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GEORGE BUCHANAN'S

DIALOGUE

CONCERNING THE

*RIGHTS OF THE CROWN OF SCOTLAND*

TRANSLATED INTO ENGLISH;

WITH

TWO DISSERTATIONS

PREFIXED;

*ONE ARCHEOLOGICAL*

EXAMINING INTO THE PRETENDED IDENTITY OF THE GUTS AND SCYTHIANS, OF THE  
GUTS AND GOTHIS, AND OF THE GOTHIS AND SCOTS;

AND

*THE OTHER HISTORICAL*

VALIDATING THE CHARACTER OF BUCHANAN AS AN HISTORIAN, AND CONTAINING  
SOME SPECIMENS OF HIS POETRY IN ENGLISH VERSE.

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BY

ROBERT MACFARLAN, A.M.

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Pergereut igitur pro virili rem literariam illustrare, ac se fusione  
cives memorie publicitatis commendare.—BUCHANAN. *De Jure Regali.*

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E R R A T A.

- Page 13, last line but one, for *με δε* read *μεν δε*.  
— 16, line 8, in the notes, for *Αττελα* read *Αττηλα*.  
— 23, last line, expunge *ν* at the end of *εξεπορθησεν*.  
— 29, last line, add *ν* at the end of *κατεσκευασε*.  
— 43, line 9, in the notes, for *vela* read *vela*.  
— 61, line 13, for *in* read *for*.  
— 96, line 29, insert the word *one* after *nor*.  
— 97, line 27, before the word *one* insert *the*.  
— 177, line 22, for *Chelperich* read *Chilperick*.





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AN

INQUIRY, &c.

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**T**HOSE, who, like Aristotle, contend for the eternity of the world, judge it impossible to trace any nation to its cradle; because the natural history of our globe as well as the testimony of celestial observations evinces that every region has varied and is constantly varying its latitude, so that the polar regions will become, as they appear to have formerly been, the equatorial in an endless progression. Adding to this consideration the alterations necessarily produced among the human race by migration and conquest they find no difficulty in conceiving that there has not been any pure and unmixed nation, nor any original and undiluted language, for many ages on the face of our planet. But, though staggered by this theory and inclined with Gibbon\* to laugh at Attick vanity in deeming the existence of an indigenous tribe possible, yet I think it not irrational here to

\* Vol. I. p. 220.

indulge my curiosity, and to do in this what I must do in every other question, to carry my researches into the origin of nations as far as my limited powers and scanty materials will admit. In every inquiry physical or moral we are always obliged to stop short of perfect knowledge. Why should we expect more certainty in historical investigation?

Having read Cesar and Tacitus, I had conceived that the ancient inhabitants of Gaul and of the British isles were radically the same, and that they all spoke Gallick, of which the language of the Celts was the purest dialect to be found on the continent. Having read Herodotus, Strabo, Curtius and other historians, I had always understood that the Scythians were a distinct race totally different from the Getes, as I had conceived the Getes to be from the Goths. I had never suspected that not only the Persians, but also the Greeks and Romans and even the Scots, were Goths. These great discoveries, however, have been made, or rather revived, by a living antiquary; and the Athenians, were they in existence, must no more boast of being Autochthones, nor the Romans talk of Troy as their parent.

I am aware that the nations situated to the North-east and North-west of the Danube were, as we learn from Pliny and Procopius, not unfrequently denominated Scythians. But in what sense? As all the Europeans were by the Turks and other Asiatics styled Franks from the principal nation first known to them, and as the inhabitants of

\* Pliny, lib. iv. cap. 13. Scytharum nomen usque quaque in sarmatas ac Germanos transit; nec alibi duravit prisca illa appellatione quam qui extremi gentium harum ignoti prope cæteris mortalibus degunt.

Procopius, lib. iv. cap. 5. ἔστι ταῦτα ταῖς ἑσπερίαις ἐκείναις, Σαβάραι αὐτὸν ἄλλοις ἀσκαζῆται &c.

the northern parts of Asia are by us called Tartars, though we know many of them to differ widely in almost every thing but the general character of humanity. Thus far and no farther were the Getes termed Scythians. Where the Scythians are termed by authors of credit Getes I have yet to learn; for it does not follow that, because every Englishman is a Briton, every Briton is an Englishman. The genus certainly includes the species; but it is Gothick ignorance to make the species necessarily include the genus, a paralogysm of which the abettors of the system, which I combat, are notoriously guilty. Not wishing to be tedious nor to waste paper and ink to no purpose I proceed without further preface to quote my authorities against the identity of the Scythians and Getes, the fundamental article of the Gothick creed.

If the Scythians and Getes were the same race, it could not be a secret to the Scythians themselves. What are their words? In the speech of their ambassadors to the deputies of the neighbouring nations, when their country was invaded by Darius, Herodotus has recorded these expressions, which are very closely translated. "The Persian has come no more against us than against you; nor will he, after our overthrow, be satisfied and abstain from you. Of this reasoning we shall give you a strong proof. If the Persian led his army against us alone, in order to punish us for having formerly reduced him to slavery, he ought to have abstained from injuring others and to have confined his devastations to our country; and he would thus have made it evident to all that the Scythians and no others are the objects of his expedition. But now, upon coming over to this continent, he immediately subdues every nation that comes in his

B 2

way,

way, and keeps under his dominion as well the *æther*\* Thracians as the Getes, our next neighbours."

Here we have the testimony of the Scythians themselves, and of Herodotus, that the Getes were a Thracian nation, that neither the Thracians, the generick name, nor the Getes, the specific name, were Scythians, and that it was the Scythians properly so called and not the Getes, that had invaded and conquered Asia, and made the Persians slaves.

In another passage Herodotus calls the Getes "the bravest and justest of the Thracians †," and puts it beyond doubt that the Greeks considered them as a tribe of Thracians, the general name of that race of men, who spoke the Thracian, of which the Getick was a dialect.

In a third place the same author says "The ‡ Agathyrsi in other usages nearly resemble the Thracians (or Getes); but the Nuri use the customs of the Scythians." Had he contended that the Getes and Scythians were the same people, could he have found words more contradictory to that notion?

The testimony of Herodotus is the more worthy of belief that he appears to have § personally visited

\* Melpomene, cap. 118.—*τῶς τε δὲ "αλλῆς" ἔχει ἐπ' ἑαυτῷ Θρηάκας, καὶ ἐν καὶ τῶν καὶ αὐτῶν τῶν ἰσχυρῶν Γέτας, &c.*

† *Γέτας Θρηάκων—ἀειστάτων καὶ δικαιοτάτων.* Melpomene, cap. 93.

‡ Melpomene, cap. 114.—*Ἀγῆρσις—ἀλλὰ ἰομαία Θρηῆς, σιγῶν, ἰσχυρῶν καὶ δικαιοτάτων, καὶ αὐτῶν Σκυθῶνσις.*

§ Melpomene, cap. 81 & 82.—*Γεωργίαι τε ἀπεφανοῦμαι ἐν τῷ—ἐπ' ἑαυτῷ Ἰβηρῶν τε καὶ Ἰσπανῶν, Ἑξακίσις αὐτῶν ἀποτίσις αὐτῶν—χρῆσται τὰν τῶν Ἑκκίσις ἐξ. Τέτο ἐπ' ἑαυτῶν Ἰσπανῶν καὶ Ἰβηρῶν γὰρ ἐστὶν ἔθνη, γὰρ τῶν σφιτεροῦ ἕκαστος, καὶ ἰσχυρῶν καὶ ἀειστάτων, τῶν ἐπ' ἑαυτῶν τῶν πλεόντων, τῶν Σκυθῶν, αὐτῶν ἰσχυρῶν Σκυθῶν ἀπὸ ἑκάστου μὴν αὐτῶν τῶν ἰσχυρῶν καὶ ἀειστάτων ἕκαστος ἀπὸ τῶν*

the Scythian districts lying between the Hypanis and the Borysthenes or Nieper; as he gives from ocular inspection the dimensions or rather capacity of a brazen vessel made by order of Ariantas, a Scythian king, with the points of arrows furnished by each person in order to ascertain the numbers of the nation.

Zamolxis, if we believe Herodotus\* and Diogenes Laërtius †, was the legislator of the Thracians, and therefore of the Getes, whom by way of derision the Greeks called the “immortal” Getes. Anacharsis is by all authors allowed to have been the only known philosopher among the Scythians. How are these opposite positions to be reconciled, if we admit the identity of the Scythians and Getes?

The testimony of Ovid ‡, who, after a residence of six years in Pontus, became a Getick poet, is also decisive. What does the mournful exile say?

Between § Scythia and the Getes what have I to do with the Sicilians?

Around || me is the sound of Thracian (or Getick) and of Scythian mouths.

Close ¶ by me stand the Scythian vulgar and the breeched mob of the Getes.

I have \*\* now learned to speak the Getick and Sarmatick:

\* Melpomene, cap. 94 & 95.

† Dio. Laër. in proœmio. *Επιει φασι της φιλοσοφιας αξειαι Θρανα Ζαμολξιν.*

‡ Ex. Ponto, lib. iv. ep. 10. *Hic mihi Cimmerico bis tertia ducitur æstas Littore—.*

§ Trist. lib. iii. eleg. 12. *Quid mihi cum Siculis inter Scythiamque Getasque?*

|| Trist. lib. iii. eleg. 14. *Threicio Scythicoque fere circumsonor ore.*

¶ Trist. lib. iv. eleg. 6. *Vulgus adest Scythicum braccataque turba Getarum.*

\*\* Trist. lib. v. eleg. 12. *Jam didici Getice Sarmaticeque loqui,*

The bard every where makes the same distinction between the Scythians and the Getes, between the Sarmatick and the Getick. Who then were these Scythians, whom he thus distinguishes? The Sarmatians; for it appears from the whole strain of his elegies and epistles that, except some broken Greek, no languages were spoken in his neighbourhood but the Getick and Sarmatick.

But says my antagonist, Ovid informs us that the Getes and Sarmatians maintained an intercourse in a “social \*, or (if you will) in an allied tongue. What then? Does it follow that they were radically the same? By no means. The borderers of all nations, however different their languages may be, never fail, like the English and Welch, the English and Irish, the Poles, (or Sarmatians,) and Germans, to carry on a social intercourse. Had the poet said *Cognate* exerceat illi commercia linguæ; had he said that they used a *kindred* language, the assertion, though obviously founded in error, might require some refutation. But Ovid knew the force of Latin words too well to be guilty of such a barbarism. The Russians and Poles, the descendants of the Scythians or Sarmatians, may and actually do maintain a social intercourse with the Germans, though their languages have no affinity.

Nor is Ovid singular in considering the Sarmatians as Scythians. Herodotus had from personal knowledge asserted the same 500 many ages before him, and Ephorus, Strabo, Tacitus and Curtius after him. Without multiplying words I shall quote their expressions, and leave the reader to judge for himself.

\* The † Sarmatians, the progeny of a body of Scy-

\* Exerceat illi sociæ commercia linguæ. Ovid. Trist. l. 2. lib. v. l. 27.

† Melopomeno, cap. 117. ἑὸν δὲ τὸ Σαρματικὸν γένος

thian youths and Amazons, speak the Scythian language, but not without solecisms, as it was at first but imperfectly learned by the Amazons." Who ever pretended that the Sarmatick or the Slavonick was the same language as the Teutonic? Let any inquirer peruse Melpomene from chapter 108 to chapter 118, and, if he cannot clearly see the truth of what I here assert, he must be blinded by prejudice and resolved to discern nothing but what is Gothick. Ephorus, as Strabo\* tells us, says that "there was some difference between the Scythians and Sarmatians," as there is to this day between the Russians and Poles, and thus agrees in his account with Herodotus.

Strabo in speaking of certain tribes says, "In † a more inland situation than these are the Sarmatians, who are themselves also Scythians." In another passage he has these words, "The ‡ plain of the Iberians is inhabited by that part of the nation that is most addicted to agriculture and attached to the habits and customs of the Medes; but the mountainous regions are occupied by the most numerous and warlike, who live in the manner of the Scythians and Sarmatians, their next neighbours and kinsmen."

The elegant and sententious Quintus Curtius is, however, the most clear and pointed in his evidence, which is the more to be regarded that

Σκυθικῆ, πολὺ κλιζόντες ἐν αὐτῇ ἀπὸ τε ἀρχαίων, ἐπὶ ἕχριστος ἐξήραρον κεντὴν αἰ. Διαζήεις.

\* Strabo, lib. vii. p. 463. fol. Amstelodami, apud Wolters. Ἐθνος δ' ἐν ἐν τεταρτῇ μὲν τῆς ἱστορίας—φασὶν ἐπὶ τελείῃ εἶναι τὰν τε "ἀλλοῦ" Σκυθῶν καὶ τῶν Σαρματῶν ἕως ἀρμιοῦνης, &c.

† Strabo, lib. xi. p. 753. Εἰδότερῳ δὲ τῷ Σαρματῶν καὶ εἶναι Σκυθῶν.

‡ Strabo, lib. xi. p. 764. Το μὲν ἐν πεδίοις τῶν Ἰβηρῶν εἰ γεωργικατάτοι εἰσὼσι ἀρμιοῦσι καὶ Μυδιόσι ἐσκευασμένοι τῆν οὐρετικὴν οἰσθίαν καὶ καθρημοὶ κατεχῆσι Σκυθῶν διχῆ ζῶντες καὶ Σαρματῶν, ἵσπερ καὶ Σαρρῶν καὶ συγγεῖνοι εἰσι.

he wrote, as appears evidently from his expressions, after the northern parts of Asia became, in the words of Strabo, better known in consequence of Alexander's expedition and of the wars between the Romans and Mithridates and the Parthians. In English these are his expressions, "The\* nation of the Scythians lies to the north-east of Thrace, from which it is at no great distance, and is not, as some have thought, a frontier nation but a part of the Sarmatians."

Curtius † proceeds, "The Scythians, who are still formidable to their neighbours, inhabit a champaign and fertile country; they have possessions in Europe and in Asia, and those, who are near the Bosphorus, are reckoned Asiatics; but those, who are in Europe, reach in a straight line to the Bosphorus, and from thence to the Tanais, of which the stream separates Europe from Asia; nor is it doubted that the Scythians, who founded the Parthian empire, came from Europe and not from the Bosphorus."

In the speech of the Scythian ambassadors to Alexander recorded by the same author we have these words, "You ‡ may employ us to guard

\* Curtius, lib. vii. cap. 28. Scytharum gens haud procul Thracia sita ab oriente ad septentrionem se vertit; Sarmatarum, ut quidam credidere, non finitima sed pars est.

† Curtius, lib. vi. cap. 5. Scythæ regionem campisram et fertilem occupaverunt grave adhuc accolis: sedes habent et in Europa et in Asia: qui super Bosphorum colunt Asiae attribentur: at qui in Europa sunt a loco Thraciæ hinc ad Berythienem atque inde ad Tanaim alium amnem, recta plaga attingunt. Tanais Europam et Asiam medium interfluit; ne dubitatur quin Scythæ, qui Parthos condidere, non a Bosphoro sed ex Europæ regione penetraverint.

‡ Curtius, lib. vii. cap. 33. Ceterum nos et Asiae et Europæ inæbels custodes. Bactra, nisi dividat Tanais, contingitur: ultra Tanaim usque ad Taraciam colimus: Taraciæ Macedoniam conjunctam esse fama est. Utrique imperio tuo finitimos hostes an amicos velle esse considera.



both Europe and Asia, as hardly any thing but the Tanais (or rather the Jaxartes) separates us from the Bactrians; and beyond the Tanais we reach as far as Thrace, on which, we are told, Macedonia borders. Whether you would wish us, who touch your empire at both extremities, to be your friends or your enemies, it is your business to consider."

Thus we now find the Scythians and Sarmatians clearly proved to be the same people, and, like the Arabians, immoveably fixed in the regions of poverty—assigned to them by the best authors both ancient and modern, by Herodotus and Strabo, by Gibbon and Rennel. Being, as Strabo informs us, kinsmen, they always appear united against foreign invaders, against Darius, the Persian, in Herodotus\*, and against Hermanric, the Goth, in Gibbon †.

