saith my God, to the wicked" (Isa. lvii. 21). "Whatever sin is committed," says Juvenal, "it always displeases the sinner himself. This is the first penalty, that no

guilty man is acquitted when he sits in judgment on himself, though the wicked grace of the pretor may conquer in the fallacious urn.”¹ There is a silent law and an inner tribunal that no criminal can escape. Shakespeare has shown this in the character of Richard III. Never was there a mind more reckless, more hardened by ambition, more insensible to moral obligation, or more untroubled by the still small voice of conscience :

“ Why, I can smile, and murder while I smile ;
Can cry content to that which grieves my heart ;
Can wet my cheeks with artificial tears,
And form my face to all occasions.”

And yet even Richard is overtaken at last. He cannot stand before the terrible dream that afflicted him on Bosworth field in the night before the battle :

“ My conscience hath a thousand several tongues ;
And every tongue brings in a several tale ;
And every tale condemns me for a villain :
Perjury, perjury in the highest degree ;
Murder, stern murder, in the direst degree ;
All several sins, all used in each degree,
Throng to the bar, crying all : Guilty ! guilty !
I shall despair. There is no creature loves me ;
And if I die, no soul will pity me.”

All this illustrates the position of Bishop Butler, that there is a silent law in the kingdom of God, whose very existence executes it. If the transgressor escapes every other law, and every established tribunal, he is liable, because he is susceptible of meeting this. If we pass to communities, all history illustrates the same truth. We may say all communities, all cities have fallen by a long and gross departure from essential justice. Sodom, Nineveh, Babylon, populous No, Sparta, Athens, and conquering Rome, all fell in the same way. We talk of luxury and its ruinous effects ; but luxury is only a secondary thing. Luxury is itself a species of injustice, and leads to injustice in all its forms. It would be endless to go through the forms of verifying this thought.

¹ Juvenal, *Satire* xiii. line 1.

Two remarkable examples from history, when it became a more certain witness, will show that luxury is injustice, but that injustice has been the prime cause of the ruin of nations. It so happens that this principle is illustrated in the most luminous period of Roman story, when the leading men poured out their hearts, bore their testimony, in letters, in orations, in conflicts, in virtues, in crimes, and in all kind of actions, — Cicero, Caesar, Cato, Antony, Atticus, Matius, etc. We always read this period correcting a first impression. Our first impression is that Caesar was a tyrant, and all his slayers were heroes and patriots. But the simple story is, on careful investigation, that all Rome was then so rotten to the core there were no patriots; no, not one — not one who would not have been a scamp, if he had been on the conquering side. “Post quos Gn. Pompeius, occultior, non melior.”¹ Cicero himself confesses that he was sure to be the worst, who was among the victors. Dean Swift singles out six characters to form a sextumvirate of worthies, to which all the ages of the world could not add a seventh. And who were these rare birds? Brutus, his ancestor Junius, Socrates, Epaminondas, Cato, and Sir Thomas More. Leaving out those who do not belong to this age, Marcus Brutus and the Utican Cato remain; both of them old women in their politics, and hypocrites and scamps in all their private conduct. Cicero let the cat out of the bag in his letters — the only true history of that period. Brutus was a kind of Sir Giles Overreach, a gross exactor, willing to take a ruinous interest, and to collect it by the most ruinous methods. Cicero was obliged to remonstrate with him. And the spotless Cato, when the spotless Clodius sent him to rob the Cyprians, on purpose to make him as bad as himself, accepted the office, on the same ground that a conscientious rumseller sells liquor to drunkards, — because if he does not, somebody else will.

“In vain may heroes fight, and patriots rave,
If secret gold sap on from knave to knave.

¹ Tacitus, *Hist.* p. 87.

Once, we confess, beneath the patriot's cloak,
From the cracked bag, the dropping guineas spoke,
And, jingling down the back-stairs, told the crew,
'Old Cato is as great a rogue as you.'

