

MICHEL DE MONTAIGNE

ESSAYS



Book 1 • Chapter 22

Translation by Charles Cotton (1685, Public domain) • Last updated on June 21, 2026

HYPERESSAYS is a project to create a modern and accessible online edition of the *Essays* of Michel de Montaigne. More information at www.hyperessays.net

ESSAYS-1-22-20260831-212132

On Custom and Not Easily Changing an Accepted Law

He seems to me to have had a right and true apprehension of the power of custom, who first invented the story of a country-woman who, having accustomed herself to play with and carry a young calf in her arms, and daily continuing to do so as it grew up, obtained this by custom, that, when grown to be a great ox, she was still able to bear it. For, in truth, custom is a violent and treacherous schoolmistress. She, by little and little, slyly and unperceived, slips in the foot of her authority, but having by this gentle and humble beginning, with the benefit of time, fixed and established it, she then unmasks a furious and tyrannic countenance, against which we have no more the courage or the power so much as to lift up our eyes. We see her, at every turn, forcing and violating the rules of nature:

Usus efficacissimus rerum omnium magister.

I refer to her Plato's cave in his Republic, and the physicians, who so often submit the reasons of their art to her authority; as the story of that king, who by custom brought his stomach to that pass, as to live by poison, and the maid that Albertus reports to have lived upon spiders. In that new world of the Indies, there were found great nations, and in very differing climates, who were of the same diet, made provision of them, and fed them for their tables; as also, they did grasshoppers, mice, lizards, and bats; and in a time of scarcity of such delicacies, a toad was sold for six crowns, all which they cook, and dish up with several sauces. There were also others found, to whom our diet, and the flesh we eat, were venomous and mortal:

Consuetudinis magna vis est: pernoctant venatores in nive: in montibus uri se patiuntur: pugiles, caestibus contusi, ne ingemiscunt quidem.

These strange examples will not appear so strange if we consider what we have ordinary experience of, how much custom stupefies our senses. We need not go to what is reported of the people about the cataracts of the Nile; and what philosophers believe of the music of the spheres, that the bodies of those circles being solid and smooth, and coming to touch and rub upon one another, cannot fail of creating a marvellous harmony, the

Custom is the best master of all things. • PLIN., HN, 26.2

The power of custom is very great: huntsmen will lie out all night in the snow, or suffer themselves to be burned up by the sun on the mountains; boxers, hurt by the caestus, never utter a groan. • CIC., TUSC., 2.17

changes and cadences of which cause the revolutions and dances of the stars; but that the hearing sense of all creatures here below, being universally, like that of the Egyptians, deafened, and stupefied with the continual noise, cannot, how great soever, perceive it. Smiths, millers, pewterers, forgers, and armorers could never be able to live in the perpetual noise of their own trades, did it strike their ears with the same violence that it does ours.

My perfumed doublet gratifies my own scent at first; but after I have worn it three days together, 'tis only pleasing to the bystanders. This is yet more strange, that custom, notwithstanding long intermissions and intervals, should yet have the power to unite and establish the effect of its impressions upon our senses, as is manifest in such as live near unto steeples and the frequent noise of the bells. I myself lie at home in a tower, where every morning and evening a very great bell rings out the Ave Maria: the noise shakes my very tower, and at first seemed insupportable to me; but I am so used to it, that I hear it without any manner of offense, and often without awaking at it.

Plato reprehending a boy for playing at nuts, "Thou reprovest me," says the boy, "for a very little thing." "Custom," replied Plato, "is no little thing." I find that our greatest vices derive their first propensity from our most tender infancy, and that our principal education depends upon the nurse. Mothers are mightily pleased to see a child writhe off the neck of a chicken, or to please itself with hurting a dog or a cat; and such wise fathers there are in the world, who look upon it as a notable mark of a martial spirit, when they hear a son miscall, or see him domineer over a poor peasant, or a lackey, that dares not reply, nor turn again; and a great sign of wit, when they see him cheat and overreach his playfellow by some malicious treachery and deceit. Yet these are the true seeds and roots of cruelty, tyranny, and treason; they bud and put out there, and afterward shoot up vigorously, and grow to prodigious bulk, cultivated by custom. And it is a very dangerous mistake to excuse these vile inclinations upon the tenderness of their age, and the triviality of the subject: first, it is nature that speaks, whose declaration is then more sincere, and inward thoughts more undisguised, as it is more weak and young; secondly, the deformity of cozenage does not consist nor depend upon the difference betwixt crowns and pins; but I rather hold it more just to conclude thus: why should he not cozen in crowns since he does it in pins, than as they do, who say they only play for pins, they would not do it if it were for money? Children should carefully be instructed to abhor vices for their own contexture; and the natural deformity of those vices ought so to be represented to them, that they may not only avoid them in their actions, but especially so to abominate them in their hearts, that the very thought should be hateful to them, with what mask soever they may be disguised.

