

**FRANÇOIS QUESNAY**  
**SELECTED WORKS**  
**(1759-1767)**

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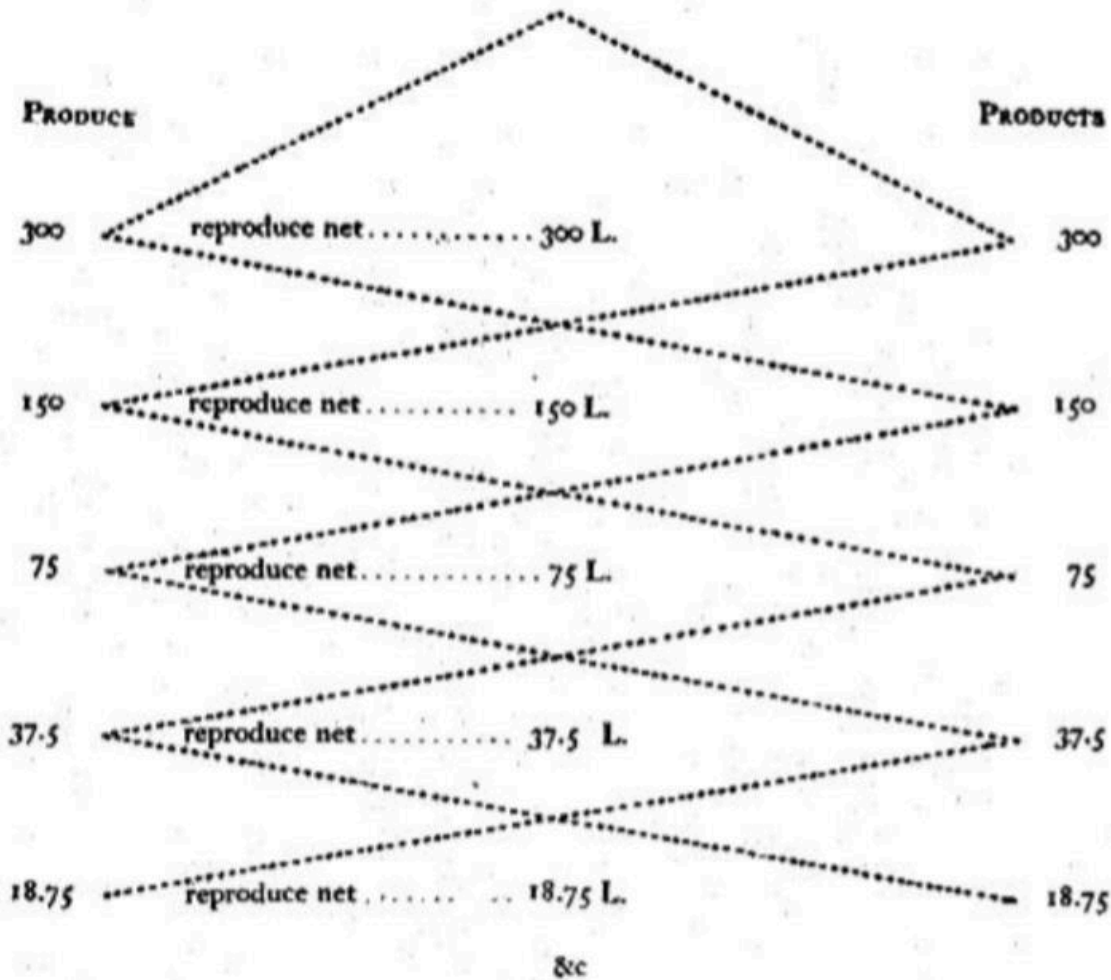


# **TABLEAU ECONOMIQUE**

**(1759)**

## ECONOMIC TABLE

<p><b>PRODUCTIVE EXPENDITURES</b> relative to Agriculture, &amp;c,</p> <p>ANNUAL ADVANCES to produce a revenue of 600 L. are 600 L., 600 L. produce net.....</p>	<p><b>EXPENDITURES FROM REVENUE</b> deducting Taxes, are divided between productive Expenditures and sterile Expenditures,</p> <p>ANNUAL REVENUE of 600 L.</p>	<p><b>STERILE EXPENDITURES</b> relative to industry, &amp;c.</p> <p>ANNUAL ADVANCES for the products of the sterile expenditures are 300 L.</p>
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TOTAL REPRODUCTION.....600 L. of revenue; besides the annual expenditures of 600 L. and the interest on the original advances of the Husbandman, amounting to 300 L., which the land restores. Thus the reproduction is 1500 L., including the revenue of 600 L. which is the basis of the calculation, apart from taxes deducted, and the advances required for its annual reproduction, &c.

## EXPLANATION OF THE ECONOMIC TABLE

The productive expenditures are employed in agriculture, meadows, pastures, forests, mines, fishing, etc. to perpetuate riches in the form of grain, beverages, wood, cattle, raw materials for the handicrafts, etc.

The sterile expenses are made upon handicraft products, housing, clothing, interest on money, servants, commercial expenses, foreign commodities, etc.

The sale of the net product which the Cultivator has produced during the preceding year, by means of the annual Advances of 600 livres employed in agriculture by the Farmer, furnishes the proprietor a revenue of 600 livres.

The annual advances of 300 livres in sterile expenses are employed for the capital and the expenses of commerce, for the purchase of raw materials for the handicrafts, and for the subsistence and other needs of the artisan until he has finished and sold his product.

Of the 600 livres of revenue, one half is spent by the Proprietor on purchases from the productive class, such as bread, wine, meat, etc., and the other half on purchases from the sterile class, such as clothing, furnishings, implements, etc.

These expenditures may incline more or less to one side or the other, as the spender goes in more or less for luxury in the way of subsistence or luxury, in the form of ornamentation. Here the average situation is taken, where the reproductive expenditures renew the same revenue from year to year. But it is easy to see what changes would be caused in the annual reproduction of revenue, as the sterile expenditures or the productive expenditures became more or less important than the other: it is easy, I say, to tell this from the very changes which would take place in the table. For, suppose that luxury in the form of ornamentation should increase by a sixth in the case of the Proprietor, by a sixth in the case of the Artisan, and by a sixth in the case of the Cultivator, the reproduction of revenue would fall from 600 livres to 500 livres. If, on the contrary, an increase of expenditure of the same extent occurred in the consumption or the exportation of raw materials, the reproduction of revenue would rise from 600 livres to 700 livres, and so on. Thus we see that an excess of luxury in the way of decoration may quickly ruin with magnificence an opulent Nation.

The 300 livres of revenue which were devoted to productive expenditures in the table bring back to this class, in money, advances which reproduce 300 livres net, which make up a part of the reproduction of the Proprietor's revenue; And by the distribution of the remaining sums which return to this same class, the total revenue is reproduced yearly. These 300 livres I say, which return to the productive class at first through the sale of the products which the Proprietor buys of them, are spent by the Farmer, half upon the consumption of products furnished by this same class, and the other half upon clothing, implements, tools, etc. which he buys of the sterile class. And they arise again with the net product.

The 300 livres of the Proprietor's revenue which were devoted to sterile expenditures are spent by the artisan, half on productive expenditures in the purchase of subsistence, raw materials, and for foreign commerce; the other half is distributed among the sterile class itself for living expenses, and to restore the advances. This circulation and this reciprocal distribution continues by subdivisions in the same order, down to the last penny of the sums which pass reciprocally from one class of expenditures to the other class of expenditures. Circulation brings 600 livres to the sterile class, from which it is necessary to deduct 300 livres for the annual advances, leaving 300 livres for wages. These wages are equal to the 300 livres which this class receives from the productive class, and the advances are equal to the 300 livres of revenue which go to this same sterile class.

The productions of the other class amount to 1200 livres, after deducting taxes, tithes, and interest on the advances of the Husbandman, which will be considered separately, in order to avoid undue complications in analyzing the expenditures. In the expenditure of the 1200 livres of production, the Proprietor of the revenue buys 300 livres of them. Another 300 livres goes to the sterile class, of which a half, or 150 livres, is consumed for subsistence by this class; the other half, or 150 livres, being taken for foreign commerce, which comes under this same class. Finally, 300 livres are consumed in the productive class, by the men who produce them, and 300 livres for feeding and care of the cattle. Thus of the 1200 livres of product this class expends 600 livres, and its advances of 600 livres are returned to it in money through the sales which it makes to the Proprietor and to the sterile class. An eighth of the total product enters into foreign commerce, either as exports or for raw materials and subsistence for the workers of the country who sell their products to the other Nations. The sales of the Merchant balance the purchases of merchandise and of gold and silver which are obtained from abroad.

Such is the distributive order of the consumption of the native products among the different classes of citizens, and such is the idea we should have of the practice and the extent of the foreign commerce of a flourishing agricultural Nation.

The reciprocal traffic of one class with the other distributes the revenue of 600 livres from one side to the other; giving 300 livres to each side, over and above the advances which are conserved. The Proprietor subsists by means of the 600 livres which he spends. The 300 livres distributed to each class, added to the product of the taxes, the tithe, etc., which are added to them, can support a man in one or the other class: thus 600 livres of revenue and the supplementary sums can furnish subsistence to three heads of families. On this basis, 600 millions of revenue can furnish subsistence to three million families of four persons of all ages each.

The expenses furnished by the annual advances of the productive class, which also are renewed each year, and of which about a half is spent on food for the cattle and the other half in paying wages to the men engaged in the work of this class, add 300 millions of

expenditures which can, with the part of the other products which are added to them, furnish subsistence for another million heads of families.

Thus these 900 millions, which, not counting taxes, tithes, and the interest on the annual advances and on the original advances of the Husbandman, would be renewed annually from the landed property, could furnish subsistence to sixteen million persons of all ages, according to this order of circulation and distribution of the annual revenues.

By circulation we mean here the purchases at first hand, paid for out of the revenue which is distributed among all the classes of men, excepting commerce, which multiplies purchases and sales without multiplying things, and which is only an increase of sterile expenditures. The riches of the productive class of a Nation where the Proprietors of the land have constantly 600 millions of revenue may be evaluated as follows.

A revenue of 600 millions for the Proprietors assumes in addition 300 millions in taxes, and 150 millions for the tithes of the annual product, including all the charges, levied on those subject to the tithes: This makes a total of 1 billion 50 millions, including the revenue: In addition there are the reproduction of 1 billion 50 millions of annual advances, etc and 110 millions of interest on these advances at 10 per 100: making a grand total of 2,210,000,000 livres.

In a kingdom having many vineyards, forests, meadows, etc. there would be only about two-thirds of these 2 billions 210 millions which would be obtained by the labor of the plow. This part would require, in a good State of large-scale cultivation carried on by horses, the employment of three hundred thirty-three thousand three hundred thirty-four plows at no acres of land per plow, three hundred thirty-three thousand three hundred thirty-four men to direct them, and 40 million acres of land. This culture may, with 5 or 6 billions of advances, be extended in France to more than 60 million acres.

We are not speaking here of small-scale cultivation carried on with oxen, in which more than a million plows would be needed, and about 2,000,000 men to exploit 40 million acres of land, which would yield only two-fifths as much as large-scale cultivation does. This small-scale cultivation to which the Cultivators are reduced, from lack of riches to make the original advances, is carried on at the expense of the landed property itself, employed to a great extent for the expenses, and by excessive annual expenditures for the subsistence of the multitude of men occupied in this form of cultivation, which absorb almost all the product. This ungrateful cultivation, which reveals the poverty and the ruin of the Nations where it prevails, has nothing to do with the order of the Table, which is arranged on the basis of half of the employment of a plow, where the annual advances can, in conjunction with the fund of original advances, produce one hundred per cent.

The total original advances required for the establishment of a plow in large-scale cultivation, for the first fund for the purchase of cattle, tools, seed, food, up-keep, wages, etc, in the

course of two years' work before the first harvest, are estimated at 1,000 livres; thus the total for three hundred thirty-three thousand three hundred thirty-four plows is 3,333,340/200 livres. (See the articles Farms, Farmers, Grains, in the Encyclopedie.) The interest on these advances should amount to at least 10 per 100, for the products of agriculture are exposed to ruinous accidents, which in ten years destroy the value of at least one year's crop. These advances demand, moreover, much up-keep and renewals; hence the total of interest on the original advances for establishing the Husbandmen is 333, 322,000 livres.

The meadows, vineyards, ponds, forests, etc. require slight original advances on the part of the Farmers. The value of these advances may be reduced, including the original expenses for plantings and other work done at the expense of the Proprietors, to 1,000,000,000 livres. But vineyards and gardens require large annual advances, which, taken in connection with those of the other parts, may on the average be included in the total of annual advances set forth above. The total annual reproduction in net product, in annual advances with the interest thereon, and' in interest on the original advances, reckoned in conformity with the order of the table, is 2,543,322,000 livres. The territory of France could produce as much and even much more.

Of this sum of 2,543,322,000 livres, 525 millions constitute half of the reproduction of the annual advances employed in feeding the cattle: leaving (if all taxes go back into circulation, and if they do not encroach upon the advances of the Husbandmen) 2,018,322,000 livres. This makes, for the expenditure of men, on the average 504,580,500 livres for each million heads of families, or for each head of a family 562 livres, which accidents reduce to about 530 livres. On this footing a State is rich, and men live comfortably there.

We' are speaking of an opulent Nation which possesses a territory and advances which yield annually, and without wasting away, 1 billion 50 millions of net product; but all these riches kept up successively by this annual product may be destroyed or lose their value, in the decadence of an agricultural Nation, by the mere wasting away of the productive advances, which may make great headway in a short time as a result of eight principal causes:

1. A bad system of taxation, encroaching upon the advances of the Cultivators. *Noli me tangere* is the motto of these advances.
2. Increase of taxes through expenses of collection.
3. Excess of luxurious expenditure on decoration.
4. Excess of expenses for litigation.
5. Lack of foreign trade in the produce of the land.
6. Lack of freedom in domestic trade in native commodities and in agriculture.
7. Personal vexations of the inhabitants of the rural districts.
8. Failure of the annual net product to return to the productive class.



# **On Natural Rights**

**François Quesnay**

**(1765)**

# Chapter I

## What is the Natural Right of Man?

The natural right of man may vaguely be defined to be, the right which man has to whatever is proper for his enjoyment.

Before we consider the natural rights of man, we must consider man himself in his different states of bodily and intellectual capacity, and in his different relations to other men. If we do not enter into this examination before we undertake to develop the natural right of each individual, it will be impossible to perceive even what that right is.

It is from not having ascended to these previous observations, that philosophers have formed such different and even contradictory ideas of the right of man. Some with a semblance of reason have refused to admit it; others with more reason have admitted it - and there is truth on both sides - But one truth excludes another in the same object, when its state is changed, as one form is the privation of another form in the same body.

He who says that the natural right of man is of no force, says true.

He who says that the natural right of man is what nature teaches all animals, says true.

He who says that the natural right of 'man is the right which his strength and his intelligence secure to him, says true.

He who says that the natural right of man is limited to the particular interest of each individual, says true.

He who says that natural right is a general and sovereign law which regulates the rights of all men, says true.

He who says that the 'natural right of man is the unlimited right of all to all, says true.

He who says that the natural right of man is a right limited by a convention, either express or implied, says true.

He who says that the natural right supposes neither justice nor injustice, says true.

He who says that natural right is a just, decisive and fundamental right, says true.

But none of them say true, relative to all cases.

Thus philosophers have stopped with a parallogism, or incomplete argument, in their researches on this important question, which is the natural principle of all the duties of man regulated by reason.

An infant without strength or reason has an incontestable natural right to subsistence, founded on the duty which nature dictates to the father and mother. This right is so much the better secured, because the duty of the father and mother is accompanied by a natural impulse, which act's more powerfully on parents, than the idea of the natural order which establishes the duty. Nevertheless, we cannot forget that this duty, pointed out and secured by feeling, is in the order of justice - for parents can but render to infants, those duties which they have received from their parents-but a precept which refers itself to a just right, binds every reasonable creature.

If I be asked, what is justice? I reply, it is a natural and sovereign rule, discovered by reason, which determines what belongs to one's self, and what to another.

If the father and mother of the infant die, and he find himself without any other resource, inevitably abandoned to his own helplessness, he is deprived of the exercise of his natural right, and this becomes void. For a relative attribute is void, when the correlative is wanting. The use of, eyes is lost in a place totally without light

## **Chapter II**

### **The Extent of the Natural Right of Man?**

The natural right of man differs from his conventional right, or his right dependent on human laws in this; that it is apparent to the light of reason from its internal evidence - and by this evidence alone, it is obligatory, independently of all other constraint: while conventional right, limited by a positive law, is obligatory by reason of the penalty attached to its transgression, by the sanction of this law, and can be known only by its being announced in the law itself.

From these different conditions, one sees the whole extent of natural right, and what distinguishes it from conventional.

Very often conventional right restrains the natural, because human laws are not so perfect as those of the author of nature, and because human laws are sometimes obtained by surprise, from motives, of which enlightened reason cannot always recognise the justice, which is the cause why legislatures often wisely abrogate laws which they themselves have made. The multitude of absurd and contradictory laws successively established among nations, proves manifestly that positive laws often deviate from the immutable rules of justice, and the natural order most beneficial to the society.

Some philosophers, absorbed in the abstract idea of the natural right of man, which gives to each a right to every thing, have limited this natural right to a state of pure independence of men upon one another, and to a state of war among them, each struggling to obtain his unlimited right. Thus, these philosophers pretend, that when a man is deprived by convention, or legitimate authority, of any portion of the natural right which he has to whatever is proper for his enjoyment, his general right is destroyed, and the individual becomes dependent on another by his contract, or by a coercive authority. He is no longer in a state of simple nature; or of entire independence; he is no longer the sole judge of his right; he is subject to the judgment of another; he is, therefore, say they, no longer in a state of pure nature, nor consequently in the sphere of natural right.

But if we attend to the futility of this abstract position, the natural right of all to all, we must, in conformity to the natural order itself, reduce this natural right of man to things of which he can obtain the enjoyment - and this pretended general right will in fact be very limited.

In this point of view it will be perceived, that the reasoning which I am exposing, is but a frivolous sophism, or trilling of the mind, very much out of place in discussing so important a question - and we shall be well convinced, that the natural right of every man, reduces itself in reality, to that portion which he can obtain by his labour - for his right to all, is like that of a swallow to all the gnats which float in the atmosphere, which in truth is limited to those only, which it can catch by its labour prompted by hunger.

In a state of pure nature, things proper for the enjoyment of man, are reduced to what nature spontaneously produces, and over which each man can exercise his natural, indeterminate right, in procuring a certain portion by his labour - that is by his exertions.

Whence it follows: 1. That his right to all is but ideal. 2. That the portion which he enjoys in a state of pure nature, is, what he obtains by his labour. 3. That his right to things proper for his enjoyment, 'nestle considered in the order of nature, and in the order of justice; for in the order of nature it is undetermined, as long as it is of secured by actual possession; and in the order of justice, it is determined by an effective possession, acquired by labour, without usurpation on the right of possession of another. 4. That in a state of pore nature, men, compelled to satisfy their wants by their own exertions, will not lose their time in mutual contentions and battles, which would only oppose obstacles to their occupations, necessary for providing means of subsistence. 5. That a natural right, consisting in the order of nature, and of justice, extends to all states in which men exist, in whatever relation to one another.

## **Chapter III**

### **Of the Inequality of the Natural Rights of Men**

We have seen, that even in a state of pure nature, or of entire independence, men only enjoy their natural right to things of which they have need, by labour that is, by the exertion necessary to obtain them - thus, the right of all to all, reduces itself to that portion which each can procure, whether they live by the chase, or by fishing, or on the vegetables which nature spontaneously produces. But to make these exertions with success, they must have faculties of body and mind, and means, or proper instruments to act, and to obtain what is necessary to gratify their wants. The enjoyment of this their natural right must be very limited in, that state of pure nature and independence, where we do not suppose among them, as yet, any combination to aid one another, and where the strong can use unjust violence toward the weak. So soon as they shall enter into societies, and form conventions with one another for their reciprocal advantage, they will increase the enjoyment of their natural right, and secure it even to its full extent, if the constitution of the society be conformable to the order evidently most advantageous to man, relative to the fundamental laws of their natural right. But in considering the bodily and intellectual faculties, and the other means of each particular individual, we will still find a great inequality relative to the enjoyment of the natural rights of men. This inequality does not admit the relations of just and unjust in its principles. It results from the combination of the laws of nature and men cannot penetrate the designs of the Supreme Being in the construction of the universe; they cannot exalt their minds to comprehend the end of the immutable laws which he has instituted for the formation and preservation of his works. But if one will examine these rules with attention, he will find that the physical causes of physical evil, are, themselves, causes of physical good: that the rain which incommodes the traveller, fertilizes the earth: and if one calculate without prejudice; he will perceive that these causes produce infinitely more good than evil, and that they, were instituted for good purposes only. That the incidental evil which they produce, necessarily results from the essence of those very properties by which they produce good. It is for this reason, that in the natural order relative to men, there are no laws obligatory but for our good - they impose upon us the duty of avoiding as far as we have the power, the evils which our prudence can foresee.

We must then by no means attribute to physical laws, the evils which are a just and inevitable punishment of the violation of the order of physical laws instituted to produce good. If a government violate the natural laws which ensure success to agriculture, would any one dare to arraign agriculture itself, because there was a want of bread, and, because at the same time the number of men was seen to diminish, and that of the miserable to increase?

Transgressions of the natural laws are the most frequent, and most extensive causes of the physical evils which afflict mankind. Even the rich who have more means of avoiding them, draw on themselves by their ambition, their passions, and even their pleasures, many evils,

for which they have no excuse but their: own irregularities. This would lead insensibly to another cause of physical and moral evil, very different from physical laws, which is the abuse of human liberty. Liberty, that essential attribute of man, which he would extend beyond its limits, never appears to him the cause of evil. If he injure himself, if he destroy his health, dissipate his fortune, and ruin his family by the abuse of his liberty, he complains of the author of liberty, because he would be more free.

He does not perceive that it is himself in contradiction with himself. Let him then acknowledge his own extravagancies. Let him learn, then, how to employ this liberty, so dear to him, rightfully. Let him banish ignorance and irregularity, those sources of the evils he brings on himself by the abuse of his freedom. He is by nature a free and an intelligent being, though he is often neither one nor the other. By the blind and imprudent use he makes of his liberty, he often makes, bad choices; by his intelligence he can make better, and conduct himself with prudence as far as-the order of the physical. laws which 'constitute the universe will permit.

Physical, good and physical evil, moral good and moral evil, have evidently, then, their origin in natural laws. Every thing has its immutable essence and its properties inseparable from its essence. Other laws may have other essential properties; probably less conformable to the Perfection which the author of nature, has given his works those which he has instituted are just and perfect in the general plan, since they are conformed to the order and the ends which he has proposed to himself. For he is the author of the laws and the rules, and consequently superior to both. But their end is to produce good, and every thing is subject to those which he has instituted. Man, gifted with intelligence, has the prerogative of being able to contemplate and understand them, to draw from them the greatest possible advantage without being rebellious against them.

From whence it follows, that everyone has a natural right to use with gratitude, all the faculties with which he has been endowed by nature, "in whatever circumstances he be placed under the condition of neither injuring himself nor another-without which condition, no one would be assured of preserving the use of his faculties, or the enjoyment of his natural right - which conducts us to the following chapter.

## **Chapter IV**

### **Of the Natural Right of Men Considered Relatively to One Another**

Men may be considered either in a state of solitude, or as congregated into societies. If one views men as dispersed in such a manner as that they cannot have no communication with one another, he perceives that they are completely in a state of pure nature, and of entire independence, without any relation either of justice or injustice as respects one another. But this state could subsist only during the life of each individual, unless we suppose, that these men live at least each with a wife in his seclusion, which would entirely change the hypothesis of their state of solitude ;•for this association of a wife, and of children who would follow, would admit of an order of dependence, of justice, of duty, of safety, and of reciprocal assistance.

Every man is impelled to preserve himself under the penalty of suffering; and he alone suffers, who is wanting in that duty to himself, which obliges him to provide for himself before all others. But all those with whom he is associated, are charged with the same duty under the same penalty. It is in the natural order, that the strongest should be the chief of the family; but it is not in the order of justice, that he should usurp the natural rights of those who live in a community of interests with him. There is, then, a compensation in the enjoyment Of the natural right of each, which must be advantageous to every individual of the family, and which ought to lie regulated by the chief, according to the order of distributive justice; conformably to the duties prescribed by nature, and to the co-operation by which each contributes to the advantage Of society according to his capacity. Different individuals contribute differently, but the " employment of one is a discharge of so much labour to another, and by this distribution of occupations, every one can perform his men work more completely: by this reciprocal assistance, every one contributes to the advantage of society nearly equally. Therefore; every one ought to enjoy the full extent of his natural right, conformably to the advantages which result from the concurrence of the labour of the whole society: and those who are not in &state to contribute tiny thing, ought to be allowed to participate, by reason of the eighty which the particular society has to provide for them.

