

IV. This being premised, the *first rule* we have to ^{First rule.} lay down concerning this matter, is that we must enlighten our conscience, as well as consult it, and follow its counsels.

We must enlighten our conscience: that is, we must spare no care or pains to be exactly instructed with regard to the will of the legislator, and the disposition of his laws, in order to acquire just ideas of whatever is commanded, forbidden, or permitted. For plain it is that were we in ignorance or error in this respect, the judgment we should form of our actions would be necessarily vicious, and would consequently lead us astray. But this is not enough. We must join to this first knowledge, the knowledge also of the action. And for this purpose, 'tis not only necessary to examine this action in itself; but we ought likewise to be attentive to the particular circumstances that accompany it, and the consequences that from thence may follow. Otherwise we should run a risk of being mistaken in the application of the laws, whose general decisions admit of several modifications, according to the different circumstances that accompany our actions; which necessarily influences their morality, and consequently our duties. Thus it is not sufficient for a judge to be well acquainted with the tenor and purport of the law, before he pronounces sentence; he should likewise have an exact knowledge of the fact and all its different circumstances.

But 'tis not merely with a view of enlightening our reason, that we ought to acquire all this knowledge; 'tis principally in order to apply it occasionally