But, not to dwell on individuals, we may say the old forms of Roman liberty, around which the mistaken patriots gathered, as if the body still retained the spirit, fell because corruption and rottenness pervaded them all. The senators thought they loved Rome, because they loved their fish-ponds. They had oppressed the provinces in every constitutional and unconstitutional way. If half the picture drawn by Cicero in his orations against Verres be true, the power of the senate and the liberty of the people in the forum did not fall a moment too soon. It fell, because it must fall, because the inevitable hour comes to human degeneracy, "when that which is mortal dies, when that which is mutable begins to change, and that which we know to be transient passes away."¹

The other example is found in the reign of Constantine, when the Roman empire was fast ripening for destruction, which came in the torrent of barbarians, about a century afterwards. Injustice had disorganized all the components of political strength. Everything was out of order, in private or public life. The state was in such a condition that even good intention in a civil or military officer could scarcely be executed. Inequality was inwoven into the whole system, and wrapt the best citizen in a web of necessity. If you obeyed the laws, you must destroy equity. The weight of the taxes and the mode of collecting them gave a sad picture of the state of the empire. "As the general tax upon industry was collected every fourth year, it was styled the 'lustral contribution'; and the historian Zosimus laments that the approach of the fatal period was announced by the tears and terrors of the citizens, who were often compelled by the impending scourge to embrace the most abhorred and unnatural methods of procuring the sum at which their

¹ Dr. Blair, Sermon ii.

property had been assessed.”¹ Constantine, no doubt, did all he could to mitigate these evils. But they went on increasing, from inevitable causes, until the sons of Theodosius virtually lost all power of resisting the barbarians. We may say that the Roman empire lost its vigor by an all-pervading and immovable injustice in almost all its possible forms. A late professor is reported to have said that the empire fell for the want of men. But why did they want men? The want of men is only a secondary cause. All sorts of honest industry were oppressed and discouraged — farmers, merchants, all the independent and vigorous population. None were secure but courtiers, tax-gatherers, military officers, and charioteers at the circus, together with the idle population of Constantinople and Rome. In a word, the whole empire consisted of legal robbers and their victims. None were left to raise the corn. They wanted men because they wanted that healthful population which protecting justice is sure to produce.

If we pass to sacred history, we find the same lesson repeated. Justice is the very cement of society. The highest attribute of the Lord is the most imperative necessity for man. It was the will of God that our moral history should begin in a fact that teaches the importance of justice by the dreadful consequence of the loss of the disposition for it in our fallen race. “By one man sin entered the world, and death by sin; and so death passed upon all men; descending from the first man, all sinned.” In 1756 years after, all the human race were swept away by an universal deluge. And why? “The earth also was corrupt before God, and the earth was filled with violence. And God looked upon the earth, and behold it was corrupt; for all flesh had corrupted his way upon the earth” (Gen. vi. 11, 12). See a world from which justice has departed, and see its importance in the vacuity it leaves behind! We need not multiply examples. The whole history illustrates this simple truth. It shows us that justice, though delayed in the

¹ See Gibbon, Vol. ii. 284.

divine government, is sure to come at last. As the pagans said, "she treads with woollen feet, but smites with an iron hand." The excision of the Canaanites has always been objected to by all sentimentalists as an anti-proof of the veracity of scripture and the character of God. But there it is, in broad lines, remaining an everlasting token, in spite of the objection of enemies, and the worse apology of its mistaken friends. There it is; and it certainly accomplishes one object, namely, to show that "our God is a consuming fire," when he shows by deeds how he values his justice. There is one circumstance in the delay of justice which shows more emphatically its importance than the hasty execution. It is more terrible, because it is so cool and deliberate. "Be sure your sin will find you out" (Num. xxxii. 23). It is a fixed principle in the calmest and wisest of all possible minds. There is something thrilling in the declaration: "The iniquity of the Amorites is not yet full" (Gen. xv. 16). "I can wait my time; I can suspend my sentence; I can defer the execution; I can give a space for repentance, and also for irremissible sin and inevitable destruction." Bishop Butler says: "It is not malignity in the Almighty that is the most fearful thought [as Lord Shaftsbury had said]; but it is his eternal justice."