These rules, which are obvious, direct the chief of the family to unite in the society the natural order, and the order founded in justice. He is still more induced to this, by sentiments of pleasure, of tenderness, of pity, etc. which - are so many indications of the intention of the author a nature to Secure the observance of rules, which he prescribes to men, to bind them by the obligations of duty mutually to assist one another. If, we consider men as congregated into multitudes, where mutual communication is unavoidable, and where, as yet, there should be no positive laws, which had united them into society under the authority of a sovereign power, and which had subjected them to a form of government, we must look upon them as hordes of barbarians, who would subsist on the natural productions of the soil; or would

expose themselves from necessity to the dangers of a predatory life, if there were nations possessing wealth on which they could make incursions : for in this state, they could not procure' wealth for themselves either by agriculture, or by pasturing flocks: because there would be no tutelary power to guard the security of property. But at least, there would be established among them, of necessity, conventions tacit or express for their personal safety: for men have, in this state of independence, a fear of each other, which mutually disquiets them: from which they may easily relieve themselves, since nothing can be of mere importance to each, than to be reciprocally delivered from this fear. Those of the same canton see each other more frequently they become accustomed to the sight of each other confidence is established between them - they aid one another they become allied by marriages, and form, in a manner, particular nations, where all are leagued together for the common defence, and where, moreover, each remains in a state of entire liberty or independence toward the other, with the condition of personal safety, and the exclusive property in the habitation, and in the little utensils which each has, for his particular convenience, established among them. If their riches c property be more considerable, and more dispersed, or more exposed to plunder, the constitution of such nations would not be sufficient to secure their property.

They must then have positive written laws, for a. 'convention and a sovereign authority to enforce themes for their riches, easily taken from them when abandoned to the fidelity of the public, would excite among their less virtuous countrymen desires, which would induce them to violate the property of others. Thus the formation of societies depends on the larger or smaller portion of wealth which each possesses or may possess, and of which he wishes to secure to him- self -the preservation and the property. And thus, men who plate themselves under the protection of positive laws, and of a tutelary authority, extend very much their power of becoming proprietors, and by consequence, extend very much the use of their natural right, instead of restraining it.

## **Chapter V**

### **Of the Natural Right of Men**

#### **United in Society Under A Sovereign Authority**

Societies are governed by an authority, in its form either monarchical, aristocratical, or democratical, etc. But it is not the different forms of authority which determine the essence of the natural rights of men united in society, for the laws vary a good deal in each of these forms. The laws of government which decide the rights of subjects, reduce themselves, almost always, to positive laws, or laws of human institution: but these laws pre not the essential and immutable foundation of natural right - and they vary so much that it would be impossible to examine the state of the natural rights of men under them: it is even useless to enter on this examination : for where the laws and tutelary power do not secure liberty and property, neither the government nor society can be of spy, advantage : there is only domination and anarchy under the appearance of government : positive laws and this domination but protect and secure the usurpation of the strong, and destroy' the liberty and property of the weak A state of pure nature is then more advantageous than this violent state of society, which passes through every' vicissitude of disorder, of form, of authority, and of sovereigns. This appears so inevitable, that men who abandon themselves to the contemplation of all these changes, persuade themselves that it is in the irreversible order of destiny, that governments should have their commencements, their progress, their highest elevation of power, their decline, and their extinction. But they are constrained at the same time to admit, that this order is very irregular, that the, passages through it are more or less rapid, more or less uniform, more or less unequal; more or less complicated by unforeseen, events, favourable or-disastrous, more or less directed or fortuitous, more or less attributable to prudence or folly, to knowledge or ignorance, to wisdom or to the licentious passions of those who govern: they must likewise conclude, at least, that the fatality of bad governments is not inherent in the natural and immutable order, the archetype of all governments. To understand the order of seasons, and of places, to regulate navigation, and secure commerce, it has been found necessary to observe and calculate with precision the laws of motion of the heavenly bodies. We must also, to know the extent of the natural rights of men united in society, ascertain the natural laws constitutive of the best possible government. That government to which men ought to be subjected consists in a natural and a positive order the most advantageous to men united in society.

Men united in society, then, ought to be subject to natural and to positive laws. Natural laws are either physical or moral. By physical law, we here mean, the regular course of every physical event of the natural order evidently most advantageous to mankind. By moral law we mean, the tide of every human action of the moral order conformable to the physical order, evidently most advantageous to mankind.

These laws form together what we call natural law: all men and all human powers ought to be controlled by these sovereign rules, instituted by the supreme being. They are immutable, irrefragable, and the best laws possible. Of consequence they are the foundation of the most perfect government, and the fundamental rule of every, positive law; for positive laws are but laws of preservation relative to the natural order evidently most advantageous to mankind. Positive laws are authentic rules established by a sovereign authority to determine the order of administering the government, to secure the defence of society, to enforce the regular observance of natural laws, to reform or maintain customs and usages introduced into the nation, to regulate the particular rights of subjects relative to their different states, to determine the positive order in doubtful cases reduced all probability of opinion or convenience, to settle the decisions of distributive justice. But the first positive law, the fundamental law of all the other positive ones, is, the institution of publick and private instruction in the laws of the natural order, which is the sovereign rule of all human legislation, and of all, civil, political, economical and social conduct. Without this fundamental institution, government and the conduct of men can be nothing else, than darkness, error, confusion, and disorder; for without the know-I ledge of natural, laws, which ought to serve as the basis of human legislation, and as sovereign rules for the conduct of men,, we could have no evidence of justice or injustice, of natural right, of physical and moral order: no .evidence of the essential distinction between general and particular, interests, of the real causes of the prosperity and of the decline of nations ; no evidence of the-essence of moral good and evil, of the sacred rights of those who govern, or of the duty of those to whom the social order prescribes obedience.

Positive legislation, then, consists in the declaration of natural laws, constitutive of the order evidently the most advantageous possible to men united in society. We might say more simply, the most advantageous possible to the sovereign, for what is really most advantageous to the sovereign is most advantageous also to the subject. Nothing but the knowledge of these laws can constantly secure the tranquillity and the prosperity of an empire : and the more a nation shall apply itself to this science, the more will the natural order predominate in it, and the more regular will the positive order be: no one in such a nation would propose any unreasonable law, for both the government and its citizens would perceive its absurdity.

The foundation of society is the subsistence of men, and the funds necessary to the support of the power which must defend them: thus it could be nothing but ignorance, for example, which would favour the introduction of positive laws, contrary to the order of reproduction, and of the regular annual distribution of the wealth of the territory. If the torch of reason enlighten government, all positive laws injurious, to the society and the sovereign will disappear.

We speak here of reason strengthened, enlarged and perfected, by the study of natural laws. For simple reason does not raise men above .the brutes: it is in its principle only a faculty, or

aptitude, by which one may acquire, the knowledge which is necessary to him, and by which he can procure the physical and moral good essential to the nature of his being. Reason is to the soul what eyes are to the body; without eyes one could not enjoy light, and without light he could see nothing.

Reason alone, then, is not sufficient to guide the conduct of man; he must by his reason acquire the knowledge necessary to him; and by his reason he must avail himself of this knowledge to conduct himself worthily and to procure the good things of which he has need. Ignorance is the primitive attribute of savage and solitary man; in society it is the most fatal infirmity of man, it is there, even criminal, because men being endowed with intelligence should raise themselves to an higher order than the brutes: it is there a crime enormous in its guilt, for ignorance is the most general cause of the misfortunes of the human race, and of its unworthiness toward the author of nature, toward the eternal light, the supreme reason, and the first cause of all good. But enlightened reason having attained the point of knowing with certainty the march of natural laws, becomes the necessary rule of the best possible government, where the observance of those sovereign laws would multiply abundantly the riches, necessary to the subsistence of man, and to maintain the tutelary power, the protection of which guarantees to men united in society, the property in their possessions, and security in their persons.

It is then manifest, that the natural right of each individual is extended, because each binds himself to the observance of the best laws possible, which constitute the order most advantageous to men united in society.

These laws do not restrain the liberty of man which forms a part of his natural right; for the advantages of these laws are manifestly the object of the best choice which his liberty can make. Man cannot refuse the obedience which he owes to these laws, otherwise his liberty would become injurious to himself and to others: this would be the liberty of a madman, which in a good government should be restrained and corrected by authority of the positive laws of society.



**General Maxims  
for the Economic Government of an  
Agricultural Kingdom  
François Quesnay  
(1767)**

## **I. Unity of Authority**

Let the sovereign authority be unrivalled and superior to all individuals of society, and to all unjust enterprises of particular interests; for the domination and subjection of certain forces is the safeguard and lawful interest of all. The destructive theory of the system of counter forces in a government can show nothing but discord between the large proprietors and the lower class of farmers. The division of society into different orders of citizens of which some exercise sovereign authority over others, destroys the general interest of the nation itself and introduces the dissension of particular interests between the different classes of people: this division would invest the order of the government of an agricultural kingdom that would unite all interests. having as the capital object, the prosperity of agriculture, which in itself is the source of the state's and the people's riches.

## **II. Let the Nation be Instructed as to General Natural Laws, Which Make A Government More Perfect**

The study of human jurisprudence does not suffice to make statesmen; it is necessary that they who are fitting themselves for public service be constrained to the observance of natural law, which tends toward the good of society as a whole. It is also necessary that the clear and practical knowledge a nation acquires by experience and reflection be added to the general science of government; in order that the sovereign authority, always surer in the light of experience, institutes the best laws for the well-being of all to reach and embrace the greatest possible prosperity for society.

## **III. Earth, Agriculture, Sole Source of Riches**

Let the sovereign and the nation never lose sight of the fact that the earth is the sole source of all riches, and that it is agriculture which multiplies riches. For it is the augmentation of riches that assures the wealth of the population; men and wealth cause agriculture to prosper, extend commerce, animate industry, increase and perpetuate all wealth. Upon that abundant source of wealth, agriculture, depends the success of all the parties concerned in the administration of the kingdom.

## **IV. Let Landed Property and Movable Riches Be Assured to Those Who Are the Legitimate Possessors of Them**

For the security of property is the substructure upon which the economic order of society rests. Without the certainty of the security and safety of property the land would remain unfilled. There would be neither proprietors nor tenants to make the necessary outlay in cultivating the land, if the title to the land and its products were not assured to them who made the necessary outlay towards improvement and cultivation. It is the surety of permanent possession that brings about the employ of labor and riches in the improvement and culture of the land, and in industrial and commercial enterprises. Nothing but a sovereign power can assure the property of subjects who have a primitive right to the portion of the fruits of the earth, the sole source of riches.

## **V. The Tax - Not to Destroy**

Let taxes be not destructive nor disproportionate to the revenue of the nation; let increase in taxes attend increase in revenue; let taxes be immediately placed on the net product of property in land, and not on the wages of man, nor on produce, where it would multiply the cost of collection, would be prejudicial to commerce, and would annually destroy a portion of the wealth of the nation. Neither should taxes be placed on the riches of cultivators of landed property; for investment in the agriculture of a kingdom, i.e., advance money expended in agriculture, must be regarded as a landed estate to be preciously preserved for the raising of taxes and revenue and subsistence for all classes of citizens. Otherwise the tax would degenerate to spoliation and promptly cause the state to ruin and decay.

## **VI. Sufficient Investment**

Let the investment of cultivators be sufficient to cause annually to re-appear from the expense undergone in cultivating the land the greatest possible amount of production: for if the investment is not sufficient the expense of culture is larger in proportion and gives less of net product.

## **VII. Complete Circulation**

Let the sum total of the revenues be annually returned into and along the entire course of circulation; let no money fortunes be accumulated, or rather, let there be compensation between those which are made and those which are derived in the circulation; for otherwise the money fortunes would arrest the distribution of a portion of the annual revenue of the nation and would withhold the moneys of the kingdom to the harm and prejudice of their re-investment into the cultivation of the land, from paying the artisan's wages, from making the various professions lucrative and would also diminish the reproduction of revenues and taxes.

## **VIII. Favor for Productive Expenditures**

Let the economic government favor productive expenditures and the commerce of the land's products and let fruitless expenditure attend to itself.

## **IX. Preference for Agriculture**

Let a nation which has a large territory to cultivate and the facilities to carry on a large commerce with the land's products not use too much of the people's money in the manufactures and in the commerce of luxuries to the prejudice of labor and agricultural investments; for above all, the kingdom would well be a people of rich agriculturists.

## **X. Revenue Expended in the Country**

Let none of the revenue pass into the home of the stranger without return either in money or merchandise.

## **XI. Evils of Emigration**

Let the desertion of those inhabitants who would take with them their wealth, to the loss of the kingdom, be prevented.

## **XII. Protection of the Person and the Wealth of Agriculturists**

Let the children of rich farmers establish themselves in the country so as to perpetuate and preserve husbandry; for if vexation of any kind causes them to abandon the country and determines them to repair into the cities they take with them the wealth of their fathers who were employed in agriculture. It is less men than wealth that should be drawn into the country, for the more one employs money in agriculture the less it occupies men and prospers more and gives more to the revenue. Take, for example, grain, the great product of the rich agriculturist, and compare that with the contracted tillage of a poor tenant who labors with an axe or a cow.

## **XIII Freedom of Cultivation**

Let each one be free to cultivate in his own field those products that his interest, his faculties, and the nature of the earth suggest to him will produce the largest possible result. One ought not to favor monopoly in the cultivation of land, for it is prejudicial to the general revenue of the nation. The precedent that favors the abundance of products of the greatest need, in preference to other productions, disregarding the purchasable value of the one or the other, is inspired by that short-sightedness that sees not the effects of exterior reciprocal commerce that supplies to all; and which fixes the price of the products that each nation can cultivate with the greatest profit. Next to the riches of land cultivation, it is the revenue and taxes that are the riches most needed in a state to defend subjects against scarcity of food and want, against enemies, and to sustain the glory and strength of the monarch and the prosperity of the nation.

## **XIV. Multiplication of Cattle**

Let the raising and multiplication of cattle be favored; for it is they that furnish to the earth the manure that produces the richest harvests.

## **XV. Cultivation Extensive Enough**

Let the land employed in the culture of grain be reunited as far as possible to form large farms to be cultivated by rich laborers ; for there is less of expense and much more of net products in the larger enterprises of agriculture than in the smaller. The multiplicity of small farmers is prejudicial to the population. A more secure population, more freedom for the different occupations, and different labors that divide men into different classes, it is this that is maintained by the net product. All thrift and economy profits the work that can be done by means of animals, machinery, rivers, etc., returns to the advantage of the people and the state,

for the greater the net product, the more of gain is there to the people of whatever service or occupation.

### **XVI. No Obstacle to the Exportation of Goods**

External commerce of the products of the land should not be arrested nor prevented in any way, for it is the demand, the market, that regulates the production each year.

### **XVII. Freedom and Ease in Transportation**

Let the means of the transportation of the productions of manual labor be facilitated by repairing roadways, and by the navigation of canals, of rivers, and of the sea ; for the more that is saved in the act of carrying on commerce, so much more is added to the revenue of the territory.

### **XVIII. Good Prices for Agricultural Products and Merchandise**

Let the price of agricultural products and merchandise, in a country, be not lowered ; for then reciprocal commerce with foreign countries would become disadvantageous to the nation. As is the purchasable value of things, so is the revenue. Abundance and no value is not wealth. Dearth and high prices is misery. Abundance and high prices is opulence.

### **XIX. Low Prices Are Harmful to the People**

Low prices are not profitable to the laboring class; for cheapness of products lowers the wages of the laboring people, diminishes their comfort, procures less lucrative work and occupation for them, and destroys the revenue of the nation.

### **XX. Comfort for the Lowest Classes of Citizens**

Let the comfort of the lowest classes of citizens be not diminished; for they must aid in the consumption of products, if reproduction and the revenue of the nation are not to be lessened.

### **XXI. Avoid Unfruitful Economy**

Let the landlords and those who exercise the lucrative professions not give themselves up to unfruitful economy, for this would cut off from circulation and distribution a portion of their revenue or of their gains.

### **XXII. Little or None of the Luxury of Decoration.**

Let the luxury of decoration not be entertained to the detriment of land culture, or any of the investments and outlays made necessary for subsistence, for the stability of these preserves good prices, the demand for the lands, products, and the production of the nation's revenue.

### **XXIII. Reciprocity in Commerce**

Let the nation not suffer from loss through reciprocal commerce with other countries even if this commerce were profitable to the merchants, who would gain, regardless of the welfare of

fellow-citizens, in the sale of commodities thus brought about The accumulations of the fortunes of these merchants would create a curtailment in the circulation of revenue prejudicial to distribution and reproduction.

#### **XXIV. Balance of Money in Trade is Illusory**

Let no one be deceived by an apparent advantage in reciprocal commerce with foreign countries, which is simply a balance received in money, without examining and comparing the profits that result from the merchandise one has sold and the merchandise which has been bought. For often the loss is to that nation which receives a surplus in money. And that loss reacts to the prejudice of the distribution and reproduction of the revenues.

#### **XXV. Complete Liberty in Commerce**

Let there be complete liberty in commerce; for the surest, most exact, and most profitable policy for interior and exterior commerce of the state and nation consists in the greatest possible freedom in competition.

#### **XXVI. Attention to the Revenue Rather Than to Population**

Let there be less attention given to the augmentation of the population than to the accumulation of revenue, for greater freedom or ease in procuring large revenues is preferable to the greater pressing wants of subsistence, created by a population, and which exceed the revenue; and the resources are greater for the needs of a state when a people are in comfort, and there are also more means to make agriculture prosperous.

#### **XXVII. No Economization of the Necessary Public Expenditures**

Let the government occupy itself with those operations necessary for the prosperity of the kingdom rather than with attention toward expenditures; for with greater riches the larger expenses will cease to appear so excessive. But one should not confound a perversion of funds with simple expenses, for such a perversion can dissipate all the riches of a nation and of the sovereign.

#### **XXVIII. No Pecuniary Fortunes in the Administration of Taxes**

Let the administration of the finances be in the tax collection, not in the expenses of the government, nor occasion pecuniary fortunes that take away a portion of the revenue from circulation, distribution and reproduction.

#### **XXIX. Credit of Financiers, Harmful Resource**

Let no one hope for resources, to meet the extraordinary needs of a state, but in the prosperity of the nation, and not in the credit of financiers; for pecuniary fortunes are clandestine riches that know not king nor country.

### **XXX. Borrowing Always Injurious.**

Let the state avoid loans formed of the funds of financiers, for they burden a state with devouring debts, occasion a commerce or traffic of the finances, through the agency of negotiable paper, and where the rebate or discount augments more and more the unfruitful pecuniary fortunes. These fortunes separate money from agriculture and deprive the country of the necessary riches for the improvement of real estate and the exploitation of agriculture.



**THE DESPOTISM OF CHINA**  
**FRANÇOIS QUESNAY**  
**(1767)**

# CHAPTER I

## **Section I**

### **Introduction**

It was to the famous Marco Polo, the Venetian, that we owe, in the 13th century, the first knowledge of China; but everything he reported about the antiquity of this monarchy, the wisdom of its laws and government, its fertility, opulence, flourishing commerce, the prodigious multitude of inhabitants he attributed to this empire, the wisdom of its people, their politeness, and their taste for the arts and sciences, seemed incredible. All these accounts were dismissed as mere fables. Such an extraordinary account seemed more the product of a vivid imagination than the report of a faithful observer.

People found it absurd to believe that such a powerful empire, surpassing even the most civilized states of Europe, could exist 3,000 leagues away. What! Beyond so many barbaric nations, at the ends of the earth, a people as ancient, as wise, and as civilized as the Venetian traveler described them! It was a chimera that could find credence only in simple and credulous minds.

Time dispelled these prejudices; the first missionaries who penetrated China, toward the end of the fifteenth century, published some accounts of this kingdom; they agreed with those of Marco Polo; they verified his narratives; his sincerity was acknowledged. The unanimous testimony of several individuals whose status and intelligence guaranteed the accuracy of their reports captivated all minds; uncertainty gave way to conviction; this, in turn, led to surprise and admiration.

Since that time, the number of accounts has multiplied endlessly; however, one cannot flatter oneself with knowing this empire and its products perfectly well enough to have a completely accurate understanding of this beautiful land. We can scarcely rely on anything but the memoirs of the missionaries; but the sublimity of their vocation, the sanctity of their work, scarcely allowed them to study objects of mere curiosity. Moreover, the necessity of engaging in arbitrary sciences to serve as a bulwark against their apostolic occupations left them only enough time to give us the exact results of their geometric calculations and the precise dimensions of such a vast empire. While they did possess some knowledge of moral and political history, what they said, though quite satisfactory, is not treated as thoroughly as it could have been. They are accused of having, on more than one occasion, sacrificed truth to prejudices of their station, and of not always being as faithful in their accounts as they were zealous in their missions.

Regarding the products of this vast region, they did not have enough time to dedicate themselves to such a study, and this is the most deficient part of their history of China. All that can be inferred from their reports is that nature in these climates offers the same wisdom, the same intelligence, and the same variety as in our own, with this difference: it seems to have gathered in this single region almost all the products found scattered throughout the rest

of the world. This bounty of nature prevented the missionaries from providing us with a complete understanding of these subjects.

Father Duhalde took care to collect various memoirs and to assemble them into a coherent history. The merit of this work is well known; it is from this author that we have treated this empire, but without neglecting to consult the original sources he used. We also consulted several other travellers who wrote about China and whom Father Duhalde did not mention: such as Marco Polo, Emmanuel Pinto, Navarette, a Spaniard and Dominican missionary; the Dutch travellers, Gemelli Carerri, Laurent Lange, envoy of Tsar Peter to the Emperor of China, the kind Ysbrant Ides, Admiral Anson, and several others.

## Section II

### Origin of the Chinese Empire

The mists of time, which obscure all things, have not spared the origins of the Chinese. The ancient history of almost all peoples is but a tapestry of fables invented by pride or produced by the ignorance and barbarity that preceded the formation of societies. The more famous a people became, the more they sought to enhance their prestige by attempting to bury their origins in the most remote centuries; this is what is attributed to Chinese antiquities.

Their history tells us that Fohi, having been elected king around 3000 BC (approximately during the time of Noah), civilized the Chinese and established various laws that were equally wise and just. The annals do not merely portray this prince as a skilled legislator; they also present him as a profound mathematician, a creative genius to whom we owe remarkable inventions: he taught how to surround cities with walls; he imposed different names on families in order to distinguish them; He invented symbolic figures to proclaim the laws he had established. Indeed, people elsewhere were already learning this knowledge around that time, for it had already made considerable progress in Egypt since the time of Jacob.

Chinese historians place Chin-nong as Fuhi's successor. This emperor taught his subjects how to sow seeds, extract salt from seawater, and obtain beneficial juices from various plants; he also greatly promoted trade and established public markets. Some historians place seven emperors after Chin-nong, but others place Huangdi immediately after him.

It is to this prince that the origin of the sixty-year cycle, the calendar, the sphere, and everything related to numbers and measurements is attributed. According to the same account, he was also the inventor of currency, music, bells, trumpets, drums, and various other instruments. Bows, arrows, and architecture; he also discovered the art of raising silkworms, spinning their silk, dyeing it in various colors, and making clothes from it; of building bridges, boats, and chariots that he had drawn by oxen. Finally, it is under the reign of these three emperors that the Chinese place the date of the discovery of all the sciences and arts practiced among them.

After Huangdi, Chao Hao reigned successively; his son, Zhuenzhi, Zhou, Yao, and Xun. During Yao's reign, Chinese history recounts, the sun appeared on the horizon for ten consecutive days, which caused fears of a general conflagration.

Of all writers, the English authors of universal history seem to have most vehemently opposed all the evidence presented for Chinese antiquity. It is in their works that one can find the reasons that might lead to the rejection of the opinion of Father Duhalde and his followers. This historian places the first epoch of the Chinese chronology in the reign of Fohi, 2357 BC, and traces it uninterrupted to the present day; this encompasses a period of 4,000 years. Mr. Shuckford adopted this system, conjecturing that the ark came to rest on mountains

near the borders of China. He gave as ancestors to the Chinese the children Noah had after the flood; and he has this patriarch die in that region, after a stay of 350 years. This scholar claims that Fohi and Noah are one and the same person.

English writers, having clearly demonstrated that the text of Genesis and the circumstances recounted therein cannot be understood to mean that the ark stopped near China, but rather on Mount Ararat, located in Armenia, turn to the evidence alleged by Father Duhalde. They are far from considering as conclusive what this historian reports concerning the first nine emperors and their reigns. The duration of these reigns, according to English historians, comprises a period of 712 years and forms the basis of Chinese chronology; but nothing, they say, is less solid than all that is recounted from Fohi to the reign of Yu, who succeeded Xun in the time of Abraham. With this reign of Yu begins the order of dynasties or families that have occupied the throne to this day. Before him, Chinese history is riddled with fables.