I know very well, for what concerns myself, that from having been brought up in my childhood to a plain and straightforward way of dealing, and from having had an aversion to all manner of juggling and foul play in my childish sports and recreations (and, indeed, it is to be noted, that the plays of children are not performed in play, but are to be judged in them as their most serious actions), there is no game so small wherein from my

own bosom naturally, and without study or endeavor, I have not an extreme aversion from deceit. I shuffle and cut and make as much clatter with the cards, and keep as strict account for farthings, as it were for double pistoles; when winning or losing against my wife and daughter, 'tis indifferent to me, as when I play in good earnest with others, for round sums. At all times, and in all places, my own eyes are sufficient to look to my fingers; I am not so narrowly watched by any other, neither is there any I have more respect to.

I saw the other day, at my own house, a little fellow, a native of Nantes, born without arms, who has so well taught his feet to perform the services his hands should have done him, that truly these have half forgotten their natural office; and, indeed, the fellow calls them his hands; with them he cuts anything, charges and discharges a pistol, threads a needle, sews, writes, puts off his hat, combs his head, plays at cards and dice, and all this with as much dexterity as any other could do who had more, and more proper limbs to assist him. The money I gave him—for he gains his living by shewing these feats—he took in his foot, as we do in our hand. I have seen another who, being yet a boy, flourished a two-handed sword, and, if I may so say, handled a halberd with the mere motions of his neck and shoulders for want of hands; tossed them into the air, and caught them again, darted a dagger, and cracked a whip as well as any coachman in France.

But the effects of custom are much more manifest in the strange impressions she imprints in our minds, where she meets with less resistance. What has she not the power to impose upon our judgments and beliefs? Is there any so fantastic opinion (omitting the gross impostures of religions, with which we see so many great nations, and so many understanding men, so strangely besotted; for this being beyond the reach of human reason, any error is more excusable in such as are not endued, through the divine bounty, with an extraordinary illumination from above), but, of other opinions, are there any so extravagant, that she has not planted and established for laws in those parts of the world upon which she has been pleased to exercise her power? And therefore that ancient exclamation was exceeding just:

Non pudet physicum, id est speculatorem venatoremque naturae, ab animis consuetudine imbutis petere testimonium veritatis?

I do believe, that no so absurd or ridiculous fancy can enter into human imagination, that does not meet with some example of public practice, and that, consequently, our reason does not ground and back up. There are people, among whom it is the fashion to turn their backs upon him they salute, and never look upon the man they intend to honor. There is a place, where, whenever the king spits, the greatest ladies of his court put out their hands to receive it; and another nation, where the most eminent persons about him stoop to take up his ordure in a linen cloth. Let us here steal room to insert a story.

A French gentleman was always wont to blow his nose with his fingers (a thing very much against our fashion), and he justifying himself for so doing, and he was a man famous for pleasant repartees, he asked me, what

Is it not a shame for a natural philosopher, that is, for an observer and hunter of nature, to seek testimony of the truth from minds prepossessed by custom? • CIC., NAT. D., 1.30

privilege this filthy excrement had, that we must carry about us a fine handkerchief to receive it, and, which was more, afterward to lap it carefully up, and carry it all day about in our pockets, which, he said, could not but be much more nauseous and offensive, than to see it thrown away, as we did all other evacuations. I found that what he said was not altogether without reason, and by being frequently in his company, that slovenly action of his was at last grown familiar to me; which nevertheless we make a face at, when we hear it reported of another country. Miracles appear to be so, according to our ignorance of nature, and not according to the essence of nature the continually being accustomed to anything, blinds the eye of our judgment. Barbarians are no more a wonder to us, than we are to them; nor with any more reason, as every one would confess, if after having traveled over those remote examples, men could settle themselves to reflect upon, and rightly to confer them, with their own. Human reason is a tincture almost equally infused into all our opinions and manners, of what form soever they are; infinite in matter, infinite in diversity. But I return to my subject.