There is one specific case, that shows the importance of justice even more than these tragic examples. It is when the scripture corrects some plausible examples brought from pagan authors, and repeals them by showing the higher way. Cicero says: "*Sed justitiæ primum munus est, ut ne cui quis noceat nisi lacessitus injuria*"¹—Never punish, unless your foes have injured you. The apostle corrects this: "Dearly beloved, avenge not yourselves, but rather give place unto wrath; for it is written, Vengeance is mine; I will repay, saith the Lord" (Rom. xii. 19). The critics on this passage in Cicero, and Grotius among them, have much to say on the dangerous limitation which the heathen moralist introduced—"nisi lacessitus injuria"—"unless you have

¹ *De Officiis*, Lib. i. § 17.

received a previous injury." It opens a wide door for uncertainty and personal revenge. We may say, it is almost the universal temptation to do wrong in avenging wrong. We constitute ourselves judges in our own case, and that in an hour of great excitement. For the man that fancies himself injured may say: "If I do not defend myself, who will? Courts are dilatory and partial. Besides, I shall make myself ridiculous by resorting to them. The injury is of a very delicate nature; and I know best what it is, for I have felt it. If I do not defend myself, I shall be esteemed a tame pigeon, and invite new injuries. Indeed, my forbearance will lead to new acts of injustice. A regard, therefore, for the public welfare, and for the prevention of injuries, leads me to take the instruments of justice into my own hand. It is true I am helping myself; but I am also helping all mankind, and especially those who may want my courage and ability in repressing insolence in its career of wrongdoing." So he reasons, especially if he be a military or naval officer. Now, the reason of the divine precept, probably, is that no man, especially smarting under a wrong, is fit to judge in his own case. If he does anything, he will probably do too much, and commit new wrong. This his adversary will see and feel. Now, the only safe way is to stop at once. Leave the matter to time and to God. All history proves, and all our knowledge of human nature discerns, that this execution of imagined justice only produces new injuries and new revenge. Two Arabian tribes begin their enmities in this way. Each party goes on punishing too much, until one or both are exterminated. Every Christian sees the wisdom of trusting in God. He often finds in forbearance a noble revenge.

The case of the Gibeonites, in 2 Sam. xxi., impresses us deeply with the importance of divine justice, executed sternly, though so long delayed. This story, though so perplexed by neological criticism, shows clearly its own design. It was not a political trick to suppress a dangerous party, but it was an inspired expedient that all men should have their

rights, that the lowest ought to be protected, and that divine vengeance will be executed at last. It has an important application to the present age. We have had our Gibeonites, and we trust the expiation has been made.

But if man is immortal, and God is not the God of the dead, but of the living, then the importance of justice is immensely increased when applied to the divine kingdom. *Eternal punishment*—What is its design, and is it clearly revealed? There is no explaining it away, or blotting it out of the sacred volume. The mild Jesus utters it in its most terrific terms: "These shall go away into everlasting punishment, but the righteous into life eternal" (Matt. xxv. 46. See Mark ix. 42-48; Luke xvi. 19 to the end). Now, this is not to address our fears, or to give us a mercenary religion. It is to give us, *in facts*, an exact measure of the evil of sin and the importance of showing it. Here is the balanced account; here is a measure given us by God himself. We all see here, in this span of time, that justice is necessary to social security and peace, and penalties are necessary to the support of justice. But we, amid our finite conceptions, know not, by our own independent reason, where to fix the measure; and there is only one mind that can know. God has spoken, and given his estimate of the importance of *executed justice* to the welfare of immortal beings, and it is *eternal punishment*—"the worm that never dies, and the fire that is never quenched" (Mark ix. 14). This is the penalty of his violated law, and therefore an exact measure, in the wisest of all possible minds, of the deservings of a transgressing race. All that is terrible in banishment from heaven, in everlasting obduration and despair, "in the lake which burneth with fire and brimstone" (Rev. xx. 10), with infernal companions, without one blended virtue and one ray of hope, is presented, less, perhaps, as a literal description of the kind of suffering than as a collection of symbols to measure the danger and evils of our transgressions, and the importance of an earnest and constant obedience to the eternal laws of social happiness.