Without dwelling on the chronology of Moses, which seems to contradict that of the Chinese, they say it suffices to have provided a summary of the earliest times to show how unfounded their entire history is. The most plausible evidence that can be offered in its favor is limited to the testimony of Confucius, the opinion of the Chinese, and their astronomical observations. But how can one accept these arguments? Confucius complains that in his time there was a lack of reliable historical records. The opinion of the nation merely demonstrates the same weakness that any other people has in claiming the most remote antiquity; and this is a consequence of pride, which, far from being a cause for credulity, becomes yet another reason to reject all this fanciful antiquity. As for astronomical observations, is the example that Father Martini claims to have read in Chinese books—that the sun appeared for ten consecutive days—really likely to give a favorable impression of the Chinese knowledge in this area? The same applies to the eclipse observed 2,155 years before the beginning of our era. Is it probable that these peoples could have made even remotely accurate observations at that time? They, who in the sixteenth century since the birth of the Savior, when the Jesuits arrived in China, still possessed only very imperfect notions of astronomy, since Muslims were entrusted with the creation of their calendar and all observations relating to this science. “This is what we believe we can demonstrate,” say the English critics, “by a learned and curious letter from Mr. Costard, published in the Philosophical Transactions of March, August, and May 1747.” Besides, what likelihood is there that the first three monarchs invented all the sciences and all the liberal arts; that they made such astonishing progress in them in such a short time? We infer from this, say these foreign scholars, that the fabulous antiquity of the Chinese cannot be based on all the accounts of their historians, and that these accounts should only be believed with discernment.

Their historical period must have begun long after the reign of Yu. Mr. Fouquet, titular bishop of Eleuterepolis, even published a chronological table of the Chinese empire (*Tabula chronologica historiarum Sinicarum, connexa cum cyclo qui vulgo Kiat se dicitur*. Romæ 1729), drawn up by a Tatar lord who was viceroy of Canton in 1720; this chronologist had extracted it from the

great annals of China. This table places the beginning of the true chronology approximately four centuries before the birth of the Savior. Mr. Fouquet further asserts that one could, without risk of error, bring this period somewhat closer to our own time. It is true that the Chinese nation originated in the period surrounding the Flood; but he denies that their history can be entirely believed before the period we have just mentioned. Mr. F. Fourmont observes that this opinion is now almost universally accepted by missionaries; even the authors of Kangmu, or the Great Chinese Annals, readily admit that chronology extending beyond 400 BC is often suspect. An author highly versed in Chinese history (Mr. Bayer) holds no higher opinion of the records of these peoples. English authors do not limit themselves to refuting their adversaries in this way; they also claim to prove (Universal History, Volume XIII, quarto, Amsterdam, 1752, pages 13 and 112) that China was only sparsely populated in 1300 BC.

If China, our English historians continue, had been a great and powerful empire, as it has been for several centuries, despite the reserved nature of the Chinese, we would have had some knowledge of their wealth, their power, and their genius; the Persians would have known something of them before the destruction of their monarchy; likewise, the Greeks, up to the time of Herodotus, would not have been unaware of the existence of the Chinese people had they held a significant position in the world, but they are not mentioned in history before Alexander entered India, and even then, nothing of the slightest importance is said about them. The most ancient historians, whether Greek or Latin, made no mention of the Chinese. Moses, Manetho, Herodotus, and other writers of the most ancient times speak neither of the Chinese nor of China. (However, certain passages in Diodorus Siculus and Quintus Curtius Rufus mention inhabitants of the Sophitian kingdom as a people renowned for the excellence of their government, and this same country is called Cateia by Strabo; several scholars presume that Quintus Curtius Rufus, Diodorus Siculus, and Strabo meant China; but English authors hold the contrary view.) It would appear, from all that we have just seen, that the Chinese of recent centuries corrupted their annals: that the knowledge they had received by tradition from their ancestors, concerning cosmogony, the creation of man, the flood, etc., was applied to the ancient monarchical state of China; that they also attributed to their sixty-year cycle various events much earlier than its invention: however, our historians conclude, we must find a middle ground between the two opposing extremes and recognize that the most ancient Chinese records contain some truths.

This entire extract is taken almost entirely from interesting and curious miscellanies in which the author seems to have adopted the opinion of the English. Nevertheless, all the evidence they cite would be very easy to refute, as far as the remarkable events of the reigns of Yao, Xun, and Xiu, roughly contemporary with Abraham, are concerned. M. de Guignes has just recalled the opinion of M. Huet, which is that the Chinese originate from the Egyptians; this academician wanted to support it with fairly probable facts: he noticed that the ancient Chinese characters bore a great resemblance to Egyptian hieroglyphs, and that they were simply a kind of monogram formed from Egyptian and Phoenician letters; he also undertakes

to demonstrate that the first emperors of China were the ancient kings of Thebes and Egypt: a fairly simple line of reasoning seems to him to justify the theory that gives the Chinese nation an Egyptian origin. The arts and sciences flourished in China before the reign of Yao, while neighboring peoples still lived in barbarism; it is therefore natural to conclude, he says, that the Chinese came from a civilized nation, which was not then located in the eastern part of Asia. If Egyptian monuments are found as far away as India, as the accounts of several travelers confirm, it will not be difficult to be persuaded that Phoenician ships transported some Egyptian colonies to that country, from where they penetrated China around twelve hundred years before Christ, bringing their history with them. (Introduction to the History of the Universe, Volume VII, page 620.) In a paper read at the Academy of Letters on April 18, 1763, Abbé Barthelemi attempted to support M. de Guignes's system by demonstrating that the ancient Egyptian language appeared to him to have a great deal in common with Hebrew and Chinese, etc.

It is astonishing that such a simple observation, which could be supported by a compelling argument, was not made sooner. Even if the identity of the Chinese and the Egyptians were demonstrated, why not suppose that the latter came from China, or rather, that both groups share a common origin?

It is a sentiment that it would, it seems, be quite easy to render as plausible as the system of the French academics. What certainty do our commentators have that the arts and sciences were unknown to the ancient Chaldeans in the time close to Abraham's, and consequently during the reign of Yao? Do not India, which they themselves regard as the immediate origin of the first Chinese lawmakers, border China on one side and Chaldea on the other? If the sciences, hieroglyphs, and arts had originated there, to establish themselves in China, which is in the east, and in Egypt, which is in the west, what would become of these conjectures? Moreover, all these purely historical discussions are of very little consequence here.

The most interesting items are the laws established by Yao, Xun, and a few others; the great works undertaken during their reigns for the prosperity of agriculture and trade; and the monuments they left behind to their knowledge and wisdom.

Superficial writers, who seek only facts and dates, have written that these magnificent institutions, so highlighted in the highly authentic works of Confucius, "did not merit the attention of scholars." The absurdity of this judgment is a sure safeguard against all other reasoning from these compilers.

The lack of a perfectly ordered chronology, the gaps that time has caused in ancient historical records, and the mixture of fables that have been substituted for them, cannot reasonably lead to the rejection of certain facts, attested from age to age and confirmed by monuments of the utmost importance and authenticity.

The chronology of the Books of Moses has given rise to three opinions, none of which appear to be definitively settled. All the histories of the Greeks, Romans, and other peoples, even the most modern, are interspersed with fables and suffer from omissions; nevertheless, the essence of the events is considered authentic, especially when recognized by the most ancient and enlightened writers and attested to by monuments. This is the case with the famous events that occurred under the emperors Yao and Xun.

We will not delve into the annals of the Chinese monarchy to extract the names of the emperors and explain their renown. Our plan could not encompass this history, which would require too much space; it is easy to imagine that, among the two hundred and thirty emperors, there were surely several commendable for their fine qualities, their skill, and their virtues, and others who were abhorrent for their wickedness, their ignorance, and their vices. Father Duhalde has provided a chronological history of all the most remarkable events that occurred during the reign of these sovereigns (vol. I, page 279); it is available for consultation. Our task will be limited to describing the form of Chinese government and giving an overview of everything related to it.

The first sovereigns of China, whose laws and principal actions are undeniable, were all very good princes. They were solely occupied with making their empire flourish through just laws and useful arts. But there were later several sovereigns who indulged in idleness, debauchery, and cruelty, and who provided their successors with disastrous examples of the danger to which an emperor of China exposes himself when he incurs the contempt or hatred of his subjects. There were those who were imprudent enough to dare to exercise arbitrary despotism in support of the military forces, and who were abandoned by armies that laid down their arms when they attempted to use them to fight against the nation. No people are more submissive to their sovereign than the Chinese nation, because they are well-versed in the reciprocal duties of the prince and his subjects, and for this reason, they are also the most susceptible to aversion toward those who violate natural law and the moral precepts that form the basis of the country's religion and the continuous and respectable instruction majestically maintained by the government. These imposing teachings form a sacred and customary bond between the sovereign and his subjects. Emperor Zhou Xie combined the priesthood with the crown and decreed that only the sovereign would solemnly offer sacrifices: a practice still observed in China today. The emperor is the sole pontiff there, and when he is unable to perform the duties of priest, he appoints someone to take his place. This union of the priesthood with the empire prevents a host of troubles and divisions that were all too common in countries where priests once sought to claim prerogatives incompatible with the status of subjects.

Emperor Kao-sin was the first to set an example of polygamy; he had as many as four wives; his successors deemed it appropriate to imitate him. Although most Chinese monarchs established laws and wise regulations, Yao, the eighth emperor of China, is regarded as the nation's first legislator and perhaps truly was the first emperor. He was also the model for all

sovereigns worthy of the throne; it is on him and his successor, Xun, that emperors, jealous of their glory, strive to model themselves: indeed, these two princes possessed the qualities that make great kings, and the Chinese nation was never so happy as under their rule.

Yao did not limit himself to bringing happiness to his subjects during his lifetime; When the question arose of choosing a successor, he resolved to suppress any paternal affection and to consider only the interests of his people: "I know my son," he said; "beneath a veneer of virtue, he hides vices that are all too real." Since he still didn't know whom to choose, a farmer named Xun was proposed to him, whose many virtues made him a worthy successor to the throne. Yao summoned him, and to test his abilities, he entrusted him with the government of a province. Xun behaved with such wisdom that the Chinese monarch associated him with the empire and gave him his two daughters in marriage; Yao lived another twenty-eight years in perfect harmony with his colleague.

When he saw himself on the verge of death, he summoned Xun, explained to him the duties of a king, and urged him to fulfill them well. He had scarcely finished his speech when he breathed his last, leaving behind nine children who were excluded from the crown because they were deemed unworthy to wear it. He died at the age of 218; the dynasty that began with the death of this sovereign is called Xiu, and it is with this dynasty that the enumeration of the dynasties of the Chinese empire begins.

After the emperor's death, Xun secluded himself for three years in the tomb of Yao to grieve for the death of a prince he considered his father; from this arose the custom of mourning one's parents for three years in China.

Xun's reign was no less glorious than that of his predecessor; one of this prince's principal concerns was to promote agriculture. He expressly forbade the provincial governors from diverting farmers from their usual work to any task other than cultivating the fields. This emperor lived around the time of Abraham.

To prepare himself to govern effectively, Xun resorted to a measure that must seem quite extraordinary. This monarch issued an ordinance allowing his subjects to write on a table displayed in public what they found reprehensible in their sovereign's conduct.

He partnered with a colleague with whom he always enjoyed a harmonious relationship; after a long and prosperous reign, he died and left the crown to the one who had helped him bear its burden.

Yu, the name of this new monarch, followed in the footsteps of his illustrious predecessors: one could not better pay court to him than by offering advice on his conduct, and he found no occupation more worthy of a prince than that of administering justice to the people; never was a king more accessible. To make it easier to speak with him, he had a bell, a drum, and

three tables—one of iron, one of stone, and the third of lead—attached to the gates of his palace; he then posted an ordinance by which he enjoined all those who wished to speak with him to strike these instruments or tables, according to the nature of the matters they had to communicate to him. It is reported that one day he left the table twice at the sound of the bell, and that on another day he left the bath three times to receive the complaints that people wished to make to him. He was accustomed to saying that a sovereign must conduct himself with as much caution as if he were walking on ice; that nothing is more difficult than reigning; that dangers arise at the feet of monarchs; that he always has reason to fear if he indulges entirely in his pleasures; that he must avoid idleness, choose his ministers wisely, follow their advice, and promptly execute a plan conceived with wisdom.

A prince who knew so well the obligations of royalty was certainly capable of fulfilling them: it was during his reign that Chinese rice wine was invented. No sooner had the emperor tasted it than he expressed his dismay; this liquor, he said, would cause the greatest unrest in the empire. He banished the inventor of this beverage from his realm and forbade, under severe penalties, its future production: this precaution proved useless. Yu was succeeded by his eldest son, named Ti-Kistin, who reigned no less gloriously than the one who had just bequeathed him the crown. Tai-Kaus was his successor; drunkenness overthrew him from the throne and gave rise to a succession of usurpers and unfortunate tyrants, whose misfortunes served as a truly frightening lesson for the rulers of this empire.

During the reign of Ling, the twenty-third emperor of the fourth hereditary dynasty, the celebrated Confucius was born. The Chinese regard him as the greatest of scholars, the greatest reformer of the laws, morals, and religion of this empire, which had fallen from its former splendor. We will have further occasion later to elaborate on the life, virtues, and failings of this renowned philosopher, who with unwavering courage withstood all the opposition and oppression sometimes encountered by sages whose work openly aims at restoring order in their homeland. He lived 597 years before Christ. He was only three years old when he lost his father, who was prime minister in the principality of Tzu. Confucius quickly gained a great reputation. He had three thousand disciples, seventy-two of whom were highly distinguished by their learning, and among these, ten were so accomplished in all kinds of knowledge that they were known as the Ten Philosophers.

The great merit of this wise master raised him to the position of prime minister of the kingdom of Lu. His beneficial regulations transformed the entire country. He reformed the abuses that had crept in and restored good faith in commerce. Young people learned from him to respect their elders and honor their parents even after their death; he instilled in women gentleness, modesty, and a love of chastity, and he fostered candor, integrity, and all the virtues of civility among the people.

Confucius wrote about the wars waged for two hundred years by the princes tributary to the emperor; he died at the age of seventy-three. In China, the greatest veneration is still held for

this philosopher. He is regarded as the master and doctor of the empire; his works have such great authority that it would be a punishable crime to attempt the slightest change to them. As soon as a passage from his doctrine is quoted, all dispute ceases, and even the most obstinate scholars are forced to submit.

In almost every city, there are palaces of sorts where mandarins and graduates gather at certain times of the year to pay homage to Confucius. In the land that gave birth to this famous philosopher, the Chinese have erected several monuments that serve as public testimonies of their gratitude. Xi Zhong, King of the Tatars, wishing to publicly demonstrate his esteem for learning and those who cultivated it, visited Confucius's hall and, in the Chinese manner, paid him the same honors accorded to kings. The courtiers, unable to accept that their master should thus honor a man whose position, in their view, was not particularly illustrious, expressed their surprise. "If he does not deserve these honors by his rank," replied the Tatar monarch, "he is worthy of them by the excellent doctrine he taught." Confucius's family has been preserved in direct line for over two thousand years.

### **Section III**

## **The Extent and Prosperity of the Chinese Empire**

This empire is bordered to the east by the sea, called the Eastern Sea; to the north by the great wall that separates it from Tartary; to the west by high mountains and sandy deserts; and to the south by the ocean and the kingdoms of Tonkin and Cochinchina.

The care and precision that the missionaries brought to the astronomical observations and measurements they made in this beautiful land leave no more uncertainty about its location than about its extent. Their observations show that China, excluding Tartary, which is dependent upon it, is almost square: it is no less than 500 of our leagues from south to north and 450 of the same leagues from east to west, so that its circumference is 1,900 leagues.

But if one wishes to grasp the true extent of the entire Chinese empire, one must measure from the boundaries established between the Tsar and the sovereign of that state at the fifty-fifth degree: one will find that it spans no less than 900 leagues, from the tip of Tartary, subject to this emperor, to the southernmost point of Haynang Island, at the twentieth degree, slightly beyond the Tropic of Cancer.

It is not so easy to definitively determine the etymology of the name China, which Europeans give to this empire. The Chinese do not use it and do not even have a fixed name for their country; under the previous dynasty, it was called the Kingdom of Great Splendor, its current name is the Kingdom of Great Purity.

Whatever the time when Europeans gave this empire the name China, and whatever the name it bears today, one cannot deny that this state is the most beautiful country in the world, the most populous and flourishing kingdom known; so much so that an empire like China's is worth as much as all of Europe, if it were united under a single sovereign.

China is divided into fifteen provinces; the smallest, according to Father Lecomte, is so fertile and so populous that it alone could form a considerable state. "A prince who ruled it," says this author, "would certainly have enough wealth and subjects to satisfy a well-ordered ambition." Each province is further divided into several cantons, each of which has as its capital a Fu, that is to say, a city of the first rank.

This Fool contains a supreme court, from which several other jurisdictions located in second-tier cities, called T-cheous, fall under its jurisdiction. These, in turn, preside over less important ones, called H-yens, or third-tier cities; not to mention a multitude of towns and villages, many of which are as large as our cities.

To give a general idea of the number and size of China's cities, it will suffice to quote Father Lecomte.

“I have seen,” he said, “seven or eight cities, all larger than Paris, not counting several others I haven’t visited but which Chinese geography attributes to the same size. There are more than eighty first-rate cities, like Lyon, Rouen, or Bordeaux. Among two hundred second-rate cities, there are more than one hundred like Orléans; and among approximately twelve hundred third-rate cities, there are five or six hundred as considerable as Dijon or La Rochelle, not to mention a prodigious number of villages that surpass in size and population the towns of Marennnes and Saint-Jean-de-Lus. These are not exaggerations, nor reports based on the word of others: I myself have traveled through most of China, and the two thousand leagues I have covered can render my testimony beyond reproach.” The vast expanse of China readily explains that air temperature and the influence of celestial bodies are not uniform: from this, one can conclude that the diversity of climates does not necessitate different forms of government. The northern provinces are very cold in winter, while those in the south are always temperate; in summer, the heat is bearable in the former and excessive in the latter.

As much as there is difference in the climate of the provinces, there is also difference in the size of the land and the quality of the soil: the provinces of Yunnan, Queychu, Sichuan, and Forkien are too mountainous to be cultivated throughout. The province of Zhejiang, although very fertile in the east, has dreadful mountains in the west, and so on. As for the provinces of Henan, Huquang, Jiangxi, Pecheli, and Shandong, they are well cultivated and very fertile.

If China enjoys such abundant prosperity, it owes this as much to the depth and richness of its soil as to the great number of rivers, lakes, and canals that water it. There is no city, nor even a small town, especially in the southern provinces, that is not situated on the banks of a river or lake, some canal or stream.

The large lakes and many smaller ones, combined with the abundance of springs and streams flowing down from the mountains, have greatly stimulated Chinese industry; they derive great benefits from a multitude of canals used to fertilize the land and establish easy communication from one province or city to another.

To avoid interrupting land travel, bridges of five or six arches have been built at intervals, the central arch being exceptionally high. All the vaults are beautifully arched, and the piers are so slender that from a distance it appears as if all the arches are suspended in mid-air.

All the canals of China are very well maintained, and the greatest care has been taken to make all the rivers navigable; although many of them pass through extremely steep and rugged mountains and rocks, hauling boats and barges is nonetheless easy. Through considerable effort, the base of the rocks has been cut away in countless places, creating a smooth path for those pulling the boats.

However, despite the industry and frugality of the Chinese people, despite the fertility of their lands and the abundance that reigns there, there are few countries where there is so much poverty among the common people. Whatever the size of this empire, it is too small for the multitude that inhabits it. All of Europe combined could not provide so many men and families.

This prodigious increase in population, so useful and so desired in our European states (where it is believed that a large population is the source of opulence; mistaking the effect for the cause, for everywhere the population surpasses opulence: it is wealth that multiplies wealth and people; but the spread of people always extends beyond wealth); this increase sometimes produces disastrous effects. We see people so poor that, unable to provide their children with the necessary food, they abandon them in the streets. It might be thought that the government does not sufficiently encourage almsgiving to help the poor; but almsgiving could not replace them, because in the order of the distribution of sustenance, the wages paid to men for their work sustain them; what is distributed as almsgiving is a reduction in the distribution of wages that support those without possessions; those who have income can only enjoy it with the help of the labor and services of those who do not; the expenditure of some benefits others; the consumption of high-value products is paid for by those who produce them and reimburses them for the expenses necessary to reproduce them; thus, expenditure multiplies and perpetuates wealth. Almsgiving is necessary to provide for the pressing needs of the poor, who are unable to provide for themselves. But this is still a diversion from the order of labor and the distribution of wealth, which generate the resources necessary for human subsistence; thus, when the population exceeds the resources, alms cannot compensate for the indigence inevitably caused by overpopulation.

In China, poverty produces an enormous number of slaves or people who enter into contracts on the condition of being able to buy their freedom: a man sometimes sells his son, sells himself and his family for a very meager price; the government, otherwise so attentive, turns a blind eye to these inconveniences, and this dreadful spectacle is repeated every day (General History of Voyages).

The authority of masters over slaves is limited to the ordinary duties of service, and they treat them like their children; thus, their loyalty to their masters is inviolable. If a slave becomes wealthy through his industry, the master has no right to seize his property, and he can redeem himself if his master consents, or if he has included this right in his contract (Interesting and Curious Miscellany).

Since everyone considers it their duty to be properly maintained, this can only be achieved through continuous labor; thus, there is no nation more industrious, no people more frugal and industrious.

A Chinese man spends entire days digging or tilling the soil with his bare hands; often, after standing knee-deep in water all day, he is very fortunate to find rice, herbs, and a little tea at home in the evening. But this peasant has his freedom and his property secured; He is not exposed to being dispossessed by arbitrary taxes or by the exactions of tax collectors, which bewilder the inhabitants of the countryside and cause them to abandon work that brings them disgrace far more dreadful than work itself. Men are very hardworking wherever they are assured of the benefit of their labor; however modest this benefit may be, it is all the more precious to them because it is their only means of providing for their needs as best they can.

Craftsmen roam the cities from morning till night in search of work: most laborers in China work in private homes. For example, if you want a suit made, the tailor will come to your house in the morning and leave in the evening. This is true of all artisans; they are constantly on the streets looking for work. Even the blacksmiths carry their anvil and forge with them for ordinary tasks. Even barbers, if we are to believe the missionaries, walk the streets with a chair on their shoulders, a basin and a kettle in hand. Everyone, with goodwill, without misfortune or illness, finds a way to make a living. Just as there is not an inch of uncultivated land in the empire, so too there is no one, man or woman, regardless of age, even if deaf or blind, who cannot easily earn their living. The mills for grinding grain are mostly hand-operated, and countless poor people and blind men are employed in this work.

Finally, all the inventions that industry can devise, all the advantages that necessity can offer, all the resources inspired by self-interest are employed and put to good use here. A great many wretches owe their subsistence solely to the care they take in collecting rags and sweepings of all kinds that are thrown into the streets. They even trade in even filthier refuse to fertilize the land; in every province of China, one sees countless people carrying buckets for this purpose; others go to the canals that run behind the houses to fill their boats at all hours of the day; the Chinese are no more surprised by this than people in Europe are to see water carriers passing by; the peasants come to the houses to buy this kind of refuse and give wood, oil, vegetables, etc., in payment. In every city there are public places from which the owners derive great benefits.

## **Section IV**

### **Citizens' Orders**

Only two orders are distinguished within the Chinese nation: the nobility and the common people. The former comprises princes of the blood, qualified individuals, mandarins, and scholars. The latter includes farmers, merchants, artisans, and so on. There is no hereditary nobility in China; a man's merit and ability alone determine his rank.

The children of the empire's prime minister must make their own fortunes and enjoy no esteem. If their inclination leads them to idleness or if they lack talent, they fall to the rank of the common people and are often forced to pursue the most menial professions.

However, a son inherits his father's estate, but to succeed him in his dignities and enjoy his reputation, one must rise through the same ranks. This is why all hopes are pinned on study, as the only path that leads to honors.

Permanent titles of distinction belong only to members of the ruling family; in addition to the rank of prince, conferred by birth, they enjoy five degrees of honor, roughly corresponding to those of duke, count, marquis, viscount, and baron, which we know in Europe.

Those who marry daughters of emperors share in the distinctions like their own children; they are assured of incomes intended to support their dignities, but they have no power. China also has princes outside the imperial house; these are the descendants of previous dynasties, who wear the red sash to mark their distinction, or those whose ancestors acquired this title through services rendered to their country.

The first emperor of the Tatar dynasty that reigns today created three titles of honor for his brothers, who were numerous and who had helped him in his conquest. These are the princes of the first, second, and third ranks, whom the emperors call Regules. The same emperor also established several other titles of lesser distinction for the children of the Regules. The princes of the fourth rank are called Pet-tse; those of the fifth, Cong-heon; this fifth rank is above the highest mandarins of the empire; but the princes of all lower ranks are distinguished from the mandarins only by the yellow sash, which is common to all reigning princes of the blood, whatever their rank. Polygamy causes all these princes to multiply endlessly; and although wearing the yellow sash, many are reduced to utter poverty.

Among the nobility, we still count, firstly, those who have served as mandarins in the provinces, whether they were dismissed, which happens to almost all of them, or whether they voluntarily retired with the prince's permission, or whether they acquired certain titles of honor that grant them the privilege of visiting the mandarins and thereby earn them the respect of the people.

Secondly, all students, from the age of fifteen or sixteen up to forty, who take the examinations established by custom. But the most illustrious family in China, and the only one to which nobility is transmitted by inheritance, is that of the philosopher Confucius. It is undoubtedly the oldest in the world, since it has been preserved in a direct line for more than two thousand years. In consideration of this famous man, its progenitor, all emperors have since consistently honored one of his descendants with the title of Cong, which corresponds to that of duke.