There are peoples, where, his wife and children excepted, no one speaks to the king but through a tube. In one and the same nation, the virgins discover those parts that modesty should persuade them to hide, and the married women carefully cover and conceal them. To which, this custom, in another place, has some relation, where chastity, but in marriage, is of no esteem, for unmarried women may prostitute themselves to as many as they please, and being got with child, may lawfully take physic, in the sight of every one, to destroy their fruit. And, in another place, if a tradesman marry, all of the same condition, who are invited to the wedding, lie with the bride before him; and the greater number of them there is, the greater is her honor, and the opinion of her ability and strength: if an officer marry, 'tis the same, the same with a laborer, or one of mean condition; but then it belongs to the lord of the place to perform that office; and yet a severe loyalty during marriage is afterward strictly enjoined. There are places where brothels of young men are kept for the pleasure of women; where the wives go to war as well as the husbands, and not only share in the dangers of battle, but, moreover, in the honors of command. Others, where they wear rings not only through their noses, lips, cheeks, and on their toes, but also weighty gimmals of gold thrust through their paps and buttocks; where, in eating, they wipe their fingers upon their thighs, genitories, and the soles of their feet: where children are excluded, and brothers and nephews only inherit; and elsewhere, nephews only, saving in the succession of the prince: where, for the regulation of community in goods and estates, observed in the country, certain sovereign magistrates have committed to them the universal charge and overseeing of the agriculture, and distribution of the fruits, according to the necessity of every one where they lament the death of children, and feast at the decease of old men: where they lie ten or twelve in a bed, men and their wives together: where women, whose husbands come to violent ends, may marry again, and others not: where the condition of women is looked upon with such contempt, that they kill all the native females, and buy wives of their neighbors to supply their use; where husbands may repudiate their wives, without showing any cause, but wives cannot part from their husbands, for what cause soever; where husbands may sell their wives in case of sterility;

where they boil the bodies of their dead, and afterward pound them to a pulp, which they mix with their wine, and drink it; where the most coveted sepulture is to be eaten by dogs, and elsewhere by birds; where they believe the souls of the blessed live in all manner of liberty, in delightful fields, furnished with all sorts of delicacies, and that it is these souls, repeating the words we utter, which we call Echo; where they fight in the water, and shoot their arrows with the most mortal aim, swimming; where, for a sign of subjection, they lift up their shoulders, and hang down their heads; where they put off their shoes when they enter the king's palace; where the eunuchs, who take charge of the sacred women, have, moreover, their lips and noses cut off, that they may not be loved; where the priests put out their own eyes, to be better acquainted with their daemons, and the better to receive their oracles; where every one makes to himself a deity of what he likes best; the hunter of a lion or a fox, the fisher of some fish; idols of every human action or passion; in which place, the sun, the moon, and the earth are the principal deities, and the form of taking an oath is, to touch the earth, looking up to heaven; where both flesh and fish is eaten raw; where the greatest oath they take is, to swear by the name of some dead person of reputation, laying their hand upon his tomb; where the newyear's gift the king sends every year to the princes, his vassals, is fire, which being brought, all the old fire is put out, and the neighboring people are bound to fetch of the new, every one for themselves, upon pain of high treason; where, when the king, to betake himself wholly to devotion, retires from his administration (which often falls out), his next successor is obliged to do the same, and the right of the kingdom devolves to the third in succession: where they vary the form of government, according to the seeming necessity of affairs: depose the king when they think good, substituting certain elders to govern in his stead, and sometimes transferring it into the hands of the commonality: where men and women are both circumcised and also baptized: where the soldier, who in one or several engagements, has been so fortunate as to present seven of the enemies' heads to the king, is made noble: where they live in that rare and unsociable opinion of the mortality of the soul: where the women are delivered without pain or fear: where the women wear copper leggings upon both legs, and if a louse bite them, are bound in magnanimity to bite them again, and dare not marry, till first they have made their king a tender of their virginity, if he please to accept it: where the ordinary way of salutation is by putting a finger down to the earth, and then pointing it up toward heaven: where men carry burdens upon their heads, and women on their shoulders; where the women make water standing, and the men squatting: where they send their blood in token of friendship, and offer incense to the men they would honor, like gods: where, not only to the fourth, but in any other remote degree, kindred are not permitted to marry: where the children are four years at nurse, and often twelve; in which place, also, it is accounted mortal to give the child suck the first day after it is born: where the correction of the male children is peculiarly designed to the fathers, and to the mothers of the girls; the punishment being to hang them by the heels in the smoke: where they circumcise the women: where they eat all sorts of herbs, without other scruple than of the badness of the smell: where all things are open the finest houses, furnished in the richest manner, without doors, windows, trunks, or chests to lock, a thief being there punished double what they are in other places: where they crack lice with their teeth like monkeys, and