It would be wrong, here, not to add one fact which shows the importance of justice when she yields her claims to the sceptre of mercy. It is an inscription for the cross. Pilate wrote: "Jesus of Nazareth, the King of the Jews." God seems to write a higher one: "He bore your sins in his own body on the tree."

Such, then, is the nature of justice, and the importance of our obedience to it — an importance seen in nature, and confirmed by revelation. It is necessary to earthly communities, and is the foundation of the lasting joys of heaven; it is the soul of all perfect governments, in time or in eternity; it was executed below by the Cyruses and Solons, the Davids and Solomons of antiquity, and in modern times by the Winthrops and Washingtons of our race; and above by God himself. He has shown his estimation of its importance by the pain he has assigned to its temporal violation. Even delay serves to strengthen, rather than to weaken its power. An eternal prison of despair shows how he values this sacred attribute; and when he pardons the weeping penitent, the vicarious sufferings of his holy and innocent Son show that justice is not forgotten when he manifests his highest mercy. It is the robe he puts on when he mounts for ceaseless ages his spotless throne.

This important subject may afford and justify a few deductions:

First, its clearness and commanding authority. Mr. Colridge says "that a distinguishable power, self-affirmed and seen in its unity with the eternal essence, is, according to Plato, an idea." Now, it seems to us that justice is an idea — justice is such a self-seen principle, it has such a self-explaining light, that when we understand it in the abstract, and trace it through its growing germ, we immediately see its application in some of the most doubtful and difficult cases. As selfishness, from its own nature, shows its gratifications, so justice, from the first inspection, foreshows the duties to which the divine principle leads. Experience and observation only confirm the first impression. The science

of casuistry is often alike tedious and superfluous. The light is within us, and all we have to do is to remove obstructions. We always prize justice when its decisions are in our favor. If a man owes me a note, or has made me a promise, or is expected to return me a favor, I am very quick to see how the balance turns. This principle our Saviour has seized on to show how to interpret the universal law of equity: "Therefore all things whatsoever ye would that men should do to you, do ye even so to them; for this is the law and the prophets." Was there ever such a mighty principle involved in such a short sentence? How true! how practical! It is founded on this fact, that if you can get a man to step out of his own shoes, and stand in those of his neighbor, he has taken the most difficult step to see the nature and claims of impartial justice. The trouble is that the selfish man will not take the first step.

In a late journey up the Aletschhorn, one of the Alps, Professor John Tyndal has told us, they ascended (he and his guide) until they reached a cone which they perceived to be the highest peak of the mountain — the last part of their hazardous journey. So in pursuing the growing idea of justice, we meet the last cone indicating the highest summit. The growing idea culminates in a point reaching towards heaven. Perfect justice sleeps, if it has not a perfect execution, and a perfect execution postulates a perfect executioner; for justice is an idle theory, unless it perform its appropriate work. It thus leads us to the very throne of God. As an apostle says, speaking of patience: "Let patience have her perfect work, that ye may be perfect and entire, wanting nothing" (James i. 4), so we say of justice, let it have its perfect work. We cannot complete the conception to which our minds necessarily tend, unless we suppose a workman equal to the work. He must be an impartial judge, have omnipotent power, and be an omniscient witness. For let us suppose two cities or communities. One shall have the most perfect law, even the divine law, but to be executed by short-sighted and imperfect men; and the other

shall have, as Jefferson asked, in his first inaugural : "Have we found angels in the form of kings to govern us?"—Let us suppose that such political angels were found, and that God had imparted his own perfections to them, to be at once perfect witnesses and perfect judges. Do we not at once see the difference between these two communities? The first has an unavailable perfection. Justice is there, a diamond hid so deep in the mine as never to sparkle in the sunshine, or to be dug up and show its lustre in the eyes of men. It is a theory; they tread it under their feet, because they never see its practical radiance, or know its value. In the other community, completing its own perfection, it teaches by experience. Every day illustrates its power, and imparts to all its happiness and perfection. All our laws and governments are granite foundations to some aerial cliffs which point to heaven, and seem almost to reach it. They support the throne of God, and show that he must sit upon it to do justice, judgment, and mercy, and extend salvation to all who are prepared for the benefit. Yes, the existence of the coarsest law that folds in its bosom the soul of justice, implies the existence of the most refined law; and the most refined law can only be executed by one who is perfect both as a witness and a judge. Every finger in human legislation points to the existence of God.

