Ms. 2842 (Besançon, pp. 39-49)

Religious Conscience. — *Moral sanction; Justice.*

(Cf. manuscript of Boutteville, Chap. V. — On the principles and general characteristics of the moral law according to nature and according to Grace).

EPIGRAPH. — *Juris natura fons.* — Cicero.
Nature (order) is the source of right.

P[ROUDHON]. This doctrine of Cicero, very fine for its time and to which my friend Boutteville subscribes, is not entirely my own, as the following considerations will show.

"*Bonum appello*, » said Cicero, « *quidquid secundum naturam est; quod contra, malum.* » De fine boni et mali."[1]

"This notion of the good becomes mixed with the notions of order, propriety and harmony; just as, from other perspectives, it is identified with the notions of the true and the beautiful. — Combined with the notion of free will, the idea of the good gives rise to the idea of duty — that is, of law or moral obligation — a law which, being essentially impersonal like any necessary law, is no more a human than a divine institution.

"Thus, moral conscience reveals itself in man; it is nothing other than reason itself in one of its highest forms. Conscience — without the intervention of any God, as Cicero aptly puts it — makes us keenly aware of what constitutes vice or virtue (*Virtutis et vitiorum, sine ulla divina ratione, grave ipsius conscientiae pondus*,[2] Cicero, *De Natura Deorum*, III, 351); it proclaims the law and applies it; it is at once legislator and judge: nature remaining always, as is fitting, the rule, the sole rule by which it pronounces judgment: *Atqui nos legem bonam a malà, nullà alià, nisi naturae norma dividere possumus*[3] (Cicero, *De Legibus* I, 16). For all duties have their source in nature — *omnia officia a principiis naturae proficiscuntur*[4] (Cicero, *De Finibus Bonorum et Malorum* I, 7) — and virtue is nothing other than nature perfected within itself and brought to its highest peak: *Est autem virtus nihil aliud quam in se perfecta et ad summum perducta natura*[5] (Cicero, *De Legibus* I, 8).

… Doctrine transmitted by the philosophers of Greece.

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[1] "I call good," says Cicero, "whatever is in accordance with nature; and evil, whatever is contrary to it. — *De fine boni et mali*. [*De finibus bonorum et malorum* ("On the ends of good and evil")]

[2] ["Regarding virtues and vices—apart from any divine rationale—there exists the heavy weight of one's own conscience."]

[3] ["And yet, we can distinguish a good law from a bad one by no other standard than that of nature."]

[4] ["All duties originate from the principles of nature."]

[5] ["Virtue, moreover, is nothing other than nature perfected within itself and brought to its highest state."]

"Divine reason judges the matter quite differently. According to it, the law appears first; good and evil exist and are known only through it — *Per legem cognitio peccati* (Romans); *Ubi enim non est lex, nec praevaricatio*." (Romans 3:20; 9:15; 7:6; 14, etc.)

Cf. BERGIER, *Dict. théol.*: Duty, Law, moral good and evil.

Cf. PASCAL, *Pensées*, art. X (Havet ed.); — id. art. XXII; etc.

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P[ROUDHON]. I believe that neither Boutteville, nor I, nor the Fathers, nor the ancient philosophers have yet sufficiently explored this question of the principle of Justice, which the Church considers primarily in God, in its *subjectivity*, and Cicero in nature, in its OBJECTIVITY.

What is God? He cannot be known by the powers of reason alone.

Let us note this: there is at least one thing regarding God that we can affirm from experience — namely, that the idea of him possesses us and works upon us tremendously. We know and we can know nothing of God through reason (what he is, etc.); but, based on daily experience, we judge that there is *coherence*, *order*, *purpose* and *harmony* in nature; a will that manifests itself, that urges, that resists, that condemns, etc.

God is hidden, yet, to reiterate, it is certain that he torments us; that at any moment we believe we see him appearing; that we seem to hear him knocking at the door; and that we cannot help but cry out: *Wer da?* Who is there?

So much for the understanding.

Doubtless, this does not constitute a proof. We do not know who God is, the nature of his being, his attributes, and so forth; yet we say, willy-nilly: *There is someone there!*

Now, consider the conscience.

~~We prefer good or evil, spontaneously, despite our interest, despite our desire. But why?~~

There are things, on the one hand, that we call "good" and others, on the other, that we call "evil:" how does this come about? On the basis of whose belief? We judge and affirm these things to be good or evil, but on what grounds? What can we call *morally* good or evil?

What do we mean by the testimony of Conscience? What is its worth? How is it opposed to egoism? ...

I search in vain: I declare that all of this, from a philosophical standpoint, is pure prejudice; that my conscience is a true myth; that it is just as difficult for me to demonstrate the existence of *Right* and *Duty,* in and of themselves, as of God himself; and that in everything said on this subject, I can see nothing but a pure paralogism.