We have the sanction of Curtius already quoted and of Justin, or rather of Trogus, in the reference below, for asserting that the Parthians ‡ were European Scythians or Sarmatians; and the same Justin authorises us to call the Bactrians § Scythians. Indeed, if we had not these authorities as corroborating proofs, we might well rest satisfied with the testimony of Strabo ¶ alone, who tells us that the

\* Melpomene, cap. 119.

† Vol. ii. cap. 25 & 26.

‡ Lib. ii. cap. 1. Quippe cum ipsi (Scythæ) Parthos Bactrianosque, feminæ autem eorum Amazonum regna condiderint.

§ Cap. 3. Parthicum & Bactrianum imperium ipsi condiderunt.—Lib. xli. cap. 1. Parthi Scytharum exules fuere; hoc enim ipsorum vocabulo manifestatur.—Cap. 2. Sermo his (Parthis) inter Scythicum Medicumque medius, et ex utrifque mixtus.

¶ Strabo, lib. xv. p. 1054. Επεκτείνεται τ' εἶδος τῆς Ἀριανῆς ἀεὶ μέχρι εἰς τὸν καὶ Περσῶν καὶ Μήδων καὶ ἐπὶ τῶν προσηκτικῶν Βακτριῶν καὶ Σκυθικῶν· εἰσι γὰρ καὶ ἰμυγλιῶται παρὰ μίθρον.

Persians, Medes, Bactrians and Sogdians spoke nearly the same language \*. The Sacæ too were Scythians, as we learn from Alexander's admiral, Nearchus †, and from his poet, Chœrilus ‡.

Having thus in some measure ascertained the extent and the nations of the Great Scythia, which reached from the Nieper to the confines of India and penetrated far southwards into Asia, let us now come to the Little Scythia, which, as Strabo § declares, extended at first from the Dniestus (of the Crimea) to the Borysthenes; but which, from the numbers of Scythians that crossed the Tyras (Nieper) and the Ilter (Danube) and expelled the Thracians or Getes, was gradually styled Little Scythia. How could all this be? How could a Little Scythia exist in the middle of Thrace, if the Thracian, and consequently the Getes, were Scythians?

I am ashamed of having discussed so much at large a subject, upon which authority and common sense are so totally against those that contend for the identity of the Scythians with the Getes, who were but a part of the Thracians. Were any farther authority necessary, it would be furnished by Procopius, who, as Secretary to Belisarius, had an opportunity of personally knowing the different tribes of the barbarians. In his work the *Mis-*

\* *Library*, p. 137. *Plinius* lib. vi. c. 12. *Strabo* lib. vii. c. 1. *Herodotus* lib. i. c. 102. *Herodotus* lib. i. c. 103.

† *Arrian* lib. i. c. 10.

‡ *Strabo* lib. vii. c. 1. *Strabo* lib. vii. c. 1. *Strabo* lib. vii. c. 1. *Strabo* lib. vii. c. 1.

§ *Strabo* lib. vii. c. 1. *Strabo* lib. vii. c. 1. *Strabo* lib. vii. c. 1. *Strabo* lib. vii. c. 1.

¶ *Strabo* lib. vii. c. 1. *Strabo* lib. vii. c. 1. *Strabo* lib. vii. c. 1. *Strabo* lib. vii. c. 1.

‡ *Strabo* lib. vii. c. 1. *Strabo* lib. vii. c. 1. *Strabo* lib. vii. c. 1. *Strabo* lib. vii. c. 1.

§ *Strabo* lib. vii. c. 1. *Strabo* lib. vii. c. 1. *Strabo* lib. vii. c. 1. *Strabo* lib. vii. c. 1.

getæ, whom Mr. Pinkerton calls Goths, and Arrian Scythians \*, are Huns, and the Huns are Scythians. Is it conceivable that Procopius, who † was so intimately connected with Belisarius, a Thracian general and a man of the greatest merit, should not have known whether the Massagetæ and Scythians were Getes, a tribe of the Thracians? The thing is impossible. Had he been even a simpleton, and not a man of science and learning, a person of shallow understanding, and not a statesman of deep penetration improved by education and travel, he must have learned the whole from the rest of the army as well as from Belisarius, who was a hero of the first magnitude; and how a man can be a hero, or conquer vast armies with a small force without extensive knowledge, is a mystery that will require all the ingenuity of the Goths to explain.

Here I might close the evidence upon this head of the controversy, were it not that the prejudices of a certain party seem to require an answer to Mr. Pinkerton's fourteen authorities on the opposite side.

“ 1. Strabo, Pliny, Ptolemy, says he, all rank the Getæ as Scythians.”

Answer. Ptolemy says nothing on the subject, but confines his observations to the longitude and

\* Arrian, lib. iv. *Εν δε μεθεξῆς τῆς τε Σκυθικῆς γῆς καὶ τῆς Μασσαγέταν Σκυθῶν.*

Arrian, lib. iv. *Οἱ τε Μασσαγέται Σκύθαι κακῶς πεπρωμένοι,* &c.

† Procopius, lib. i. Vand.—*Μασσαγέταν τε καὶ τῶν ἄλλων Σκυθῶν ἐν τῇ Ῥωμαίων ἀρχῇ ἐισβάλλοντι.*

These Massagetæ in another passage turn out to be Huns; for Procopius falls into the common error of giving all the tribes in the north-east of Europe and north-west of Asia the name of the principal nation. But he never tells us that the Scythians were Getes or Thracians.

latitude of places ; and Strabo and Pliny, as I have already proved by their words, are totally adverse to the Gothick system.

“ 2. Justin, or rather Trogius Pompeius, says that Tanaus, king of the most ancient Scythæ, fought with Vexoris, king of Egypt. Valerius Flaccus lib. V. calls the same Tanaus, king of the Getæ.”

Answer. Trogius \*, as will appear from Justin's words below, does not say that Tanaus fought with Vexoris, and the name of Tanaus is not to be found in book V. nor in any book of Valerius Flaccus.

“ 3. Trebellius Pollio in Gallieno, Scythæ autem, id est, pars Gothorum, Asian vastabant. The same (in Claudio Gothico) Scytharum diversi populi, Peucini, Tzutungi, Aulrogotæ, prædæ, &c.”

Answer. That the reader may not here be misled, I shall give the whole † passage in English without any et cætera, subjoining the original at the bottom of the page.

“ Lastly various nations of the Scythians, the Peucini, the Tzutungi, the Aulrogotæ, the Virtrugui, the Sigipædes, the Celts also and the Heruli from a desire of plunder came into the Roman territory and state.” Here the Celts are as ingenuously as ingenuously omitted by Mr. Pinkerton; else they would have as good a title to the appellation of Scythians as the other head-rol of names.

\* Justin, lib. 1. cap. 1. Tanaus quidem rex illis antecessor Vexoris Egypti et Scythiarum. Trogius Pompeius in Pontico, lib. 5. cap. 1. Tanaus rex Getarum.

† Denique ex oriente in Britanniam, Theudæ, Tzutungi, Aulrogotæ, Virtrugui, Sigipædes, et prædæ, et Heruli, prætercupèlate in Romanam imperium et rebus, etiam venissent.

If it should be said that the adverb “ etiam ” or “ alio ” makes a sufficient distinction, the plea will be of no avail, since it is as applicable to the Heruli, a Gothick hord, as to the Celts. Hence it is clear that Pollio thought the Celts as good Scythians as the Goths, which renders the quotation usefess. From this example and the preceding specimens the publick will be able to judge whether it is not necessary to consult the originals, where Mr. Pinkerton uses &c. or mentions only names without any quotation.

“ 4. Dexippus called his history of the wars between the Romans and Goths Scythick histories, and styled the Goths Scythians.”

Answer. Dexippus being lost, little needs be said about him. But, had he been an author of the first note, he might have called the Goths Scythians, and meant no more than that the Goths were a people from the country generally called Scythia, as Trebellius Pollio had done before him, and as Strabo \* tells us that all the northern nations were called by the ancient Greeks.

The other ten passages, which this author has produced, amount to nothing but that certain writers frequently confound Getes, Scythians and Goths, making no just distinction between the generick name Scythians and the specific names Getes and Goths. Except † the Gothick visionaries, Jornandes and Isidore, whose gross prejudices and absurd fictions render their testimonies unworthy of notice, the authors quoted are all Byzantine historians; and that little credit is due to them, as far as names are concerned, we learn from Stritter, a man

Strabo, lib. xii. p. 772. Ἰσχυρὰς ἐστὶν ἡ περὶ τῆς προσηγορίας τοῦ παλαιῦν τῶν Ἑλλήνων συγγράμῃ ἐν Σκυθίᾳ καὶ Κιλικίᾳ ἐκάλει.

of great erudition and industry, who at the request and under the sanction of the Academy of Sciences at Petersburg published memoirs of the nations to the north-east of the Danube extracted from the Byzantine historians. From his work we learn that “as\* it is the custom of the Byzantine

\* *Torus* i. p. 3. in Summario. Ut nullam fere gentem barbaram suo peculiari sen, er nomine vocare, sed arena iis afflinere, vel rerum ignorant, vel rempessivam affctan es ferentis castitate, seipiores Byzantini solent; ita et Gothi apud illos non raro S ythiarum nomine veniunt, eosq; se præterea olim Sauromatas, Melanchleios et Getas dictos esse procurrunt. Semel etiam ipis Vandalorum nomen Cedrenus et Zonarus narrat.

+ The reader may form a tolerable idea of the romances, which these two ecclesiasticks, the bishop of Ravenna and the archbishop of Seville, were pleased to call a history and a chronicle, from the following specimens.

The former, after transporting Gaius across the Baltic from Scania, marches them southward to a haven called Ovin in Scythia, and then through Asia to Egypt, where they denst king Vexori, and in their return capture all the Affricans. Their wives, to the Amazon, being in their absence attacked were not contented with repelling their enemies, but frised with wonderful good fortune Armenia, Syria, Cilicia, Galatia, Phoenia, and all the coast of Asia, &c. &c. The men having defeated the Romans and given them Maximian as an emperor and performed many other navigious exploits, are encountered and vanquished by the Huns, a monstrous race, fierce human creatures of shape, and the ordering of animals. Gaius, which is interpreted by demons, or unclean spirits, is the effects of Scythia, &c. &c.

The second, saying Gaius from Gog and Magog, on a cold day, winter, and a stormy night, sailing on a two-masted vessel, and in the end of the night, a woman, whom to be the cause of, when Alexander the great intended to slay, whom Parricide killed, and it was called, Cleopatra, the idiom, having been only found in the world, she was killed flight. All these wonders occurred in the 12th year of the life of Christ, when Cleopatra was opoted in Thebes by the Egyptians, Indians, Persians, Arabs, Greeks, Sythians, and above all by the villainous Goths.

writers

writers to give hardly to any barbarous nation every where its own peculiar name, but, either through ignorance of the fact or from an unseasonable affectation of purity of language, to bestow upon them the name of others; so the Goths are not unfrequently introduced by them under the name of Scythians, and once by Cedrenus and Zonaras under the name of Vandals; and they also record that they were formerly called Sauromatæ, Melanchiæni and Getes.”

Having perused the enormous mass of forty volumes written by the Byzantine historians, and examined the passages, that bear upon this point, I can safely corroborate with my testimony, if it have any force, the evidence of Stritter; and, as the original is generally more satisfactory than a translation, such as Stritter’s, I insert in the notes a few passages\* out of the multitude contained in my common-place book.

\* Anna Comnena, p. 182. Γειος τι Σκυθικον παρα των Σαυροματων—κατηλθον προς τον Δαιθιον.

Nicephorus Gregoras, p. 20 & 21. Μοιρα Σκυθων παρπηλικης αναθεν εξ υπερβορειων αυτοσπαθεισα κατεισι μεχρι Κασπικης θαλασσης. Τη δε ηγ μιναι Σιτζισσαν τετελευτηητος, ο μιν υιος Σηλιος κατηει δια της ανω Ασιας. Ο δε ιτερος υιος Τελεπιγος—επορειει δια της των Μασσαγετων και Σαυροματων γης πρσαν υποσπιθμενης αιτην τε και οσα Μαιατιδα και Γαναι παρικησιν. Εστα πολεις εβρον κατω δια των Ευρωπαιων εβων· πλειστα δε πεφικασι και παρκατω, και ηει και ησαν των παλαι Σκυθων, Γοθων τε και Ιμαξηδων, (Σιτωακων), Ταιρισκων τε και Βορσβειταιων. Ομοι δε εβρον και Ερμακων εκκληστο ησαι δε οι και Σκυθας αυτης κατω κρησις.

P. 126. Περπησιν τινος των υπερ τον Ισθμον Μασσαγται λαβιανων περπησιν· Αλλαις η καιη τειτος καιδι διαλευτος.

Georgius Syacellus, p. 382. Τωτε παλιν οι Σκυθων και Γοθων λαβουσαι τινος γηαι &c. Ιαυδα πολεις διεφθειραι.

Theophylactus, p. 67. Ουτε τε Αττικα τε ιπποε ε γρησιν, ομοι των “αλλων” Σκυθων, χρυσου λαβιαι η τινος των τερμακων κρησις.

Constantinople.

By consulting these extracts the reader will soon be convinced that the Byzantine writers rather perplex than disentangle the Gordian knot of this controversy; as with them the various tribes of the Geths, Sarmatians, Huns and Turks are Scythians. Quotations therefore from such authors on this subject are of as little weight as the assertions of Mr.

Constantinus, vol. i. p. 284. Νομισμα δὲ ἑξασπίεις ἢ Σκυθηρικὸν κἀδικίαν ἔχει πρὸς ἑτέρον. Ἰτακὲς οὖν μισοῦσι τοὺς Σκυθῆας ὡς τὸ ἐπὶ τὸ κελὶ ἰσχυροτέρῳ καὶ ἀλλὰ καθ' ἑαυτὸς ἐφαίνεται Σκυθικὴν ἐπιπέφυκεν ἕστρετον καὶ φησὶ καὶ τεταγμένη μετὰ τὸν Μωσῶν, καὶ ἴστωσαν ὅτι ἀληθῆς.

Zonaras, vol. Oxon. p. 39. Σκυθικὸν δὲ ὀφθαλμοειδὲς ἔργον ἔχει ἰσχυροτέρῳ καὶ ἀλλὰ καθ' ἑαυτὸς ἐφαίνεται Σκυθικὴν ἐπιπέφυκεν ἕστρετον καὶ φησὶ καὶ τεταγμένη μετὰ τὸν Μωσῶν, καὶ ἴστωσαν ὅτι ἀληθῆς.

Paulus Rhetor, p. 26. Ἐπὶ τῆς ἑλλάδος ἐπιπέφυκεν ἰσχυροτέρῳ καὶ ἀλλὰ καθ' ἑαυτὸς ἐφαίνεται Σκυθικὴν ἐπιπέφυκεν ἕστρετον καὶ φησὶ καὶ τεταγμένη μετὰ τὸν Μωσῶν, καὶ ἴστωσαν ὅτι ἀληθῆς.

Procopius, vol. i. p. 178. Ἐπιπέφυκεν ἰσχυροτέρῳ καὶ ἀλλὰ καθ' ἑαυτὸς ἐφαίνεται Σκυθικὴν ἐπιπέφυκεν ἕστρετον καὶ φησὶ καὶ τεταγμένη μετὰ τὸν Μωσῶν, καὶ ἴστωσαν ὅτι ἀληθῆς. Νόμισμα δὲ ἑξασπίεις ἢ Σκυθηρικὸν κἀδικίαν ἔχει πρὸς ἑτέρον. Ἰτακὲς οὖν μισοῦσι τοὺς Σκυθῆας ὡς τὸ ἐπὶ τὸ κελὶ ἰσχυροτέρῳ καὶ ἀλλὰ καθ' ἑαυτὸς ἐφαίνεται Σκυθικὴν ἐπιπέφυκεν ἕστρετον καὶ φησὶ καὶ τεταγμένη μετὰ τὸν Μωσῶν, καὶ ἴστωσαν ὅτι ἀληθῆς.