For this conclusion we have an unexpected authority. "When the general rules that determine the merit and demerit of actions," says Adam Smith, "come thus to be regarded as the laws of an all-powerful Being, who watches over our conduct, and who in a life to come will reward the observance and punish the breach of them, they necessarily acquire a new sacredness from this consideration. That our regard to the will of the Deity ought to be the supreme rule of our conduct can be doubted by nobody who believes his existence. The very thought of disobedience appears to involve in it the most shocking impropriety. How vain, how absurd would it be for man either to oppose or neglect the commands that were laid upon him by infinite wisdom and infinite

power! How unnatural, how impiously ungrateful, not to reverence the precepts that were prescribed to him by the infinite goodness of his Creator, even though no punishment was to follow their violation! The sense of propriety, too, is here supported by the strongest motives of self-interest. The idea that however we may escape the observation of men, or be placed above the reach of human punishment, yet we are always acting under the eye and are exposed to the punishment of God, the great Avenger of injustice, is a motive capable of restraining the most headstrong passions, with those, at least, which by constant reflection have rendered it familiar to them.”¹

But, secondly, justice is not only self-seen, but it sheds its light on some interlaced and appendant virtues. The word “obligation” has been strangely confounded by some explanations. Some of us remember, in our college days, Paley’s elucidations: “A man,” says he, “is said to be obliged, when he is urged by a violent motive resulting from the command of another.” How violent the command must be, we must guess; for the author has drawn no definite line. It is remarkable that Paley by this definition seems to consider himself as dissolving a great mist; for he says: “When I first turned my thoughts to moral speculations, an air of mystery seemed to hang over the whole subject, which arose, I believe, from hence — that I supposed, with many authors whom I had read, that to be obliged to do a thing was very different from being induced only to do it; and that the obligation to practise virtue, to do what is right, just, etc., was quite another thing, and of another kind than the obligation a soldier is under to obey his officer, or a servant his master, or any of the civil or ordinary obligations of life. Whereas, from what has been said, it appears that moral obligation is like all other obligations, and that all obligation is nothing more than an inducement of sufficient strength, and resulting some way from the command of

¹ Theory of Moral Sentiments, by Adam Smith, Vol. i. part iii. sec. 5.

another.”¹ Never shall we forget the astonishment with which we read these words, and the perplexity we felt to know what the mystery was they dissipated, and how they supplied its place. Without pretending to understand this author’s darkness or light, we would simply say that obligation seems to us to be a collateral of justice, and always seen in its light. The civilians tells us that it is a correlative to a right. If a man has a right to a field, I am obliged to abstain from using it without his permission. If a ruler has a right to command, a subject is obliged to obey, and so through all the catalogue of rights. Now, these rights are but the different forms of the same justice. Obligation is the feeling which the claims of justice, either human or divine, awaken in a just mind.

We see in the mind of God the connection of justice with benevolence. Benevolence, in the abstract, is an emotion; but it must be guided by wisdom, and justice is one of wisdom’s rules. It is an instrument in the hands of wisdom. As we learn by experience that justice executed (at least in some degree) is necessary to the very existence of the social system, we find that benevolence cannot act without it. Justice is the main instrument of benevolence in the hands of a wise and benevolent Deity. Benevolence, strictly speaking, is an emotion, a passion, a desire; and when connected with wisdom, it sees the importance of justice; and when they are united, each contributes its share to the welfare of the universe. Justice may be compared to a rudder, good for nothing to the ship, until the wise steersman, with a good intention, takes the tiller into his hands, and steers the ship through the rolling waves. As the best steersman could not guide the ship without a rudder, so an omniscient ruler, glowing with benevolence, could not execute his intentions but in the path prescribed by eternal justice. Here we have all the analogies of human life to guide us. Justice is the root of all virtue, and justice is the invisible aroma which emanates from its roses, beautifies its leaves, and

¹ Moral Philosophy. Book ii. chap. 3.

even softens its thorns. It is distinguishable, certainly, from benevolence; but while it differs, it has a connection. They need not be confounded; but they cannot be parted. Benevolence may be compared to the rain that falls on the central ridge of mountains, and justice to the river-beds that conduct the water to the lower country. Benevolence is inefficacious without its appropriate channels. The very fires of hell are its remote operations when they punish the wicked to protect the good.