Yet Conscience is there, Right, Justice, or whatever name you choose; someone knocking at the door, issuing commands, making me tremble if I am what we have agreed to call an honest man; something that irritates me and keeps me wary against my will, and who, should I be taken by surprise, will disconcert and unsettle me if I am what that same conscience, whether truthful or deceitful, hypocritical or sincere, calls a scoundrel.

Thus, I repeat: God — hidden, invisible, inaccessible, indefinable, rationally inconceivable, and unprovable — stirs and torments us, both in our minds and in our hearts.

He solicits and harries our minds through the sense of purpose, the sequence of events, and the successive goals we perceive in the world around us; he torments our conscience with his relentless commandments, his prohibitions and bans, and the definitions and judgments he prompts regarding our own thoughts, intentions, desires, and actions, classifying them, without regard for our self-interest, as good or bad, virtuous, innocent or criminal.

I want to make my thought increasingly clear.

According to official morality, interpreted by the jury and enforced by the scaffold, murder is a crime. Lacenaire, Dumolard and Lapommerais might well ask, "But who says so?" — alongside the inquiring philosopher.

What can I call "good" or "evil," if not that which serves or hinders my own well-being? This man stands in my way, so I kill him. I am acting within the right of nature, which we see given over to mutual extermination. Even if the man does not stand in my way, I can use him to serve my own pleasures, though it will cost him his life. And why not? The fisherman who puts a gudgeon on his line and uses that bait to catch a pike — dealing death to two animals that have done him no harm, simply to make a meal of them — is neither more nor less guilty than the poisoner, the exploiter, etc.

All of humanity's crimes can be summed up in a single one: *anthropophagy*. Now, once again, anthropophagy lies at the origin of every society, balanced only by maternal and familial instinct; it is even ordained or presupposed by religion. In this, I repeat, man merely follows nature's example; how, by what sophistry, do you transform this law into a crime?

Undoubtedly, fraternal friendship, fatherhood and love are good things; but it is for me to judge what I choose to take from these various sentiments. I take pleasure in my wife and children; I accept this man as my friend and companion; yet I kill and eat that other one; if need be, I will feed upon my own children. What do you have to say to that? It is savage! Yes, perhaps, in the sense that it might be more agreeable for me to content myself with beef or mutton, or to live on fruit and dairy. It would be less repugnant, I am willing to believe, and cleaner. But it is a matter of preference, of which I alone am the judge…

You speak to me of the rights of society, of nature's harmony, of human proprieties, of the conditions for peace and the happiness of brotherhood. All of that is a question of utility, a matter of taste. How do such considerations bind me? Is it the case that, ultimately, I judge things, their suitability or unsuitability, based on my own self-interest?…

But so be it! I am willing to forgo human flesh; yet, in place of the corpse to devour, there remains everything else that belongs to the man; that is what I need; that is what I demand of my neighbor, failing his very skin; otherwise, I kill him. Here again, I obey the law of nature, in which we see that all organized beings prosper only in proportion to their power of extermination (from the hyssop to the cedar, from the wren to the lion and the eagle.)

For this, you call me a bandit and a thief; yet what am I doing other than taking honey from bees, milk from the cow, wool from the sheep, eggs from the hen, fruit from the tree, grass from the meadow? Love your neighbor, you say. Agreed, so long as he possesses nothing that suits me and that I cannot obtain from him by any means other than force.

What is property? Has its legitimacy been proven? No. Therefore.

— I love the Truth, without a doubt; especially when it reveals to me the great secrets of nature. The Truth is of great benefit to me, and a supreme guarantee. Above all, I love the Truth that sheds light on the traps surrounding me and the perils that might undo my neighbor; I love the truth that reveals the moves of my rivals and competitors. I love it so much that I sing of it as a discovery and a conquest, and share it with those who listen to me. — But it is one thing to love the truth, and quite another to confess it at every turn or communicate it to the first person who comes along. In many circumstances, it is prudent for me to keep it in reserve, to hide it, to make it my prerogative and, if I can, a monopoly. Why, then, should I be bound to act as its echo when my own interests are at stake? Lying is just as much my prerogative as knowing the truth. My intellect embraces both equally; and nature, no less than my self-interest, commends it to me. I go further: I have the right to mislead others, to deceive them, if I find advantage and profit in doing so. All animals lie and use cunning; all warriors and heroes, like lions and tigers, set traps, lie in wait and, far from seeking to attack their enemy openly, strive to surprise him from behind and kill him. It is quite simple: if the need for food grants me the *right of life and death* over my fellow creature, it goes without saying that I am under no obligation to warn him; I shall kill him with impunity; thus, lying, perjury, treason, false testimony and false oaths are among my rights, just as cannibalism, murder and theft are. My self-interest, my well-being, my pleasure, my gratifications, as well as my safety, shall be my rule. You make an exception for the murderer in what you call a case of legitimate defense. Hypocrite and coward! Tell me: when are you not in a situation of *legitimate defense?* When you inhabit a region that produces food enough for only ten people, yet twenty are present, are you not in a situation of legitimate defense?...