One of the third marks of nobility consists of the titles of honor that the emperor bestows upon individuals of outstanding merit. In Europe, nobility passes from fathers to children and their descendants; in China, on the contrary, it passes from children to fathers and their fathers' ancestors. The emperor extends the nobility he bestows to the fourth, fifth, and even tenth generation beyond, according to services rendered to the public; he traces it back, by express letters, to the father, mother, and grandfather whom he honors with a special title, on the principle that virtues should be attributed to the example and particular care of their ancestors.

The second order of citizens comprises all those who have not attained literary degrees; farmers hold the first rank, followed by merchants, and generally all artisans, peasants, laborers, and all those who make up the common people.

## **Section V**

### **Military Forces**

The soldiers are well-dressed and maintained. Their weapons are sabers and muskets. They are paid quarterly. Furthermore, the conditions of these soldiers are so good that neither cunning nor force is needed to recruit them: a military career is a natural path for a man, and everyone is eager to be admitted, either through patronage or a gift.

It is true that what adds to the appeal of being a soldier is that each man usually serves in the canton where he lives. As for discipline, it is fairly well observed, and the troops are often trained by their officers, but their tactics are not very extensive.

Their navy is small and rather neglected. Since the Chinese have no formidable neighbors on the seaward side and are little involved in foreign trade, they have little need for a navy for their defense and for the protection of a merchant marine, a very costly undertaking. However, they have sometimes possessed quite considerable naval forces, commensurate with the times when the construction and strength of ships were far inferior to what they are today among the maritime nations of Europe. Chinese navigation has made little progress in this respect.

But it must be admitted that on rivers and canals, they possess a skill that we lack; with very few sailors, they maneuver boats as large as our ships. There are so many of them in the southern provinces that 9,999 are always kept for the service of the Emperor and the State. Their skill in navigating torrents, says Father Lecomte, is somewhat surprising and incredible; They almost defy nature and boldly travel to places that other peoples would not even dare to look at without fear.

# **CHAPTER II**

## **Fundamental Laws of the Empire**

## **Section I**

### **Natural Laws**

The primary object of Chinese worship is the supreme being; they adore him as the principle of all things, under the name Chang-ti, which means sovereign, emperor; or Tien, which means the same thing.

According to Chinese interpreters, Tien is the spirit that presides over heaven, and they regard heaven as the most perfect work of the author of nature. For the aspect of heaven has always attracted the veneration of those attentive to the beauty and sublimity of the natural order; it is there that the immutable laws of the creator are most tangibly manifested; but these laws should not be referred to merely as one part of the universe, they are the general laws of all its parts.

But this word is also used to signify the physical heaven, and this meaning depends on the subject to which it is applied. The Chinese say that the father is the Tien of a family; the viceroy, the Tien of a province; The emperor, the Tien of the empire. They offer a lesser form of worship to spirits subordinate to the first being, who, according to them, preside over cities, rivers, and mountains.

All the canonical books, and especially the one called the Chu King, depict the Tien as the creator of all that exists, the father of peoples; he is an independent being who can do anything, who knows even the deepest secrets of our hearts; he is the one who governs the universe, who foresees, reverses, advances, and determines all earthly events at his will; his holiness equals his omnipotence, and his justice his sovereign goodness; nothing in humankind touches him except virtue; the poor man in his thatched hut, the king on a throne he overthrows at will, equally experience his equity and receive the punishment due to their crimes. Public calamities are warnings he uses to incite people to the love of honesty. But his mercy and clemency surpass his severity; the surest way to avert his indignation is to reform bad morals. They call him father, lord; and they assert that no outward worship can please the Emperor unless it originates from the heart and is animated by inner sentiments.

It is also said in these same books that the Emperor is infinitely enlightened, that he used our parents to transmit to us, through the mixing of blood, what is animal and material within us; but that he himself gave us an intelligent and thinking soul, which distinguishes us from beasts; that he loves virtue so much that, to offer him sacrifices, it is not enough for the emperor, to whom this function belongs, to combine the priesthood with the kingship; that he must also be virtuous and penitent. that before the sacrifice, he atoned for his sins through fasting and tears; that we cannot reach the height of the thoughts and advice of this sublime being; that we should not believe, however, that he is too high to think about earthly things; that he examines all our actions for himself and that his tribunal, to judge us, is established in the depths of our consciences.

Emperors have always considered it one of their primary obligations to observe the ancient rites and fulfill their functions. As leaders of the nation, they are emperors to govern, teachers to instruct, and priests to offer sacrifices.

The emperor, it is stated in their canonical texts, is the only one permitted to offer solemn worship to the Chang-ti; the Chang-ti has adopted him as his son; he is the principal heir to his grandeur on earth, he is empowered by his authority, entrusted with his commands, and showered with blessings.

To offer sacrifices to the master of the universe requires no less than the highest person in the empire. Let the sovereign descend from his throne! Let him humble himself in the presence of the Chang-ti! Let him thus draw down the blessings of heaven upon his people! This is his first duty.

It is therefore difficult to describe the fervor with which these emperors devoted themselves to their zeal for worship and sacrifices; what idea they had formed of the justice and benevolence of the ruler of sovereigns.

In times of calamity, offering sacrifices to the Tien and addressing vows to him were not the only means they employed to arouse his mercy; they also diligently sought out the secret flaws and hidden vices that might have brought about this punishment.

In 1725, there was a terrible flood caused by the overflowing of a great river; the high-ranking mandarins did not fail to attribute the cause of this misfortune to the negligence of the lower-ranking mandarins. "Do not place this blame on the mandarins," replied the sovereign, "it is I who am guilty; these calamities afflict my people because I lack the virtues I should possess." Let us think about correcting our faults and remedying the flood; as for the mandarins you accuse, I forgive them; I accuse only myself of my lack of virtue." Father Lecomte cites such a striking example of the religious devotion of one of these emperors that we feel it our pleasure to recount it; he says he took it from Chinese history.

For seven consecutive years, a terrible predicament had held the people in its grip; prayers, fasting, penances, all had been employed in vain; the emperor no longer knew by what means he could end the public misery and appease the wrath of the sovereign of the universe. His love for his people suggested to him that he offer himself as a victim. Filled with this generous intention, he assembled all the dignitaries of the empire; in their presence, he removed his royal robes and donned a straw garment; Then, barefoot and bareheaded, he and his entire court advanced to a mountain far from the city. There, after prostrating himself nine times to the ground, he addressed this speech to the Supreme Being: "LORD, you are well aware of the miseries to which we are reduced. It is my sins that have brought them upon my people, and I come here to make a humble confession before heaven and earth. To be better

able to amend my life, allow me, SOVEREIGN MASTER OF THE WORLD, to ask you what has particularly displeased you about me. Is it the magnificence of my palace? I will take care to reduce it. Perhaps the abundance of food and the delicacy of my table have brought about scarcity? From now on, only frugality and temperance will be seen there.”

“If all this is not enough to appease your righteous anger and you require a victim: here I am, LORD, and I willingly consent to die, provided you spare these good people. Let rain fall upon their fields to relieve their needs, and let lightning strike my head to satisfy your justice.” This piety of the prince, our missionary said, moved heaven. The air filled with clouds, and a universal rain brought about, in time, an abundant harvest throughout the empire. Whether the event was natural or miraculous is beyond discussion; our aim is simply to demonstrate the religion of the emperors of China and their love for their subjects; we cannot doubt that this detail has served our purposes well.

The worship and sacrifices to a supreme being continued for several centuries without being tainted by any idolatry (which is always forbidden by law); and the zeal of the emperors remains unchanged. They wanted to cultivate with their own hands a field whose wheat, rice and other produce are also offered as sacrifices.

Magalhens, a Jesuit, observed that the Chinese observe four principal fasts, corresponding to the four seasons of the year. These national penances last three days before the solemn sacrifices.

When it is necessary to implore divine favor during times of plague, famine, earthquakes, extraordinary floods, and all other public calamities, the mandarins live apart from their wives, spend night and day in their courts, abstain from meat and wine, etc.; even the emperor remains in solitude in his palace.

Some feudal princes sought to undermine this religion and disrupt this fine system of subordination established by the early kings. They instilled fear of spirits in the people, frightening them with magic and seemingly supernatural means. Houses were found to be infested with evil spirits. The ever-superstitious populace, gathered for the solemn sacrifices at Chang'i, demanded that offerings be made to the spirits; the temples resounded with their clamor; this was the seed of a pernicious idolatry. It was quelled by the emperor, who exterminated the nine instigators of this tumult, and order was restored. It was this same emperor who, reflecting on the drawback of gathering an idle and turbulent crowd in the very place where the solemn sacrifices were performed, separated the area designated for the sacrificial ceremonies from that used for instruction. At the same time, he established two high-ranking officials to preside over religious worship. One was responsible for the ceremonial aspects, the other for the instruction of the people.

As for the doctrine of the immortality of the soul, it is not extensively developed in the canonical books. They rightly place the souls of virtuous men near the Chang-ti; but they do not clearly explain the eternal punishments in another life. They acknowledge divine justice on this point, without understanding its judgments. Similarly, although they assert that the supreme being created everything from nothing, it is unclear whether they mean a true action upon nothingness, or a creation preceded by nothingness. These theological subtleties can hardly be disentangled by the light of reason that guided them in this doctrine. However, says Father Duhalde, it is certain that they believe in the existence of the soul after death and that they did not assert, like some Greek philosophers, that matter, of which corporeal beings are composed, is eternal.

It is noteworthy that for over two thousand years the Chinese nation recognized, respected, and honored a supreme being, the sovereign master of the universe, under the name of Chang'i, without any trace of idolatry being observed. It was only a few centuries after Confucius that the statue of Fu was brought from India and that idolaters began to infect the empire. But the scholars, inviolably attached to the doctrine of their ancestors, never succumbed to this contagion. It must also be acknowledged that what greatly contributed to maintaining the early forms of worship in China was the establishment of a sovereign court, almost as old as the empire itself, whose power extended to condemning and suppressing superstitions whose sources it could uncover. This sovereign court is called the Rites Court.

All the missionaries who saw the decrees of this tribunal agree that although its members sometimes practiced various superstitious practices in private, when assembled for their joint deliberations they spoke with one voice to condemn them.

Through this severity, the educated Chinese preserved themselves from the foolish superstition that prevailed among the rest of the people and which led them to elevate the heroes of the country to the rank of deities. While they showed respect and veneration for their greatest emperors, they never worshipped them. The sovereign being alone was the object of their adoration. Men commendable for their virtues and distinguished service undoubtedly demanded tributes of gratitude; they paid these tributes in their memory by engraving, along with a brief eulogy, the names of these respectable mortals on tablets hung in their honor in temples. but they never sought to represent them with statues or similar images, which could have led them to idolatry.

## **Section II**

### **Sacred or Canonical Books of the First Order**

These books number five.

The first is called the I Ching, or Book of Changes. This ancient and mysterious book greatly challenged the sagacity of the Chinese, particularly two emperors who attempted to decipher it by commenting on it; but their efforts were unsuccessful. The obscurity of the commentaries only added to that of the text. Confucius unraveled the enigmatic lines of the I Ching and the works of the commentators; he believed he recognized in them mysteries of great importance for the governance of states, and he derived from them excellent instructions on politics and morality, which have been, since his time, the foundation of Chinese science. Scholars hold this book in the highest esteem; and Fu Xi, whom they consider its author, is regarded as the father of science and good government.

The second of the five canonical books is called the Shu-kin, or Chang-shu: that is to say, the book that speaks of ancient times. It contains the story of Yao, Chun, and Yu, considered the lawmakers and first heroes of China. This story, whose authenticity has been recognized by all Chinese scholars since Confucius, also contains excellent precepts and sound regulations for the public good.

The third, called the Chi-King, is a collection of odes, hymns, and various sacred poems.

The fourth, called the Chun-tsy-u, is not as ancient as the first three; it is purely historical and appears to be a continuation of the Chi-King.

The fifth, called Li-King, is the last of the canonical or classical books; it contains the works of several disciples of Confucius and various other writers who dealt with rites, customs, the duty of children towards their fathers and mothers, that of women towards their husbands, funeral honors, and everything related to society: these five books are included under the name of the U-King.

### **Section III**

#### **Canonical Books of the Second Order**

To these sacred books, the Chinese also add the canonical books of the second order, which hold considerable authority among them; there are six of them, five of which are the work of Confucius or his disciples.

The first is called the Tay-hia, or Great Science, because it is intended for the instruction of rulers in all aspects of government.

The second is called the Chang-yong, or Book of the Immutable Order. In it, Confucius discusses the mean (or balance between passions and needs) that must be observed in all things; he shows that great advantages result from it and that this is precisely what virtue consists of.

The third, called the Lun-yu, or Book of Sayings, is divided into twenty articles, ten of which contain questions posed by Confucius's disciples to the philosopher, and the other ten contain the answers.

All of them revolve around virtues, good works, and the art of good governance: this collection is filled with maxims and moral sayings that surpass those of the Seven Sages of Greece.

The fourth of the second order is by Doctor Mencius, a disciple of Confucius, and bears his name. This work, in the form of a dialogue, deals almost exclusively with good administration in government and the means of establishing it.

The fifth, entitled Jiang-Kiang, or Filial Obedience, is a small volume by Confucius; he considers filial obedience the most important of all duties and the foremost of virtues; however, he acknowledges that children should not obey their fathers, nor ministers their princes, in matters that violate justice or civility.

The sixth and final canonical book is the most modern: it is by Doctor Chu-hi, who published it in 1150. Its title is Si auhya, meaning The School for Children; it is a collection of maxims and examples, in which the author aims to reform the maxims of youth and inspire them to practice virtue.

It should be noted that the Chinese do not distinguish between morality and politics; the art of living well is, according to them, the art of governing well, and these two sciences are one and the same.

## Section IV Chinese Sciences

Although the Chinese have a great taste for science and excellent abilities for success in all genres of literature, they have made little progress in the purely speculative sciences because these are not motivated by rewards; however, they possess the notions of astronomy, geography, natural philosophy, and physics that the practice of business may require; their principal study turns to the more useful sciences: grammar, history and the laws of the country, morality, and politics seem to be more immediately necessary for the conduct of man and the good of society. If in this country, where the speculative sciences have made little progress, those of natural law are at their highest degree of perfection, and if, in other countries, the former are highly cultivated and the latter greatly neglected, it would appear that the ones do not lead to the other: but this would be a mistake; truths illuminate each other reciprocally, and wherever these different sciences are not equally well cultivated, one finds defects contrary to good order; in China, where speculative sciences are neglected, men are too given over to superstition.

In other countries, where little attention is paid to the study of natural law, governments are deplorable; this is why China has given preference to the latter. It is also with this in mind that, to encourage emulation among young people, honors and advancement are rewards reserved for those who dedicate themselves to this study.

As for history, it is a branch of literature that has been cultivated in China, throughout history, with unparalleled zeal; few nations have taken such care in writing their annals, and few preserve their historical monuments more preciously. Each city has its writers tasked with compiling its history: it includes not only the most remarkable events, such as revolutions, wars, and successions to the throne, but also observations on great contemporary men, praise for those who distinguished themselves in the arts, sciences, or by their virtues; nor do extraordinary events, such as monsters and phenomena, are neglected. Every year, the mandarins assemble to examine the annals. If ignorance or flattery has introduced bias, they restore the truth to its rightful place.

It is precisely to avoid all these drawbacks, so common among our historians, that the Chinese take the precaution of selecting a number of doctors of recognized integrity to write the general history of the empire. Other scholars are employed to observe all the emperor's speeches and actions, writing them down individually, day by day, with strict orders not to share their work. These historians must record both good and bad: the box containing these memoirs is never opened during the monarch's lifetime, nor even while his family is on the throne; but when the crown passes to another house, the memoirs of a long succession of years are gathered, carefully compared to verify the facts, and then the annals of each century are compiled.

The art of printing, which is quite modern in Europe, has been known to China since time immemorial; several missionaries report that it was in use 600 years before Christ. But the Chinese method is quite different from ours: the alphabet consists of only a small number of letters, whose assembly and combination form words, so it is enough to have a large number of these letters to compose the largest volumes, since, from beginning to end, it is only the 24 letters of the alphabet multiplied, repeated and placed in various ways; on the contrary, in China the number of characters being almost infinite, the genius of the language not making the same characters commonly used, it would have been very expensive and undoubtedly not very advantageous to cast 80,000 of them; this is what gave rise to another method for printing; here is how it consists: the work to be printed is transcribed by an excellent writer; the engraver glues this copy onto a block of hard, well-polished wood, with a burin he follows the lines of the writing and removes all the rest of the wood on which there is nothing drawn; Thus, he engraves as many plates as there are pages to be printed; this operation is carried out with such precision that it would be difficult to distinguish the copy from the original.

In urgent cases, another printing method is used; a plate is covered with wax, and with a punch, the characters are inscribed with surprising speed; and a single man can print 2,000 sheets a day.

## **Section V**

### **Instruction**

There is no city, town, or village where there are not teachers to instruct the youth, to teach them to read and write; all the sizable cities have colleges or halls where, as in Europe, one obtains degrees such as licentiate and master of arts; the doctorate is only obtained in Beijing: it is these last two degrees that supply the magistrates and all the civil officials.

Young Chinese begin their schooling at the age of five or six; their alphabet consists of about a hundred characters that express the most common things, such as the sun, the moon, man, etc., with the symbols of the things themselves:

this kind of typographical office is very useful in awakening their attention and fixing their memory.

They are then given to study a small book called San-tse-king, which contains in abridged form everything that must be learned; it is composed of several very short sentences, of three characters, arranged in rhymes. Although there are several thousand of them, the young schoolboy is obliged to know them all: at first he learns five or six a day, then he increases them gradually as his memory strengthens. He must report twice a day on what he has learned; if he misses a lesson several times, punishment follows immediately: he is made to lie on a bench and receives ten or twelve blows on his underpants with a stick as flat as a slat. There are no holidays to interrupt the schoolboys' studies; such constant application is demanded of them that they have only one month off at the beginning and five or six days in the middle of the year.

It is clear that in these small schools, it is not simply a matter, as in ours, of teaching reading and writing; they also provide instruction that gives true knowledge.

When they begin studying the Tseū, four books containing the teachings of Confucius and Mencius, they are not allowed to read any others until they know them perfectly by heart. While studying these books, they are taught to form their letters with a brush: they are first given large, very large letters written in red on large sheets of paper, which they are required to cover with black ink; after these initial elements come smaller, black characters; they trace these onto a sheet of white paper through a transparency. Great care is taken to instill in them sound principles of writing, because the art of painting letters well is highly valued among the Chinese. Do the students know enough characters for composition?

They are given material to expand upon; this is usually a saying from the classical books, sometimes the subject is simply a single character whose meaning they must guess; the style of this composition must be concise and compact. To ensure the progress of schoolchildren, the custom in some provinces is to gather all the members of a family in a common hall

belonging to their ancestors and have them take an exam. There, each head of household takes turns giving them a topic and having them prepare dinner. If any student is absent without a valid reason, their parents are obliged to pay twenty sols.

In addition to the individual and voluntary care provided to each family, young people are required to take exams twice a year, in the spring and winter, before the schoolmaster. These two exams are sometimes followed by several others administered by mandarins, scholars, or city governors, who give arbitrary rewards to those who perform best.

Wealthy people employ tutors for their children who are either licensed or doctoral students. These tutors not only provide their pupils with the rudiments of literature, but also teach them the rules of civility, history, and the law. These tutoring positions are both honorable and lucrative. The children's parents are treated with great distinction; everywhere they are given the highest rank. "Sien-sieng," meaning "our master," "our doctor," is the title they are given. Their students, in particular, retain the deepest veneration for them throughout their lives.

Moreover, the education of the people is one of the principal functions of the mandarins. On the first and fifteenth of each month, all the mandarins of a given place assemble in a ceremony, and one of them delivers a speech to the people, the subject of which always revolves around paternal kindness, filial obedience, the deference due to magistrates, and everything that can maintain peace and unity.

The emperor himself occasionally summons the high-ranking lords of the court and the leading mandarins of the Beijing courts to provide them with instruction drawn from canonical texts (General History of Travels).

The instruction that the mandarins are required to give to the people twice a month is mandated by an imperial law, as are the sixteen articles on which this instruction must be based:

1. To carefully emphasize the duties of filial piety and the deference that younger sons owe to their elders, in order to teach young people how much they must respect the essential laws of nature.
2. To recommend that families always maintain a respectful memory of their ancestors, as a means of fostering peace and harmony.
3. To maintain unity in all villages in order to prevent quarrels and lawsuits.
4. To highly value the profession of farming and those who cultivate mulberry trees, because then there will be no shortage of grain for sustenance or clothing.

5. To cultivate the habits of economy, frugality, temperance, and modesty; these are the means by which everyone can maintain their conduct and affairs in good order.
6. To encourage public schools in every way possible, so that young people may learn sound moral principles from them.
7. To apply themselves fully to their own affairs, as an infallible means of maintaining peace of mind and heart.
8. To stifle sects and errors in their infancy, in order to preserve the true and sound doctrine in all its purity.
9. To instill in the people the established penal laws, to prevent them from becoming unruly and resistant to duty.
10. To thoroughly instruct everyone in the rules of civility and decorum, with a view to maintaining good customs and harmonious society.
11. To take every care to provide a good education for one's children and younger siblings, in order to prevent them from giving in to vice and following the torrent of passions. 12. To refrain from slander, so as not to attract enemies and to avoid the scandal that can disturb innocence and virtue.
13. Not to give refuge to the guilty, so as not to be caught up in their punishments.
14. To pay the established taxes accurately, to protect oneself from the inquiries and harassment of tax collectors.
15. To act in concert with the district chiefs in each city to prevent theft and the escape of thieves.
16. To suppress outbursts of anger as a means of protecting oneself from countless dangers.

The obligation to meticulously follow these instructions is all the more essential for mandarins, as they are responsible for certain crimes that may be committed within their jurisdiction. If a theft or murder occurs in a city, the mandarin must identify the thief or murderer, under penalty of losing his position.

The gazette of the empire's internal government is still, for the public, a daily historical instruction, presenting examples of all kinds that inspire veneration for virtue, love for the sovereign, and horror for vice; it expands the people's knowledge of order, acts of justice, and the vigilance of the government. It lists the names of dismissed mandarins and the reasons for

their disgrace: one was too harsh, another too lenient, another too negligent, another lacked wisdom. This gazette also mentions pensions granted or withdrawn, etc. It reports, with the utmost accuracy, the judgments of the courts; the calamities that have befallen the provinces; the aid provided by the local mandarins on the emperor's orders; the extract of the prince's ordinary and extraordinary expenses; the remonstrances that the higher courts make to him concerning his conduct and his decisions; The praise the emperor bestows upon his ministers, or the reprimands he issues, are contained within it. In short, it provides a faithful and detailed account of all the affairs of the empire. It is printed daily in Beijing and circulates throughout all the provinces of the empire; it is a seventy-page pamphlet and includes nothing of what happens outside the empire. Those charged with its composition must always present it to the emperor before making it public, but they are strictly forbidden to add, on their own initiative, the slightest ambiguous circumstance or the most frivolous reflections. In 1726, two writers were condemned to death for having inserted facts that turned out to be false. (Interesting and Curious Miscellany.) Thus, in China, the books containing the fundamental laws of the state are in everyone's hands; the emperor must abide by them. In vain did an emperor try to abolish them; they triumphed over tyranny.

## **Section VI**

### **Studies of Scholars**

No sooner have young Chinese completed their initial studies than those aspiring to higher knowledge begin a course in science, which enables them to attain academic degrees and enter the respectable class of scholars. Those who do not pursue these degrees enjoy no distinction; they are lumped together with the rest of the people and excluded from all government positions.

Three classes of scholars are distinguished, corresponding to the three different ranks attained by learned men. To achieve this, aspiring scholars are required to pass several examinations: the first is before the presiding officer of the jurisdiction where they were born.

The office of the Hio-tao (Chief of Education) requires him to visit the province every three years; he assembles in each leading city all the university graduates under its jurisdiction; he inquires into their conduct, examines their work, rewards progress and skill, and punishes negligence and inattention. A graduate who fails to pass this triennial examination is stripped of their degree and returns to the common class, unless excused by illness or the death of a father or mother.

To advance to the second degree, that of a licentiate, one must pass an examination held only once every three years in the capital of each kingdom.

The court expressly sends two mandarins to preside over this examination, which is also attended by the high-ranking officials of the province. All bachelors are required to attend. Sometimes there are ten thousand of them, but of this number, only about sixty are raised to the degree of licentiate. Their robes are brownish with a four-finger-width blue border, and the bird on their caps is gold.

The licentiate must go to Beijing the following year to take the doctoral exam. The emperor covers the expenses of their trip. Those who limit their ambition to this licentiate degree may dispense with going to Beijing, and this does not prevent them from being given some position. Sometimes, the seniority of the degree alone naturally leads to the top positions. Sons of artisans have been known to become viceroys by this route; but as soon as they attain some public office, they renounce the doctoral degree.

All graduates without employment are required to travel to Beijing for the triennial examination, known as the Imperial Examination. The emperor himself sets the topic for the essay; the attention he pays to this examination, demanding a precise account of the work, leads him to be considered the sole judge. The assembly sometimes comprises five or six thousand candidates, of whom only one hundred and fifty are awarded a doctorate.