The bearing of justice on the great correlative idea of divine mercy demands our peculiar attention. What is mercy? It is not tenderness; it is not compassion to the suffering; it is not pity for distress; it is not an unreasoning impulse; but it is something that implies previous guilt, and releases the offender from the grasp of the violated law, on terms by which the judge and the law are satisfied. It supposes the tear of repentance, and also a return to neglected duty and a forgiving God. Mercy is wholly a relative idea; it is seen wholly in the light of justice. When justice sits on the throne, mercy may be seen at the footstool. It is possible to form an idea of justice without mercy; but it is wholly impossible to form an idea of mercy without justice. Mercy is the child of a stern, but relenting parent, and justice is the father of a gentle child who has few of his features, but much of his spirit. But the very perfection of justice prevents the obedience of weak and imperfect man. It breathes nothing but despair to all our guilty race. But that despair gives a zest to subsequent hope. "For what the law could not do, in that it was weak through the flesh, God, sending his own Son in the likeness of sinful flesh, and for sin [i.e. as an expiation] condemned sin in the flesh, that the righteousness of the law might be fulfilled in us, who walk not after the flesh, but after the spirit" (Rom. viii. 3, 4). These ideas depend on each other for their conception and interpretation, and they both blend in the perfection of God and the glory of his government. When you see the strictness, and yet excellency, of his law, you know

what mercy means. The sweetest hope of the gospel rises on our despair.

In all human governments the proper mixing of these two elements is necessary to the welfare of their citizens and the harmony of the administration. But human skill is not equal to the exact proportioning of these two powers. Man is inadequate to the work. Hence we find that in the history of commonwealths there is a constant vibration in the forms. When they suffer from kings they go to republics, and when republics dissolve into anarchy they resort to kings. The last evil always prompts the change. The evils we experience drive us to seek a paradise existing in futurity and painted by hope. This is illustrated in the Roman history. They drove away Tarquin in one age; they submitted to Caesar in another. Even in our own age, we have seen these actions and reactions producing each other. In 1789, France fled from a monarchy to a republic; and in 1804, after wading through a sea of blood, she chose an emperor. In our own country a reaction has already commenced. Take the city of New York as an example. What are they sick of, and what are they sighing for? A government wise enough to choose justice, and strong enough to protect them. The thorns in the path we have trod over always lead us to see in the distance a better way. The permanent temperament remains to be found.

The assertion that history of human governments are an everlasting vibration between too much and too little, tyranny and anarchy, is illustrated in Esop's satirical fable of the frogs wanting a king. First they had king Log, and then king Serpent, and the simple sufferers, in all their experience, never found the middle point.

Even in education Euphrosyne cannot lead her children in her rosy path, without the assistance of a sterner power. As the poet saw in her dreadful vision:

" Looking up, I saw
A vast, gigantic spectre, striding on
Through murmuring thunders and a waste of clouds

With dreadful action. Black as night, his brow
 Relentless frowns involved; his savage limbs
 With sharp impatience violent he writhed
 As through convulsive anguish; and his hand,
 Armed with a scorpion-lash, full oft he raised
 In madness to his bosom; while his eyes
 Rained bitter tears; and, bellowing loud, he shook
 The void with horror. Silent, by his side,
 The virgin came. No discomposure stirred
 Her features. From the gloom which hung around
 No stains of darkness mingled with the beams
 Of her divine effulgence.”¹

These are the poetic shadows of substantial truth. They are the pictured outlines which history verifies. We have an example in the history of our ancestral nation. The two Jameses, grandfather and grandson. How unskilful, in opposite ways, in producing this temperament! The first James always indiscreetly kind, his compassion a boyish fondness, lavish in gifts that produced no gratitude, and promotions that created no responsibility. The other a sullen tyrant, whose unteachable cruelty drove him from the British throne, and kept him in perpetual exile.