Hemist, p. 274. Ἐπιπέφυκεν ἰσχυροτέρῳ καὶ ἀλλὰ καθ' ἑαυτὸς ἐφαίνεται Σκυθικὴν ἐπιπέφυκεν ἕστρετον καὶ φησὶ καὶ τεταγμένη μετὰ τὸν Μωσῶν, καὶ ἴστωσαν ὅτι ἀληθῆς.

Cedrenus, vol. ii. p. 667 & 668. Ἐπιπέφυκεν ἰσχυροτέρῳ καὶ ἀλλὰ καθ' ἑαυτὸς ἐφαίνεται Σκυθικὴν ἐπιπέφυκεν ἕστρετον καὶ φησὶ καὶ τεταγμένη μετὰ τὸν Μωσῶν, καὶ ἴστωσαν ὅτι ἀληθῆς. Νόμισμα δὲ ἑξασπίεις ἢ Σκυθηρικὸν κἀδικίαν ἔχει πρὸς ἑτέρον. Ἰτακὲς οὖν μισοῦσι τοὺς Σκυθῆας ὡς τὸ ἐπὶ τὸ κελὶ ἰσχυροτέρῳ καὶ ἀλλὰ καθ' ἑαυτὸς ἐφαίνεται Σκυθικὴν ἐπιπέφυκεν ἕστρετον καὶ φησὶ καὶ τεταγμένη μετὰ τὸν Μωσῶν, καὶ ἴστωσαν ὅτι ἀληθῆς.

Nicetas Anagnin, p. 120. Ὁ νομὸς Σκυθῶν (καὶ ἰσχυροτέρῳ) ἰσχυροτέρῳ καὶ ἀλλὰ καθ' ἑαυτὸς ἐφαίνεται Σκυθικὴν ἐπιπέφυκεν ἕστρετον καὶ φησὶ καὶ τεταγμένη μετὰ τὸν Μωσῶν, καὶ ἴστωσαν ὅτι ἀληθῆς.

Pinkerton,



Pinkerton, when he maintains that the Getes were unknown to the Romans till the year 250 of the Christian era, and that the city London derives its name from the Baltick Lunden; though London, as appears from Tacitus \*, was a considerable place in the first century, and the Romans must have known the Getes ever since the conquest of Macedonia in the year 148 before the birth of Christ. The † words of Ovid from Tomi at the mouth of the Danube forbid us to doubt that the Little Getia, Little Scythia, and the Lower Mysia were in his time within the Roman province. This inference is sufficiently confirmed by Eutropius ‡, whose narration ascertains the event to have taken place 70 years before Ovid's exile.

After this cloud of witnesses from antiquity let us listen to the evidence of the moderns. Gibbon, who is not less distinguished for sublimity of conception and splendour of diction than for acuteness, accuracy and extent of reading, tells us, after perusing for twenty years the ancient and modern authors, who have handled this subject, that “the curious

\* Taciti Annales, lib. xiv. cap. 23. At Suetonius miram constantiam medios inter hostes Londinium perrexit, &c.

† Ovidii Epist. ex Ponto, lib. iv. ep. 9. l. 75.

Præfuit his, Græcine, locis modo Flaccus; et illo

Ripa ferox Istri sub duce tuta fuit.

Hic tenuit Mysas gentes in pace fidei;

Hic arcu fidos terruit ense Getas;

Hic captam Trosmum celeri virtute recepit,

Infecitque fero sanguine Danubium.

‡ Alter Lucullus, qui Macedoniam administrabat, Bessis Romanorum primus intulit bellum, atque eos ingenti proelio in monte Hæmo superavit: oppidum Uscudanium, quod Bessi habitabant, eodem die, quo aggressus est, vicit; Cælylen cepit; usque ad Danubium penetravit. Inde multas super Pontum positas civitates aggressus est. Illic Apolloniam everit, Caladæ, Parthenopolin, Tomos, Istrum, Byzian. omnes cepit, belloque confectus Romam rediit.

observation of the lives of the Scythians or Tartars will illustrate the latent cause of the destructive emigrations," which overwhelmed the Roman empire. Does not he in this piece consider Tartars and Scythians as synonymous? Nothing can be clearer; and, as he is in himself a hoist, it would be idle to enumerate the multitudes of other moderns, that might be produced.

Had the identity contended for been real, would not the Getae and Scythians have agreed in manners and habits and usages and institutions?

The Getae submitted to the arms of Sesostris and others, made their garments of linen, mourned at the death and rejoiced at the death of relations, had several wives, of whom the most beloved was buried at the tomb of her husband, sold their children, and were bound to the chastity of their unmarried women, but watched their wives with great care, drank hard, and sacrificed human victims.

The Scythians, when foreigners, never conquered, lived by rapine, drawn from place to place after the removals of their descendants, clothed in animal skins, drank of evening dew, drank the milk of mares, and the blood of the first person killed by them in battle, and presented his head to their king to entitle them to a share of the general plunder. After feasting and playing, their amusements they suspended their tents properly prepared from the hides of their horses, and used them as napery, table cloths, and coverings for quivers; or by running several rows made them serve as a screen from the rigour of the frost, passing as much in their lives as ornaments as Herodotus did in the spoils of the Persian King. The skulls of

\* The children of all nations Herodotus

their

their public enemies and even of their nearest and dearest relations, when slain by them in a quarrel, they were fond of producing on festivals and holidays as drinking-cups. They kept no swine, castrated their horses, used no baths, but anointed their bodies. The Massagetae, whom Strabo affirms to have been the most numerous tribe of the eastern Scythians, “killed their old and exhausted parents, as an entertainment for the family, deeming their own bodies the most honourable graves.”

Upon the whole, the impression left on my mind by this investigation is that we are justified by testimony and by the similarity of their language and life in concluding the Scythians and Sarmatians to have been radically the same race, and that the Getes, who are allowed by all not to have been Sarmatians, could not be Scythians.

*The Goths proved not to have been Getes.*

“THE\* lucky, though accidental, circumstance of the name of Getæ infused, says Gibbon, among the credulous Goths a vain persuasion that, in a remote age, their own ancestors already seated in the Dacian provinces had received the instructions of Zamolxis and checked the victorious arms of Sesostris and Darius.” Accordingly “Cassiodorus†, the principal minister of the court of Ravenna, and his epitomist, Jornandes, passed with the most awful consciences over the misfortunes of the Goths, celebrated their successful valour and adorned their triumph with many Asiatic trophies that more properly belonged to the people of Scythia.” † As § early as the Christian era and as late as the age of the Antonines the

\* Vol. 1. p. 104. † Ibid. p. 105. ‡ Ibid. p. 107. § Ibid. p. 108. Goths

Goths were established towards the mouths of the Vistula."

But several tribes of the Thracians, of whom the Getes\* were, in the words of Herodotus, "the bravest and the justest," fought according to Homer † at the siege of Troy, and were from time immemorial settled in the neighbourhood of Greece.

Indeed the words of Homer ‡ naturally lead us to conjecture that the Thracian language was a species of Greek, since he makes Thamyris, a Thracian contend with the nine Muses in singing, and it is not reasonable to suppose that his partiality for his native language would allow him to conceive the Muses capable of using any language but Greek. The contest therefore must have been maintained in the only language which Homer held not to be barbarous. Democritus §, Protagoras, and other philosophers of no small note, were natives of Abdera, a city in Thrace ‖; nor does the famous poet Menander hesitate to boast

\* Melpomene, c. 93. Γεταί—Θρηάκων—ἐν Ἰφιστάτι καὶ Λακωνίατι.

† B. v. 844. ἑταρθεύσαντες Ἰθακῶν καὶ Πηλεῶν κλισίῃ.

‡ B. v. 594. ἄλλοτε τίς Μοῦσαι

ἔπειθε καὶ Θουκυπιδέα, ἴσα πηλοῦ καὶ ἄλλοι,

Οὐρανὸν ἄν' ἔπειθε παρ' ἑταίρῳ Διὶ γλαυκῷ.

Στασίχορον ἐρχομένην ἄνδρα, ἑταίρῳ κλισίας

Μελῳ ἀγῶνας ἄνευ Μοῦσας ἰσχυρῶς.

Αὐτὸν γὰρ ἀνέπειθε, πρὸς θεῶν ἀντιθέσιν ἄλλοι,

Θουκυπιδῆ καὶ Πηλεῖ, καὶ ἑτάροισιν ἄλλοι.

§ Aul. Gellius, lib. v. c. 3. I. Ἰφίστατον καὶ Λακωνίαν. Πηλοῦ πόλις ἐστὶν Ἀβδερῶν πόλις ἐν ἐκείνῃ πολιτείᾳ, ἐν ᾗ ὄντος Democritus ὁ ἐπίσημος τοῦ ἐκείνου πολιτεύοντος καὶ ἰσοκράτους ἄλλοι.

Strabo, lib. vii. p. 455.

Πηλοῦ πόλις Ἰφίστατον καὶ Λακωνίαν ἐν Γεταίῳ.

Μελῳ ἀγῶνας ἄνευ Μοῦσας ἰσχυρῶς ἔπειθε.

ἑταίρῳ κλισίας ἄνευ Μοῦσας ἰσχυρῶς ἔπειθε.

ἑταίρῳ κλισίας.

in the face of an Athenian audience of a Thracian and Getick extraction. The language therefore and the character of the Thracians, and consequently of the Getes \* and Dacians, who were confessedly Thracians, could be as little a secret to the Greeks as to the Romans; since in six years Ovid learned not only to speak the Getick and Scythian languages, but also to become † almost a Getick poet.

Tacitus ‡ affirms that the Gothones were a German nation, and his affirmation is admitted by all the moderns. But what does he say of the Peucini, who, as he allows, were by some called Bastarnæ, and who bordered on the Getes? That their language was German, but that in filth and nastiness they resembled the Sarmatians. Had the Getes, who with the other Thracians had fallen in the fall of Perseus, been Germans in language or usages, would so inquisitive and accurate a writer have stopped short and not ranked them with their countrymen, whose habits, manners and dialects were familiar to the Romans from the days of Julius Cæsar and even of Lucullus? Had the Getes been Germans, could it have remained a secret for so many ages to the Greeks? Strabo § acknow-

\* Strabo, p. 468. Ομογλωττοι δ' ειναι οι Γεται τοις Δακοις.

† Ep. ex Ponto, lib. iv. epist. 13. l. 14.

———— pæne poeta Getes.

De Germanis, cap. 43. Gothones regnantur paulo jam adductius quam cæteræ Germanorum gentes; nondum tamen supra libertatem. Cap. 46. Peucinorum—nationem Germanis an Sarmatis adscribam dubito; quanquam Peucini, quos quidam Bastarnas vocant, sermone, cultu, fide ac domiciliis, ut Germani agunt; fordes omnium ac torpor; procerum connubiis mixtis nonnihil in Sarmatarum habitum ceduntur.

‡ Strabo, p. 468. Ο. τε Γεται, ο. τε Δακοι, εγγυς μεν ηκεισι τω Γαλατιαι τοις Ρωμαιοις; επω δ' ετοχηριαι εισι σελικωσ δια τας εκ τω Γεταικωσ εινεθαι.

judge that the Bostanne were in some measure Germans, but at the same time asserts that the Getick nations did not submit entirely to the Roman yoke from their hopes of promised assistance from the Germans.

Could he have declared in a more explicit manner his conviction that they were distinct races? The Goths therefore, who are pronounced by the united voice of ancients and moderns to have been Germans in language, habit, armour and mode of life, could not be Getes. Had the Goths been Getes or Thracians, is it credible that they should not have been recognised as relations by Belisarius, a Thracian general, and by the vast body of Thracians in his army in Thracia, in Africa and in Italy, when he ruined the Getick power? Could such a fact have escaped the notice of his Greek Secretary, Præpositus, who enumerates the principal tribes of the Getick race, the Gæthi, the Væthi, the Væthi, the Vanthi and the Gæthi, and whose language would have certainly been understood by them. What does he say of the Goths? He says he called these Goths *Getick nations*.<sup>1</sup> Why not have used such expressions, if he had not considered their relation as a nation distinct from the Thracians, the Getes, the Egyptians, the Arabs, the Syrians, the Persians, the Indians, the Chinese, the Ethiopians, the Bactrians, the Sarmatians and the Scythians, all being the same race? He might have said, the Goths, the Persians, the Indians, the Chinese, the Ethiopians, the Bactrians, the Sarmatians, the Scythians, the Spaniards and the Romans. The same would have been

<sup>1</sup> *Præpositus de gestis Justiniani Imperatoris*, lib. 2. c. 1. p. 10. *Præpositus de gestis Justiniani Imperatoris*, lib. 2. c. 1. p. 10. *Præpositus de gestis Justiniani Imperatoris*, lib. 2. c. 1. p. 10. *Præpositus de gestis Justiniani Imperatoris*, lib. 2. c. 1. p. 10. *Præpositus de gestis Justiniani Imperatoris*, lib. 2. c. 1. p. 10.

<sup>2</sup> *Præpositus de gestis Justiniani Imperatoris*, lib. 2. c. 1. p. 10. *Præpositus de gestis Justiniani Imperatoris*, lib. 2. c. 1. p. 10.

various Scythians could have made no more alteration in the Thracian or Gothick of these countries, if their original language had been Gothick, than in the German of Germany and in the Latin of Italy and of Spain, into which they also penetrated.

From the present state of Indostan and China it is evident that hardly any thing but extermination, as happened in England, can eradicate a written language. William the Conqueror, having not taken this step, could not, with all his despotism and tyranny, make the Saxon yield entirely to the French. Indeed, as the Scyavian Scythick, which appears from the first part of this inquiry to have been different from the Getick, now prevails in these countries, it is probable that the Dacians and Getes and other Thracian nations were exterminated. Nor is the manner a mystery. Strabo\*, copying Polybius, records that Paulus Æmilius, upon the conquest of Perseus, plundered and destroyed seventy cities of Epirus and carried away as slaves 150,000 of the inhabitants. What then must have been the devastations of other Roman generals, of Scribonius, of the two Luculluses, of Pompey and Cesar and of the Triumvirate and of Brutus and Cassius? After these terrible scourges came Boërebistes, the Dacian, who extinguished almost all the Gallick and Celtick tribes, but enabled the Dacians on the Danube to muster 200,000 fighting men, that in Strabo's time were by civil wars reduced to 40,000. This moderate number was still farther diminished by Trajan, who made the country a Roman province. Next

\* Strabo, lib. vii. p. 496. Τῆς ἑπεὶ οὖτο, ἰσθμὸς κενὸς πρὸς τὴν Ἰταλίαν φέρων ἀνατείλει Περδολὸς τὴν Ἰπυλίαν.—πειτε δὲ καὶ ἄλλοι μὲν ὡς εἴρηθ' ἀποτίνασθαι.

† ib. p. 467. Τῆς Ἰταλίας ἀνατολῆς μέρει Μακεδόνες καὶ τὴν Ἰπυλίαν καὶ τὴν ἰσθμὸν καὶ ἀναρρηγμέναι σὺν τοῖς Θραξίαι καὶ σὺν Ἰταλίαις ἐξέτολσον· Ἐπίαι· καὶ ἀδικήσαντα.

succeeded the Goths, who, after the expulsion of the Romans, were themselves expelled by the Huns and Hungri both equally destructive to the few remaining Getes.

If the Getes or Thracians were Goths, and the Goths Germans, how came Ovid, who lived among the Getes and spoke their language; how came the Romans in general, and in particular Julius Cæsar, who knew both, to have made a distinction? If the Thracians were Germans and the Gauls Germans, Cæsar\* would not with the same breath have told us that a body of men consisted of Gauls and Germans; nor would Plutarch † have asserted that certain detachments were composed of Thracians and Gauls. Common sense would have dictated to such accurate writers to have styled them all Germans levied in Thrace or Gaul, if they had been really Germans and not distinct nations.

If we should pay any attention to the fanciful commentators of the Edda, a modern fabrication of the 13th century, and admit that Odin in the days of Pompey led his valiant Goths from the dreary banks of the Mæotis to the delightful coasts of the Barchæ, we must at the same time allow that they multiplied amazingly to have cast a supernumerary swarm into Germany before the Christian era, a space of 75 years at most for emigration, peregrination, conquest, settlement and colonisation. This romance, which is as wild and ridiculous as the Edda itself, meets no contradiction; as the Goths are acknowledged to have been Germans in language and manners, and as the Bel-

\* Cæsar. Bell. Civ. lib. III. cap. 2. Gall. lib. VI. cap. 1. Pompey in his address.