The top three are called Tien-tse Men-seng, meaning Disciples of Heaven. From among the others, the emperor selects a number and bestows upon them the title of Haulin, meaning Doctor of the First Order. They form a special tribunal, located in the palace, and their functions are highly honorable. They are responsible for writing history, and the emperor consults them on important matters. It is from their ranks that the censors are drawn, sent to the provinces to examine candidates for bachelor's and licentiate degrees. The other doctors are called Tsin-see.

The emperor presents each new doctor with a silver bowl, a blue silk parasol, and a magnificent sedan chair. Having attained the glorious title of doctor, a Chinese man no longer has to fear poverty; this title is a secure foundation for him.

Besides receiving countless gifts from his relatives and friends, he is assured of being employed in the most important offices of the state, and his protection is sought by everyone. His family and friends never fail to erect beautiful triumphal arches in his honor, on which they engrave his name and the year he was raised to the rank of doctor.

## **Section VII**

### **Property Ownership**

Property ownership is very secure in China; we have seen previously that the right of ownership extends even to slaves or hired servants, and throughout the empire children inherit the property of their fathers and relatives, according to the natural order of succession. In China, regarding multiple wives, there is a custom quite similar to that of the patriarchs before the captivity of the Hebrews in Egypt. (Interesting and Curious Miscellany.) Although, according to the law, Chinese men may only have one legitimate wife, and in choosing her, consideration is given to equality of rank and age, it is nevertheless permitted to have several concubines; but this is merely a tolerance, intended to prevent dying without offspring. The law grants this freedom only to those whose wives have reached the age of forty without having children.

When a husband wishes to take a second wife, he pays a sum agreed upon with the family's relatives and promises them in writing to treat her well. These second wives are entirely dependent on the legitimate wife and must respect her as the mistress of the house; their children are considered to belong to the first wife, who alone bears the title of mother; in this same case of pure tolerance, they have the right to inherit from their father along with the children of the legitimate wife, should any be born, which demonstrates the extent of the right of inheritance and the security of property rights in this empire.

## **Section VIII**

### **Agriculture**

Since the common people of China live almost entirely on grains, herbs, and vegetables, nowhere else in the world are kitchen gardens more common or better cultivated. There are no uncultivated lands near the cities, no trees, hedges, or ditches; one would fear to render the smallest piece of land useless.

In the southern provinces, the land never rests; the hills, even the mountains, are cultivated from base to summit. Nothing is more admirable than a long series of eminences surrounded and crowned by a hundred terraces that rise one upon another, narrowing as they go. One sees with astonishment mountains that elsewhere would scarcely produce brambles or bushes become here a radiant image of fertility. (General History of Travels.)

The land generally yields three harvests every year: the first of rice, the second of what is sown before the rice is harvested, and the third of beans or some other grains. The Chinese spare no effort in collecting all kinds of refuse to fertilize their land, which also greatly contributes to maintaining the cleanliness of their cities.

All the grains we know in Europe, such as wheat, rice, oats, millet, peas, and beans, grow well in China. The custom is for the landowner to take half the harvest and pay the taxes; the other half remains with the farmer for his expenses and labor. Since the land is not subject to the church tithe in those countries, the farmer's share is roughly the same proportion as it is for tenant farmers in this country, in provinces where the land is well cultivated.

In China, farmers are considered superior to merchants and artisans. There are some kingdoms in Europe where the importance of agriculture and the resources necessary for farming have not yet been grasped. Farming can only be sustained by inhabitants distinguished by their ability and wealth. In these countries, farmers are regarded as mere peasants and laborers, and their status is fixed below that of the urban poor. (Consult the civil laws of Domat; you will understand what this kingdom is like and what their understanding of the fundamental laws of society is). In contrast, agriculture has always been revered in China, and those who practice it have always merited the special attention of the emperors. We will not elaborate here on the details of the privileges these princes have granted them throughout history.

The successor of Emperor Lang-xi, in particular, enacted very favorable regulations to encourage the farmers to strive for excellence. Besides setting an example of hard work himself by plowing the land and sowing five kinds of grain, he also ordered the governors of all the cities to inquire each year about the most distinguished farmer in their respective jurisdictions, those who had demonstrated the greatest dedication to farming, integrity, and sound and prudent management. This esteemed farmer was elevated to the rank of mandarin

of the eighth order, enjoying the nobility and all the privileges attached to the title of mandarin.

Emperor Xun established a law expressly forbidding provincial governors from diverting farmers from agricultural work through forced labor. Emperor Yao removed his children from the throne and placed a young farmer there who had distinguished himself through his wisdom and integrity. After a glorious reign, he left the crown to Yu, who, through the invention of canals, had found a way to bring back into the sea the waters that covered the surface of part of the empire and to use these canals to fertilize the land through irrigation. It was through his ascension to the throne and through such works that agriculture received a brilliant splendor. (Interesting and Curious Miscellany.) There is a spring festival for the inhabitants of the countryside; it consists of parading a large terracotta cow, whose horns are gilded, through the fields. This figure is so monstrous that forty men can hardly support it. It is immediately followed by a young child, one foot bare and the other shod, who strikes it with a rod as if to make it move forward. This child is the symbol of diligence and labor. A multitude of farmers, with all the equipment of their trade, surround the figure, and the procession is brought up the rear by a troupe of masked figures.

The entire crowd then proceeds to the palace of the local governor or mandarin; there, the cow is broken open, and from its belly are extracted numerous small clay cows (symbols of fertility) which are distributed to those present. The mandarin then delivers a speech praising agriculture, and this concludes the ceremony.

## Section IX

### Trade Considered as a Dependency of Agriculture

We have seen that the Chinese empire is very abundant in all kinds of goods, and it is easy to presume from this that the nation's commerce is very flourishing; but since the Chinese find all the comforts of life at home (and since the large population ensures the supply and consumption of all foodstuffs within the country itself), their foreign trade is very limited relative to the extent of this state. Their principal trade takes place within the interior of the empire, not all parts of which are equally endowed with the same resources; each province having its own particular needs and wealth, they would all remain impoverished if they did not share what they have that is useful with one another. A trade network established in a country with a circumference of eighteen hundred leagues undoubtedly suggests a very extensive commerce; thus, the historian says that the trade carried out within China is so vast that that of Europe cannot be compared to it. A purely domestic trade will appear quite flawed to those who believe that nations must trade with foreigners to enrich themselves with money. They have not noticed that the greatest possible opulence consists in the greatest possible enjoyment, that this enjoyment has its source in the territory of each nation, that this source is the very source of gold and silver, whether extracted from mines or purchased with other products; those who have mines sell in gold and silver to extend their enjoyment, for which the metals are useless to them; those who do not have this commodity buy it simply to facilitate exchanges in their trade, without burdening themselves with it beyond this use, because gold and silver are paid for with riches more necessary than these metals, and the more one would buy, the more one would diminish the enjoyment which is true opulence; Moreover, the commerce of nations, which is solely for the purpose of enjoyment, is confused with the commerce of merchants, which is a service they charge a high price for, and all the more so the further their trade extends. Thus, the more nations can save on these costs, even to the detriment of the great fortunes of merchants, the more they gain in terms of both enjoyment and the expenses necessary for the perpetual reproduction of the wealth that springs from the earth and ensures the revenues of the nation and the sovereign.

The transport of various goods is very easy in China, thanks to the numerous canals that crisscross each province; circulation and flow are very rapid; self-interest, which is the dominant passion of the Chinese people, keeps them in a state of constant activity; everything is in motion in the cities and in the countryside, the main roads are as busy as the streets of our most commercial cities, and the entire empire seems to be nothing but a vast fair.

But a vice in commerce, it is said, is the lack of good faith; the Chinese are not content with selling at the highest possible price, they also adulterate their goods; one of their maxims is that the buyer should pay as little as possible, and that they would even pay nothing if one agreed to it; they infer from this that one can demand and receive the largest sums, if the buyer is simple or unintelligent enough to pay them. "It is not the merchant who deceives," they say, "it is the buyer who deceives himself: no violence is used, the profit the seller makes

is the fruit of his labor." Travelers have firmly established in Europe the opinion of this brigandage by the Chinese in their trade; They even cite examples of falsifications so gross and reprehensible that one would have to conclude that theft and looting are practiced with impunity in China, where however the police operate with the most rigorous exactitude for the smallest offenses, which extends even to the observance of the rite of civil ceremony which is taken to excess.

Those who wrote these reports surely confused the trade conducted in the port of Canton with that of Europeans; they confused, I say, this newly established trade, in which deception was sought on both sides, with the commerce carried out between subjects of the empire. The government, which has little interest in foreign trade, tolerates fraudulent reprisals because it is difficult to bring foreigners from three thousand leagues away under the control of law and order, as they disappear as soon as they have sold their goods. We have many examples of highly commendable nations that have been corrupted by the presence of foreign trade; but it appears that in reprisals, the Chinese have become more adept than the Europeans, and they exercise this adeptness with all the less concern because they do not risk trading in our ports, where merchants frequent one another, know one another, and where good faith is established. It is inconceivable that trade could be conducted between the inhabitants of a country with fraudulent and reciprocal reprisals; what would be gained by deceiving one another? It would only bring distressing and highly embarrassing anxiety, making daily trade extremely difficult and almost impossible. But this is even more inconceivable in a nation as civilized as China, where good faith and integrity have always been highly valued in commerce. This is one of the principal tenets of Confucian ethics, which are the law in that empire.

Since China's domestic trade is very flourishing, it is not surprising that its inhabitants take so little trouble to expand it abroad, especially considering their natural disdain for foreign nations. Foreign trade is very limited; Canton, Emouy, and Ningpo, maritime cities, are the only ports where goods are loaded for foreign trade; their sea voyages are not long-distance either, as they rarely venture beyond the Sunda Strait; their usual destinations are Japan, Siam, Manila, and Batavia.

Long-distance trade is perhaps more harmful than beneficial to the prosperity of the nations that engage in it, apart from the merchants who can amass great fortunes largely at the expense of their fellow citizens; the goods sought from such distant lands are little more than very expensive frivolities, which perpetuate a highly detrimental level of luxury. One could name several nations deeply committed to this type of trade, which they conduct in all parts of the world and which, apart from the profits of their merchants, do not provide examples of prosperity.

# **CHAPTER III**

## **Positive Legislation**

The laws of China are all founded on the principles of morality, for, as has already been said, morality and politics in China constitute a single science; and in this empire, all positive laws aim only to maintain the form of government (Interesting and Curious Miscellany). Thus, there is no power above these laws; they are found in the classical books called sacred, known as the U-King, that is, the five volumes. Just as the Jews venerate the Old Testament, the Christians the New, and the Turks the Quran, so too do the Chinese respect the U-King. But these sacred books encompass both the religion and the government of the empire, civil and political laws; Both are irrevocably dictated by natural law, the thorough study of which is the primary objective of the sovereign and the scholars entrusted with the details of government administration. Thus, everything is permanent in the government of this empire, like the immutable, general, and fundamental law upon which it is rigorously and clearly established. “In China,” adds Montesquieu, “maxims are indestructible; they are indistinguishable from laws and customs. The legislators have even gone further: they have conflated religion, laws, customs, and manners—all of this was morality, all of this was virtue. These four elements constitute what are called rites. This is how the union of religion, customs, and manners was achieved.”

The legislators of China had as their principal objective the tranquility of the empire; it was in subordination that they perceived the most suitable means of maintaining it. With this in mind, they felt compelled to inspire respect for fathers, and they devoted all their efforts to this end. They established countless rites and ceremonies to honor them both during their lives and after their deaths; it was impossible to honor dead fathers without also being moved to honor them while they were still alive. The ceremonies for fathers were more closely related to laws, customs, and maxims; but these were merely parts of a single, very extensive code. Respect for fathers was necessarily linked to everything that represented fathers: elders, teachers, magistrates, and the emperor (the supreme being).

This veneration for fathers presupposed a return of love for one's children and, consequently, the same return of love from elders to young people, from magistrates to their subordinates, from the emperor to his subjects (and from the creator's benevolence toward his rational creatures). All of this constituted the rites, and these rites the general spirit of the nation. There is no court in the empire whose decisions can have the force of law without the emperor's confirmation; his own decrees are perpetual and irrevocable laws, provided they do not infringe upon customs or the public good, and after they have been registered by the viceroys, the provincial courts, and published throughout their jurisdiction; but likewise, the emperor's declarations or laws have no force in the empire except after registration in the sovereign courts.

Proof of this can be seen in volume XXV of the *Lettres édifiantes*, page 284. The missionaries could not derive any benefit from a declaration by the emperor, which was favorable to the Christian religion, because it had not been registered and carried out the usual formalities.

The practice of remonstrating with the emperor has always been authorized by law in China and is exercised freely and courageously by the courts and high-ranking mandarins. It is argued to him, with as much sincerity as boldness, that moderating his power strengthens it instead of destroying it; that certain of his ordinances being contrary to the good of the people, they must be revoked or modified; that one of his favorites is abusing his benevolence to oppress the people, and that he should be deprived of his offices and punished for his abuses.

If it should happen that the emperor disregarded these remonstrances and made the mandarins who had the courage to embrace the public cause bear the brunt of his resentment, he would fall into contempt, and the mandarins would receive the highest praise; their names would be immortalized and eternally celebrated with all kinds of honors and accolades. Even the cruelty of a few unjust emperors did not deter these generous magistrates; they successively exposed themselves to the dangers of the most cruel death, which had already been suffered by the first who had presented themselves. Such terrible examples did not dampen their zeal; they exposed themselves one after another, until the tyrant, himself frightened by their courage, yielded to their demands. But ferocious and recalcitrant emperors are rare in China; it is not a barbaric government; its fundamental constitution is entirely independent of the emperor; violence is abhorred there, and generally the sovereigns conduct themselves in a completely opposite manner, even recommending that their shortcomings not be left unknown.

One of the last emperors, in a warning he issued, written in red ink, exhorted all mandarins who, according to their rank, had the right to submit reports, to reflect carefully on what might contribute to the good of the government, to communicate their insights to it in writing, and to censure without restraint anything they found reprehensible in its conduct; such exhortations from the sovereigns themselves were frequent.

The censors, called *Kolis*, rigorously examined everything and were formidable even to the emperor and princes of the blood. These censors informed the emperor, through individual reports, of the mandarins' faults; these reports were immediately circulated throughout the empire and sent to the *Lii-Pou*, which usually pronounced the condemnation of the guilty party. In short, the authority of these inspectors was very great, and their firmness in their resolutions equaled their power. Even the emperor is not immune from their censure when his conduct deviates from the rules and laws of the state. Chinese history offers astonishing examples of their boldness and courage. If the court, or the high tribunal, attempts to evade justice in addressing their complaints, they return to the charge, and nothing can deter them from their undertaking. Some have been known to pursue a viceroy, supported by all the high-ranking officials of the court, for two years, undeterred by delays or intimidated by threats, and finally force the court to degrade the accused for fear of upsetting the people (*History of Conspiracy and Plots, etc.*).

There is perhaps no country where one can remonstrate with the sovereign with more freedom than in China. Under one of the last emperors, a commander-in-chief of the armies, who had rendered considerable services to the state, deviated from his duty and even committed enormous injustices. The accusations against him demanded his death. However, because of his merit and dignity, the emperor wished all the principal mandarins to send their opinions on the matter to court. One of these mandarins replied that the accused was worthy of death; but at the same time, he presented his grievances against a highly respected minister, whom he believed to be far more criminal than the commander-in-chief. The emperor, who was fond of this minister, was somewhat astonished by the mandarin's boldness, but he did not express his displeasure. He returned the memorandum after writing these words in his own hand: "If my minister is guilty, you must accuse him, not in general terms, but by specifying his faults and producing the evidence you possess." Then the mandarin, without fear of causing offense, went into great detail on all the charges and showed the emperor that the minister had abused his trust to tyrannize the people through all sorts of exactions; he portrayed him as a man who sold his credit and always sided with those who gave him the most money. "This unworthy minister," he said, "will have fattened himself on the blood of the people, violated the laws, scorned reason, offended heaven, and so many crimes will go unpunished because he is related to the imperial family? Your Majesty may well say, 'I forgive him,' but will the laws forgive him? It is love for these sacred laws that compels me to speak and to write." These remonstrances had their effect. The minister was stripped of all his offices, expelled from court, and sent into exile in a distant province. (Interesting and curious miscellany.) Two similar examples worthy of attention are found in a memoir by Mr. Fréret, published in the proceedings of the Academy of Letters. Another, equally remarkable, is found in the memoirs of Father Lecomte.

There are six sovereign courts in Beijing, whose departments are as follows:

The first is called Li-pou; it appoints the mandarins who are to govern the people and oversee the conduct of all the magistrates of the empire; it is also the custodian of the seals.

The second, named Xou-pou, is responsible for collecting tribute and managing finances.

The third, which is also called Li-pou, is responsible for maintaining the customs and titles of the empire.

The care of the fourth, which is called Ping-pou, extends to the troops and posts established on all the major roads which are maintained from the emperor's revenues.

The Hing-pou, the fifth court, judges crimes; all capital cases are definitively judged there; it alone has the right to impose a death sentence without appeal; however, it cannot execute a criminal until the emperor has endorsed the sentence.

Inspections of public works, and everything concerning ports and the navy, fall under the jurisdiction of the court called Kong-pou. All these courts are divided into different chambers to which cases are assigned, and since their jurisdiction is not uniform, the number of judges in each court varies accordingly.

Several other lower courts are also subordinate to these six sovereign courts.

All these courts are truly above only the emperor, or the grand council, known as the Co-la-us court, composed of four or six mandarins, who are like ministers of state. The six superior courts have the departments that are divided in our system among the Secretaries of State, the Chancellor, and the Comptroller General of Finances. All these courts are closely supervised by very strict inspectors who are very attentive to their conduct. They do not handle matters of state unless the Emperor sends them or assigns them for that purpose. In that case, if one needs the other, they consult and work together to allocate money and troops, according to imperial custom and the demands of the situation. At all other times, each court only deals with matters within its jurisdiction.

In such a vast kingdom, it is easy to understand that the administration of finances, the command of troops, the management of public works, the selection of magistrates, and the maintenance of laws, customs, and the administration of justice require these first courts to exercise their functions freely. This is what gave rise to the multitude of mandarins at court and in the provinces.

# **CHAPTER IV**

## **Taxation**

The sum that the empire's subjects must pay is determined by the acre of land they own, which is valued according to the land's quality. For some time now, only landowners have been required to pay the *taille* (land tax), not those who cultivate the land.

No land is exempt, not even that belonging to temples. No seizure is carried out on those who are slow to pay; this would ruin families, burdening the state. From spring until harvest, it is forbidden to harass the peasants. After this time, a share of the produce is received from them, either in kind or in cash, or the poor and elderly are sent to their homes, where they are fed in each city by the sovereign's charity. They remain there until they have consumed what is owed to the emperor. This arrangement applies only to small landowners who cultivate some portion of their land themselves. For, as we have just seen, farmers are not burdened with the tax levied on the land they cultivate, or if they were asked to pay it, it would be as a reduction in the rent, as is the practice in France with regard to the twentieth tax levied on landowners' income; thus, this payment made by the farmer, whether by him or her, is of no consequence to him and does not expose him to being transferred.

Father Duhalde says that the total annual tax is one billion of our currency. This tax is relatively small considering the extent of the country under the emperor's rule, which proves that the properties, although valued fairly, are lightly taxed.

The emperor can increase the tax when the needs of the state require it; however, except in cases of pressing necessity, he rarely uses this power; he even customarily exempts one or two provinces each year from paying their share. And these are the ones that have suffered some damage, whether from illness or other unfortunate events.

It is the second sovereign court of Beijing, called the Hupu, which, as we have said, directs the finances; all the state's revenues pass through its hands, and the guardianship of the imperial treasury is entrusted to it; in that country, there are neither tax farmers nor general or particular tax collectors. In each city, the principal magistrates are responsible for collecting taxes. These mandarins report to the treasurer general established in each province, who reports to the Hupu, and this court reports to the emperor.

Following the ancient principles of the Chinese government, which regard the sovereign as the head of a large family, the emperor provides for all the needs of his officials. A portion of the province's taxes is spent on the pensions of all kinds of magistrates and all other stipenders; on the upkeep of the poor, the elderly, and the disabled; through the payment of troops; through the expenses of public works; through the maintenance of posts and all the major roads of the empire; through the costs of examinations and the expenses of travel for candidates for degrees; through the revenues intended to support the dignity of the princes and princesses of the imperial family; through the aid that the emperor grants to provinces afflicted by calamities; through the rewards that he distributes to support emulation and good

examples, or to recognize the good services of those who, in whatever way, have procured some advantage for the State, or who have distinguished themselves by notable actions.

Mandarins summoned from the provinces to the court, or sent by the court to the provinces, are provided with expenses for the entire journey, as are their retinues, and are furnished with the boats and carriages they require. The same applies to ambassadors of foreign powers; they are maintained at the emperor's expense from the day they enter his territory until their departure. Upon arrival at court, they are lodged in a palace where the emperor covers all their expenses. As a token of friendship, he sends them dishes from his own table every two days; and when he wishes to show affection, he sends them extraordinary meals.

We have seen that the Chinese are simple, though well-arranged internally, in their private dwellings; it is quite different in works intended for public benefit, and especially in major roads. Astonishing magnificence in construction, singular attention to maintenance, admirable policing for their safety—nothing is spared to provide travelers, merchants, and carters with comfort and security.

The main roads are commonly eighty feet wide; one sees several where benches have been erected on the right and left, supported by a double row of trees at intervals; these are resting places in the form of grottoes, providing convenient and pleasant shelters for travelers. These resting places are usually the work of some elderly mandarins who, retired to their provinces, seek to gain the goodwill of their compatriots. These hospices are all the more advantageous to travelers as inns are rare, even on the main roads. In summer, charitable people distribute tea free of charge to poor travelers, and in winter they provide them with hot water infused with ginger. The most frequented roads have, every half league, small towers whose roofs form sentry boxes; these towers are made of turf and packed earth; their height is only about twelve feet.

There is a guardhouse there to ensure the safety of travelers: these towers also serve to mark the distances from one place to another and to indicate the names of the main towns in the vicinity.

The soldiers stationed in these sentry boxes are also responsible for passing letters from the court to the governors of the towns and provinces. Each mandarin is ordered to oversee the maintenance of the public roads in his district, and the slightest negligence is severely punished. One mandarin, having failed to act diligently enough to repair a road on which the emperor was to travel, preferred to take his own life rather than suffer the shameful punishment that would have been imposed upon him. Another mandarin was ordered to drain a marsh; whether through inexperience or lack of vigilance, he failed in this undertaking. He was put to death.

Let us not forget one of China's marvels in the accounting of public works expenses: the great royal canal. It is three hundred leagues long and cuts through China from north to south. Emperor Shizu, founder of the twentieth dynasty, having established his court in Beijing as the center of his dominion, had this magnificent canal built to supply his residence with everything necessary for his court and the troops in his entourage. There are always four to five thousand barges there, many of which are eighty-ton vessels from the port, continuously employed to provide sustenance for this great city. The care of its maintenance is entrusted to a large number of inspectors, who continually inspect the canal with workmen who immediately repair any damage.

# **CHAPTER V**

## **Of Authority**

If we are to believe the English authors of universal history, “there is no power on earth more despotic than the Emperor of China.” If by despotism they mean the absolute power to enforce the laws and fundamental maxims of government exactly, then indeed there is no other human power in China capable of weakening that of the Emperor, who is so rigorous in matters of justice that the constitution of the government would demand its protection against any arbitrary clemency he might exercise through unjust patronage. But if these historians attribute to him an arbitrary authority superior to the laws of government, they were unaware that the constitution of the Chinese government is established on natural law in such an irrefutable and dominant manner that it protects the sovereign from doing evil and assures him, in his legitimate administration, the supreme power to do good; so that this authority is a blessing for the prince and a delightful rule for his subjects.

The sincere respect shown to the emperor corresponds to the superiority of his authority and closely resembles adoration; he is given the most magnificent titles, such as Son of Heaven, Holy Emperor, etc. The prime ministers, the high-ranking officials of the empire, the princes of the blood, even the emperor's own brother, never speak to him except on their knees; this veneration extends to the things used for his purposes; one prostrates oneself before his throne, before his belt, before his robes, etc. A Chinese person, whatever their rank, does not dare to pass by the emperor's palace on horseback or in a carriage; as soon as one approaches it, one dismounts and does not remount until a few steps away, etc.

The emperors of China do not abuse such submission to tyrannize their subjects; It is a generally accepted maxim among this people (and based essentially on the constitution of the government) that if they have filial obedience to their sovereign, he must in turn love them like a father; thus, these princes govern with great gentleness and make a point of displaying their paternal affection.

The emperor has two councils established by law: one extraordinary, composed of princes of the blood; the other ordinary, or composed of the ministers of state, called Colaos. It is these latter who examine major matters, report them to the emperor, and receive his decisions.