This subject has a bearing on our free-agency. Justice is for responsible beings. It is a power made for them, and for which they were made. A weight in a scale may overcome an opposing weight; but a motive is addressed to persuasion and choice. There can be no justice where there are no voluntary beings.

The allowing of the existence of justice is destructive of the positive philosophy. They exclude each other; and what can we think of a philosophy which ignores or annihilates the moral world, with all its conceptions, obligations, motives, conflicts, triumphs, and enjoyments? Even the invisible principle connects phenomena and is as much a reality as the substances that are subject to that power, and show it. “A stone is heavy” (Prov. xxvii. 3); but the existence of the stone is not more positive than the power of gravitation which makes it heavy. So the powers that govern our minds,

¹ Akenside's *Pleasures of the Imagination*. Book ii. lines 506-520.

in the manner in which they are governed, are as certain as anything in the material sciences. Materialism would be annihilated were there not minds to inspect it and build a system on its phenomena.

There is a strange pretence, not now offered for the first time, that all speculations on material things, all opinions are totally disconnected with the moral or religious character; that an atheist may be as good a man as Paul or Isaiah; that these speculations have nothing to do with the state of the heart; that the pursuit of knowledge should be free, and it is not free if any odium is attached to any conclusion. Even Lord Brougham said: "The great truth has finally gone forth to all the ends of the earth, that man shall no more render account to man for his belief, over which he himself has no control. Henceforward nothing shall prevail upon us to praise or blame any one for that which he can no more change than he can the hue of his skin or the height of his stature." But one of the most terrible ideas in the moral world is a God of perfect justice. It is beyond the energy of language to express it. No form of material terror can for a moment equal this. Not the earthquake that desolated Lisbon; not the loudest thunder that ever tore the sky. The reason of this terror is twofold: first, our weakness; next our guilt. To be obnoxious to all-seeing justice is a fearful thought; and what men fear, they are apt to hate. This principle operates on men before they know it. This Lucretius confesses and all the Epicureans. Here is a bias against those religious opinions, which a man thinks he has rejected, or at least reduced to zero — a bias which he who feels it most, most stoutly denies. It blinds him.

It is impossible, we think, to assume the truth of the gospel without regarding it as a system of duty, presenting a series of obligations, of which disbelief is a general violation. So the New Testament represents it; so the blessed Redeemer himself — "This is the work of God, that ye believe on his Son" (John vi. 29).

The last deduction we shall make, is to show the latent

cause of that wonderful unity which runs through all the varying parts of the sacred volume. No man ever saw this unity without believing the Bible, and no man that disbelieves the Bible ever saw this unity. There is a golden thread that runs through the volume, and unites all its parts in one harmonious whole. It may be compared to the path of light, which the moon, rising in the east, spreads over the trembling waters, and guides the boatman to the western shore. He sails in light, and is confident not only of the lustre but the safety of its direction. He dips his very oars in glory, and he never misses the headlands in the lucid direction. Now the cause of this unity is an exceedingly natural one. It arises from the theme; the central subject of revelation. We have already shown that justice is one great, central, self-seen idea, shedding its light on itself and on all the off-shooting ideas. The Bible treats of law, obedience, transgression, pardon, hope, immortality, purification, punishment, which are all but varying forms of the same essential justice. It is true this golden thread is latent to a careless reader. To a neological interpreter, however learned, the Bible is always a jumble of discordant fragments. But the golden thread may always be discovered by humble inspection. It may be compared to the rocky flumes in the table-lands of New Mexico, so narrow, so deep, so dark, yet at the bottom of them flows a placid stream, warm in its shaded course, and leading the passenger that sails on it to a better region of plenty and peace. The Bible treats of the justice of God in all its conformities and conformations, and he is "the same to-day, yesterday, and forever." It must have a unity, for its soul is always the same.

As justice, then, is a principle which may enter your soul and be the perpetual motive of all your actions, and as it may shed its light on all its affiliated ideas, as it is the subject of revelation; see this, and you will want no other light.