abhor to see them killed with one's nails: where in all their lives they neither cut their hair nor pare their nails; and, in another place, pare those of the right hand only, letting the left grow for ornament and bravery: where they suffer the hair on the right side to grow as long as it will, and shave the other; and in the neighboring provinces, some let their hair grow long before, and some behind, shaving close the rest: where parents let out their children, and husbands their wives, to their guests to hire: where a man may get his own mother with child, and fathers make use of their own daughters or sons, without scandal: where, at their solemn feasts, they interchangeably lend their children to one another, without any consideration of nearness of blood. In one place, men feed upon human flesh; in another, 'tis reputed a pious office for a man to kill his father at a certain age; elsewhere, the fathers dispose of their children, whilst yet in their mothers' wombs, some to be preserved and carefully brought up, and others to be abandoned or made away. Elsewhere the old husbands lend their wives to young men; and in another place they are in common without offense; in one place particularly, the women take it for a mark of honor to have as many gay fringed tassels at the bottom of their garment, as they have lain with several men. Moreover, has not custom made a republic of women separately by themselves? has it not put arms into their hands, and made them raise armies and fight battles? And does she not, by her own precept, instruct the most ignorant vulgar, and make them perfect in things which all the philosophy in the world could never beat into the heads of the wisest men? For we know entire nations, where death was not only despised, but entertained with the greatest triumph; where children of seven years old suffered themselves to be whipped to death, without changing countenance; where riches were in such contempt, that the meanest citizen would not have deigned to stoop to take up a purse of crowns. And we know regions, very fruitful in all manner of provisions, where, notwithstanding, the most ordinary diet, and that they are most pleased with, is only bread, cresses, and water. Did not custom, moreover, work that miracle in Chios that, in seven hundred years, it was never known that ever maid or wife committed any act to the prejudice of her honor?

To conclude; there is nothing, in my opinion, that she does not, or may not do; and therefore, with very good reason it is that Pindar calls her the ruler of the world. He that was seen to beat his father, and reproved for so doing, made answer, that it was the custom of their family; that, in like manner, his father had beaten his grandfather, his grandfather his great-grandfather, "And this," says he, pointing to his son, "when he comes to my age, shall beat me." And the father, whom the son dragged and hauled along the streets, commanded him to stop at a certain door, for he himself, he said, had dragged his father no farther, that being the utmost limit of the hereditary outrage the sons used to practise upon the fathers in their family. It is as much by custom as infirmity, says Aristotle, that women tear their hair, bite their nails, and eat coals and earth, and more by custom than nature that men abuse themselves with one another.

The laws of conscience, which we pretend to be derived from nature, proceed from custom; every one, having an inward veneration for the opinions and manners approved and received among his own people, cannot, without very great reluctance, depart from them, nor apply

himself to them without applause. In times past, when those of Crete would curse any one, they prayed the gods to engage him in some ill custom. But the principal effect of its power is, so to seize and ensnare us, that it is hardly in us to disengage ourselves from its gripe, or so to come to ourselves, as to consider of and to weigh the things it enjoins. To say the truth, by reason that we suck it in with our milk, and that the face of the world presents itself in this posture to our first sight, it seems as if we were born upon condition to follow on this track; and the common fancies that we find in repute everywhere about us, and infused into our minds with the seed of our fathers, appear to be the most universal and genuine; from whence it comes to pass, that whatever is off the hinges of custom, is believed to be also off the hinges of reason; how unreasonably for the most part, God knows.