Besides the sovereign council, there are also six sovereign courts in Beijing, whose functions we have already explained. It must be noted that, through a most reasoned political maneuver, in order to preserve the unity of authority under a single head, and to prevent these bodies from undermining imperial authority or plotting against the State, the objects over which their power extended were so divided that they were all mutually dependent. Thus, if a military project was involved, the formation and marching of the armies fell under the jurisdiction of the Ping-pou, while their payment was ordered by the Hou-pou, and the barges, the ships for their transport, and the navy were under the jurisdiction of the Kong-pou. In addition to this precaution, the court also appointed an inspector who examined everything that transpired in each tribunal. Without having a deliberative vote, he attended all assemblies and was informed of all the deliberations. He secretly warned the court, or even publicly accused the

mandarins of the faults they committed, not only in the exercise of their duties, but also in their private lives. Their actions, their words, their morals, everything is rigorously censored. These officers, known as Kolis, are feared even by princes of the blood and the emperor himself.

Each of the six supreme courts is composed of two presidents with four assistants, and twenty-four councilors, twelve of whom are Tatars and twelve Chinese. Countless other, less important tribunals are subordinate to these sovereign courts, to which all important matters ultimately return.

As for the provinces, they are directly governed by two types of governors: some govern a single province and reside in the capital, while others are subject to viceroys called Tsong-tou, who govern two, three, or even four provinces simultaneously. Regardless of the authority of these particular governors, their respective rights are so well regulated that conflicts between their jurisdictions never arise.

It is difficult to believe that the Emperor of China has the time to personally oversee the affairs of such a vast empire and to receive the homage of the multitude of mandarins whom he appoints to vacant positions, or who seek to attain them. but the order observed there is so marvelous, and the laws have so well provided for all difficulties, that two hours each day suffice for so much care.

# CHAPTER VI

## **Section I**

### **Administration**

In the capital of each province, there are several civil and criminal courts, all answerable to the sovereign courts of Beijing and subordinate to the provincial governors and the Tsong-Tou, not to mention countless lower courts that hear certain cases according to the commissions they receive. All the towns also have their governors and several subordinate mandarins who administer justice; thus, the third-tier towns depend on the second-tier towns, which, in turn, are subject to the first-tier towns. All the provincial judges are subordinate to the Tsong-Tou, or viceroy, who represents the emperor and enjoys extraordinary prestige; but the authority of this high-ranking official is limited by that of the other mandarins who surround him and who can accuse him when they deem it appropriate for the good of the state.

All the mandarins are further restrained by the visitors whom the court sends to each province, called Kolis. The fear instilled by these controllers is so widespread that it has given rise to the proverb, "The rat has seen the cat." And not without reason; for these censors have the right to strip all offending mandarins of their influence and positions.

These censors inform the emperor, through private reports, of the mandarins' offenses; these reports are immediately circulated throughout the empire and sent to the Lii-pou, which usually pronounces the guilty party's sentence. In short, the authority of these inspectors is very great, and their resolve matches their power; even the emperor is not immune from their censure when his conduct deviates from the rules and laws of the state. The history of China offers astonishing examples of their boldness and courage.

Nothing is more admirable than the way in which justice is administered. Since the judge is appointed to his office free of charge and his salary is fixed, it costs nothing to obtain it. In ordinary matters, an individual may appeal to the higher courts; and if he deems it appropriate, for example, a resident of a town, instead of appealing to the governor of his residence, may appeal directly to the governor of his province, or even to the Tsongtou; and once a higher judge has taken cognizance of a case, the lower judges take no further part in it, unless it is referred to them. Each judge, after the necessary inquiries and certain procedures, the care of which falls to subordinate officers, pronounces the sentence dictated by his justice; he who loses his case is sometimes condemned to flogging for having initiated a lawsuit with bad intentions, or for having pursued it against all appearance of fairness.

For important matters, judgments of the viceroys may be appealed to the supreme courts of Beijing; These courts pronounce judgments only after informing His Majesty, who sometimes pronounces them himself after having conducted all the necessary investigations. The sentence is immediately drawn up in the Emperor's name and sent to the Viceroy of the

province, who remains responsible for its execution. A decision in this form is irrevocable; it is called a holy command, that is to say, a judgment without flaw or partiality.

Criminal cases require no more formalities than civil cases. As soon as the magistrate is informed of a case, he can have the guilty party punished immediately. If he himself witnesses any disorder in a street, in a house, or on a road, or if he encounters a gambler, a debauchee, or a rogue, without further ado he has him given twenty or thirty lashes by his entourage; after which he continues on his way. However, this guilty party can still be summoned to a tribunal by those whom he has wronged. His trial is then formally conducted, and it ends only with a severe punishment.

The emperor appoints a commissioner to examine all criminal cases; often he refers them to different courts until their judgment conforms to his own. A criminal case is never closed until it has passed through five or six courts, each subordinate to the others, which all conduct new proceedings and take instructions regarding the life and conduct of the accused and witnesses. These delays, it is true, cause the innocent to languish in chains for a long time; but they always save them from oppression.

## Section II Criminal Laws

Thieves caught armed are condemned to death by law; if they are unarmed, they suffer a punishment, but without losing their lives, according to the nature of the theft; the same applies if their crime was not carried out.

In general, penal laws are quite lenient in China; and if repeated examinations of criminal proceedings delay justice, the punishment is nonetheless certain, always regulated by law and proportionate to the crime. Flogging is the lightest punishment; it takes very little to warrant it, and it confers no shame; even the emperor sometimes has it administered to people of distinguished rank, and sees them no less after this correction.

The cane is the instrument with which it is administered; it is a fairly thick piece of split bamboo, several feet long, one end as wide as a hand, and the other is smooth and thin, serving as a handle. A mandarin, whether on the march or in audience, is always surrounded by officers armed with these instruments; although this rather violent torture can cause death, the guilty find a way to elude the executioners, who are adept at delivering their blows with such lightness that they are almost imperceptible; often, men readily offer themselves to bear the punishment in place of the guilty party.

Pantse is the ordinary punishment for vagrants, night runners, and able-bodied beggars; it is true that most of these beggars, of whom one sees large numbers in China, are all deprived of some physical faculties; there are especially many blind and crippled people who inflict a thousand harsh punishments on their bodies to extort alms.

The rank of mandarin does not exempt one from pantse, but magistrates must have been degraded beforehand. If a mandarin receives this punishment by order of the viceroy, he has the right to justify his conduct before the emperor or the Lii-pou: this is a restraint that prevents viceroys from abusing their authority.

Another less painful but still stigmatizing punishment is the cangue or the straitjacket; it consists of two pieces of wood joined around the neck like a collar, and worn day and night, according to the judge's order; the weight of this burden is proportionate to the crime; some weigh as much as two hundred pounds and are five or six inches thick; a man wearing the cangue may neither see his feet nor put his hand to his mouth. To prevent anyone from freeing themselves from it, the magistrate covers the joints with a strip of paper sealed with the public seal, on which is written the nature of the crime and the duration of the punishment. When the term expires, the guilty party is brought before the mandarin, who releases him with a brief exhortation to behave better; to make the memory of this more vivid, some twenty blows with a pan conclude his speech.

There are certain crimes for which a criminal is branded on the cheeks with Chinese characters, expressing the reason for his condemnation; others are punished by banishment from the empire, or condemned to tow the royal barges; but these punishments are always preceded by flogging.

Only three capital punishments are known: strangulation, beheading, and dismemberment; the first is considered the mildest and not shameful; their view is quite different regarding the second; they believe that there can be nothing more degrading than not preserving one's body in death as whole as one received it from nature.

The third is that of traitors and rebels; the guilty party is tied to a pillar; first, his head is skinned, his eyes are covered with his own skin to hide his torment, and then all parts of his body are successively cut off; the executioner is a common soldier, whose duties are not considered shameful in China, or even in Beijing; he wears a yellow silk sash to command the respect of the people and to show that he is vested with the emperor's authority.

The prisons of China appear neither horrible nor as filthy as those of Europe; they are very spacious, well laid out, and convenient: although they are usually filled with a great number of wretches, order, peace, and cleanliness reign at all times thanks to the care of the jailer. In the prisons of Can-tong alone, there are usually fifteen thousand prisoners. The state does not feed them; But they are allowed to engage in various tasks that provide them with their livelihood. If a prisoner dies, the emperor is notified. An infinite number of attestations are required, proving that the local mandarin was not bribed to cause his death; that he personally visited him, summoned a doctor, and administered all necessary remedies.

The women have a separate cell, which men do not enter: it is barred, and everything they need is passed to them through a kind of tower. "But what is most remarkable about Chinese prisons," says Navaret, who was imprisoned there with other missionaries, "is that we were all treated with gentleness and as much respect as if we had been of distinguished rank."

### **Section III**

## **Mandarins of the Empire**

We have seen that to become a mandarin, one had to have attained the various degrees leading to a doctorate. The political government revolves around all these learned mandarins. Their number is thirteen to fourteen thousand throughout the empire: those of the first three orders are the most distinguished, and it is from among them that the emperor chooses the Ko-la-os, or ministers of state, the presidents of the sovereign courts, the governors of the provinces and major cities, and all the other high-ranking officials of the empire.

The mandarins of the other classes hold subordinate positions in the judiciary and finance, govern small towns, and are responsible for administering justice there. These last six classes are so subordinate to the mandarins of the first three that the latter can order the beatings of the others.

All are intensely jealous of the marks of dignity that distinguish them from the common people and other scholars. This insignia is a square piece of cloth worn on the chest; it is richly decorated, and in the center is the emblem specific to their office. For some, it is a four-clawed dragon; for others, an eagle or a sun, and so on. For the mandarins of arms, they wear lions, tigers, panthers, and so forth.

Although there is absolute interdependence among these various powers that govern the state, the lowest mandarin has absolute power within his jurisdiction, but is subordinate to other mandarins whose authority is more extensive; these, in turn, are subordinate to the general officers of each province, who, in turn, are subordinate to the sovereign courts of Beijing.

All these magistrates are respected, in proportion to the emperor, whose majesty they appear to represent: in their courts, the people speak to them only on their knees. They never appear in public except with imposing regalia and accompanied by all the officers of their jurisdiction. Among the symbols of their authority, one must not forget the imperial seal. The emperor's seal is made of fine jasper, square, and about four to five inches in diameter: he is the only one who can possess one of this material. The seals given to princes, as a mark of honor, are gold; those of the mandarins of the first three orders are silver; the others, of a lower rank, are made only of copper or lead; their size varies according to the rank of the mandarin who holds them.

Nothing is more magnificent than the governor's procession leaving his palace; he never has fewer than two hundred men in his retinue; from this, one can judge the pomp that must accompany the emperor. But despite the authority enjoyed by all mandarins, it is very difficult for them to maintain their positions unless they strive to be seen as fathers to the people and to appear to show them sincere affection. A mandarin accused of the opposite failing would certainly be noted in the reports that the viceroys send to court every three

years, listing all the mandarins under their jurisdiction. This single note would be enough to cost him his post.

There are, above all, certain occasions when mandarins feign the greatest sensitivity toward the people; these are when there is fear for the harvest and when some plague threatens them. Then, they are seen, dressed casually, walking among the temples, setting an example of self-denial and strictly observing the general fast prescribed in such cases.

Since a mandarin is established solely to protect the people, he must always be ready to listen to them. If someone comes to claim justice, he beats loudly on a drum located near the hall where he holds court, or outside the building; at this signal, the mandarin, however busy he may be, must drop everything to hear the petition.

Educating the people is another of his principal functions. On the first and fifteenth of each month, all the mandarins of a place assemble in a ceremony, and one of them delivers a speech before the people. The subject of this speech always revolves around paternal kindness, filial obedience, the deference due to magistrates, and everything that can maintain peace and unity.

The emperor himself occasionally summons the high-ranking lords of the court and the leading mandarins of the Beijing courts to instruct them in matters drawn from canonical texts.

Since the laws forbid mandarins from engaging in most forms of entertainment, such as gambling, walking, and visits, they have no other amusements than those they find within their palaces. They are also forbidden to receive any gifts.

A mandarin convicted of receiving or demanding a gift loses his position. If the gift amounts to eighty ounces of silver, he is punished by death. He may not hold any office in his native city, nor even in his province. His place of employment must be at least fifty leagues from the city of his birth.

The government's attention to this matter is so great that a son, a brother, or a nephew cannot be a lower mandarin where his father, brother, or uncle is a higher mandarin. If the emperor sends the father or uncle of a junior mandarin as viceroy of a province, the latter must inform the court, which then assigns him to the same position in another province.

Finally, nothing is more effective in maintaining the duty of all those involved in the administration of public affairs than the gazette printed daily in Beijing and distributed throughout all the provinces; it is a pamphlet of sixty to seventy pages. Not a single article relates to events outside the empire. We read the names of the deposed mandarins and the reasons for their disgrace.

# **CHAPTER VII**

## **Shortcomings Attributed to the Government of China**

The despotism or absolute power of the Chinese sovereign is greatly exaggerated by our political writers, or at least they view it with great suspicion. Montesquieu, in particular, ventured many conjectures, which he presented with such skill that they could be considered specious sophisms against this government. By referring our readers to the *\*Recueil des mélanges intéressants et curieux\**, pages 164 and following, volume V, we could avoid entering into any examination of Montesquieu's arguments, which the author of this collection has very skillfully discussed and refuted. However, it might seem that we would be attempting to evade them if we neglect to present them here. At least they can be compared with the facts gathered in our compilation.

“Our missionaries,” says Montesquieu, “speak to us of the vast empire of China as an admirable government, which blends in its principles fear, honor, and virtue; “I don’t know what honor means among a people who do nothing but beatings.” The criticism is harsh in this portrayal; beatings are, in China, a punishment reserved for the guilty, just as whippings, galley service, etc., are punishments in other kingdoms. Is there any government without penal laws? But is there one in the world where so many means are employed to inspire emulation and honor? Montesquieu’s silence on this matter is clear proof of his exaggeration and his deliberate intention to portray the Chinese as servile and enslaved under a tyrannical authority.

“Moreover, our merchants are far from giving us any idea of this virtue that the missionaries speak of.” “This concerns a matter of private conduct regarding trade with foreigners, which has no connection whatsoever with the harshness of exercising absolute authority: it is a very misplaced quarrel in relation to the author’s subject. Should the reproach in question extend to the internal trade that the Chinese conduct among themselves? European merchants who travel to China do not penetrate the interior of that kingdom: thus, Montesquieu cannot, in this respect, rely on the testimony of these merchants. If the testimony of the missionaries had supported Montesquieu’s ideas, he could have cited it with greater certainty, because they resided assiduously and for a long time in that empire, and traveled throughout all its provinces.” It is too risky to contrast their accounts with those of European merchants, who cannot tell us whether the Chinese’s bad faith in their trade with them is not a right of reprisal; but the author can still draw no conclusions regarding the supposed tyrannical despotism of the prince.

If it is precisely the virtue of the Chinese that Montesquieu wishes to censure, is that of the merchant who trades with foreigners a representative of the virtue of the farmer and other inhabitants? With such a representative sample, could one truly judge the virtue of other nations, especially those where all foreign trade is a monopoly under the protection of the government? “The letters of Father Parennin, concerning the trial that the emperor brought against newly minted princes of the blood who had displeased him, reveal to us a plan of tyranny consistently pursued, and offenses against nature committed with method, that is to say, in cold blood.” “Regarding the trial that the emperor brought against neophyte princes of

the blood; this last word seems deliberately intended to insinuate that these princes were prosecuted for embracing Christianity; but all the kingdoms of the world have had their martyrs, and in great numbers, for reasons of religion, by the very sanction of the laws. This has no connection whatsoever with the despotism of China; not even with the idea of the intolerance of the government of that empire, where cruelties were almost never perpetrated on the grounds of religion: and the event in question was not of this kind; for the prince was very tolerant of Christianity. These princes, it is said, had displeased him: moreover, according to history, they had plotted against him; and some Jesuits were implicated in this unfortunate affair: it is a particular case of politics, where it is difficult to fully grasp the motives for the trial.”

But a single case of this kind did not allow Montesquieu to present it as an example of a consistently pursued plan of tyranny: this is all the more outrageous given that this emperor is recognized as one of the good princes who ever reigned. An author who is so inattentive to the truth when arguing in favor of his opinion would suggest that he was not sufficiently wary of prejudice. “We still have the letters from Father Parennin and M. de Mairan on the government of China: after many sensible questions and answers, all the wonder has vanished.” Do these letters attack the very constitution of the government—that is the question here—or do they merely reveal abuses that creep into the administration? Montesquieu, so eager for reprehensible facts, reports none. Would he have found in these letters only vague reasoning, sufficient to merely reflect the ill humor of Father Parennin, who, at that time, was not well-disposed toward the sovereign? But it must still be admitted that the mere mention of these letters tells us nothing, especially when one knows the bias of the author who quotes them. “Could it not be that the first missionaries were initially deceived by an appearance of order; that they were struck by this continual exercise of the will of one man, by which they themselves are governed, and which they so love to find in the courts of the kings of Asia; because, going there only to effect great changes, it is easier for them to convince the princes that they can do anything than to persuade the people that they must endure everything.” One must be quite lacking in evidence to resort to such suspicions; And after such efforts, one must realize that the Chinese government offers little ammunition to its detractors.

The missionaries may have been misled, it is said, initially by an appearance of order: had they gone further, they would have outright falsehoods; for they went into great detail about the facts. Why slip the word "initially" into this account? And why say "the first missionaries"? Did the others who continued to provide accounts of that country contradict them, or did they later retract their statements? It is quite ingenious to suggest that the missionaries believe the despotism of the Asian rulers is conducive to the success of their missions. Did these missions, then, make such great progress in Asia with the help of despots? Is it not everywhere, among the common people, that the missions begin to succeed, and that they sometimes manage to dominate to the point of worrying the rulers? The Jesuits did indeed obtain from a Chinese emperor a law favorable to Christianity; but this law was

null and void because it could not be formalized to have the force of law. The will of one man alone is therefore not decisive enough in China to facilitate, as Montesquieu claims, the successes of the missionaries, nor to have led them to base all their hopes on this despotism.

“Such is the nature of things that bad government is punished first. Disorder arises suddenly because the prodigious population lacks sustenance.” A large population can only accumulate under good governments; for bad governments destroy both the rich and the people. A little attention to this prodigious population is enough to dispel all the misgivings one might wish to spread over the government of China. In telling us that the needs of such a vast multitude of people are daunting in a bad government, Montesquieu constructs an argument that implies a contradiction; a prodigious population and a bad government cannot coexist in any kingdom in the world. “An emperor of China will not feel, as our princes do, that if he governs badly he will be less happy in the afterlife.” If Montesquieu had the good fortune to be more enlightened about religion than the emperors of China, he must nonetheless have recognized in it the dogmas of natural law and the belief in an afterlife, with which these princes were imbued. He was also well aware that there are numerous examples of the piety they have demonstrated in a striking manner, in cases where the needs of the state have led them to implore divine providence. “He will know that if his government is not good, he will lose his kingdom and his life.” “According to Montesquieu, the emperors of China therefore have less fear of the punishments of the afterlife than other sovereigns. This motive was not necessarily part of the author's general plan, which focused on the spirit of human laws, established, in his view, for the security of nations against the excesses of governments and against the abuses of sovereign power, which must be moderated by counterweights that contain them in order”

Would Montesquieu consider the Chinese emperor's fear of losing his kingdom and his life an insufficient reason to temper the despotism of this sovereign? Would the counterforces he wished to establish be more powerful and more compatible with the lasting stability of a good government? “Since, despite the exposure of children, the population in China continues to grow, tireless work is required to make the land produce enough to feed them; this demands great attention from the government. It is always in its interest that everyone can work without fear of being deprived of their labor. It must therefore be less a civil government than a domestic one. This is what has produced the regulations so often discussed.” Thus, according to the author, it is the large population that reduces the despotism of China to a domestic government and that has produced the regulations necessary to ensure the subsistence of the inhabitants of this empire; Montesquieu here mistakes the effect for the cause. He failed to perceive that this prodigious number of inhabitants could only be a consequence of the good government of this empire; however, he should have noticed, by consulting the history of China, that indeed these good regulations, of which so much is said, have been established there since time immemorial. “They tried to make laws reign alongside despotism; but what is joined with despotism has no strength. In vain has this despotism, pressed by its misfortunes, tried to chain itself! It arms itself with its chains and becomes

even more terrible." The author wanted to end this discourse with a vigor that consists only of style; for it is not understood, and he himself did not understand, what he meant by this language: In vain has this despotism, pressed by its misfortunes, tried to chain itself! It arms itself with its own chains and becomes even more terrible. The chains in question here are the laws that strengthen the government of which the emperor alone is the head; but these laws become weapons for him, making him even more terrible to the nation he governs.

A great and very imperious queen said to her subjects: "You have laws, and I will make you observe them well." This threat could only frighten the wicked. Good laws make a good government, and without the observance of its laws, the government would have no substance. The severe despot, armed with laws, will enforce them rigorously, and good order will reign in his states. But Montesquieu tells us that what is joined to despotism has no power: what a jumble of ideas! Laws, joined to despotism, are very formidable; laws, joined to despotism, are powerless. With laws, despotism is terrible; with despotism, laws are null. Montesquieu brings together all these contradictions concerning a government that is the oldest, most humane, most extensive, and most flourishing that has ever existed in the world! Why did this government cause such great unease in the author's mind? Because it is ruled by a despot, and he always sees despotism as an arbitrary and tyrannical form of government.

The furtive abuses, although rigorously repressed in China, constitute a charge against the government of that empire. The mandarins are reprimanded by the visitors called Kolis, whom the court sends to each province; these censors have the right to strip offending mandarins of their influence and positions, yet their visits do not end without their return to court, reportedly laden with four or five hundred thousand crowns, which the guilty parties give them to protect themselves from accusation. It happens in China, as everywhere else, that the severity of the censors and the justice system are exercised only on those whose misdeeds are too well known to be disguised, or on those whose poverty deprives them of the means to indulge their avarice and buy testimonies of virtue. One can consult, says Montesquieu, our merchants on the brigandage of the mandarins.

Near the most perilous spot on Lake Jao-tcheou, there is a temple perched on a steep rock, the subject of great superstition. When approaching it, Chinese sailors beat a kind of copper drum to warn the idol of their passage; they light candles on the bow of their boats, burn incense, and sacrifice a rooster in its honor. The government maintains boats nearby to rescue those at risk of shipwreck, but sometimes those stationed in these boats to provide assistance are the first to kill merchants to enrich themselves with their spoils, especially if they hope to remain undetected.

However, the magistrates' vigilance is very active, especially on ceremonial occasions: a mandarin is less concerned with his own interests than with those of the people; his glory lies in assisting them and acting as their guardian. During a storm, the mandarin of Zhaozhou, after forbidding anyone to cross the lake, went to the shore himself and remained there all

day to prevent, by his presence, any reckless individual driven by greed from exposing themselves to the danger of death. (These acts of brigandage, examples of which we have just given, can be compared in this kingdom, as in all others, to the dangerous profession of thieves who, despite the severity of the laws, expose themselves to the dangers of suffering the punishments prescribed against them; but these crimes should not be attributed to the government when it uses all the precautions it can employ to prevent them, and when it severely punishes those found guilty.)

It is said that judicial positions are for sale in all parts of China, especially at court, and that the emperor is the only one who has the public interest at heart, all the others having only their own interests in mind; however, laws are established against the extortion of governors and other mandarins, which they find very difficult to carry out without the emperor's knowledge, for they cannot prevent the people's complaints in the face of oppression.

This alleged abuse said to occur at court is contradicted by other historians; "The Emperor of China," says the author of *\*The Revolutions\**, "wants to see everything with his own eyes, and there is no prince in the rest of the world who is more concerned with the affairs of government; he trusts above all only himself when it comes to appointing magistrates: it is not court intrigues that, as everywhere else, raise a man to the highest offices." A governor is regarded as the head of a large family in which peace can only be disturbed by his fault; thus, he is responsible for the slightest riots, and if the sedition is not quelled immediately, he at least loses his position. He must prevent the subordinate officers, who are all, like him, made to be occupied only with the public good, from oppressing the people: for this reason the law forbids making a man born not only in the same city, but also in the same province, a mandarin of a city, and even he is not left in his position for long, for fear that he might become partial: thus, most of the other mandarins of the same province being unknown to him, it rarely happens that he has any reason to favor them.

If a mandarin obtains a post in a province bordering the one from which he came, it must be in a city at least 50 leagues away. Such is the propriety that a junior mandarin is never placed in a position where his brother, uncle, etc., holds a higher rank, both because they might conspire to commit injustices and because it would be too difficult for a senior officer to be forced to accuse his brother, etc.

Every three years, a general review is conducted of all the mandarins, in which their suitability for the government is examined. Each senior mandarin, for example, of a third-tier city, reviews the conduct of his subordinates: the reports they make are sent to the senior mandarin of the second-tier city, who then either amends or confirms them. When the mandarin of a second-tier city receives the reports from all the mandarins of the third-tier cities within his district, he adds his own reports. He then sends the catalog to the mandarins-general residing in the capital. This catalog passes from their hands to those of the viceroy, who, after examining it personally, and then with the four mandarins who assist him,

sends it to the court augmented by his own reports. Thus, through this channel, the supreme court is fully aware of all the courts of the empire and is able to punish and reward. The supreme court, after examining the reports, immediately sends back to the viceroy the orders to reward or punish the mandarins whose reports are submitted. The viceroy dismisses those whose reports contain the slightest criticism of the government, or elevates those who are praised to other posts. Great care is taken to inform the public of these dismissals and rewards, and the reasons for them.