† Plutarch. *Life of Pompey*, p. 166. *Life of Cæsar*, lib. 1. cap. 2. lib. 2. cap. 17. *Life of Crassus*, lib. 1. cap. 1. *Life of Sertorius*, lib. 1. cap. 1.





ascertain that the Gallick was different from the German. From this circumstance therefore it is evident that, though we should allow the Belgians to be Germans that crossed the Rhine in ancient times, the indigenous Gauls were neither expelled nor exterminated, but still constituted the mass of the people; as their language ultimately prevailed.

Upon the same principle we may conclude that, if the British Caledonians were, as Tacitus\* suspected from their large limbs and ruddy locks, Germans, they were Belgick Germans, or a small tribe that adopted the British language and manners, which from Cæsar † and Tacitus we know to have been Gallick.

As the same ‡ and other § authors inform us that all the Britons, at the arrival of the Romans, painted their bodies, those who remained independent beyond the limits of the Roman province, would retain this practice, as a proud mark of distinction. Hence we find the Caledonians †,

\* Tacit. Agric. cap. 11. Rurilæ Caledoniam habitantium comæ, et magni ætatis, Germanicam originem assererant.

† Cæsar. lib. v. cap. 12. Cæsi non differunt multum a Gallis a constitutione. Comius the Atrebatian was sent by Cæsar as a spy to Breda, as he could speak the Gallick or British. Tacit. Agric. cap. 11. In universum asserimus Cæsi, qui in eo compasse solum credibile est. Horum sacra deinde omnia religionum persuasione; sermo huius mutua dicitur.

‡ Cæsar. lib. v. cap. 14. Omnes vero Britanni se vitro tingunt, post quæ alium elicit colorem.

§ Metast. lib. iii. cap. 6. In certam ob decorem an quid aliud vitæ corpore habentur.

Hæsan in the beginning of the 11<sup>th</sup> century, says: Ταυτοειδὲς ἔσονται οἱ ἀνθρώποι, ὡς ἀνθρώποι, καὶ οἱ ἄγριοι Σκύθαι.

¶ See also Strabon in Ptolemy's Geog. Non dico Caledoniam aliorum gentium esse, sed esse partem ipsam.

¶ Ann. Maximilianæ, lib. xvii. Scilicet illi quod eo tempore Britanni, quos Livius, Dicædones & Vecturiones, multa populi erant.

wherever

wherever there is mention of them, ranked among the Picts. The Picts therefore including the Caledonians existed in Britain before the Christian era, and could not derive their name from the Peucæ or Peucini, who, as we learn from Zosimus \*, fought among their countrymen, the Goths, in the year 250 against Decius at the mouths of the Danube.

The first respectable author, that mentions the Scots, is Porphyry † the philosopher, who remarks that in the year 270 the “British and Scotch nations had not heard of Moses and the prophets.” But not long before this period we are informed by Tacitus that all the British nations spoke Gallick; and therefore, if the Scots here noticed were British or Irish, their language renders it impossible that they should have been fresh adventurers from Germany or Scandinavia. For it is clear from much better authority than any monkish documents of obscure and modern date that Ireland was peopled from Britain, and consequently that the people spoke Gallick, as they do at this day. Without appealing to the testimony of the Greeks and to the natural course of emigration for the truth of this fact, we have the sanction of Ossian, the Caledonian Homer, for asserting that the Belgians had settled

\* Zosimus, p. 38. Σιθων δε οι περιλειφθεντες Εβλας και Πεικας και Γοθους παραλαβοντες—αυρησθησαι.

‡ Claudian. De tertio consulatu Honorii. ver. 54.

— Nec falso nomine Pictos

Edomuit.

† Sanct. Hieronymus, tom. iii. fol. p. 117, thus translates Porphyry’s words. Neque enim Britannia, provincia fertilis tyrannorum, & Scotticæ gentes omnesque usque ad oceanum per circuitum barbaræ gentes Moysen prophetasque cognoverant.

L. Diodorus Siculus, sub finem lib. v. Φασι τινας αιθιωπες εθνη, ωσπερ και των Βριττανων τες κατοικειτας την ενομαζομενην ηρι.

for ages before the third century in the south of Ireland. If they had not, how was it possible for them to have multiplied so as to have contended in the north for the sovereignty of Ulster, or Ulster, with the Gaels, under the command of Conar, great grand-uncle of Ollian. These facts are detailed at length in the *Grand and First History of Fenora*, and are not the less historical in appearance, in a poetical form, like the first analysis and history of all nations. The northern encounter between Ollian and the chief of the Belgians, proves that the religion, language and manners of the Gaels, Celts and their opponents, did not essentially differ. In archaeological questions the Greeks constantly appealed to their Homer, as the most accurate and authentic writer, though his thefanes, as generally imported by Lycurgus were first collected and arranged in their present form by Critonius four hundred years at least after the death of their author. Why should not we follow their example, when our venerable as well as heroic bard furnishes whole episodes concerning the fate population of the southern part of Ireland by the Belgians and of the northern by the Celts, and who were to be denominated from their principal town, Daedalin, which in their language still retains that appropriate appellation.

\* The *Grand and First History of Fenora* is a collection of authentic documents, from the most ancient records of the most illustrious nations, which are arranged in the form of a Poem, by a learned and distinguished author, the learned and ingenious Dr. Henry Jones, who has published the same, London, in the year 1772, in two volumes, in quarto, under the title of *Grand and First History of Fenora, or the Grand and First History of all Nations*.

† *Grand and First History of Fenora*, vol. 1. p. 100.

Though I can have no doubt that the poems of Ossian might have been preserved by oral recitation and thus transmitted from generation to generation; as I have myself heard a man, who was no professional bard, rehearse the seventh book of Temora, and others of inferior rank repeat the descriptions of battles in Fingal and the beautiful exordium of Trathal published by Dr. Smith, yet I do not mean here to insist on that evidence of their authenticity, since it has been already sufficiently discussed by Dr. Blair, Dr. Macnicol and Dr. Smith. I choose rather to confirm their opinions by the removal of a vulgar error, which denies to the Gallick nations all literary records. How such an absurd notion could have prevailed, when it is so expressly contradicted by the words of Cesar, it is not easy to conceive, were not indolence and inattention and prejudice common to authors with the rest of mankind. What are his expressions? "Some\* persons continue learning the doctrine (of the Druids) for twenty years, and think it irreligious to commit it to writing, though in almost every other public business, and in their private accounts, they use the Greek characters." Though the Druids, like some other priests, would for no very mysterious reason make a mystery of their religion, yet, as they could have no motive, they did not endeavour, to prevent written documents on other subjects. Accordingly we find that the Helvetians kept in Greek letters a regular muster-

\* Cesar. De Bello Gallico, lib. vi. cap. 13. Nonnulli annos vicesque in discipulis permanentes, neque fas esse existimant e. (pro ea lege cum meo periculo) literis manare; quum in reliquis fere rebus publicis privatique rationibus Grecis literis utamur.

Strabo, lib. iv. p. 273. Ἐπιμαρτυροῦντες τῶν Ἑλλήνων τῆς Γαλατίας γλῶσσης, ἴσως καὶ τῶν ἑθνῶν ἑλληνιστῶν γράψαντες.

roll of all the men, women and children, of whom their three cantons consisted. Now the ancient Greek characters, which, as we learn from Pliney † and Tacitus ‡, the Latins only copied, were the same as the Phenician §, or, if you will, the Pelasgick or Egyptian. What reason then is there to imagine that the Phenicians, that traded to Britain as well as to Greece and Spain and Italy, did not communicate the use of letters to the Briton, who, as they must, like the rest of the Gauls, have made a study of astronomy and other branches of natural philosophy, cannot be supposed exclusively to have neglected letters?

For who can believe that nations ¶ who inculcated

\* Cæsar. Bell. Gall. lib. i. cap. 21. In cæcis Helvetiorum tabule repertæ sunt literis Græcis contextæ et ad Cæsarem portatæ; quibus in tabulis ordinatio ratio contexta erat. Quæ numeræ dæmo existit forma cæcis literis potest et iterum ætatem pueri, fere mulieris optin.

† Pliney Hist. lib. vii. cap. 58. Veteres Græcos Cæsarum fuisse etiam pueri, quæ nunc sunt Latine, multo erit Delphica tribula insigni ætatis.—Vide eundem cap. 57. In Britannia cæcis literis tractant Pelasgi.

‡ Tacit. Annal. lib. vi. cap. 14. Formæ literis Britannis quæ veteribus Græcorum.

§ Herodot. Olynth. oratione. Πελασγοὶ γὰρ οὐκ ἔχοντες ἑαυτοῦς ἄλλοθεν ἔμαθον τὰς ἐπιγραφὰς ἀπὸ τῶν Ἰνδῶν καὶ τῶν Αἰγυπτίων.

¶ Herodot. Hist. lib. vii. cap. 12. Νῆες δὲ τῶν Ἰνδῶν καὶ τῶν Αἰγυπτίων ἐπιπέσειεν ἐπὶ τὴν Ἰωνίαν, καὶ ἐκείθεν ἐμαθήσαντο τὰς ἐπιγραφὰς ἀπὸ τῶν Ἰνδῶν καὶ τῶν Αἰγυπτίων.

Pliney Hist. lib. vii. cap. 28. Literas veteres etiam ad Britanniam per Africam et Ægyptum a Mercurio et Græcis per Hispaniam summo imperio vocatis. Pliney. Græci in insulis et in Italia Cæsarum litteras optin.

Tert. Ann. lib. vi. cap. 14. In cæcis Britanni Pelasgicæ litteras etiam præcipue sunt Pelasgi Græci, ut præcipue sunt in cæcis imperatorum, quæ sunt Pelasgi.

¶ Cæsar. Bell. Gall. lib. vi. cap. 12. Britannis litteras in partibus, quæ interire solent, et in aliis partibus in cæcis.

cated the immortality and transmigration of souls and the contempt of death, as the necessary consequence; who made the stars and their motions, the extent of the universe, the magnitude of the earth, the nature of things and the power and energy of the deity the subjects of scholastic discipline, should have been so dull of apprehension as not to have either themselves made, or readily adopted when made, so useful a discovery? Such stupidity does not tally with the acuteness of men, who, notwithstanding Diodorus's\* fabulous account of the matter, seem to have invented telescopes, and perhaps to have communicated the secret to Pythagoras †, as they could bring the moon so near as to exhibit in its face excrescences like spots on the earth.

From the superiour fairness of complexion observable in the Braminical cast of Indoos and from their own historical traditions we may infer † that the Shanscrit, the sacred and most ancient language of India, came from Scythia or Tartary, a country that no man can suppose to be now more learned than the Highlands of Scotland. Yet the astron-

mortem transire ad alios; atque hoc maxime ad virtutem suam pertinet, vitam mortis neglecto. Multa præterea de sideribus atque eorum motu, de mundi ac terrarum magnitudine, de æternitate, de æorum immortalium vi ac potestate disputat & inventuræ tradunt.

Diodorus Siculus in Proœmio. Της φιλοσοφίας έργον είναι πάντα αυτην και βαρβαρικη αυτην—παρὰ σε Κελτικῆς και Ιταλικῆς περιπατητικῆς, Ἰουδαϊκῆς και Σελουκιτικῆς, καὶ αἰσθητικῆς ἀγνοουμένης ἐν τῷ Μυσηῶν και Σελουκῶν ἑσπερωτικῆς τῆς Διαδόχῆς.

\* Diod. Siculus, in lib. ii. p. 130. Hanovii Rhodom. ἡμεῖς ἴσμεν ὅτι καὶ παλαιὸν καὶ ἐν ταῖς ἐποχῆς φανερωθῆναι παντελῶς ἀποδείχθη ἀσκητικῆς, καὶ αὐτῆς ἐξοχῆς ἐργεταὶ Φαιακῆς.

† See in his Introduction Pythagoras. Ἰουδαϊκῆς Σαρικῆς καὶ Σελουκιτικῆς ἀγνοουμένης ἑσπερωτικῆς τῆς Διαδόχῆς.

† See the History of George III. vol. iv. p. 114 &c.

mical\* tables found in different parts of that peninsula and introduced in all likelihood by the conquering Bramins prove that it was distinguished for mathematical science five thousand years ago, and possessed of its Napiers, Maclaurins and Stewarts, before the Phenicians † acquired the knowledge of letters. The Indian or Shanferit characters ‡, which consist of 16 vowels and 34 consonants and are similar to the Tanguick, differ totally from the letters of Europe and the Western Asia. The Chinese resemble no other characters and the Ethiopick § stand in the same predicament ¶. “There are,” says Asle, “several alphabets used in different parts of Asia, which are entirely different not only from the Shanferit and all those proceeding from that source, but even from the Phenician and all its derivatives. Towards the close therefore of the paragraph he adds that, “hence it is reasonable to conclude that different men in different regions hit upon this discovery.”

Why then should not the Celts ¶, who were deemed acute and ingenious\*\* and cultivated so many sublime sciences, have been able to invent a symbolick writing? The truth is that Plato †† remains the matter extremely probable, as he some-

\* See Asle's *Dissertation on the Astronomy of the Indians* in the *Transactions of the Royal Society of Britain*, p. 176.

† *History of Hebræ*, p. 107, for what the Phenicians, who were the first of the East, offered to the Grecians, from Phoenicia, brought the letters in that form, which we still retain, and use.

‡ *Met. Ab. in O. de W. lib. 2, p. 4.*

§ *Ibid.* p. 10.

¶ *Ibid.* p. 12.

\*\* *Plat. de Republica*, lib. 2.

†† *Genebr. de Civ. lib. 2, c. 1.*

¶ *Plat. de Rep. p. 4.*

where



where tells us that the Hyperborean had no affinity to the Greek characters, and it appears from Diodorus Siculus\*, Suidas and other authors already quoted, that by Hyperboreans the ancient Greeks meant the Britons, and not the inhabitants of the north-west of Asia and north-east of Europe, whom they designated by the appellation of Scythians and Celto-Scythians. Certain visionaries† have written enormous volumes to convince us that many ages must have elapsed, before men invented even language, though conversation by articulate sounds is as natural to man (the † *μεροψ αλφωπος*) as bleating is to a sheep. In imitation of these profound sages others contend that the discovery of letters, a still greater mystery, was infinitely slower in its progress. Why then should we be surprised at their idea that the rational biped went for many ages upon all four? The real fact is that few discoveries can be justly deemed modern, and that the Europeans having, after a relapse into barbarism, lately emerged again from a night of ignorance, mistake § for novel inventions arts known from time immemorial, though occasionally lost in different countries through the irruptions of desolating Goths and Vandals.

When the Romans introduced, as Pliny || says, the use of the Ionick characters in the reign of Tarquinius Priscus, they hardly acknowledged as Greek the Etruscan characters, which some are pleased to call Pelasgick. Does not this circum-

\* Diodorus Siculus, lib. v.

† See Monboddo's Origin of Language.

‡ Homer. Il. A. v. 250.

§ See Dutens, Origine des Découvertes attribuées aux Modernes.

|| Lib. vii. cap. 57.

stance powerfully support the conjecture, that the Romans borrowed their first characters from the Umbrians and other Gauls, whom, as Pliny \* and other antiquaries assert, they found on the banks of the Tiber? If this reasoning be just, we need not wonder that the ancient letters engraved on stones in the British isles resemble the Roman, since the Roman were only copies from the Celtick or Brittain. The Celts, whose territories seem to have extended over the greatest part of Europe, were too great a nation and too far advanced in civilisation † to have been destitute of Letters, which Jackson ‡ makes up to the 150th year a. c. the food. From the manuscripts in Ash's possession it is proved that the Celts of North Britain spoke their language in a beautiful and appropriate character about a thousand years ago. Many other inscriptions, like other monuments, are to be seen in a similar manner in many other countries. A great number of British inscriptions like the Roman ones, are thought to be not more than 200 years older than the latter. The discovery of a genuine character in Brittany under the reign of Domitian the Great demonstrates that the Gauls, the Celts, the Germans, the Latins, and that the Brittain themselves, were a country at the present time, and that the present is not the not possible of learning and is account to a great extent.

