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Montaigne's Essays

In Three Books. With Notes and Quotations. And an Account of The Author's Life ; With a short Character of the Author and Translator, by the late Marquis of Halifax; With the Addition of A Complete Table to each Volume

Montaigne, Michel Eyquem de

London, 1743

Chap. 15. Of the Punishment of Cowardice.

[urn:nbn:de:hbz:466:1-53388](https://nbn-resolving.org/urn:nbn:de:hbz:466:1-53388)

of the Prince who is Master of the Field, his Reputation, and the Respect that is due unto him, is always put into the Balance; 'tis dangerous to affront such an Enemy: And besides, by compelling him to force you, you possess him with so great an Opinion of himself and his Power, that thinking it unreasonable any Place should dare to shut their Gates against his victorious Army, he puts all to the Sword, where he meets with any Opposition, whilst his Fortune continues; as is very plain in the fierce and arrogant Forms of summoning Towns and denouncing War; favouring so much of *Barbarian* Pride and Insolence in Use amongst the oriental Princes, and which their Successors to this Day do yet retain and practise. And even in that remote Part of the World where the *Portuguese* subdued the *Indians*, they found some States where it was an universal and inviolable Law amongst them, that every Enemy, overcome by the King in Person, or by his Representative Lieutenant, was out of Composition both of Ransom and Mercy. So that above all Things a Man should take heed of falling into the Hands of a Judge who is an Enemy and victorious.



C H A P. XV.

Of the Punishment of Cowardice.

I Once heard of a Prince, and a great Captain, having a Narration given him as he sat at Table of the Proceeding against Monsieur *de Vervins*, who was sentenced to Death for having surrendered *Bullen* to the *English*, openly maintained, that a Soldier could not justly be put to Death for his Want of Courage. And in Truth, a Man should make a great Difference betwixt Faults that merely proceed from Infirmity, and those that are visibly the Effects of Treachery and Malice; for in the last they wilfully act against the Rules of Reason that Nature has imprinted on us; whereas in the former it seems as if we might produce the same Nature, who left us in such a State of Imperfection, and

and Defect of Courage for our Justification. Infomuch, that many have thought we are not justly questionable for any thing, but what we commit against the Light of our own Conscience. And it is partly upon this Rule, that those ground their Opinion, who disapprove of capital and sanguinary Punishments inflicted upon Hereticks and Miscreants; and theirs also, who hold that an Advocate or a Judge are not accountable for having ignorantly failed in their Administration. But as to Cowardice, it is most certain, that the most usual Way of chastising that is by Ignominy and Disgrace; and it is supposed, that this Practice was first brought into Use by the Legislator *Cherondas*; and that before his Time the Laws of *Greece* punished those with Death who fled from a Battle; whereas he ordained only that they should be three Days exposed in the publick Place dressed in Women's Attire, hoping yet for some Service from them, having awaked their Courage by this open Shame; *Suffundere malis hominis sanguinem quam effundere, choosing rather to bring the Blood into their Cheeks, than to let it out of their Bodies.* It appears also, that the *Roman* Laws did anciently punish those with Death who had ran away: For *Ammianus Marcellinus* says, that the Emperor *Julian* commanded ten of his Soldiers who had turned their Backs in an Encounter against the *Parthians*, to be first degraded, and afterwards put to Death, according (says he) to the ancient Laws; and yet elsewhere for the like Offence, he only condemns others to remain amongst the Prisoners under the Baggage Ensign. The Punishment the People of *Rome* inflicted upon those who fled from the Battle of *Cannæ*, and those who run away with *Cneius Fulvius*, at his Defeat, did not extend to Death. And yet methinks Men should consider what they do in such Cases, lest Disgrace should make such Delinquents desperate, and not only faint Friends, but implacable and mortal Enemies. Of late Memory, the *Seigneur de Franget*, Lieutenant to the *Mareschal de Châtillon's* Company, having by the *Mareschal de Chabanes* been put in Governor of *Fontarabie*, in the Place of *Monsieur de Lude*, and having surrendered it to the *Spaniard*, he was for that condemned to be degraded from all Nobility, and both himself and his Posterity declared ignoble, taxable, and for ever incapable of bearing

Arms; which severe Sentence was afterwards accordingly executed at *Lions*, and since that all the Gentlemen who were in *Guise* when Count *Nassau* entered into it, underwent the same Punishment, as several others have done since for the like Offence. Notwithstanding, in case of such a manifest Ignorance or Cowardice as exceeds all other ordinary Example, 'tis but Reason to take it for a sufficient Proof of Treachery and Malice, and for such it ought to be censured and punished.



C H A P. XVI.

A Proceeding of some Ambassadors.

I Observe in all my Travels this Custom, ever to learn something from the Information of those with whom I confer (which is the best School of all other) and to put my Company upon those Subjects they are the best able to speak of:

*Basti al nochiervo ragionar de venti,
Al bisfolco de i Tori, & le sue Pyaghe
Conti'l guerrier, conti'l Pastor gli armeni*.*

*Navita de ventis, de tauris narrat arator,
Ememorat miles vulnera, pastor ovis †.*

The Seamen best can reason of the Winds,
Of Oxen none so well as lab'ring Hinds;
The huffing Soldier best of Wounds and Knocks,
And gentler Shepherds of their harmless Flocks.

For it often falls out, that, on the contrary, every one will rather choose to be prating of another Man's Province than his own, thinking it so much new Reputation acquired; witness the Jeer *Archidamus* put upon *Periander*, That he had quitted the Glory of being an excellent Physician to gain the Repute of a very bad Poet. And do but observe how large and ample *Cæsar* is to make us understand his

* *Aristo.*† *Propert.*