Furthermore, the emperor occasionally sends visitors to the provinces to gather information about the people and to observe the courts during the mandarin's hearings. If these visitors discover, through any of these means, any irregularity in the conduct of officials, he immediately displays the marks of his dignity, and since his authority is absolute, he promptly prosecutes and rigorously punishes the guilty party according to the law. But if the offense is not serious, he sends his information to the court, which decides what action to take. Although these visitors or inspectors are chosen from among the principal officials and are known for their high integrity, the emperor, to avoid being deceived and for fear that they might be corrupted by money, etc., takes the opportunity, when these inspectors least expect it, to travel to different provinces and personally ascertain the people's complaints against the governors.

On one of his visits, Emperor Kangxi noticed an old man weeping bitterly. He left his entourage, went to him, and asked the cause of his tears. "I had only one son," replied the old man, "who was my greatest joy and the support of my family. A Tartar mandarin has taken him from me. I am now deprived of all human assistance. Poor and old as I am, how can I compel the governor to grant me justice?" "There are fewer difficulties than you think," replied the emperor. "Get in behind me and guide me to the kidnapper's house." The old man climbed in without ceremony. The mandarin was convicted of violence and immediately condemned to be beheaded. After the execution, the emperor said to the old man with a serious expression, "As compensation, I give you the position of the culprit who has just been punished." Conduct yourself with more moderation than he did, and let his example teach you to do nothing that might, in turn, put you in a position to serve as an example. (When a government carefully monitors covert abuses and punishes them severely, these abuses should no more be held against it than the punishment it inflicts on the guilty. The passions of those who break the law are not vices of the government that represses them; can recalcitrant men who dishonor humanity serve as a pretext for denouncing the best governments?)

Tolerated abuses are undoubtedly flaws in a government, because all abuse is an evil; but when the government that tolerates them condemns them and grants them, through laws, no other protection than that which is personal to the citizens, there are certainly particular considerations that do not permit the use of violence to eradicate them, especially when these abuses do not attack the civil order of society and consist only of a few points of superfluous morality or fanciful credulity, which can be tolerated like a multitude of other prejudices

stemming from ignorance, and which are confined to the very people who indulge in these particular ideas. Such are, in China, the intrusive religions that superstition has admitted there; but the police repress the supposed zeal that would tend to spread them, through acts injurious to those who remain attached to the purity of the ancient religion, enshrined in the constitution of the government. This simple religion, the original religion of China, dictated by reason, is adopted by all other particular religions that revere natural law. It is on this essential condition that they are tolerated in the empire, because they do not infringe upon the fundamental laws of the government, and because the violence used to eradicate them could cause very dangerous disturbances in the civil order.

One of these intrusive religions is the sect of Laokum; it has grown more and more over time, and this is hardly surprising. A religion protected by princes and nobles, whose passions it flattered; a religion eagerly adopted by a cowardly and superstitious people; a religion seduced by false allurements that triumph over ignorance, a religion that has always believed in sorcerers, is a religion of all countries; could it fail to spread? Even today, few common people do not place some faith in the impostor ministers of this sect; they are called upon to heal the sick and drive out evil spirits.

These priests, after invoking demons, are seen conjuring the figures of their idols in the air, foretelling the future and answering various questions, by having a brush that appears on its own, without being directed by anyone, write what one wishes to know. They review, in a large vessel of water, all the people of a household; they show, in the same vessel, all the changes that are to occur in the empire, and the honors they promise to those who embrace their sect. Nothing is so common in China as stories of this kind. But although the historian of this empire piously states that it is hardly believable that everything is an illusion, and that there are indeed several effects that cannot be attributed to the power of the devil, we are far from reaching this conclusion. On the contrary, the supposed spells of Chinese magicians surprise us less than seeing a writer as enlightened as Father Duhalde readily attribute to the power of devils things in which the supernatural and surprising, in China as elsewhere, exist only in the minds of fanatics or fools. We can easily forgive the Chinese government its tolerance of this sect, since everywhere the prohibition against believing in sorcerers seems a truly ridiculous act of authority.

The other sect of superstitious religions is that of the Buddhist monks; they maintain that after death, souls pass into other bodies; that in the afterlife there are punishments and rewards; that the god Fu was born to save the world and to bring back to the right path those who had strayed from it; that there are five indispensable precepts: 1. not to kill any living creature, of whatever kind; this precept, which is incompatible with the good flesh, is poorly observed even by the monks themselves; 2. not to seize the property of others; this precept is a general law; 3. to avoid impurity; this is not a precept particular to this sect, nor is the one that follows; 4. not to lie; 5. to abstain from the use of wine. There is nothing in these precepts that requires government censure.

These monks strongly recommend not neglecting charitable works, which are prescribed by their instructions. Although the monks have a vested interest in these exhortations, they are entirely voluntary. Treat the monks well, they constantly repeat: provide them with everything they need for their sustenance; build them monasteries and temples: their prayers, the penances they impose upon themselves, will atone for your sins and protect you from the punishments that threaten you.

This is merely the ostensible doctrine of Fo, which consists only of tricks and artifices to exploit the credulity of the people. All these monks have no other aim than to amass money, and despite any reputation they may acquire, they are nothing but a collection of the vilest rabble in the empire. The dogmas of the secret doctrine are mysteries: it is not given to the common people or the ordinary monks to be initiated into them. To merit this distinction, one must be endowed with a sublime genius and capable of the highest perfection. This doctrine, which its adherents praise as the most excellent and the truest, is in essence nothing but pure materialism; but since it is not divulged, it remains shrouded in its own darkness. There have always been, in every kingdom of the world, reasoners whose minds do not extend beyond paralogism or incomplete argument: this is a deficiency of the mind, common not only in metaphysics, but even in tangible things, and which extends even to human laws. How could these laws themselves attempt to proscribe it? It can only be countered with evidence developed by superior minds.

Despite all the efforts of scholars to eradicate this sect, which they consider heresy, and despite the court's intention to abolish it throughout the empire, it has been tolerated until now, for fear of inciting unrest among the people, who are deeply attached to their idols (or pagodas). It is merely condemned as heresy, and this ceremony is performed annually in Beijing.

The Iu-Kiau sect is based solely on a metaphysical doctrine concerning the nature of the first principle; it is so confused and so full of ambiguities and contradictions that it is very difficult to grasp its system; it has even become suspected of atheism. If we are to believe the historian of China, this sect has very few adherents: true scholars remain attached to the old principles and are far removed from atheism. "Several missionaries of various ranks, prejudiced against the religion of the Chinese, were led to believe," this writer says, "that all scholars recognize as their principle only a blind and material celestial power; they said they could offer no other judgment unless the emperor would be so kind as to declare the true meaning of the words Tien and Chang-ti, and that these two terms meant the Lord of Heaven, and not the material heaven." The emperor, the princes of the blood, and the mandarins of the first class explained themselves clearly, as the missionaries had requested. In 1710, the emperor issued an edict that was inserted into the archives of the empire and published in all the newspapers: it made it clear that they were invoking the sovereign Lord of Heaven, the author of all things; a God who sees all, who governs the universe with as much wisdom as justice. It is not to the visible

and material heaven, this edict stated, that sacrifices are offered; But only to the lord, the master of all: the same meaning must be given to the inscription of the word Chang-ti, which is read on the tablets before which sacrifices are offered. If one does not dare to give the sovereign lord the name that befits him, it is out of a just sense of respect; and the custom is to invoke him under the name of supreme heaven, supreme benevolence of heaven, universal heaven; just as, when speaking respectfully of the emperor, instead of using his own name, one uses those of the steps of the throne, of the supreme court of his palace. Father Duhalde also reports much evidence which he draws from the emperor's declarations and his decisions on various occasions.

The religion of the Grand Lama, Judaism, Islam, and Christianity also penetrated China. However, our missionaries enjoyed such marked favor with several emperors that it attracted powerful enemies, who outlawed Christianity; it is now taught and practiced there only in secret.

It is said that in China, besides the land tax, there are some irregular taxes, such as customs duties and tolls in certain places, and a kind of personal tax in the form of a poll tax. If these allegations have any truth to them, it would indicate that the State is not sufficiently informed about its true interests in this matter; for in an empire whose wealth originates from its territory, such impositions are destructive of taxation itself and of the nation's revenues. This truth, which is difficult to grasp through reasoning, is rigorously demonstrated by calculation.

The disastrous effects of these irregular taxes should not, at least, be too ruinous in this empire, because in general taxation is quite moderate, almost always fixed, and levied without cost. Nevertheless, it remains true that such taxes, however small they may have been until now, must still be regarded as the seed of devastation that could blossom at another time. Thus, this error, if it exists, is a very real flaw that has crept into this government, but which should not be attributed to the government itself; since it is merely an administrative error, not a governmental one, and can be corrected without altering the constitution of this empire.

The overpopulation of China sometimes forces the poor to commit horrifying acts of inhumanity; nevertheless, this calamity should not be attributed to the very constitution of a good government. For a bad government that exterminates people through the destruction of wealth within a kingdom, or through continuous, unjust, or senseless wars instigated by unbridled ambition or the monopoly of foreign trade, presents a far more horrifying spectacle to those who observe it.

Population always exceeds wealth in both good and bad governments because population growth is limited only by subsistence, and it always tends to exceed that limit: everywhere there are people living in poverty.

It might be argued that wealth also exists everywhere, and that it is the unequal distribution of goods that places some in abundance and denies others what is necessary; that the population of a kingdom would not exceed the nation's wealth if it were more equally distributed; this may be partly true in nations given over to the plundering of unregulated taxation or of the monopoly authorized in commerce and agriculture by the government's poor administration; for these disorders create sudden accumulations of wealth that are not distributed, and which cause a void in circulation that can only be filled by poverty. But wherever the rich have their status based on the ownership of landed property, from which they derive large annual revenues that they spend annually, the indigence of a number of inhabitants cannot be attributed to the unequal distribution of wealth: the rich are, it is true, abundant; and all the more so in abundance, the more effectively they enjoy their wealth; But they can only enjoy these riches with the help of other men who benefit from their expenditures: for men can only spend for the benefit of one another; this is what creates that constant circulation of wealth upon which all the inhabitants of a well-governed kingdom base their hopes. It is therefore only by the measure of this wealth that the measure of the population should be regulated.

To prevent overpopulation in a well-governed nation, the only recourse is the colonies it can establish under the auspices of good administration. The populations it forms through the emigration of its surplus inhabitants, drawn by the fertility of a new territory, are the source of a multitude of indigent people who deserve great attention and special protection from the government. In this regard, one can find a very reprehensible prejudice in the administration of the government or among the inhabitants of China.

There are many very large islands in the vicinity of this empire, abandoned or nearly abandoned, which Europeans have taken possession of only recently. Should not these lands be of great help to China against its overpopulation? But nostalgia, or love of country, is so dominant among the Chinese that they cannot bring themselves to emigrate. It also appears that they are not guided by the administration's intentions, since it tolerates the exposure of children and the enslavement of a number of subjects reduced to such extremes, rather than establishing settlements outside the country that would be entirely to the advantage of the population and would prevent overpopulation within the kingdom. This is a failure to fulfill a duty that humanity and religion prescribe for reasons that are quite compelling and worthy of the attention of those whom Providence entrusts with the governance of nations: by fulfilling this duty, they restore the rights of men to uncultivated lands; they extend their dominion and the propagation of humankind.

The laws of the Incas delayed the marriage of girls until the age of twenty, and that of boys until the age of twenty-five, in order to ensure fathers and mothers the continued care of their children and thereby increase their wealth; this law would be no less suitable for China than it was for Peru. because, besides the reason that had determined the Incas to institute it, it would also have the advantage for China of preventing an excess of population, from which result disastrous effects that seem to degrade the government of this empire.



## **CHAPTER VIII**

### **Comparison of Chinese Laws with the Natural Principles that Constitute Prosperous Governments**

**Up to this point, we have outlined the political and moral constitution of the vast Chinese empire, founded on science and natural law, of which it is the product. In this compilation, we have followed to the letter the accounts of travelers and historians, most of whom are eyewitnesses, worthy of complete trust because of their knowledge and, above all, their unanimity. These facts, considered irrefutable, serve as the basis for the summary that follows in this final chapter, which is simply a methodical detail of the Chinese doctrine that deserves to serve as a model for all states.**

## **Section I**

### **Constitutive Laws of Companies**

The laws that constitute societies are the laws of the natural order most advantageous to humankind. These laws are either physical or moral. By a physical law constituting government, we mean the regulated course of every physical event in the natural order most advantageous to humankind. By a moral law constituting government, we mean the regulated course of every moral action in the natural order most advantageous to humankind. These laws together form what is called natural law.

These laws are established in perpetuity by the Author of nature, for the reproduction and continuous distribution of the goods necessary for the needs of human beings united in society and subject to the order that these laws prescribe.

These irrefutable laws form the moral and political body of society through the regular cooperation of the labors and individual interests of individuals, instructed by these very laws to cooperate with the greatest possible success for the common good and to ensure its most advantageous distribution to all the different classes of people in society.

These fundamental laws, which are not of human origin and to which all human power must be subject, constitute the natural rights of humankind, dictate the laws of distributive justice, establish the force that must ensure the defense of society against the unjust undertakings of internal and external powers, from which it must protect itself, and establish a public revenue to cover all the expenses necessary for the security, good order, and prosperity of the State.

## **Section II**

### **Supervisory Authority**

The observance of these natural and fundamental laws of the body politic must be maintained through a tutelary authority, established by society, to govern it by positive laws, in accordance with the natural laws that decisively and invariably form the constitution of the State.

Positive laws are authentic rules, established by a sovereign authority to fix the order of government administration; to ensure the observance of natural laws; to maintain or reform the customs and practices introduced into the nation; to regulate the particular rights of subjects with respect to their status; to decisively determine the positive order in doubtful cases, reduced to probabilities of opinions or proprieties; and to establish the decisions of distributive justice.

Thus, government is the most advantageous natural and positive order for people united in society and governed by a sovereign authority.

### **Section III**

#### **Diversity of Governments Imagined by Men**

This authority must not be surrendered to an arbitrary despot; for such domination forms a body that would successively change its leader, and that would deliver the nation to blind or unregulated interests that would tend to degenerate the tutelary authority into a fiscal authority, which would ruin both master and subjects: thus, this sovereign would be nothing but a predatory despot.

It must not be aristocratic, or given over to the great landowners who, by confederation, can form a power superior to the laws, reduce the nation to slavery, and, through their ambitious and tyrannical dissensions, cause the most atrocious damage, disorder, injustice, violence, and unbridled anarchy.

It must not be monarchical and aristocratic; For it would only constitute a conflict of powers that would alternately tend to subjugate one another, to exercise their vengeance and tyranny over the allies of the different parties, to seize the nation's wealth to increase their own power, and to perpetuate internal and barbaric wars that would plunge the nation into an abyss of misfortune, cruelty, and destitution.

It must not be democratic, because the ignorance and prejudices that prevail among the common people, the unbridled passions and fleeting furies to which they are prone, expose the State to tumult, revolt, and terrible disasters.

It must not be monarchical, aristocratic, and democratic, because it would be corrupted and disturbed by the exclusive private interests of the different orders of citizens who shared it with the monarch. Authority must be singular and impartial in its decisions and operations, and must be vested in a single leader who alone possesses executive power and the authority to compel all citizens to observe the laws, to ensure the rights of all against all, of the weak against the strong, and to prevent and suppress the unjust enterprises, usurpations, and oppressions of the kingdom's internal and external enemies.

Authority shared among the different orders of the state would become an abusive and discordant authority, lacking both a leader and a central point of convergence to address its deviations and ensure that particular interests align with the general order and good. A monarch stripped of sufficient power to govern the body politic effectively would strive only to re-establish his domination by any means necessary and, in order to secure it despotically, attain a degree of power exceeding the strength and rights of the nation itself.

The perpetual anxiety that these tyrannical intentions would cause in society would keep the body politic in a state of violence, continually exposing it to disastrous crises. The nobility and large landowners, poorly informed of their true interests and the security of their

prosperity, would oppose the establishment of public revenue on their lands, believing they could evade it by submitting to ruinous forms of taxation that would deliver the nation to the voracity and oppression of tax collectors and devastate the territory. The communes, where the Third Estate dominates as artisans, manufacturers, and merchants who disdain the farmer, would seduce the nation and strive only for monopoly, exclusive privileges, and the destruction of the reciprocal cooperation of trade between nations, in order to buy the country's produce at rock-bottom prices and oversell to their fellow citizens the goods they bring them. And so they persuade them, through their great fortunes acquired at the nation's expense, that their exclusive trade, which provokes continual wars with neighboring powers, is the source of the kingdom's wealth. All the different orders of the state thus contribute, in a mixed government, to the ruin of the nation through the discord of private interests that dismember and corrupt the tutelary authority and cause it to degenerate into political intrigues and abuses detrimental to society. It should be understood that we are not speaking here of purely mercantile republics, which are merely mercenary societies, paid by the nations that enjoy the wealth produced by the territory they possess.

Nor should authority be solely entrusted to the sovereign courts of distributive justice; too focused on the knowledge of positive laws, they might often ignore the laws of nature, which form the constitutive order of society and ensure the prosperity of the nation and the strength of the state.

Neglecting the study of these fundamental laws would encourage the introduction of the most destructive forms of taxation and positive laws most contrary to the economic and political order. Courts limited to a literal understanding of the laws of distributive justice would fail to trace their way back to the original principles of natural law, public law, and the law of nations. Nevertheless, it is advantageous for the State that these august bodies, charged with verifying and recording positive laws, extend their knowledge to natural laws, which are essentially the fundamental laws of society and the sources of positive laws; but it must not be forgotten that these primitive physical laws can only be studied in nature itself.

## **Section IV**

### **Security of the Company's Rights**

In a government free from these insidious forms of authority, the public good will always constitute the most powerful force of the State. The general and uniform agreement of wills, knowingly fixed upon the most excellent and advantageous laws for society, will form the unshakeable foundation of the most perfect government.

All positive laws that pertain to the general economic order of the nation influence the physical course of the annual reproduction of the kingdom's wealth; these laws demand of the legislator and those who verify them extensive knowledge and numerous calculations, the results of which must clearly demonstrate the advantages of the sovereign and the nation; especially the advantages of the sovereign, for it is necessary to motivate him, through his own interest, to do good. Fortunately, his interest, properly understood, is always in accord with that of the nation. Therefore, the council of legislators, and the courts that review the laws, must be sufficiently informed about the effects of existing laws on the annual reproduction of the nation's wealth, in order to decide on a new law based on its effects on this natural process. It is even necessary that the moral body of the nation, that is to say, the thinking part of the people, generally understand these effects. The first political establishment of the government would thus be the institution of schools for teaching this science. Except for China, all kingdoms have ignored the necessity of this establishment, which is the foundation of government.

## **Section V**

### **Natural Laws Ensure the Union Between the Sovereign and the Nation**

The clear and general knowledge of natural laws is therefore the essential condition for this convergence of wills, which can invariably ensure the constitution of a state by taking the authority of these divine laws as the basis for all the authority vested in the head of the nation, for it is essential that the citizens know their due. In a government where all orders of citizens have sufficient knowledge to clearly understand and reliably demonstrate the most advantageous legitimate order for the prince and the nation, would there be a despot who, with the support of the state's military forces, would undertake to do evil for evil's sake? To subvert the natural and constitutive laws of society, unanimously recognized and respected by the nation, and who would indulge, without any plausible reason, in tyrannical excesses that could only inspire horror and aversion, and provoke a general, invincible, and dangerous resistance?

The right to legislate and the right to impose taxes on the nation sometimes seem to be an inexhaustible source of disorder and discontent between the sovereign and the nation. These are inevitable causes that must always disrupt the constitutive order of society. This is indeed all too true in the disorder of these bizarre governments instituted by men. But man can no more create and constitute the natural order than he can create himself. The fundamental law of societies is contained within the general order of the formation of the universe, where everything is foreseen and arranged by supreme wisdom. Let us not stray from the paths prescribed for us by the Eternal; we will avoid the errors of humanity that would break the essential union between the sovereign and the nation. Let us not seek lessons in the history of nations or the errors of men; it represents only an abyss of disorder. Historians have only sought to satisfy the curiosity of their readers: their overly literal erudition is insufficient to shed the light that can illuminate this chaos.

## **Section VI**

### **The Constitutive Laws of Society are not of a Human Institution**

Legislative power, often contested between the sovereign and the nation, originally belongs to neither; its origin lies in the supreme will of the Creator and in the sum total of laws governing the physical order most advantageous to humankind. Without this foundation of physical order, nothing is solid; everything is confused and arbitrary in the order of societies. From this confusion have arisen all the irregular and extravagant constitutions of governments, conceived by those too poorly versed in theocracy, which has fixed invariably, by weights and measures, the reciprocal rights and duties of people united in society. The natural laws of the order of societies are the very physical laws of the perpetual reproduction of the goods necessary for the subsistence, preservation, and comfort of humankind. Now, man is not the architect of those laws that govern the order of natural processes and human labor, which must work in harmony with nature to produce the goods they need. This entire arrangement is a matter of physical constitution, and this constitution forms the physical order that subjects men united in society to its laws. Through their intelligence and cooperation, these men can obtain in abundance, by observing these natural laws, the goods they require.

Therefore, there is no dispute about legislative power concerning the fundamental laws that constitute societies, for it belongs solely to the Almighty, who has regulated and foreseen everything in the general order of the universe. Men can only add disorder to it, and this disorder, which they must avoid, can only be eliminated by the exact observance of natural laws.

Sovereign authority can and indeed must institute laws against clearly demonstrated disorder, but it must not encroach upon the natural order of society. The gardener must remove the moss that harms the tree, but he must avoid damaging the bark through which the tree receives the sap that sustains it: if a positive law is necessary to prescribe this duty to the gardener, this law dictated by nature must not extend beyond the duty it prescribes. The very constitution of the tree is natural order itself, governed by essential and irrefutable laws, which must not be disturbed by extraneous laws.

The domains of these two legal systems are clearly distinguished by the light of reason, and the laws on each are established and promulgated by very different institutions and forms. The former are studied in books that thoroughly examine the order most advantageous to humankind living in society. The others are merely the results of this study, reduced to the form of strictly prescribed commandments. Natural laws contain the rule and the evidence of the rule's excellence. Positive laws manifest only the rule; these can be reformed and temporary, and are observed literally and under penalties imposed by a coercive authority. The others are immutable and perpetual, and are observed freely and with discernment, by

compelling reasons that themselves indicate the advantages of observance; these ensure rewards, the others presuppose punishments.

Positive or literal legislation does not establish the motives or reasons upon which it bases its laws: these reasons therefore exist prior to positive laws; they are essentially above human laws; they are thus truly and evidently the primitive and immutable laws of regular governments. Just positive laws are therefore merely precise deductions, or simple commentaries, of these primitive laws, which ensure their execution everywhere as far as possible. The fundamental laws of societies are taken directly from the sovereign and decisive rule of absolute right and wrong, of moral good and evil; they are imprinted on the hearts of men; they are the light that illuminates them and masters their conscience: this light is weakened or obscured only by their disordered passions. The principal object of positive laws is this very disorder, against which they oppose a formidable sanction to perverse men; for, broadly speaking, what is at stake for the prosperity of a nation? To cultivate the land with the greatest possible success, and to preserve society from thieves and villains. The first part is governed by self-interest, the second by civil government.

People of goodwill need only instruction that reveals to them the luminous truths that are perceived distinctly and vividly only through the exercise of reason. Positive laws can only very imperfectly replace this intellectual knowledge; they are necessary to restrain and repress the wicked and the outbursts of passion. But positive legislation must not extend into the realm of physical laws, which must be observed with discernment and with extensive, profound, and varied knowledge, which can only be acquired through the study of the general and luminous legislation of supreme wisdom: would anyone dare to decisively subject the theory and practice of medicine to positive laws? Is it therefore conceivable that it would be possible to subject to such laws the fundamental legislation that constitutes the natural and general order of societies?

No. This higher legislation requires of those who govern, and of those who are governed, only the physical study of the fundamental laws of society, instituted invariably and perpetually by the Author of Nature. This study forms a doctrine that is disseminated without legal formalities, but which is no less effective since it reveals irrefutable laws, from which statesmen and the entire nation can draw the knowledge necessary to form a perfect government: for in these very laws, as we shall see below, we also find the original principles and immutable sources of positive legislation and distributive justice. Divine legislation must therefore extinguish all dissension concerning legislation itself, and subject the executive authority and the nation to this supreme legislation, for it manifests itself to humankind through the light of reason cultivated by education and the study of nature, which admits no other laws than the free exercise of reason itself.

It is only through this free exercise of reason that people can make progress in economic science, which is a great science and the very science that constitutes the government of

societies. In the economic management of a farm's land, which is a microcosm of the nation's general government, farmers have no other laws than the knowledge acquired through education and experience. Positive laws that would decisively regulate land management would disrupt the farmer's economic governance and hinder the success of agriculture: for the farmer, subject to the natural order, must observe no other laws than physical laws and the conditions they prescribe. and it is also these laws and conditions that must regulate the administration of the general government of society.