If, as we who study ourselves have learned to do, every one who hears a good sentence, would immediately consider how it does in any way touch his own private concern, every one would find, that it was not so much a good saying, as a severe lash to the ordinary stupidity of his own judgment: but men receive the precepts and admonitions of truth, as directed to the common sort, and never to themselves; and instead of applying them to their own manners, do only very ignorantly and unprofitably commit them to memory. But let us return to the empire of custom.

Such people as have been bred up to liberty, and subject to no other dominion but the authority of their own will, look upon all other form of government as monstrous and contrary to nature. Those who are inured to monarchy do the same; and what opportunity soever fortune presents them with to change, even then, when with the greatest difficulties they have disengaged themselves from one master, that was troublesome and grievous to them, they presently run, with the same difficulties, to create another; being unable to take into hatred subjection itself.

'Tis by the mediation of custom, that every one is content with the place where he is planted by nature; and the Highlanders of Scotland no more pant after Touraine; than the Scythians after Thessaly. Darius asking certain Greeks what they would take to assume the custom of the Indians, of eating the dead bodies of their fathers (for that was their use, believing they could not give them a better nor more noble sepulture than to bury them in their own bodies), they made answer, that nothing in the world should hire them to do it; but having also tried to persuade the Indians to leave their custom, and, after the Greek manner, to burn the bodies of their fathers, they conceived a still greater horror at the motion. Every one does the same, for use veils from us the true aspect of things.

*Nil adeo magnum, nec tam mirabile quidquam
Principio, quod non minuant mirarier omnes
Paullatim.*

There is nothing at first so grand, so admirable, which by degrees people do not regard with less admiration. •
LUCR., 2.1028

Taking upon me once to justify something in use among us, and that was received with absolute authority for a great many leagues round about us, and not content, as men commonly do, to establish it only by force of law and example, but inquiring still further into its origin, I found the

foundation so weak, that I who made it my business to confirm others, was very near being dissatisfied myself. 'Tis by this receipt that Plato undertakes to cure the unnatural and preposterous loves of his time, as one which he esteems of sovereign virtue, namely, that the public opinion condemns them; that the poets, and all other sorts of writers, relate horrible stories of them; a recipe, by virtue of which the most beautiful daughters no more allure their fathers' lust; nor brothers, of the finest shape and fashion, their sisters' desire; the very fables of Thyestes, Oedipus, and Macareus, having with the harmony of their song, infused this wholesome opinion and belief into the tender brains of children. Chastity is, in truth, a great and shining virtue, and of which the utility is sufficiently known; but to treat of it, and to set it off in its true value, according to nature, is as hard as 'tis easy to do so according to custom, laws, and precepts. The fundamental and universal reasons are of very obscure and difficult research, and our masters either lightly pass them over, or not daring so much as to touch them, precipitate themselves into the liberty and protection of custom, there puffing themselves out and triumphing to their heart's content: such as will not suffer themselves to be withdrawn from this original source, do yet commit a greater error, and subject themselves to wild opinions; witness Chrysippus, who, in so many of his writings, has strewed the little account he made of incestuous conjunctions, committed with how near relations soever.

Whoever would disengage himself from this violent prejudice of custom, would find several things received with absolute and undoubting opinion, that have no other support than the hoary head and rivelled face of ancient usage. But the mask taken off, and things being referred to the decision of truth and reason, he will find his judgment as it were altogether overthrown, and yet restored to a much more sure estate. For example, I shall ask him, what can be more strange than to see a people obliged to obey laws they never understood; bound in all their domestic affairs, as marriages, donations, wills, sales, and purchases, to rules they cannot possibly know, being neither written nor published in their own language, and of which they are of necessity to purchase both the interpretation and the use? Not according to the ingenious opinion of Isocrates, who counselled his king to make the traffics and negotiations of his subjects, free, frank, and of profit to them, and their quarrels and disputes burdensome, and laden with heavy impositions and penalties; but, by a prodigious opinion, to make sale of reason itself, and to give to laws a course of merchandise. I think myself obliged to fortune that, as our historians report, it was a Gascon gentleman, a countryman of mine, who first opposed Charlemagne, when he attempted to impose upon us Latin and imperial laws.