"*Labor*," you tell me, "and through labor you will find the means to relieve your destitution." LABOR: it is a fine word, and one about which there is much to say. But what if I do not wish to labor?... Must I yield to you — to you, the worker, who chooses to claim that title — the territory indispensable for my survival? By what right would you take it from me? By what right would you impose upon me the law of the apostle: *Qui non vult laborare, nec manducet?* Yet am I even guaranteed a livelihood if I do labor?... No; your civil wars and your institutions of servitude prove it!

So, once again: upon casting me onto the earth, Nature has said to me: "Defend yourself." By spreading out before me this world of creatures — men and animals alike — all of whom are already opening their jaws to devour me, she said to me, just as the Voice from heaven said to Saint Peter: *Kill and eat*.

Cannibalism, plunder, oppression, and lying belong to me; only a prejudice could prove otherwise to children.

Morality, in fact, stems from nothing other than the maternal instinct, which drives carnivores to care for their young, and the injunction parents give their offspring not to bite the breast that feeds them nor to strike the hand that gathered their first meals. Yet this is a prejudice supported by no proof; and even if one were to concede the existence of this law of gratitude between parents and children, what do I owe a stranger?

— All manner of distinctions are drawn regarding romantic unions: legitimate ones and illegitimate ones; the creation of all sorts of crimes — adultery, fornication, incest and so forth.

What impertinence!... Fortunately, your public mores, your novelists and your playwrights spare me the need for argument. Free love is finally recognized. Now, if love is free by nature, I should very much like to know where that liberty stops. What will you deem decent or shameful?...

Thus: no morality, no crime, no virtue, no distinction between good and evil.

Justice is a hypothesis of the sectarians: are those who champion justice the enemies of natural right and liberty? *Quid?*... This negative critique of moral law is far more widespread than one might imagine; it has a hold on society — it is one of the characteristics of our age — and it is not difficult to detect it underlying most contemporary opinions.

Let us first note one thing: those who affirm the existence of a moral law, independent of religious ideas or divine sanction, base their argument on the order of the world, the fitness and harmony of nature, and the concepts of the beautiful and the good. This is the thought of Cicero, handed down by the Greeks.

But who cannot see that this conception of moral law, grounded in a world order and a natural harmony to which social legislation supposedly corresponds, merely reproduces, in a different guise, the argument for the existence of God? That argument, too, was drawn from the order of the world, yet it has long since been discredited and abandoned.

The order of the world! But the world is undergoing destruction just as much as creation; its harmony, like that envisioned by the Malthusian economists, consists of a balance between births and sacrifices, between lives produced and lives consumed.

The order of the world is the great circle in which all lives are interlocked, serving as sustenance for one another.

The law, the harmony of nature is universal war, wherein the beauties of nature appear merely as the garnishes on meats in a pastry shop or a butcher's stall — mere culinary flourishes. For whom, then, is this meal served? For the One called the Creator, who is also the Consumer. The law is universal; it embraces all that exists, feels, and breathes; and man — the greatest consumer after his God — is subject to it just like the rest. How could he make an exception in favor of his own kind? Wolves devour one another; dogs as well; herbivores do not. Let us grant that man abstains from human flesh; who can prove that he must also abstain from human exploitation, and that he must impose upon himself a new law, made for him alone, the law of fasting, asceticism and suicide, advocated as a virtue?...

That is not all: who fails to see that more than half of the human race has ceaselessly protested against this new law, this *dictate* of a so-called conscience or revelation from on high, attested to by the impostors of the priesthood and politics, through silent negation, open revolt, hypocrisy, the organization of slavery, the patriciate, autocracy, cloisters, fraud, capitalism, property, and the obscurities and contradictions of the law?

Who seriously believes in the moral law?

To begin with, who among the writers and scholars?

Do M. Cousin and the Eclectics believe in the moral law, in justice? Do MM. Taine, Renan, and Deschanel believe in a mandatory justice? Does M. V. Hugo, who clamors for the abolition of the death penalty, believe in it? M. de Girardin told me as much in the courtroom on the day

of my last conviction: “I do not believe in your justice; outside of Catholicism, there is no morality. Outside of God, sovereign and absolute, there is no Right…”

… But that is not all: not only do the champions of justice, in order to find a foundation for their moral law, form an *arbitrary* idea of the world order; they fail to recognize its true character, that dualism of good and evil so clearly perceived by the Sages; they forget that, even were this order exactly as they claim, and human Justice its faithful expression, they possess no authority to impose it upon beliefs, nor to compel its acceptance and respect as the pedestal of Justice.