## **Section VII**

### **Tax Law Has a Sure Basis**

Taxation, this source of dissension and opposition fueled by ignorance, anxiety, and greed, is essentially determined by immutable laws and rules, from which neither prince nor subjects can deviate except to their own disadvantage. These laws and rules, as we shall see below, are clearly demonstrated by calculation, with rigorous precision, which prohibits all injustice, arbitrariness, and malfeasance. Banish ignorance, recognize the inherent order, and you will worship divine providence, which has placed the torch in your hand to walk safely through this labyrinth riddled with false paths open to iniquity.

Man is endowed with the intelligence necessary to acquire the knowledge he needs to understand the paths prescribed by supreme wisdom, paths that constitute the perfect governance of empires. Science is therefore the essential condition for the regular institution of societies and of the order which ensures the prosperity of nations and which prescribes to every human power the observance of the laws established by the Author of nature to subject all men to reason, to contain them in their duty, and to ensure their enjoyment of the goods which he has destined for them to satisfy their needs.

## **Section VIII**

### **Natural Law**

The physical laws that constitute the natural order most advantageous to humankind, and that precisely establish the natural rights of all people, are perpetual, immutable, and decisively the best possible laws. Their self-evidence imperiously subjugates all human intelligence and reason, with a precision that can be demonstrated geometrically and arithmetically in every detail, and which leaves no room for error, imposture, or illicit claims.

## **Section IX**

### **The Manifestation of the Fundamental Laws of Perfect Government Is Sufficient to Assure Natural Right**

Their mere manifestation pronounces supremely against the errors of the administration, against the unjust undertakings and usurpations of the various orders of the State, and against the institution of positive laws contrary to the essential order of society. Thus, knowledge of these fundamental rules and the general evidence of their authority is the supreme safeguard of the body politic; for a nation instructed in the irrevocable will and laws of the Almighty, and guided by the light of conscience, cannot lend itself to the violation of these divine laws to which all human power must be subject, and which are truly very powerful and very formidable in themselves, when invoked, and which, by their self-evidence and superiority, form the shield of the nation. The prince must not be unaware that his authority is instituted to make them known and observed, and that it is as much in his interest as in that of the nation itself that their enlightened observance form the indissoluble bond of society. For as long as they remain unknown, they are powerless and useless; like the lands we inhabit, they refuse us their aid when they are uncultivated; then nations can only form transient, barbaric, and ruinous governments. Thus, the necessity of studying natural laws is itself a constitutive law of the natural order of societies; this law is even the first of the fundamental laws of good government, since without this study, the natural order would be nothing but an uncultivated land inhabited by ferocious beasts.

**Section X**  
**The Necessity of Studying and Teaching the Natural and Fundamental  
Laws of Societies**

Men can only claim natural rights through the light of reason, which distinguishes them from beasts. The primary objective of administering a prosperous and lasting government must therefore be, as in the Chinese empire, the profound study and continuous and general teaching of natural laws, which eminently constitute the order of society.

## **Section XI**

### **Various Species of Societies**

Men have come together in different forms of societies, according to the conditions necessary for their subsistence, such as hunting, fishing, herding, agriculture, trade, and banditry; from this have formed savage nations, fish-eating nations, pastoral nations, agricultural nations, trading nations, wandering nations, barbarians, Scenic nations, and pirates.

## **Section XII**

### **Agricultural Companies**

With the exception of bandit societies, enemies of other societies, agriculture unites them all; and without agriculture, other societies can only form imperfect nations. Therefore, only agricultural nations can constitute fixed and lasting empires, capable of a general, unchanging government, subject precisely to the immutable order of natural laws: now, it is agriculture itself that forms the basis of these empires, and that prescribes and constitutes the order of their government, because it is the source of the goods that satisfy the needs of the people, and its success or decline necessarily depends on the form of government.

### **Section XIII**

#### **Primitive Simplicity of the Government of Agricultural Societies**

To clearly explain this fundamental truth, let us examine the state of agriculture in the simplest way. Let us suppose a people of men placed in a desert, who subsist there at first on the products which arise spontaneously, but which cannot constantly suffice for their settlement in this uncultivated territory, whose fertility will be a source of goods which nature provides for work and industry.

**Section XIV**  
**The Community of Goods, Their Natural and Pleasant Distribution;  
Personal Liberty; Ownership of Daily Sustenance**

In the first state, there is no distribution of goods other than that which people can obtain through the pursuit of the products necessary for their subsistence. Everything belongs to everyone, but under conditions that naturally establish a division among all and that necessarily guarantee to all the freedom of their person to provide for their needs and the security of enjoying the products they procure through their efforts. For the encroachments of some upon others would only create obstacles to the essential pursuits needed to meet their needs and would only give rise to wars as useless as they are dreadful. Indeed, what motives could, in such cases, incite wars among people? A flock of birds arrives at a place where it finds a resource or sustenance common to all; there is no dispute among them over the division; each bird's portion is devoted to its activity in seeking to satisfy its needs. Thus, the animals gathered together are devoted to this peaceful law, prescribed by nature, which has decreed that the right of each individual is limited, in the natural order, to what they can obtain through their labor; thus, the right of all to everything is a chimera. Personal liberty and property, or the assurance of enjoying the produce that each person first procures through their own efforts to meet their needs, are therefore guaranteed to humankind by the laws of nature, which constitute the essential order of regular societies. The Hyperborean nations, reduced to living in this primitive state, observe exactly and constantly the laws prescribed by nature, and need no higher authority to restrain them in their reciprocal duties.

**Section XV**  
**Wars of Nation Against Nation**

The savages of America, who remain in this same state, are less peaceful and often wage wars between nations; but order is maintained with great unity and tranquility within each nation. The wars these nations wage against one another have no other purpose than mutual anxieties and hatreds, which lead them to brave the dangers of cruel revenge.

## **Section XVI**

### **The Defense of Nations is Ensured by Force; Force Requires Wealth; Wealth is Protected by Force**

External wars admit scarcely any precautions other than that of defense ensured by forces, which must always be the primary objective of good government; for great forces require great expenditures, which presuppose great wealth, the preservation of which can only be ensured by great forces; but one can neither obtain nor merit such wealth except through the observance of natural laws, and these laws are established prior to any institution of civil and political government. This legislation, therefore, belongs neither to nations nor to the princes who govern them: it is these very laws that ensure the success of agriculture, and it is agriculture that is the source of the wealth that satisfies human needs and constitutes the forces necessary for their security.

## **Section XVII**

### **Establishment of the Agricultural Society, Where the Conditions it Requires are Naturally found**

This people, in a desert which they need to cultivate in order to subsist, find themselves subject to the laws which nature prescribes for the success of their work and the security of their settlement; the uncultivated land which they inhabit has no real value and can acquire it only through work; its possession and its products must therefore be secured by work; without this natural condition, no culture, no wealth; it is therefore necessary that these men divide the territory, so that each of them may cultivate, plant, build and enjoy in complete security the fruits of their work. This division is initially formed on an equal footing between equal men, who, having no right of choice, must submit to the impartiality of fate. Fate's decision will naturally assign each their share and guarantee it to all in perpetuity, on the same footing, with the right to the freedom necessary to exercise it without disturbance or oppression, and with the free exchange of produce and land. From this arise the other advantages necessary for society. These are, besides the peaceful division of land and the assured ownership of land and its fruits, along with personal security, freedom of trade, remuneration due for labor, continuous attention to the progress of agriculture, the preservation of the resources necessary for its exploitation, the multiplication of working and profit-producing animals, the emergence of industry for the manufacture of tools and clothing, the construction of buildings, and the preparation of produce, etc., which are the results of the primitive laws of nature that clearly and essentially constitute these bonds of society.

This concerns the natural and voluntary establishment of societies, not the state of societies invaded by brigand nations and delivered over to the barbarity of usurpers who are nothing but illegitimate rulers until they return to the natural order. All these regulations, independent of any ancient positive laws, are the best possible arrangements for the individual interests of each person and for the general good of society.

But this entire arrangement, dictated by the natural and constitutive order of agricultural societies, presupposes yet another essential and natural condition: the complete assurance of the right of ownership of the land and the produce that the labor and expenditure of cultivation bring forth.

## **Section XVIII**

### **Institution of the Supervisory Authority**

Every farmer, occupied all day with cultivating his field, needs rest and sleep during the night. Thus, he cannot then ensure his personal safety or the preservation of the produce he brings forth through his labor and expenditure. Nor should he abandon his work during the day to defend his land and wealth against the usurpations of external enemies. It is therefore necessary that everyone contribute to the establishment and maintenance of a sufficiently powerful force and guard, directed by the authority of a leader, to ensure the defense of society against external attacks, maintain internal order, and prevent and punish the crimes of wrongdoers..

## **Section XIX**

### **Positive Legislation**

The fundamental constitution of society and the natural order of government are thus established prior to the institution of the positive laws of distributive justice; this literal legislation can have no other basis or principles than the natural laws themselves, which constitute the essential order of society.

Thus, the positive laws that determine in detail the natural rights of citizens are indicated and regulated by the primal laws instituted by the Author of Nature, and they should only be introduced into the nation insofar as they conform to and are rigorously subject to these essential laws. They are therefore not arbitrary institutions, and the legislator, whether prince or nation, can only render them just by his authority insofar as they are just in essence. Authority itself is subject to error, and despite its consent, it always retains the right to reform against abuses or errors in positive legislation. What must be exercised with evident knowledge cannot disturb order; it can only restore it. Otherwise, one would have to maintain, against all evidence, that there is neither absolute justice nor injustice, nor inherently good or evil. This is an atrocious principle, which would destroy the natural rights of subjects and sovereign, and exclude the nation from the advantages of the order established by the convergence of laws instituted by the Author of Nature, and whose transgression is immediately punished by the deprivation or reduction of the goods necessary for human subsistence. Equity therefore strictly forbids individuals from arbitrarily establishing positive laws within the social order.

Positive legislation is thus essentially subordinate to the fundamental laws of society. Consequently, it can only belong to a single authority, superior to the various exclusive interests it is meant to suppress.

## **Section XX**

### **Public Revenue**

One of the most formidable features in governments given over to the absolute authority of the prince is the contribution arbitrarily imposed on the subjects, which appeared to have neither rules nor measures prescribed by natural laws; however, the Author of nature has decisively fixed its order: for it is manifest that the contribution necessary for the needs of the State cannot have, in an agricultural nation, any other source or origin than that which can produce the goods necessary to satisfy the needs of men; that this source is the very territory fertilized by expenditure and labor; that consequently the annual contribution necessary for the State can only be a portion of the annual product of the territory, the property of which belongs to the possessors to whom this territory is divided, and that thus the contribution can likewise only be a portion of the product of the territory which belongs to the possessors; of the product, I say, which exceeds the expenses of the labor of cultivation, and the expenses of the other advances necessary for the exploitation of this cultivation. Since all these expenses are recouped by the product they generate, the surplus is net revenue, which forms the public income and the income of the property owners. The portion that should form the state's income will be very considerable if it is equal to half that of all the property owners combined; but the property owners themselves must consider that the strength that ensures their security and tranquility consists in the state's revenues, and that a great power imposes its will on neighboring nations and prevents wars; Furthermore, since state revenue is always proportional to the increasing or decreasing income from the kingdom's landed estates, the sovereign will, so to speak, be associated with them in contributing as much as possible, through sound administration of the kingdom, to the prosperity of agriculture. Finally, by this most advantageous arrangement, they would be protected from all other kinds of taxation that would disastrously impact their income and the state's revenue, taxes that would be established and increase ever more under the pretext of the state's needs, but which would ruin the state and the nation, and would only create monetary fortunes that would encourage ruinous state borrowing.

The owners or possessors of the land each have, individually, the administration of the portions belonging to them, an administration necessary to maintain and increase the value of the land and to ensure the net product or income it can yield.

If there were no landowners to whom ownership was assured, the land would be common and neglected, for no one would want to spend money on improvements or maintenance without guaranteed profit. Without such expenditures, the land would barely cover the costs of cultivation, which farmers would dare undertake in the constant fear of displacement; the land would then yield no net product or income that could provide the necessary contribution for the needs of the state. In this situation, neither society nor government can exist; for the tax itself would be a devastation if it were drawn from the funds allocated for agricultural development or from the expenses of human labor.

I speak of the expenses of men's labor, for this labor is inseparable from the expenses necessary for their subsistence. Man is inherently devoid of wealth and possesses only needs; therefore, the contribution cannot be taken from himself, nor from the wages owed to him, since these wages are necessary for his subsistence and could only satisfy both through an increase in those same wages, and at the expense of those who would pay him this increase: which would make labor more expensive without increasing the output for those who pay that wage. Thus, a wage increase that exceeded the output of labor would necessarily cause a progressive decrease in labor, output, and population: such are the fundamental principles of the doctrine that has so successfully governed the Chinese for several centuries. They draw conclusions from this that will be very difficult to implement in Europe.

For example, a personal contribution levied on men or on the remuneration due to men's labor is, they say, a necessarily irregular and unjust contribution, having no other measure than a risky and arbitrary assessment of citizens' means; it is therefore a disorderly and disastrous imposition. All agricultural laborers, all artisans, all merchants—in short, all classes of wage earners or stipend-paying men—cannot, therefore, contribute of their own accord to the taxation of public revenue and the needs of the State: for this contribution would, in turn, destroy the cultivation of the land, fall back on revenue twice over, destroy itself, and ruin the nation. Here, then, is a natural law that cannot be transgressed without incurring the punishment inseparable from it, and which would make the contribution necessary for the needs of the State more formidable than those needs themselves.

It is also evident that this contribution cannot be drawn from the funds of advances for the cultivation of the land; for this would soon destroy that cultivation and all the resources necessary for human subsistence. It would therefore no longer be a contribution for the needs of the State, but a general devastation that would destroy the State and the nation.

Nor, the Chinese say, should the contribution be levied on foodstuffs or goods intended for human use; for this would be to subject people themselves, their needs, and their labor to a tax, and to convert this contribution, raised for the needs of the State, into a devastation all the more rapid because it would deliver the nation to the greed of a multitude of men or enemies employed in collecting this disastrous tax, from which the sovereign himself would not recover the losses it causes him from the portion of revenue he would otherwise receive from the net proceeds of the land.

In other works, one will find the contradictory discussion of these Chinese opinions, and the rules that must be followed to ensure the State the most extensive contribution possible, which is entirely to the advantage of the nation and which avoids the damage caused by other kinds of contributions.

The surplus of land production, beyond the expenses of labor in cultivation and the necessary advances for its operation, constitutes a net product that forms the public revenue and the

income of landowners who have acquired or purchased the property. The funds paid for the acquisition entitle them, from the net product, to an income proportionate to the purchase price of the land. But what ensures this income to them even more justly is that all the net product, as we have already stated, is a natural consequence of their ownership and management. For without these essential conditions, not only would the land fail to yield a net product, but only an uncertain and meager one, barely worth the expense incurred with the greatest thrift, due to the uncertainty of the duration of its use. This uncertainty would preclude expenditures on improvements or maintenance, the profit from which would not be guaranteed to the one undertaking such expenditures.

The sovereign could not claim general ownership of the lands of his kingdom, for he could not, either personally or through others, administer them; personally, because he could not manage such an immense task, nor through others, because such a vast, varied, and easily abused administration could not be entrusted to foreign interests capable of freely defrauding the accounting of expenditures and revenues.

The sovereign would be forced to relinquish this ownership as soon as possible, as it would ruin both him and the state. It is therefore evident that land ownership must be distributed among a large number of owners with an interest in deriving the greatest possible income through the most advantageous administration, which guarantees the state a portion of this income, proportional to its quantity, its growth, and the needs of the state. Thus, the greatest possible successes in agriculture ensure the sovereign and the landowners the greatest possible income.

## **Section XXI**

### **Prohibition of Exclusive Private Interest**

Monopolies, private enterprises, and the usurpation of the common good by private interests are naturally excluded from good government. Under the authority of a leader vested with superior power, this insidious brigandage would surely be discovered and suppressed, for in good government, the power of communities, social conditions, and employment, and the allure of specious pretexts, could not succeed in fostering such harmful disorder. Merchants, manufacturers, and artisan communities, ever eager for profit and highly resourceful in their schemes, are enemies of competition and always ingenious in seizing exclusive privileges. One city encroaches upon another, one province upon another, and the mother country upon its colonies. Landowners whose territory is suitable for certain crops tend to prohibit others from cultivating and trading those same crops. The nation is everywhere exposed to the machinations of these usurpers who oversell it the goods and merchandise necessary to meet its needs.

A nation's income has its limits. Purchases made at exorbitant prices by a voracious market diminish consumption and population, and cause agriculture and revenues to decline. This gradual erosion leads to the disappearance of a kingdom's property and power. Even commerce is destroyed by the greed of merchants, whose cunning dares to use the insidious pretext of fostering trade and enriching the nation through the growth of their fortunes. Their successes seduce an unenlightened administration, and the people are dazzled by the very wealth of those who tax and ruin them. It is said that this wealth remains within the kingdom, that it circulates and makes the nation prosper. One might think the same of the wealth of usurers, financiers, and so on, but it is naively believed that the wealth that monopolies provide to merchants comes from the profits they make at the expense of other nations. If we consider the kingdom's colonies as foreign nations, it is true that they are not spared by the monopoly, but the monopoly of one nation's merchants does not extend to other nations, or at least it would force foreign merchants to retaliate, which would provoke absurd and ruinous wars, and this contagion of monopoly would spread and aggravate the problem. The natural regulation of commerce is therefore free and widespread competition, which provides each nation with the greatest possible number of buyers and sellers, thus ensuring the most advantageous price in its sales and purchases.

## **Section XXII**

### **Reduction of Legal Fees**

The excessive and dreadful expenditures in the administration of justice, so prevalent in a nation where the example of illicit wealth corrupts all ranks of citizens, become more regular in a good government, which assures magistrates of the honor and veneration due to the dignity and sanctity of their office. In a good government, the superiority and observance of natural laws inspire piety and uphold the probity that reigns in the hearts of enlightened men; they are imbued with the excellence of these laws, instituted by supreme wisdom for the happiness of humankind, endowed with the intelligence necessary to conduct itself rationally.

In the natural order of society, all its members must be useful and contribute, according to their faculties and abilities, to the common good. Wealthy landowners are established by Providence to exercise, without remuneration, the most honorable public functions, to which the nation must confidently entrust its interests and security. These precious and sacred functions must therefore not be abandoned to mercenary men driven by need to procure emoluments. The revenues enjoyed by large landowners are not intended to keep them unworthily in idleness; this despicable way of life is incompatible with the esteem that a state of opulence can bring them, a state that should combine elevation, esteem, and public veneration through military service, or through the dignity of the magistracy—divine, sovereign, and religious functions that inspire all the more respect and confidence because they recognize no other guides or ascendants than enlightenment and conscience. Providence has thus established men elevated above mercenary professions, who, in the natural order of good government, are disposed to dedicate themselves, by profession and with selflessness and dignity, to the exercise of these noble and important functions. then they will be careful to rigorously repress the abuses that the greed of those who are charged with discussing and defending the rights of the parties may introduce into the details of the procedures; procedures which they extend and complicate by means of a multitude of superfluous formalities, illusory incidents and obscure and discordant laws, accumulated in the code of a jurisprudence which has not been subjected to the simplicity and obviousness of natural laws.

## **Section XXIII**

### **Human Rights**

Each nation, like each member of a nation, has in particular possession of the land that society has developed, or that is devolved to it by acquisition or right of inheritance, or by agreements made between the contracting nations, which have the right to establish the boundaries of their territories between themselves, either by the positive laws they have adopted or by the peace treaties they have concluded. These are the natural titles and the titles of concessions that establish the property rights of nations. But since nations separately form particular and distinct powers, which counterbalance one another and can only be subjected to the general order by force against force, each nation must therefore have a sufficient and united force, such as its power allows, or a sufficient force formed by confederation with other nations that provide for each other's security.

The own force of each nation must be alone and united under a single authority; for a division of forces belonging to different leaders cannot be suitable for the same state, for the same nation. It necessarily divides the nation into different states or principalities, foreign to one another and often enemies: it is no longer anything more than a confederate force, always susceptible to internal division, as with feudal nations that do not form true empires on their own, but only through the unity of a suzerain ruler and other rulers who, like him, each enjoy royal rights; such as the rights of taxation, war, coinage, justice, and immediate authority over their subjects, from which arise those rights which equally guarantee to all the exercise and ownership of sovereign authority.

These confederated powers, united under a ruler of sovereigns who are equal to him in dominion, each in their principalities, are themselves in confederation with their feudal vassals, which seems to form more of a conspiracy than a true society united under a single government. This precarious constitution of a confederate empire, formed by the usurpations of large landowners or by the partitioning of territories invaded by brigand nations, is therefore not a natural degeneration of society, formed by the constitutive laws of the essential order of a perfect government whose strength and power belong indivisibly to the tutelary authority of a single kingdom: on the contrary, it is a violent and unnatural constitution, which subjects men to a barbaric and tyrannical yoke, and the government to dissensions and disastrous and atrocious internal wars.

The strength of a nation must consist of a public revenue sufficient to meet the needs of the state in times of peace and war; it must not be provided in kind by the subjects and commanded feudally, for this would encourage rioting and wars among the nation's elite, which would shatter the unity of society, disunite the kingdom, and plunge the nation into disorder and feudal oppression. Moreover, this kind of force is insufficient for the nation's defense against foreign powers; it can only sustain war for a very limited time and at very short distances, because it cannot maintain the necessary and difficult-to-transport supplies

for long periods. This would be even more impractical today, when heavy artillery dominates military operations. It is therefore only through public revenue that a nation can ensure a constant defense against other powers, not only in times of war, but also in times of peace, to avoid war, which indeed should be very rare in a good government, since a good government excludes every absurd pretext for war on the grounds of commerce, and all other misguided or deceitful claims used as cover to violate the law of nations, ruining oneself and others. For to support these unjust enterprises, extraordinary efforts are made by armies so numerous and so costly that they can only achieve an ignominious exhaustion that tarnishes the heroism of belligerent nations and thwarts ambitious plans of conquest.

## **Section XIV**

### **Public Finance Accounting**

The accounting of state revenue and expenditure is a very complicated and disorderly aspect of government: each individual finds it so difficult to ensure the accuracy of their expenditure accounts that it would seem impossible to shed light on the confusion of government spending were it not for the example of great statesmen who, in their ministries, subjected this accounting to reliable forms and rules to prevent the squandering of state finances and to curb the ingenious greed and fraudulent practices of most accountants. But these forms and rules have remained confined to a mysterious technique, adapted to specific circumstances, and have not risen to the level of a science capable of enlightening the nation. No doubt the virtuous Sully relied on the knowledge and pure intentions of the courts charged with this important part of government administration, focusing his efforts on opposing the excesses of greed among the powerful who, through their positions or their influence, were siphoning off the greater part of state revenues and who, to ensure their success, were encouraging the extortion of tax collectors and the enrichment of those involved in managing public finances. The courageous vigilance of this worthy minister earned him the hatred of other ministers and courtiers, alarmed by the good order that was being established in the administration of state revenues, an order which, however, should have been a good omen for them had they been less greedy and less blind to their own interests.

These great landowners, impoverished by the disorder of the previous reign's government and reduced to such humiliating and contemptible expedients, should have realized that such a necessary reform would revive the nation's prosperity and restore the revenues from their lands, lifting them from their degradation and raising them to a state of splendor befitting their vast possessions and their rank. Their understanding did not extend that far; and it must still be concluded that ignorance is the principal cause of the most disastrous errors of government, the ruin of nations, and the decline of empires, from which China has always and so surely preserved itself through the ministry of letters, which forms the nation's first order, and which is as attentive to guiding the people by the light of reason as it is to subjecting the government to the natural and immutable laws that constitute the essential order of societies.

In this vast empire, all the errors and malfeasance of its leaders are continually exposed through public writings authorized by the government, to ensure, in every province of such a great kingdom, the observance of laws against abuses of authority, always informed by free appeals, which are essential conditions for a secure and unalterable government.

It is too widely believed that the governments of empires can only have transient forms; that everything here below is subject to continual vicissitudes; that empires have their beginning, their rise, their fall, and their end. This opinion is so prevalent that all the dysfunctions of governments are attributed to the natural order. Could such absurd fatalism have been

embraced by the light of reason? Is it not evident, on the contrary, that the laws which constitute the natural order are perpetual and immutable, and that the excesses of governments are merely transgressions against these fundamental laws? Are not the duration, extent, and enduring prosperity of the Chinese empire ensured by the observance of natural laws?

Does not this vast nation rightly regard other peoples, governed by human will and subjected to social obedience by force of arms, as barbaric nations? Does not this vast empire, subject to the natural order, present the example of a stable, permanent, and unchanging government, proving that the inconstancy of transient governments has no other basis or rules than the very inconstancy of humankind? But can it not be said that this fortunate and perpetual uniformity of the Chinese government persists only because this empire is less exposed than other states to the machinations of neighboring powers? No.

Does China not have formidable neighboring powers? Has it not been conquered? Could its vast territory not have suffered from divisions and formed several kingdoms? Therefore, the perpetuity of its government should not be attributed to particular circumstances, but to an order that is stable in its very essence.