The discovery of British inscriptions and letters from the Brittain, are only, because the

\* Plin. Hist. Nat. lib. 4. c. 12. p. 10. ad. lib. 10. c. 1. p. 10.

† Plin. Hist. Nat. lib. 4. c. 12. p. 10.

‡ Jackson's Hist. p. 10.

† Plin. Hist. Nat. lib. 4. c. 12. p. 10.

† Plin. Hist. Nat. lib. 4. c. 12. p. 10.

Gallick \*, like the Phenician characters, are properly but sixteen, the number introduced into Greece by Cadmus, and because the Britons had no connection with the Romans till the time of Julius Cæsar, when the Latin alphabet was completed. Indeed, as the Romans, or the colony of Æolians † that founded Rome, did not adopt the Greek but Cellick ‡ names expressive of alphabetic writing, it is probable that the art was not communicated to them by Greeks, but by the Celts who then surrounded their city, and who had previously either invented it themselves or received it from the Phenicians.

For a similar reason the Celtic letters of Britain did not come through Marseilles, because in that case their characters would have assumed a different form and been as numerous as the Greek; and it does not appear either from Cæsar's or from Strabo's words before quoted that the Gauls in the neighbourhood even of Marseilles did not use another character beside the Greek.

The Druidical religion with its train of priests and human sacrifices is thought by many to have been Syriack or Phenician. If this conjecture be fully founded, as some customs still prevalent in the Highlands of Scotland seem to evince, it is

\* The Gallick and Irish characters are the same, the people being the same and speaking the same language, with this difference, that the Irish dialect has in consequence of its great corruption in proportion to the corruption of manners in Ireland.

† Quætil. or. lib. i. cap. 6.—Æolia ratio, cui sermo æolus (Æolians) est similis.

‡ A letter among the Romans was not the Greek word *καλλιγραφία*, from the Celtic *gallo*. To write was not *καλλιγραφία*, from the Celtic *gallo*, &c. A book was not the Greek *βιβλίον*, but *libro*, from the Gallick or Celtic *libro*.



For Tacitus records that in his days, about the year 108, the secret\* of letters was unknown to males as well as females among the Germans; and, when they did adopt this improvement, their antipathy to the Romans would prevent them from adopting the form of their letters rather than that of the Gallick or British, which, it should seem from the oldest specimens of the Saxon now remaining, had now become, as might naturally be expected in a Roman province, partly Roman. Since alphabetick writing then, and cultivated † life, were common among the Celtick tribes for ages before they commenced among the Germans, what reason is there for supposing that the Caledonians and the colonies of them that crossed the seas into Ireland, did not retain the practice? We have been told of Herculeanean manuscripts that have survived an eruption of Vesuvius eighteen centuries ago. Why should Italian parchment or vellum be less corruptible than Celtick? A passage already quoted from Diodorus Siculus proves that alphabetick writing was only in its infancy among the Greeks in the days of Homer. How then but in the Celtick manner was that poetical taste formed that served as a basis for the poetry

Sir James Ware, the Carden of his age and nation, says that the Irish alphabet was borrowed from the British, and that the Saxon characters were nearly the same as the Irish; and Carden inclines to the same opinion.

\* Tacit. De Moribus Germ. cap. 1. *Literarum secreta viri prius et femine ignorant.*

† Cæsar, De Bell. Gall. lib. 1. cap. 25. *Neque enim conferendum esse Gallicum cum Germanorum agro, neque hanc consuetudinem vitulos cum illa comparandam.*

of Homer? Many other poets of no mean talents must have preceded him beside Musæus. How were his or their pieces saved from the gulph of oblivion but by recitation? Are we not expressly told that his rhapsodies were actually rehearsed like the fragments of Ossian, and collected at last by Pisistratus, as Ossian's by Macpherson? The obvious conclusion is, that Ossian's remaining works are genuine historical as well as poetical compositions, which prove that, if some of the Scots came, as is generally allowed, from Ireland, they were still a Gallick race, and probably Celts expelled by their more powerful neighbours the Belgians, and the descendants of the Celts mentioned by Ossian as the inhabitants of Ulster, who, in conjunction with their Caledonian relations, subdued the Picts and other southern tribes of Scotland. Nor will such an event be thought surprising, much less incredible, by those who know that a few of the same race, first under the renowned Duke of Montrose, next under his heroick descendant, the Viscount Dundee, achieved a similar exploit; and that, as late as the year 1745, the misled inhabitants of a few parishes of these gallant mountaineers, overran all Scotland and shook even England to its centre, obliging its people, who had, through the disuse of arms, then forgot their usual military habits, to have recourse, like the ancient Britons, to foreign auxiliaries.

Had the Scots been Peucæ or Peucini, who were Goths, how could Porphyry assert that the Scottish nations had not heard of Moses and of the prophets, when Procopius tells us that all the Goths not only used the same language and law, but also professed the dogmas of the Arian heresy? Had the Scots been Goths, how could Giraldus  
Cambrensis,

Cambrensis\*, who traversed the whole of Ireland in the eleventh century, declare that "the Irish and the Scots spoke the same language, wore similar garments and arms, and practised similar habits and customs." Their language, their armour and mode of life would have been Teutonic; and, if they had not been Gaelic, two-thirds of their vocabularies would not have been, as the archeologist Flaxwell† affirms, Welsh. The old John Major‡ says that "the descent of the Scotch from the Irish is plain, one half speaking Gallick in the first, and now in proceeding nations."

Nor would even the modern dialect of the Scotch Lowlanders be old English, as we had it, but the Norse or some other branch of the Teutonic; its close affinity to the English spoken since the Norman conquest indisputably proves it to be of late date and to have been introduced into Scotland since that event. Nor is the mode of its introduction in the least inexplicable. Though the

\* *Topog. Hiberniæ*, p. 717. "Quoniam igitur Hiberniæ et Sciti, ut ab antiquis, originalem diem, diuina, a Cæsaribus et Ætoliis Gallicis et aliis, sicut et nati, sic et nominati. Cæsaribus, ut adferunt, Hibernicam linguam comprehendit, quæ et Gallicis dicitur quasi ex omnibus linguis composita. Sciti quoque pars insule Brytanniæ Aquilonis, quæ ut originalis et ab illis propagata tertia illam habitare demonstratur, quod iam linguam, quæm cultas, tam armorum, quam linguam Romanam (latine) utique in hiberniæ probat diem."

† Extract from Flaxwell's Letter to Rowland, in *hi. Mona Antiqua*, dated, 1670, March 13, 1679. "I have translated Mr. Ray's Dictionarium Teutonicæ into their (Irish) language, which in two-third, or thereabouts, agrees with ours (the Welsh)."†

‡ Extract from Stillingfleet's *Origine*, p. 272. "John Major contenteth that the Scots were derived from the Irish, who being plain by their language, as in his time half the nation spoke Irish, and before that time more."

usurpation,

usurpation, the violence and cruelty of the conqueror forced many fugitives into Scotland, their numbers had made no sensible alteration in the ancient language. For we are informed by Sir David Dalrymple\* in his Annals, that Malcolm the Third, called Kennor or Greathead, performed the office of interpreter between his Saxon consort and the Scottish ecclesiastics, whose vernacular tongue was then Gallick; and it is evident even to simplicity that, if the clergy could not, the laity could much less, speak the language of England. This fact is confirmed by Buchanan †, who says that “all Scotland then used its ancient language and institutions.” Now, as this incontrovertible event occurred only 220 years after the extinction of the Picts as a separate people, how could the whole nation have spoken Gallick, had the Scots, the ruling nation, or even the subdued Picts, been Goths and consequently used a dialect of the Teutonick? Indeed a man must be totally unacquainted with the Celdick, if he does not discover in the names of the mountains, rivers and towns of the districts occupied by the Picts sufficient vestiges of their Celdick language. Pinkerton could see nothing but what was Gothick, and Pinkerton, as a counterbalancer, finds nothing but what is Gothick. I believe that the truth lies between the two, and therefore steer a middle course, remarking, how-

\* Sir David Dalrymple's Annals, vol. 1, p. 135. Sir David, copying Ferguson's Quaker's conference, 1727, &c. &c. the retention of a considerable number of Picts, still prevailed in the Scottish church. Margaret 13th Queen of Scotland, with the Scottish clergy. The same is attested the Gallick language, as well as the fact, that Heald only performed the office of interpreter between Malcolm and the Scottish ecclesiastics.

† Buchanan's History, vol. 1, p. 116. Cum totum in Scotia plecter harmonie institutum intererit.



ever, as a corroboration of my last argument that, beside the concurring testimonies of all historians, there is an irrefragable evidence that the Picts were actually conquered by the Scots. In Newte's Tour in Scotland are these words: "A silver medal, value half-a-crown, was given by a gentleman in Argyleshire to Mr. George Dempster, and lost by him at Pool-Ewe in Rosshire, with this inscription, "Robertus Dei gratia Rex Scotorum Princeps Pictorum." This fact is authenticated by Mr. Dempster and Dr. Thorkelin, Professor of History and Civil Law in the University of Copenhagen. Does not this anecdote demonstrate that the conquest of the Picts was still fresh in the minds of the Scots at the distance of 500 years from the date of the event, and commemorated by them as the reduction of Wales was by the English? Who set the example is uncertain; though, as the turn of expression is a little different, priority of time would seem to justify a claim to priority of invention, and Bruce, at such a distance of time from the event, was not probably the first Scottish king who assumed the title. If a fact related by all the Scottish historians requires any corroboration, it is found in the Register \* of St. Andrew's and in the Chronicle † of the Picts, both of which admit the extinction of the Pictish kingdom by the Scots and assign irreligion and immorality as the causes. That a tribe of northern freebooters, probably Cimbrick

\* Regist. Sancti Andrewæ. Deleto igitur funditus Pictorum regno et a Scotis occupato &c.

† Chronicon Pictorum. Cinadius filius Alpini primus scottorum rexit—Pictaviam, a Pictis nominatam quos Cinadius deleuit. Deus enim eos pro merito suæ malitiæ alienos et otiosos hæreditate dignatus est facere, quia illi non solum deum, sed missam et præcepta spreverunt, sed et in iure æquitatis aliis æqui pariter noluerunt.

Gauls, settled on the eastern coast of Scotland, can hardly be doubted, as so many Danish invasions are mentioned by the Scottish historians. But, though by their military habits they preserved for some time the sovereign sway in a considerable district, they were not sufficiently numerous to effect a radical change in the original language and manners of the country. In the days of Bede perhaps sufficient time had not elapsed for assimilating the languages of the Picts and the aborigines; and he might therefore justly glory in thinking that the praises of God were celebrated through Britain in five different idioms; though the various districts of the Saxon heptarchy might possibly differ as much in their dialects as the three divisions of Scotland under the Britons, Scots and Picts. Some modern visionaries, building on Bede's sandy foundation and trusting to Hibernian fictions and ridiculous monastic fabrications, repair to Ireland as a storehouse of nations in order to people Scotland with Picts and Scots, whom they will have to be Gods.

To mend the matter, they pitch upon Argyleshire as the seat of these Scots or Goths, the spot where the Gaelick or Gallick always was and is now spoken in its greatest purity. Would not the reverse have been the case, had the Scots been of Teutonic origin? The Highlands would still be noted for the grossest Gothick, and, instead of preserving poems credited by the conqueror of Italy as the work was by Alphonso, would have only exhibited such rhapsodies as Parkerson has published. Their fictions also make that very part of Ireland, which in the days of Fingal

\* The name of the hero of the Gaelick poem called Fingal was the name of the hero of the adventures given to the Gods of Ireland by the Celts themselves.

could not withstand a foreign invasion without Caledonian auxiliaries, soon after his death so very populous as to cast a swarm of conquerors into the country from which its inhabitants sprung; and these too quitted fertile regions to seize upon barren mountains. The fact certainly is that, if any Hibernians joined the aboriginal mountaineers, they could only be few in number, as \* in Ossian's time; and the united tribes were from the Sgoths or boats, in which they appeared on the coasts and lakes, called by the Picts and other nations Sgoths or Scots, a name, however, still unknown and disavowed among them. This etymology of the name is the more probable that we find in Ossian's poems the Fingalians possessed of boats called Sgoths † with which they braved the fury of their stormy seas, and that it is agreeable to Claudian's description of the icy Ierne and to his piles of slain Scots.

None but this system, which is conformable to the historical episodes in Ossian's Temora, can account for the universal prevalence of the Celtick

\* Smith's Sean Dána, p. 223.

Chruinnich a chnidac mu Fhìn.	His host gathered round Fin.
Ba chóigricl clán Inisfáil;	Strangers were the sons of Inisfáil;
Sheas iad, gach fear 'sa fhléa 'na dhorn,	They stood each with his spear in his grasp,
'Sa shuil fo chórfaid eir Fín- ghael,	And his eye under his helmet on Fingal,
Ambuil foluis fo réla dorcha,	Like a light under dark clouds,
Tra bhis choil eir chrith 'sua spéir ri borbhan.	While the wood is in a tremor and the sky murmurs.
† Ibid p. 62.	
Greasam fan sgoth fo na dháil.	Let me hasten in this boat to meet him.
'Tha sgoth na mná aig im- eachd.	The boat of the matron is in motion.

in Scotland down to the days of Malcolm Kenmor, a fact which is established on too firm a basis to be shaken. “Conar\*,” says Ossian, “was brother to Trathal, Head of the men whose business was slaughter. The blood of his foes was on a thousand streams, and with his fame were filled the valleys of Erin, As with the placid breeze of the wind, while it is gentle. The mighty tribes of Ulin assenbled; They sent a pressing message to the king of swords, To the king of the valiant race of the mountains, The seed of Scima renowned for mighty heroes.”

† “From the south arose the princes of Erin In the compact darkness of their strong rage. In the black cavern of Moma close to each other Amid whispers smothering their words Oft they said round the hill, whence were seen the bare ghosts of their men Showing their dark-red bending forms From grey broken rocks on the plain, Recalling the memory of the fame of the Belgæ,

\* Temora, b. 2.

“Ba bhráer Conar de Thrathal,  
Cein nam ter dña 'n dan am bás.  
Fuil a naide mu mhíle frá,  
Le chliu lína glin nan Frin,  
Mur fuaital befach na goí 'fi fan.

C'ruinnich cinnéa nór Ulin,  
Cnuir iad ceirre ga kí nán lan,  
Ga Ri o thinsra garen a mhionní,  
Síl s' dña nan curí nrech tan.”

† “Dh'íoch o díe stríal nan Frin,  
An e ara dulate 'n ardaí tarcín.  
A' nsa e oí Mhór a dhu rí ch'le  
M' de fínníen fínníen t' cín tein  
's a' b'í, léirí 'n a' nsa tein,  
O' nsa e t' n' f'ínníen t' cín ter  
F'ínníen an curí nrech tan,  
O' nsa e t' n' f'ínníen t' cín ter,  
Cúinníen t' cín t' cín nan Belg,  
Cúinníen t' cín t' cín nan Belg,  
Cúinníen t' cín t' cín nan Belg,  
Cúinníen t' cín t' cín nan Belg.”

Why in Erin should Conar be king, The seed of the battling strangers from Morven?"

In \* the seventh book of the same poem are these words. "Nor in the mountain are the steps of Lerthon, Head of the isle of green boughs. He is erecting a black oak on the wave In the bay of Clua of the many billows, The black oak which he cut from Lumon To travel on the face of the ocean. Maids turned their mild eyes from the king, lest he should fall low: For never by them had been seen a ship Dark-riding the great ocean. Now the king invoked the wind Arnid the vapour of the grey sea. Green rose Inisfail, Straight fell the night of showers; Fear suddenly struck the sons of Bolga. Clouds cleared from Tonthena on the billows. In the bay of Culbin settled the ship, Where wood answered wave. Boiling and boisterous there was the stream from the cavernous rock of Dathuma, In which gleamed the spirits of the dead With their own changeable forms. There came to Lerthon of the ships a dream, Seven images of races not alive; Their voice was heard broken and heavy; There was seen their seed in a mist; There was seen the seed of Atha of the heroes With their sons, the leaders of the Belgæ. They poured their own hosts as mists descending from the mountain, when it travels grey under a blast Over Atha of the numerous groves. Lerthon raised the hall of Samla

\* The original, which is here closely and literally translated, has been published in the second volume of Ósian's Poems, and needs not therefore be here inserted, like that of the preceding quotation. From the words Clutha and Lumon it seems that the emigration took place from the Clyde, and that the oak came from Ben Lomon, at the foot of which, about Macfarlan's house, lately stood many a venerable oak older by centuries than Dr. Johnson, when he visited Scotland.