Every rational and free creature naturally makes itself the center and summit of the universe, relating everything to itself and judging the value and beauty of things according to the utility they afford it.

What do I care if my fellow beings live in peace with one another and give alms, if I am starving to death? — What does Science matter to me if I know nothing? — What do the lives of others matter to me if my own is sacrificed?…

…

This is what the Church Fathers and the apologists of recent centuries, whose insights we are greatly mistaken to overlook, profoundly understood when they declared that good is obedience to God’s will and evil is the violation of that law; when, going even further, they taught that the good was that very will itself, such that, had God willed something other than what exists and what His law prescribes, that other thing would have been good, and we would have been bound to conform to it. This means, in my view, that no motive drawn from either reason or nature suffices to make us respect the moral law — that only the will of God can exert such efficacy upon our souls; and that without this respect, without this religion, we would be irremediably depraved — worse than demons.

Assuredly, God wills the moral law; he wills the order of the world and Justice. In the depths of the Divine Being, Order, Justice, Liberty, Truth, and Will are coextensive and synonymous; and we need not fear, nor even suppose, that God wills, or could will, the contrary.

Yet, according to the Fathers, there are two truths here that must not be overlooked: *First*, it is we ourselves who do not will the law, even when our intellect has perceived and understood it; and all the beauty of the law would be powerless to make us submit to it without a higher will to compel us and serve as a determining motive;

Second, if we psychologically analyze the faculties of the soul, which, as a matter of faith, were modeled upon the divine attributes, it becomes evident that, logically, the will in God precedes knowledge and the law. It is true to say, as Descartes did, that truth is the product of the divine Will, not its object. At first, this seems counterintuitive; yet it is necessarily true. It cannot be otherwise for One who, being eternal, infinite, uncreated, pure spirit and pure soul, necessarily precedes all law, just as he precedes all nature and all creation. The order of things is inverted when moving from man to God; and this inversion is precisely what constitutes, for the Christian, the spiritual order, the moral life and the sanction of the law.

Thus, the *fear of God* is the principle of all morality of God; for he who does not fear God inevitably rejects the law; and the law, being neither sufficiently established and secure in itself

nor backed by a sanction, cannot impose itself upon his will. But what, you might ask, will prove to the godless man that this law is the expression of God's will? It is the very fact of the law's revelation in the deepest recesses of human conscience — a revelation that is spontaneous, traditional, and immemorial, and one that this same conscience *always upholds*, whatever we do and despite any lack of proof, authenticity or guarantee.

Indeed, let us substitute human conscience for God. What happens? The conscience within us speaks like God Himself; it wills the law — even without cause, without proof, or even against our own interests. It wills this law because such is its pleasure; because, by willing it in this way, it has, at bottom, created the law itself; because, having created it, it attaches its own glory to it and regards anyone who denies or violates it as a mortal enemy.

What, then, establishes Justice within me, given that, unable to prove to myself the existence of the God who torments my mind and conscience, yet finding this law engraved within me by an unknown hand, I nonetheless embrace it with all my might and aspire to have others respect it as a *common right* superior to my own individual right?

It is because I view myself as a divine expression, as the Word of God, his representative, his lieutenant and the usufructuary of his rights, and as one who, like him, asserts his will over all things.

I affirm Justice; I will it, meaning that I desire certain moral precepts, not because they have been proven to me in themselves; not because, even were they proven, they contain anything inherently binding upon me, whose egoism ceaselessly protests; not because such is the will of God, whom I do not know; but because, ultimately, such is the will of my conscience; because fulfilling that will is irresistible to me; because I am so constituted that I cannot defy it, no matter how loudly my egoism may murmur; because, despite my daily rebellions, I do not feel strong enough to wage a sustained war against it; and because, in the end, for the sake of my soul's tranquility, I prefer to dedicate myself to its service rather than attempt to escape it or even partially evade it.

No, I have no answer for anyone who might demand that I justify the law to which I am calling him back, save to say that we cannot live together and that one of us must absolutely depart from this life.

Between the *justicier* and the criminal, there is all-out war, simply because their modes of existence are incompatible: the latter seeks to remain in the state of nature, while the former aspires to rise through *Justice* toward Divinity, the one asserting his natural liberty, the other elevating his liberty to a supernatural, superhuman ideal.

Thus, the Christian and the non-Christian, the religious man and the *justicier*, find themselves in agreement regarding practice and morality; the difference is merely that the Christian names God as the author of the law, whereas the latter regards himself as the author of the law that hums, sings and thunders within the depths of his conscience.

Therein lies the difference between human law and divine law, two fitting forms of Justice, standing in antithesis to the law of nature and the liberty of egoism.