What can be more savage, than to see a nation where, by lawful custom, the office of a judge is bought and sold, where judgments are paid for with ready money, and where justice may legitimately be denied to him that has not wherewithal to pay; a merchandise in so great repute, as in a government to create a fourth estate of wrangling lawyers, to add to the three ancient ones of the church, nobility, and people; which fourth estate, having the laws in their own hands, and sovereign power over men's lives and fortunes, makes another body separate from nobility: whence it comes

to pass, that there are double laws, those of honor and those of justice, in many things altogether opposite one to another; the nobles as rigorously condemning a lie taken, as the other do a lie revenged: by the law of arms, he shall be degraded from all nobility and honor who puts up with an affront; and by the civil law, he who vindicates his reputation by revenge incurs a capital punishment: he who applies himself to the law for reparation of an offense done to his honor, disgraces himself; and he who does not, is censured and punished by the law. Yet of these two so different things, both of them referring to one head, the one has the charge of peace, the other of war; those have the profit, these the honor; those the wisdom, these the virtue; those the word, these the action; those justice, these valor; those reason, these force; those the long robe, these the short; —divided betwixt them.

For what concerns indifferent things, as clothes, who is there seeking to bring them back to their true use, which is the body's service and convenience, and upon which their original grace and fitness depend; for the most fantastic, in my opinion, that can be imagined, I will instance among others, our flat caps, that long tail of velvet that hangs down from our women's heads, with its party-colored trappings; and that vain and futile model of a member we cannot in modesty so much as name, which, nevertheless, we make show and parade of in public. These considerations, notwithstanding, will not prevail upon any understanding man to decline the common mode; but, on the contrary, methinks, all singular and particular fashions are rather marks of folly and vain affectation than of sound reason, and that a wise man, within, ought to withdraw and retire his soul from the crowd, and there keep it at liberty and in power to judge freely of things; but as to externals, absolutely to follow and conform himself to the fashion of the time. Public society has nothing to do with our thoughts, but the rest, as our actions, our labors, our fortunes, and our lives, we are to lend and abandon them to its service and to the common opinion, as did that good and great Socrates who refused to preserve his life by a disobedience to the magistrate, though a very wicked and unjust one for it is the rule of rules, the general law of laws, that every one observe those of the place wherein he lives.

Νόμοις ἔπεσθαι τοῖσιν ἐγχώριοις κάλον.

It is good to obey the laws of one's country.

And now to another point. It is a very great doubt, whether any so manifest benefit can accrue from the alteration of a law received, let it be what it will, as there is danger and inconvenience in altering it; forasmuch as government is a structure composed of divers parts and members joined and united together, with so strict connection, that it is impossible to stir so much as one brick or stone, but the whole body will be sensible of it. The legislator of the Thurians ordained, that whosoever would go about either to abolish an old law, or to establish a new, should present himself with a halter about his neck to the people, to the end, that if the innovation he would introduce should not be approved by every one, he might immediately be hanged; and he of the Lacedaemonians employed his life to obtain from his citizens a faithful promise that none of his laws should be violated. The Ephoros who so rudely cut the two strings that Phrynis had added to music never stood to examine whether that addition made

better harmony, or that by its means the instrument was more full and complete; it was enough for him to condemn the invention, that it was a novelty, and an alteration of the old fashion. Which also is the meaning of the old rusty sword carried before the magistracy of Marseille.

For my own part, I have a great aversion from a novelty, what face or what pretense soever it may carry along with it, and have reason, having been an eyewitness of the great evils it has produced. For those which for so many years have lain so heavy upon us, it is not wholly accountable; but one may say, with color enough, that it has accidentally produced and begotten the mischiefs and ruin that have since happened, both without and against it; it, principally, we are to accuse for these disorders:

Heu! patior telis vulnera facta meis.

They who give the first shock to a state, are almost naturally the first overwhelmed in its ruin the fruits of public commotion are seldom enjoyed by him who was the first motor; he beats and disturbs the water for another's net. The unity and contexture of this monarchy, of this grand edifice, having been ripped and torn in her old age, by this thing called innovation, has since laid open a rent, and given sufficient admittance to such injuries: the royal majesty with greater difficulty declines from the summit to the middle, then it falls and tumbles headlong from the middle to the bottom. But if the inventors do the greater mischief, the imitators are more vicious to follow examples of which they have felt and punished both the horror and the offense. And if there can be any degree of honor in ill-doing, these last must yield to the others the glory of contriving, and the courage of making the first attempt. All sorts of new disorders easily draw, from this primitive and ever-flowing fountain, examples and precedents to trouble and discompose our government: we read in our very laws, made for the remedy of this first evil, the beginning and pretenses of all sorts of wicked enterprises; and that befalls us, which Thucydides said of the civil wars of his time, that, in favor of public vices, they gave them new and more plausible names for their excuse, sweetening and disguising their true titles; which must be done, forsooth, to reform our conscience and belief:

Honesta oratio est;

but the best pretense for innovation is of very dangerous consequence:

Aden nihil motum ex antiquo probabile est.