To

To the soft strain of the harp of strings. The roe of Erin bent from his steps At the grey fords of the streams."

In order to invalidate this reasoning what is the artifice of the Goths? The Celts, if the Goths may be trusted, have no written annals, no authentick chronicles, nor even manuscripts prior to the ninth century; and the Poems of Ossian deserve no credit, because they are merely oral traditions like Garcilasso's History of Peru. What then are the unobjectionable documents of the Goths? The Annals of Ulster, an Irish Duan or Cento, the Psalter of Cashel, and, above all, the invaluable Chronicle of the Picts. What do these precious monuments, of which the Psalter of Cashel, the parent and foundation of the rest, is the oldest and yet not older than the latter end of the tenth century, contain? The Ultonian Register informs us of such important facts as these, "that in a certain year a king of Kintyre, a king of Aldeluai, a king of the Cruinii, a king of Dalriada, a king of the Picts, a king of the Britons, a king of Fortren and Mcleron king of Lochlin died; that in a different year there was a battle between the White and Black Gentiles, for it seems that Blacks once invaded the British coasts; that the king of the Black Gentiles was killed by Manai Mac Mermin; that in 1034 Suivne Mac Hugh, king of the English Irish, died; that in 1035 Luana, king of Alloxons fought against Odo, an imaginary king of France, and that in 1059 Iago, a fictitious king of Britain, died a little before Henrich, king of the world." Such are the admirable materials furnished by this matter-roll of names for the construction of the Gothic temple of History.

But

But the Duan perhaps is a better quarry. Let us see what freestone or marble it yields, unintelligible and inexplicable as it is in some parts and mistranslated in others. Oconnor, who is resolved to be the great king not only of Ireland but of Albion, dashes through thick and thin and sticks in the mire. Well, what is the result? "Albanus of the numerous combatants was the first possessor of Alba of the hosts of yellow tresses. He was the son of Isiacon and brother to Britus, who banished Albanus across the sea of Nichtnavnus and seized on Alba as far as the territories of the hunter Fothadan. Then come the children of Nembi, or Nemidius, and are succeeded by the Crunii from Ireland. Seventy Crunian or Pictish kings rule the Crunian plains ages before the Gothick accounts make the Crunii or Picts set foot in Ireland or even quit the shores of the Mæotis. The swarm from the prolific Ireland is led by three sons of Conor, or rather Oconno!, the great king of Ireland, of the mild mouth; and memorable was this tribe of the Gaels;" for the Duan calls them neither Goths nor Scots. The remainder of this delicate morsel of poetry is a mere list of names and years, and is so far from serving, if such a ridiculous scrap could serve any purpose but that of laughter and contempt, as a solid foundation for the Gothick superstructure, that it oversets the whole fabrick.

But the Psalter of Cashel is surely more favourable to the claims of the Goths. Let the experiment be made. This boasted cento is, in the words of Asile, "a miscellaneous collection written in the latter end of the tenth century and full of fables and absurdities." Hence the Irish antiquaries learn "that Ciocal (a name copied perhaps from Cocalus, a Sicilian tyrant, who lived many centuries

centuries after the supposed Ciocal) peopled Ireland a hundred years after the flood with the crews of vessels containing each 50 men and 50 women. Dr. Parsons, however, with greater modesty and upon the same authority contends that Cain's three daughters, of which ladies Bamba was the eldest, took possession of this land of saints so late as 300 years after the deluge. But then, to mend the matter, and to surprise the reader with chronological exactness, another Dr. named Keating avers that the giant Partholin, the genuine ancestor undoubtedly of the Macpartholans or Macfarlans, and descended in a right line from Japhet, took possession of the coast of Munster on the 14th of May in the year 1973 after the creation. The same learned author and several other Irish sages equally profound assert positively that Finiusa Parfa, great grandson of Japhet (and probably the father of the Mac Parsons) opened a school in the plains of Senaar 150 years after Noah quitted the ark and invented the Hebrew, Greek, Latin and Irish characters. Ireland too must have the honour of the immediate transmission to Scotland of the Piets. Having served in Thrace under Prince Policornus, who hid, in order to save his daughter's honour, committed murder and fled, they roamed from place to place, till they came to Gaul and founded the city of Pictavia. Expelled, however, from this asylum, they arrived in Ireland and assisted the natives in repelling the Britons, who had invaded that country. Finishing the Britons an easy prey, they carried the war into their territories and erected the Pictish monarchy in Africa."—But how is the truth of these and other equally interesting events contained in the Pieter ascertained? It is sanctioned and incontrovertibly established by the unanimous approbation of the parliament of Tarach and



and its committee of nine specially appointed, as in regenerated France, to examine and verify the national records and historical monuments. After a tissue of such credible stories and well authenticated facts, who will dispute the authority of the Pfalter of Cashel?

A truce with such legendary tales! the reader will be apt to exclaim, and give us the incontrovertible history contained in the Chronicle of the Picts. Behold this phoenix then with all its beautiful plumage!

“The Picts, so denominated from various figures imprinted on their bodies with sharp-pointed instruments of iron dipped in ink, and mentioned as the first inhabitants of Britain, must be supposed to have come into it at least as early as the third age of the world,” from which words it seems that the writer thought the Christian era coincident with the creation. “For the Britons, who must not be allowed to inhabit this island before the Picts, appeared, in spite of Cesar, on British ground only in the third age. The Scots, who were so styled either from their Scythian origin, or from their queen, Scotta, the daughter of Pharao, came still later, having landed only in the fourth age of the world,” by which the Chronicle must intend, if it intends any thing, the fourth century after the creation, as it cannot otherways be reconciled to what is said concerning the Britons. “The Scythians, from whom the Scots and Picts are derived, and whose grey pupil enabled them to see better in the night than in the day, were from the whiteness, which their snowy abodes communicated to their hair, christened Albans by their neighbours, the Amazons,” who must therefore have spoken Latin instead of Sarmatick or Slavonick. “The resemblance of the last syllable Gog proves that the Scythians

and Goths originated from Magog, the son of Japhet, whose territories extended from the north-east of India through the Palus Mæotis along the banks of the Danube and the shores of the Ocean to the confines of Germany," "a kingdom of a tolerable extent to be peopled in the second generation by the progeny of one man and one woman. From this authentick source Pinkerton borrowed the idea of leading his Picts a dance from Persia to the Palus Mæotis up the Tanais, from the Tanais to the Baltick and Gothland, from Gothland to Vichia or Pikia, (for, in a case of this nature, an antiquary has a prescriptive right to twirl and untwirl, to rack and torture words at pleasure), from Vichia round the Orkneys to Ireland, and from Ireland back again round Johnny Great's House to exterminate the ancient Caledonians and other Picts of Marcellinus, and at last to contend with their kintmen the Scythians or Serts for the sovereignty of Albion.

"Many of the regions, over which Magog's kingdom extended, and in which the Picts flourished, overflowed with gold and jewels, with the best minerals, the finest sapphires and the purest crystals, but were unfortunately inaccessible on account of savage giants, that guarded them as the fiddler dragon watched the Hesperian fruit."

"The number of the Picts in Britain was Crutline, who, as he was so nearly related to the antediluvians, reigned 100 years, and had 15 successors, whose reigns with his own amounted to 721, years for each, at an average, 51 years, a space of time very nearly triple of what Sir Isaac Newton would allow. Then come thirty kings all named Brade, who ruled Ireland and Albion each for exactly five years, till the chronological skeleton, for it cannot be called historical, terminates

terminates in Kenneth Mac Alpin, who is here allowed to have utterly annihilated this fair structure of Pictish greatness."

Now, reader, is not this a manuscript worthy of being preserved in cedar, or rather in Darius's casket for jewels? Who would leave it a prey to worms? How laudably is an antiquary employed in the ascertainment of the true readings! If the records, with which Iona supplied Boëthius, were not more interesting than these, their loss is not to be regretted, for such an archæological feast would be fit only for the gross palates of Gothick book-worms. Indeed I suspect that, as Boëthius was not, like Buchanan, acquainted with the original language of the country and could therefore consult only monkish documents like the Chronicle of the Picts, he allowed the Gallick manuscripts, which were perhaps really valuable, to perish. If the Pfaller of Cashel, the Duan Albanach, the Chronicle of the Picts, and other fabrications of the same class had shared a similar fate, our libraries would have been relieved from much learned lumber and our scholars from a deal of barbarous jargon. The only benefit accruing from such publications is a conviction that on this subject publick and private repositories contain no historical records worth perusal.

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#### OBSERVATION.

FROM the beginning of Cæsar's\* first and second books concerning his Gallick wars, and from the whole tenour of his narrative, it appears that the various tribes of the Belgians possessed together with Picardy and Lorraine all the Netherlands from

\* Cæsar De Bell. Gall. lib. i. cap. 1. Tertiam (partem Galliarum incolunt) qui ipsorum lingua Celtæ, nostrâ Galli appellantur.—Cellos ab Aquitanis Garumna flumen, a Belgis Matrona et Sequana dividit.—Cæsar enumerates the Belgick tribes in the beginning of his second book.

the mouths of the Rhine; that the Aquitanians were confined to the narrow district of Gascony within the Garonne; and that the remainder of Gaul, amounting with the Roman province, of which the people were Gauls, to much more than half of the departments now constituting the French republick, was in the hands of the nation called in their own language Celts, and in Latin Gauls, who were divided into \* two factions, at the head of which stood the Edui and Arverni, by the latter of whom and by the Sequani, their allies, a savage † and barbarous horde of Germans had been invited into Gaul as mercenaries. Cæsar indeed remarks that the Gauls, Belgians and Aquitanians differed in language, and Strabo ‡ explains the nature and extent of the difference, telling us that the Belgians spoke the language of the Gauls with a little variation from their dialect, and that the Aquitanians differed from both entirely in person and speech and in both resembled the Iberians. That the German had no affinity to the Gallick language we learn not only from Tacitus, when he asserts “that their Gallick tongue proved the Gotlini not to be Germans,” but also from Cæsar §, when he informs us that he sent C. Valerius Proculus, on account of his skill in Gallick to converse with Ariovistus, who from long-continued practice made great use of that language.

\* Cæsar De Bell. Gall. lib. i. cap. 31. Gallæ totius factiones esse duas; hanc in aedibus præcipue am tenere, Eduos, aliam Arverni. — nec in edibus, sed Arvernis Sequanisque Germani merente commiserunt.

† Ibid. Plurimum omnium fuisse barbari (Germani) agro et urbium et cæcis Galliam admittere, plures Rhodanum transire.

‡ The policy of Strabo proving his assertion: in page 25 as a note.

§ De Bell. Gall. lib. v. c. 37. Mittam ed. C. Valerium Proculum præcipue Gallie totiusque quæculta sum Ariovistus longæque consuetudine utitur, ad eum mittere

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 AN  
 APPENDIX.
 

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THAT the inquisitive reader may be exempted from the trouble of consulting the original book for some essential facts advanced in the preceding tract, I insert here the following extracts from the excellent Inquiry into the Origin of Writing, published by Mr. Asple, Keeper of the Records in the Tower, to whose diligence, learning, and penetration, the literary world is so greatly indebted.

Asple, p. 46.—“Plato somewhere mentions Hyperborean letters very different from the Greek.”

Id. p. 123.—“The Gallic or Erse language, used in the Highlands of Scotland, and Ibero-Gallic, are nearly the same, and their letters are similar to each other, as appears by comparing the different specimens in plate 22.

“In the first column of this plate are specimens of eight different manuscripts, written in the Gallic or Erse tongue, which is confessedly a dialect of the Celtic.

“These manuscripts are now in my library, by favour of some friends, who procured them from the Highlands of Scotland.

“The first and most ancient specimen of the Gallic, or Erse language, which I have seen, is taken from a fragment of a work entitled ‘Emanuel,’

nuel,' which, from the forms of the letters, and from the nature of the vellum, may be as old as the ninth or tenth century."

Astle, p. 138.—“ In truth all scepticism must vanish by an inspection of the 22d plate, wherein we have ocular demonstration that the Erse and Irish characters are the same; and that they are similar to those used by the Saxons in Britain appears from several Saxon alphabets in the preceding plates.”

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# VINDICATION

OF

BUCHANAN.

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**W**HATEVER doubt some infidels may entertain concerning the immortality of the thinking principle in man, none can be harboured by well informed and liberal minds about the propriety of vindicating the posthumous fame of deceased merit, and of perpetuating, as far as the thing is practicable, that life which floats in the breath of others; for it is a debt which we owe as much on the score of gratitude for past benefits as of prudence for future advantages. Though we know that expressions of thanks can be of no utility to the author of nature, yet they spontaneously burst from our breasts upon viewing the wonders and blessings of his creation. Why then should we not experience similar, but inferiour emotions of gratitude to those rare spirits, who have shone as luminaries in their respective nations, and guided them, like polar stars, through the sea of ignorance

rance and barbarism? We need not with the adulation of the ancients consecrate them as demigods, or with the superstition of the moderns canonise them as saints: but we may exhibit them in pictures with the pencil or the pen as objects of admiration and models of imitation to every age. The fame of Bacchus excited the emulation of Alexander, and the exploits of Ammon's son lighted up a kindred fire in the breast of Cæsar. For, however impassive and non-electrick some human frames may be, a few of more refined elements will always catch the flame and serve as meteors, comets, or suns, to illuminate the benighted world. Of this last class was George Buchanan, the author of the following dialogue, who, though born, as he says himself, in an age and country of no great learning or refinement, blazed out in all the meridian splendour of genius and taste, and was justly styled the literary sun of Scotland.

But, had his light been confined to the cold tracts of Caledonia; had it not extended its benefits to the other regions of Europe, I should not at this busy crisis have introduced his works upon the publick stage, nor directed the national attention to his memory. Had he not lived at an ominous period, like the present, and instructed the western hemisphere no less by his political writings than he had delighted it by his poetical compositions, his treatise on government, which I now publish in English, might have slept undisturbed on the shelf among our dusty volumes, which the mystic mists of a language becoming daily more and more unintelligible will soon render as unintelligible even to ourselves as the Sanscrit books are to the Indians. If the democratical innovators will see that, through a steady friend to liberty,

L.



He was a systematical enemy to all violent changes in any moderate form of government.

Paine's Rights of Man lately excited a great ferment among the illiterate; but not a greater than Buchanan's dissertation formerly raised among the learned. Nor is this a subject of wonder, when we consider Buchanan's fame as a poet. Out of innumerable testimonies of his superiour merit in poetical composition I select the following lines, which his death, a period, when envy ceases, extorted from the pen of the renowned Italian, Joseph Scaliger. The translation is rather close than adequate, more true to the sense than to the spirit of the original.

THY country blest, Buchanan, in thy fame,  
 And every region honouring thy name,  
 Thou diest declining mad ambition's ways,  
 To wealth superiour and to vulgar praise;  
 Of Phebus and his choir the favourite son,  
 Who every prize in every contest won.

The rare memorials of a soul refin'd,  
 Which in thy works admiring nations find,  
 No bard shall equal of the Gallick breed,  
 And of th' Italic none could e'er exceed.  
 Rais'd to her zenith poetry no more  
 Beyond thee tries on daring wing to soar.  
 Bounds to her empire Rome in Scotland found,  
 And Scotland too her eloquence shall bound.

The splendour of his poetical talents was what occasioned the principal misfortunes of his life; for the Franciscans having discovered them wished by the possession of such a treasure to attract popular attention to their decaying order. Accordingly the sly brotherhood tried by various artifices to inveigle Buchanan, who, instead of complying, repelled their importunities by writing a little elegy,

elegy, of which the following is an imperfect version.

At dawn, when frightened by the solar ray  
 The stars turn pale at the approach of day,  
 Francis in knotty dowlas clad, and red  
 With recent lashes, stood before my bed.  
 The sacred vestments all he held in hand,  
 Hat, cord, book, robe, and bursten shoe and wand,  
 And smiling said, "At once these badges wear,  
 Forsake the world, and to my camp repair,  
 The anxious blandishments of pleasure spurn,  
 And from her fearful joys repentant turn.  
 Vain hopes and cares I'll teach you to despise,  
 And tread the paths strait leading to the skies."

Fix'd in amaze I at this vision hung,  
 And scarce these sounds could issue from my tongue;  
 "Without offence may I the truth declare?  
 That garb my shoulders are unfit to bear.  
 The wearer must in cringing slavery bend;  
 I hail paternal freedom, as my friend.  
 The wearer's brazen front no blush must know;  
 That I'm forbid by nature's honest glow.  
 He must deceive, coxix, feign and temporize;  
 I love simplicity without disguise.  
 Me nor your lies nor rancid songs dismay,  
 Nor prowling lives like those of beasts of prey;  
 Nor bellowing roars, when at each gate you bawl;  
 If such vain arts can move th' ethereal hall.  
 'The way to heaven the cowl can seldom find;  
 For monks, 'tis thought, no place is there assign'd.  
 Survey all temples rear'd with ancient stone,  
 And read o'er monuments th' inscriptions strown,  
 You many a bishop's honour'd shrine will view,  
 Scarce one erected to the hooded crew.  
 Let then this garb with monks be rare and fine,  
 And those who love in penury to pine.  
 But if my welfare lie so near your heart,  
 Would you save me, or save my better part;

Let others traverse all the country o'er  
 Proud of this dress, and beg from door to door;  
 'The trade I like not, nor the monkish frown,  
 Give me a mitre and a purple gown."

This sportive effort of the poet's muse was represented by these professors of meek benevolence and philanthropick forgiveness as a flagrant proof of daring impiety and atheism; and according to the usual practice of holy men they thought that no punishment could be too severe for such a calumnious and blasphemous wretch. During this irritation of mind on both sides, the Scottish king, who suspected the Franciscans of having joined a party of the nobility in a conspiracy against the crown, and was unacquainted with the subsisting quarrel, commanded Buchanan, then preceptor to his natural son, James, afterwards Earl of Murray and Regent, to expose them in a poem. Our author, unwilling to offend either party grievously, wrote a short piece of ambiguous meaning, of which some idea may be formed by the English reader from the subsequent translation of as much of it as can be communicated in an unlearned language.

“ SUPERIOR sanctity you never sign,  
 Nor swallow camels, while at gnats you strain.  
 Rare your simplicity, your virtue's rare;  
 Rare is of truth and modesty your share.  
 In you is pride unheard of, strength that braves  
 All lust; your hands to labour ne'er are slaves.  
 Your sleep's not broken by the din of Mars;  
 No bar exhausts your lungs with wordy wars.  
 You plant no vine, nor sow the furrow'd plain,  
 Nor spread the canvas on the stormy main,  
 'The gains of others you, like rats, devour,  
 And feast, as gods, in Epicurus' bower.  
 You thus of beggary may justly boast;  
 'Tis makes you live like the angelick host.



" Oft as I weigh'd the woes of human life,  
 Its fruitless toils and everlasting strife,  
 Its idle hopes, its anxious fears and joys,  
 Like airy visions, which the grasp destroys,  
 By varying passions tost from side to side,  
 As on the deep a ship by wind and tide,  
 Whatever portion of life's fleeting stream  
 The fates reserve me 'tis my present scheme  
 Far from the world to spend in pious cares,  
 And expiate youth's sins with tears and pray'rs.  
 O for that holy, that triumphant day,  
 When clad in sacred cowl and sober grey  
 I shall from n Francis catch the holy ghost,  
 And, though on earth, live as the heavenly host.  
 This is the mark I aim at, this the goal  
 And port that's long'd for by my panting soul,  
 No more at random on life's ocean hurld,  
 No more the sport of a deceitful world."

" To holiness if a compendious road  
 You mean to take through virtue's high abode,  
 If leaving childish toys and error's maze  
 Of naked truth you wish to tread the ways,  
 To trace the source of bliss and lift your sight  
 To heavenly objects and ethereal light,  
 Your purpose I commend; the noble aim  
 And great attempt my gratulations claim:  
 But, if bewilder'd by delirious dreams  
 You stand the dupe of interested schemes;  
 If led astray by theologick schools  
 You take for heav'n the paradise of fools,  
 A backward course be not ashamed to bend,  
 Nor spurn the counsels of an honest friend.  
 Let not the ravings of the vulgar herd  
 To solid reason's dictates be prefer'd,  
 Nor mystic nonsense crusted o'er with age  
 To simple lessons read in nature's page.  
 Yet still believe not that I heaven dety,  
 Or set the giant and assault the sky;



Whom wit and science and the tuneful Nine,  
 And stars forbid in arts or arms to shine.  
 In learning's arduous paths with fruitless pain  
 When these have spent their youthful days in vain,  
 Unnerv'd in indulgence's softening shades  
 They dread disjunctive tubes and trenchant blades,  
 Nor know on briny waves o'er oars to bend,  
 Or leas'd soil with furrowing plough suspend;  
 And hence the belly's clamours to assuage,  
 And fence their carcass from keen winter's rage,  
 They here in swamps like crocodiles resort,  
 Of fish and life with the chosen part.  
 Pelf some collect in superstition's dom;  
 And others guard in treasuries at home,  
 The dull the country scour, the keen the town,  
 And with the spoils of both their convent crown;  
 This circumvents the widow, that the wife  
 And sows the seeds of matrimonial strife.  
 The beardie's dripping they can mold with ease,  
 His fears and terrors drive him where they please.  
 Of tender maids they play around the heart,  
 And on their favourite passion work with art.  
 A vestal pregnant by divine embrace  
 The founders bore of Rome's imperial race.  
 A matron hugg'd in dragon's form a god,  
 Whose offspring soon on crowns and turbans trod,  
 Why may not they insam'd with sacred fire  
 To equal fame beneath a saint aspire?  
 The bible for their pillow and their bed  
 A prophet's robe, what can there be to dread?  
 Such tempting baits before the eye still set  
 The gudgeons draw at last into their net.  
 The victims add of a disorder'd brain,  
 Delirious fever's and die phrenzy's train.  
 These craz'd with long vertigoes at death's gate  
 Swear that, if heav'n appear'd suspend their fate,  
 The dregs of life with starch and monkish air  
 In habits and gowns they will devote to pray'r.

At this some priestling hot with holy zeal,  
 And measuring justice by the convent's weal,  
 Murmurs strange magick sounds o'er bread and wine,  
 And strait his breath their substance makes divine.  
 This god by his creator swallowed whole,  
 He then absolves from sin the patient's soul,  
 Loads him with hempen cords and vestments brown,  
 And of his addle pate lays bare the crown,  
 Prates in his credulous ear an idle drea'n,  
 A man's 's pow'r offences to redeem,  
 Assures him heav'n at death, in life prepar'd  
 As much and more to promise, if he fear'd  
 Through lack of lies that he should miss the way  
 To one half-ounce of the expected prey.  
 By these false tales the wretched deard sway'd  
 Bids precious goods be to the monks convey'd,  
 Plate, pictures, tapestry and gems unroll'd,  
 And silken robes and all that fetch'd in gold;  
 Since they pretend their faculty is free  
 The purest gold would taint them with its touch  
 This cheat will catch but idiot birds alone;  
 To them for pay all heaven is open thrown.  
 If death should grasp a Lazarus in his fangs,  
 No mournful dirge is sung; no cymbal clang,  
 No long procession in white robes attends;  
 No voice the air with lamentations rends.'

This poem, of which the remainder breathes equal severity, naturally excited the resentment of Cardinal Beaton, who, as the Pop's viceregent in Scotland, watched the interests of the church and the manœuvres of heresy; for heresy was always the ecclesiastical cry, when any of the monastic institutions or religious armies departed through Christendom was threatened with danger. Accordingly the prelate, who knew the king's necessities, and that his honour was not. He that



of modern kings, inflexible, purchased Buchanan's life for money, and kept him in prison, till he could after a formal proceeding at law be condemned and burnt, as others were, for heresy.

But our author having eluded the vigilance of the jailors fled to England, where he found as little security as in his native country, the Catholics and the Protestants being equally sacrificed by the capricious tyranny of the despot, Henry VIII. Depending therefore on literary connections and old habits of intimacy formed in France he repaired to Paris, whence the intrigues of his inveterate enemy, Cardinal Beaton, who was there on an embassy from Scotland, soon obliged him to decamp. The brilliancy of his talents, however, procured him an asylum at Bourdeaux, where for three years he instructed youth, and with an intention of weaning the public mind from the representation of allegorical plays, which were then in vogue, introduced upon the scholastic stage two original, and two translated, tragedies, *The Baptist* and *Jephtha*, and the *Medea* and *Alceſtis* of Euripides. His success upon this occasion exceeded, as he says himself, his expectations; and to this success we may justly ascribe the early regularity of the French stage, its attachment to the three unities and to other excellences of the ancient drama.

Having thus improved theatrical exhibitions in France he would, upon his escape from persecution in that country and in Portugal, have undoubtedly done a similar service to Scotland, had he not on his return to his native soil been suddenly immersed in the waves of civil discord. The convulsions occasioned by disputes concerning religion and government had at that juncture precluded the possibility of so desirable an improvement. But  
what

what his country could then bear he performed. He taught in the following dialogue the genuine principles of government. Nor were the benefits of his political writings confined to Scotland. The justness of his reasoning and the elegance of his style excited the universal attention of Europe, and gave rise in due time to the dissertations of Machiavel, and to the treatises of Harrington, Sidney, Locke and Hume. His opinions, indeed, were at first violently opposed by the temporising flatterers of power; but are now deemed little inferior to political axioms. Hence he may be reckoned the father of politics in modern Europe, having drawn the great outlines of the science and left his scholars to fill up, to shade and colour the less essential parts. Here, if anywhere, is to be found a complete picture of a patriot king or supreme magistrate; and therefore, as the friends of king, who ought to have many, seldom dare to remind them of various truths contained in books, and particularly in this treatise, it is a fit present for a king. Indeed, if every king's sons were trained in the duties of humanity among other boys of the same age and taught under the severe discipline of a school to obey, before they command, such a patriot would be less necessary to a court. For they can seldom, if ever, expect to meet with a man of Buchanan's wisdom, patriotism and independence for their preceptor. Who but he would in the slavish age, when he flourished, have treated with the strictest severity of scholastic discipline the head heir to a throne? Happy for his country, if his own vigilance had not been the cause of his death, and if he had lived to see the reign of his pupil James I, and been reprimanded by the council of North, the worst's government, for having said he thought the *Law's* authority, he required with the

usual fatirical keenness, "Madam, I have only whipped what, if you please, you may, but I will not, kifs."

This wholesome plan of education being counteracted by the interested fervility of domestick and foreign sycophants produced two letters of admonition, one prefixed to the Baptist and another to the treatise now offered to the publick; and both intended to serve as proofs to posterity that, if misled by evil counsel or corrupted by regal licentiousness he should ever deviate from the paths of rectitude, he might not have it in his power to charge his misconduct on his preceptor but on his own neglect of good advice.

This spirit of independence and inflexibility of virtue naturally excited jealousy and hatred among the vermin of the palace, and esp. of our author upon the publication of his *Letter to a friend* as rough danger as he had incurred by the composition of his *Franciscan*. When told that the King, forgetful of honour and obligation was on the point of acceding to the conspiracy against his life he is reported to have said, "I only enquire what he expects: will he I find give him the life and take refuge with me there or, but for Kings? In the event soon finished his days. His education excellently literary, religious and the inevitable decays of age rescued him from the common regal tyranny and from the rage of ecclesiastical persecution.

But, though his merit was esteemed the rage of his enemies, the animosity which ought to be dear to every friend of Liberty and every lover of learning and piety, was, and is still, diminished by the penitence of passive obedience, and the tenets of religious hypocrisy. Though teache of history, Metaphysics and Theology, the ancient and modern philo-

father and the other a presbyterian divine, were compelled, after the perusal and collation of every document, to pass sentence of condemnation on Mary, various champions have entered the lists in defence of her cause, and hurled enormous volumes, as gambets of defiance, at her alleged calumniation.

These zealous advocates heated by controversy forget that, though they should prove all the letters said to be her's spurious, they still have before them untouched and uncontradicted matter sufficient for her condemnation. Bred in France, at a court avowedly corrupt and licentious above the ordinary standard, she came to Scotland in the full vigour of youth and the passion, and, as her conduct evinces, not unaided by its views. Her first husband, the brother of Cardinal, a French grand seigneur, who, by the elegance of his manners, by his gay and influential manner, and by circulating her company and sentiments in vogue, became the idol of her noble associates, her partner in her dissipation, and father of her little favourites and pampered attendants, in her elixir. The ambitious creature naturally resolving, that acts of partiality to be indications of a man's power resolved not to rely on his backwardness, the French was a success. He then, in the midst of his political intrigues, spent the summer here, and made his court to the monarchess in an elegant and rich taste, was soon distinguished by the nobles who surrounded the king's table. The industry to which he was devoted rendered it impossible to observe any real acquaintance with the French language, and the knowledge of that language, which he had acquired, was so imperfectly retained, that he could not be understood by any one but himself. He was, however, a man of great talents, and a great genius, and his conversation was so agreeable, that he was not only received into the king's private apartments, but was even permitted to appear at the king's table, and to be admitted to the king's confidence.

Amorous heart of Mary. Accordingly he repeated the experiment, and being a second time detected—not by Mary, but by her unbribed maids, he was tried and beheaded, not for his guilt, but for his presumption; no law but Barbary's or the seraglio's deeming an act merely intentional and incomplete capital.

To experienced observers this intrigue sufficiently ascertained the future character of the queen's reign and what Scotland had to expect from a French education. In addition to this specimen of her morality, she sanctioned by her approbation and concurrence the league of Bayonne, the most infernal plot against humanity that is recorded in history. Hanno conspired to massacre the whole senate of Carthage, Cataline to burn Rome and assassinate the patricians, and Guy Fox to blow up the English parliament with gunpowder. But these enormities were to this mere peccadilloes, the slight shock of petty mines compared to the tremendous explosion of a volcano. For here the object was to exterminate all the protestants in Christendom, or, in other words, half of Europe's inhabitants. There can be little doubt, therefore, but the conspirators wished, like Caligula, that the intended victims had but one neck, that their heads might be struck off at one blow.

The sovereign's private life being so reprehensible and her public conduct so criminal, it is not surprising that her natural brother, the Earl of Murray, under whose auspices and directions her affairs had hitherto prospered, should, from a regard to his own character and to her interest, interfere by advice and remonstrance, and warn her of the precipice on the brink of which she stood. In this conjuncture, that, in a breath swayed by the most violent religious passions, his friendly counsel pro-



was presently discovered; and Rizzio again pressed into a vacuum, of which he had never been entirely dispensed. The consequent exclusion of Darnley from conjugal joys produced jealousy, jealousy revenge, and revenge murder. Rizzio being, in spite of the queen's prayers and tears, dragged down a close, in which he was sleeping with her, fell piece of cloth hung, was no. Hearing that he was dispatched, he exclaimed, "I will shed no more tears, but think of revenge."

He did not vindictive spirit evaporate in words, but continued to burn till it consumed her husband and a large of his adherents. Having, by promises of renewed affection and by insidious caresses, persuaded him to affix his own signature and the party whom he had authorized to dispatch Rizzio, as the adulterous paramour of his wife, she threw him from her as a polluted, contemptible and loathsome thing; and as she must have a favourite, admitted to her graces the flail of Bothwell, an unprincipled debauchee, whose only joys were his appetites and passions. From gratifying these he was reclaimed by a sense mixture of decency and of guilt. Hence he divorced his wife without any colourable excuse, and poisoned Darnley by his empoisoning. When the queen learned that the strength of her husband's constitution aided by the vigour of youth was likely to overcome the effects of the poison, she flew to Glasgow, and by her intercession was persuaded him to follow her to Edinburgh, where, instead of being put out, as decency required, in the palace, he had for his residence a small detached house without the walls and between two unimportant streets. There she occasionally visited him, as if she had been entirely reconciled. She did not for a short time believe in him. On the only night that she honoured him with a kiss,

at parting to celebrate the important nuptials of a menial servant, he and the house and some of his attendants were blown up with gunpowder by her favourite Bothwell and his ins.