And freely to speak my thoughts, it argues a strange self-love and great presumption to be so fond of one's own opinions, that a public peace must be overthrown to establish them, and to introduce so many inevitable mischiefs, and so dreadful a corruption of manners, as a civil war and the mutations of state consequent to it, always bring in their train, and to introduce them, in a thing of so high concern, into the bowels of one's own country. Can there be worse husbandry than to set up so many certain and knowing vices against errors that are only contested and disputable? And are there any worse sorts of vices than those committed against a man's

Alas! The wounds were made by my own weapons. • OV., EP., PHYLLIS
DEMOPHOONTI 48

Fine words truly. • TER., AN., 1.1.114

We are ever wrong in changing ancient ways. • LIVY, 34.54

own conscience, and the natural light of his own reason? The Senate, upon the dispute betwixt it and the people about the administration of their religion, was bold enough to return this evasion for current pay:

Ad deos id magis, quam ad se, pertinere: ipsos visuros, ne sacra sua polluantur;

according to what the oracle answered to those of Delphos who, fearing to be invaded by the Persians in the Median war, inquired of Apollo, how they should dispose of the holy treasure of his temple; whether they should hide, or remove it to some other place? He returned them answer, that they should stir nothing from thence, and only take care of themselves, for he was sufficient to look to what belonged to him.

The Christian religion has all the marks of the utmost utility and justice: but none more manifest than the severe injunction it lays indifferently upon all to yield absolute obedience to the civil magistrate, and to maintain and defend the laws. Of which, what a wonderful example has the divine wisdom left us, that, to establish the salvation of mankind, and to conduct His glorious victory over death and sin, would do it after no other way, but at the mercy of our ordinary forms of justice subjecting the progress and issue of so high and so salutiferous an effect, to the blindness and injustice of our customs and observances; sacrificing the innocent blood of so many of His elect, and so long a loss of so many years, to the maturing of this inestimable fruit? There is a vast difference betwixt the case of one who follows the forms and laws of his country, and of another who will undertake to regulate and change them; of whom the first pleads simplicity, obedience, and example for his excuse, who, whatever he shall do, it cannot be imputed to malice; 'tis at the worst but misfortune:

Quis est enim, quem non moveat clarissimis monumentis testata consignataque antiquitas?

besides what Isocrates says, that defect is nearer allied to moderation than excess: the other is a much more ruffling gamester; for whosoever shall take upon him to choose and alter, usurps the authority of judging, and should look well about him, and make it his business to discern clearly the defect of what he would abolish, and the virtue of what he is about to introduce.

This so vulgar consideration is that which settled me in my station, and kept even my most extravagant and ungoverned youth under the rein, so as not to burden my shoulders with so great a weight, as to render myself responsible for a science of that importance, and in this to dare, what in my better and more mature judgment, I dared not do in the most easy and indifferent things I had been instructed in, and wherein the temerity of judging is of no consequence at all; it seeming to me very unjust to go about to subject public and established customs and institutions, to the weakness and instability of a private and particular fancy (for private reason has but a private jurisdiction), and to attempt that upon the divine, which no government will endure a man should do, upon the civil laws; with which, though human reason has much more commerce than with the other, yet are they sovereignly judged by their own proper judges, and the extreme sufficiency serves only to expound and set forth the law and

Those things belong to the gods to determine than to them; let the gods, therefore, take care that their sacred mysteries were not profaned.

• LIVY, 10.6

For who is there that antiquity, attested and confirmed by the fairest monuments, cannot move? • CIC.,

DIV., 1.40

custom received, and neither to wrest it, nor to introduce anything, of innovation. If, sometimes, the divine providence has gone beyond the rules to which it has necessarily bound and obliged us men, it is not to give us any dispensation to do the same; those are masterstrokes of the divine hand, which we are not to imitate, but to admire, and extraordinary examples, marks of express and particular purposes, of the nature of miracles, presented before us for manifestations of its almightiness, equally above both our rules and force, which it would be folly and impiety to attempt to represent and imitate; and that we ought not to follow, but to contemplate with the greatest reverence: acts of His personage, and not for us. Cotta very opportunely declares:

Quum de religione agitur, Ti. Coruncanium, P. Scipionem, P. Scaevolam, pontifices maximos, non Zenonem, aut Cleanthem, aut Chrysippum, sequor.

God knows, in the present quarrel of our civil war, where there are a hundred articles to dash out and to put in, great and very considerable, how many there are who can truly boast, they have exactly and perfectly weighed and understood the grounds and reasons of the one and the other party; 'tis a number, if they make any number, that would be able to give us very little disturbance. But what becomes of all the rest, under what ensigns do they march, in what quarter do they lie? Theirs have the same effect with other weak and ill-applied medicines; they have only set the humors they would purge more violently in work, stirred and exasperated by the conflict, and left them still behind. The potion was too weak to purge, but strong enough to weaken us; so that it does not work, but we keep it still in our bodies, and reap nothing from the operation but intestine gripes and dolours.

So it is, nevertheless, that Fortune still reserving her authority in defiance of whatever we are able to do or say, sometimes presents us with a necessity so urgent, that 'tis requisite the laws should a little yield and give way; and when one opposes the increase of an innovation that thus intrudes itself by violence, to keep a man's self in so doing, in all places and in all things within bounds and rules against those who have the power, and to whom all things are lawful that may in any way serve to advance their design, who have no other law nor rule but what serves best to their own purpose, 'tis a dangerous obligation and an intolerable inequality:

Aditum nocendi perfido praestat fides,

forasmuch as the ordinary discipline of a healthful state does not provide against these extraordinary accidents; it presupposes a body that supports itself in its principal members and offices, and a common consent to its obedience and observation. A legitimate proceeding is cold, heavy, and constrained, and not fit to make head against a headstrong and unbridled proceeding. 'Tis known to be to this day cast in the dish of those two great men, Octavius and Cato, in the two civil wars of Sylla and Caesar, that they would rather suffer their country to undergo the last extremities, than relieve their fellow-citizens at the expense of its laws, or be guilty of any innovation; for in truth, in these last necessities, where there is no other remedy, it would, peradventure, be more discreetly done, to stoop and

When matter of religion is in question, I follow the high priests T. Coruncanius, P. Scipio, P. Scaevola, and not Zeno, Cleanthes, or Chrysippus. • CIC., NAT. D., 3.2

Putting faith in a treacherous person, opens the door to harm. • SEN., OED., 3.686

yield a little to receive the blow, than, by opposing without possibility of doing good, to give occasion to violence to trample all under foot; and better to make the laws do what they can, when they cannot do what they would. After this manner did he who suspended them for four-and-twenty hours, and he who, for once shifted a day in the calendar, and that other who of the month of June made a second of May. The Lacedaemonians themselves, who were so religious observers of the laws of their country, being straitened by one of their own edicts, by which it was expressly forbidden to choose the same man twice to be admiral; and on the other side, their affairs necessarily requiring, that Lysander should again take upon him that command, they made one Aratus admiral; 'tis true, but withal, Lysander went general of the navy; and, by the same subtlety, one of their ambassadors being sent to the Athenians to obtain the revocation of some decree, and Pericles remonstrating to him, that it was forbidden to take away the tablet wherein a law had once been engrossed, he advised him to turn it only, that being not forbidden; and Plutarch commends Philopoemen, that being born to command, he knew how to do it, not only according to the laws, but also to overrule even the laws themselves, when the public necessity so required.

MONTAIGNE'S SOURCES

Cic., Div.	Cicero, <i>On Divination</i>
Cic., Nat. D.	Cicero, <i>On the Nature of the Gods</i>
Cic., Tusc.	Cicero, <i>Tusculan Disputations</i>
Livy	Livy, <i>History of Rome</i>
Lucr.	Lucretius, <i>On the Nature of Things</i>
Ov., Ep.	Ovid, <i>Epistles</i>
Plin., HN	Pliny, <i>Natural History</i>
Sen., Oed.	Seneca, <i>Oedipus</i>
Ter., An.	Terence, <i>Andria</i>