Though the perpetrators of this horrid crime were marked out by voices in the night and by placards in the day, by the rude clamour of the multitude, and by the direct charge of the victim's father, means were found to elude justice and to complete the conjugal union of the suspected parties. Mary indeed pretended that Bothwell owed the possession of her person to a rape, and that her consent to marry him was extorted by the fear of death. But will the principles of human nature allow us to think it probable, or even possible, that her favourite and prime minister should, without collusion, first be guilty of a rape, and then proceed to the outrage of threatening her with death? Without an assurance more than verbal of royal protection he could never have risked the consequences of such enormities as rape and regicide. Had he a plan so frantick, so pregnant with ruin to itself, he would at once have recoiled, had he not known that, like Judas, she had first betrayed her husband with a kiss. Had an actual reconciliation and renewed affection to her husband taken place, as her apologists contend, what a bale wretch must she have been to think a matrimonial connection with such a monster a less evil than death! A debt that every human being must pay to nature is surely not so heavy a load as infamy. Nothing but the preponderance of love, which in the state under us may swallow up every other passion, and love's few miracle, can account for her conduct. That love was her ruling passion appears from the whole tenour of her life; for even in an English prison she could not be wrung from amorous intrigues.

—Hume.



Hence in her correspondence with a northern Duke he becomes "her Norfolk," and she "his own queen;" and Morgan in a letter to her says, "perhaps there have passed between your majesty and the Duke some other transactions, which entitle the said Earl to the name of son."

This being a just, though brief, narrative of the principal incidents in the life of this celebrated princess, can we be surpris'd that her letters should be correspondent? When perus'd they will be found uniform and of a piece with the rest of her conduct, and both will appear mutually illustrative. Had the letters been spurious, they would have been less numerous and not of such a suffocating length, not so minute but more directly criminal. No counterfeited hand could preserve the appearance of identity through so many tedious pages, which contain many particulars not conceivable by any imagination but that of a real actress in the tragedy. Why did the originals of the letters disappear but Leicester's spies thought that their existence would originate his mother's memory, and perhaps render his own legitimacy questionable? No other reason can be assign'd for the disavowal of Crawford's evidence, and particularly of Norton's narrative, which gave a very natural account of the manner in which the discovery was made. Even the Duke of Norfolk allowed these documents to be genuine, till he formed the scheme of mounting a throne, as Mary's husband. Indeed how was the reverse possible, since he had an opportunity of comparing them with many written to him by her own hand; since they were examined by the Scotch Council and Parliament, by the English Commissioners at York, at Westminster and at Hampton Court, and verified by the identity of writing and orthography?

Lethington,

Lethington, indeed, a gentleman of our present Lauderdale's family, is said by Norfolk to have declared that he counterfeited Mary's hand. But, if we could believe Norfolk's tale, what credit can be given to a man who at first told a different story and contradicted himself? The same answer is applicable to the argument drawn from the contradictions observable in the minutes of the Scotch parliament; for it is a weapon that cuts equally both ways. If the records of this parliament, which from its ferociousness tend to the interest of the heir apparent appear not to have been obsequious to Murray, are so manifestly, with all their evidence, no weight in either scale, how can we bring them as proofs on one side without allowing them equal force on the other. Like the testimony of Lethington in the case of the letters, the evidence destroys itself.

But it is objected that the letters, which contained the letters, (and which it is said were kept up there for 34 days) that the original suppression arose from prudent and confidential reasons; from the fears of a rupture with France, and of an irreconcilable quarrel with Murray and with her son James. Much reluctance appeared in the production of them even to Elizabeth, because she had given repeated proofs of her affection and regard.

This clew leads us to the preservation of Elizabeth's temper and her disposition. At first no consideration was had of the necessity of a rupture with France, and of the necessity of a quarrel with Murray and her son.

But what was the reason of her quarrel with Murray, or of her quarrel with her son? It seems that each of them had been guilty of some crime which Elizabeth could not pardon. It is not probable that she had quarrelled with Murray and given up her affection for him, and then

the letters to be destroyed? Because he had no minister whom he could trust; and he might wish to preserve the letters as a certain resource, if fortune should by any vicissitude prove favourable to the queen, whose honour and safety would render them the prize of his return to power.

When the light of natural and external evidence combined to furnish such conviction upon the mind, it may seem strange to careless observers, that the puny evidence against the authenticity of the letters should induce them to treat a matter so confidentially enough to keep it secret in court. This is, however, is, that evidence has been so far from being a link, they observe, in the material chain of evidence through which the truth is ascertained, as that in a chain of links, the strength is not in any one for an ordinary purpose, but in the whole; and chains, as they are used in the courts of justice, induce rather a distrust of the truth of the facts from the testimony of one witness, than from many, who were perhaps equally concerned in the same; least will it be thought that such a distrust should prevail, if it be grounded upon the supposition that the witnesses are all equally false; and that the more the number, the more the opportunity of collusion, and the more the opportunity of concerted falsehood; and who will not be disposed to think, that if a man believe himself to be a witness, and if he believe so that he shall not be held to account if he swears so that he shall not be held to account? Accidents might have occurred, and some might have done, in the papers relating to the discovery of the letters, the which, were almost all drawn out, as he would observe certain passages in them, such as *seventeen*, which they could not be in the originals, or soon; "I have your letters, and I will send you a fair translation?" The instrument being in the negative, he rejoined, "Then, with truth on my side, I defy my enemies, and rest upon myself."

was, "the Lord is with all their kin." Were he now alive, could he give more pertinent answer to Goudal, than had he been dead at the loss of his soul? Thus, however, we must acknowledge a fatal inconsistency in the doctrine of an eternal punishment decreed to be inflicted by kingdoms at that period. Hence, the reform felt at once with respect to, while every reader might at once detect here, their worst defect is a total want of consistency, and therefore diametrically opposite to Facianian's. What he wrote in the preface contained against Mary differs not in substance from what he has left behind him for the instruction of posterity, under a different denomination, the revealed form. Thus, indeed, such a Spirit, philosophy (as is exemplified by Northwick, the author of *Historical Geography*) and the numerous examples here cited, as well as the illustrious example of the illustrious, such and such a writer, who have been known of. Allowing ourselves to be carried away by the spirit of Liberty, and not of Liberty, we are prepared to see, that the passage, in which it is thought to be necessary to change in writing, as well as in speech, as well as in gesture. The intention of the Author, was to be that the whole, and not only the part, but that

It is not, I mean, that is, the whole,

That is, the whole, and not only the part,

That is, the whole, and not only the part,

That is, the whole, and not only the part,

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as in our days, and when nations gloried in the multiplicity of their royal families, as if in vain? If he had made them flow as brief as Livy's account of the kings of Italy, the reader would have sustained no great loss, as their exploits are seldom either interesting or surprising; but, as he has, through the authority of his historians, enlarged their reigns, & multiplied their actions, he has narrated them in more and more detail, till the number of transactions of the history amounts to 110 parts; since which I have not possibly a more voluminous. B. Ælius, it must be confessed, is a credulous, and not a judicious teller of these ancient stories. But is not this reason, to use the words of the author with the same freedom, a good one? The late collection of monuments for the year 1710, which, in the 1st volume, is now printed, has afforded us a new insight into the reigns of the Roman kings. The same year, an ancient inscription was discovered, which, in a very judicious manner, has been translated by the author of the *Antiquities*, and which, as it is a very rare monument, is worth the perusal of every antiquarian. The same year, a new edition of the *Antiquities* of the Roman kings, by the author of the *Antiquities*, was published, and which, in the preface, contains a very judicious and interesting account of the reigns of the Roman kings, and which, as it is a very rare monument, is worth the perusal of every antiquarian. The same year, a new edition of the *Antiquities* of the Roman kings, by the author of the *Antiquities*, was published, and which, in the preface, contains a very judicious and interesting account of the reigns of the Roman kings, and which, as it is a very rare monument, is worth the perusal of every antiquarian.

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1711. The year 1711, which, in the 2d volume, is now printed, has afforded us a new insight into the reigns of the Roman kings. The same year, an ancient inscription was discovered, which, in a very judicious manner, has been translated by the author of the *Antiquities*, and which, as it is a very rare monument, is worth the perusal of every antiquarian.

obliged them to ride, be kept up and helped to dismount by others; that, though on the south side of the Roman wall every thing was paradisiacal, the scene on the north presented nothing but adders and vipers and other venomous creatures, and that no human being could live beyond it for half an hour, or rather, that in crossing, life was extinguished as if plunged into ice or brimstone; and that the island was the common habitation of departed souls, who were furnished by the fishermen on the neighbouring coasts with food and oar, under the influence of unknown and mysterious powers that knocked at the doors of the fishermen in the night, and by a kind of magical charm compelled them to rise, to hold their oars and ply their oars, while all the while they saw nothing, but thought they heard in the murmur or in distinct sounds the names of the passengers enumerated. These fables, ridiculous as they are, did not deter Gibbon from abridging a genuine history; this author's narrative of Benvenuto's exploits. Are not the facts recorded in the *Journal* of numbers allowed to be authentic, though the *Journal* itself is there said to have fallen with a hurricane wind? Was any objection made to the testimony of Dr. Samuel Johnson in the case of *John Bull*, though he believed in the breed of cock-fighters in the Gallies of the Cock-tide? Can it be said that fables then are not, or are not to be taken, as they are, to invalidate a man's evidence, especially, in which his own senses remain in a competent state, who found a different species of cock-birds, of his own breed, in the island of *St. Bartholomew*, who saw a sailing vessel and a crew of twelve men, and a man of company paddling a canoe of his nation, rowed against wind and tide, and sailed from the preceding day, and is clearly exposed that the





he once began, the specimens of his epick and lyrick poetry, that remain, leave no room to doubt that, if the events of his life had directed the current of his thoughts that way, he would have been as great a favourite with the conqueror\* of Italy as Ossian. For, though in consequence of early emigration he had in a great measure forgotten the Gallick, his native tongue, he had in its place acquired the Latin in as great perfection as Ossian possessed the Celtick.

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*REMARK.*

IN page 64 the name of Machiavel has by some mistake crept into a passage, which represents Buchanan as the father of politicks in modern Europe, though he was posterior to Machiavel in time. Notwithstanding this circumstance, Buchanan is justly entitled to that appellation; as Machiavel, though perhaps a friend to liberty, has only made remarks on those parts of old or long established systems, which he thought worthy of imitation. He has no where investigated the principles of government or attempted any material improvement of any form. Buchanan has, on the contrary, entered so deeply into the subject, that nothing was left for his successors but to give the public a minuter detail. Nor was he merely a speculative politician. Having in early youth attacked ancient superstition in its most vulnerable

\* It is to be regretted that Buonaparte's admiration of Ossian did not induce him to copy his generosity and high sense of honour rather than the ferocity and treachery of the Homerick warriors.

part, the body of the Franciscans, he continued through life to be an oracle to the Scottish clergy, and particularly to his old pupil and their leader, the earl of Murray; and he may therefore be justly considered as the source of their republican form of ecclesiastical polity, as well as of the unalterable attachment to freedom, with which they inspired the populace. The existence of such a luminary in the north rationally explains why the Scots got the start of their southern neighbours in the career of religious and civil liberty.

Hardly any of the ancients had just notions of the genuine principles of government. Plato, Aristotle, and their other politicians, framed constitutions fitted only for a small and privileged class of people denominated citizens, the great body of the multitude being slaves; so that even their democracy was really an aristocracy. From the reasoning contained in the fifth chapter of the first book of his *politicks*, Aristotle infers, "that by nature some are evidently freemen and some slaves, and that the interest of the latter, as well as justice, dictates their slavery." In another passage he tells us, that the poets thought their imaginary superiority of intellect gave the Greeks a natural right to enslave the barbarians, that is, all men but Greeks. From writers maintaining such doctrines could we expect any system of government but such as might drop from the pen of a planter, composing a code of laws for Jamaica or Hispaniola, where the slaves exceed the freemen in a tenfold proportion?

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## GEORGE BUCHANAN

*wishes much good Health*

### TO JAMES THE SIXTH,

KING OF THE SCOTS.

SEVERAL years ago, when publick affairs were in the greatest confusion, I wrote on the Prerogative of the Scottish Crown a Dialogue, in which I endeavoured to explain from their very cradle, if I may use the expression, the mutual rights of our kings and of their subjects. Though that book seemed to have been serviceable at the time by shutting the mouths of certain persons, who with importunate clamours rather inveighed against the existing state of things than weighed what was right in the scale of reason, yet influenced by the return of a little tranquillity I also laid down my arms with pleasure on the altar of publick concord. But having lately by accident lighted on this composition among my papers, and thought it interspersed with many remarks necessary to a person raised like you to an eminence so interesting to mankind, I have judged its publication expedient, that it might both testify my zeal for your service and also remind you of your duty to the community. Many circumstances also assure me that my endeavour on this occasion will not be fruitless; especially your age not yet corrupted by wrong opinions; and a genius above your years spontaneously urging you to every thing noble; and an easy flexibility in obeying not only your preceptors

but also all wise monitors ; and that judgment and sagacity in disquisition, which prevent you from allowing great weight to authority, when it is not supported by solid arguments. I see also that, by a kind of natural instinct, you so abhor flattery, the vile nurse of tyranny and the very pest of legal sovereignty, that you hate the solecisms and barbarisms of courtiers no less than they are relished and affected by those who in their own eyes appear connoisseurs in every species of elegance, and, as if they were delicate seasonings to conversation, interlard every sentence with Majesties, Lordships, Excellencies, and, if it be possible, with other expressions of a still more offensive favour. Though you be at present secured from this error, both by the goodness of your natural disposition and by the instructions of your governors, yet I cannot help being somewhat afraid that the blandishments of that pander of vice, evil communication, should give a wrong bias to a mind that is yet so pliant and tender ; especially as I am not ignorant with what facility our other senses yield to seduction. This treatise, therefore, I have sent you not only as a monitor, but also as an importunate and even impudent dun ; that in this critical turn of life it may guide you beyond the rocks of flattery, and not only give you advice but also keep you in the road which you so happily entered, and, in case of any deviation, replace you in the line of your duty. If you obey its directions, you will ensure to yourself and to your family in the present life temporal tranquillity, and in the future eternal glory. Farewell.

At Surling on the tenth of January in the year of the Christian Era 1579.

# A DIALOGUE .

CONCERNING

*The Rights of the Crown in Scotland,*

TRANSLATED FROM THE

LATIN ORIGINAL OF GEORGE BUCHANAN.

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WHEN, upon Thomas Maitland's return lately from the continent, I had questioned him minutely about the state of affairs in France, I began, out of my attachment to his person, to recommend to him a perseverance in that career to glory which he had so happily begun, and to inspire him with the best hopes of the progress and result of his studies. For, if I, with moderate talents, with hardly any fortune and in an illiterate age, had still maintained such a conflict with the iniquity of the times as to be thought to have achieved something, assuredly those, who were born in happier days and possess time, wealth and genius in abundance, ought not to be deterred from so honourable a purpose by its labour; and, when aided by so many resources, cannot reasonably yield to despair. They should therefore proceed to use every effort in communicating splendour to literature, and in recommending themselves and their countrymen to the notice of posterity. If

they continued for a little their joint exertions, the consequence would be, that they would eradicate from the minds of men an opinion, that in the frigid regions of the globe the learning, politeness and ingenuity of the inhabitants diminish in proportion to their distance from the sun. For, though nature may have favoured the Africans, Egyptians, and most other nations with quicker conceptions and greater keenness of intellect, yet she has been so unkind to no tribe as to have entirely precluded it from all access to virtue and glory.

Here, when, according to his usual modesty, he had spoken of himself with diffidence, but of me with more affection than truth, the course of conversation at last led us so far, that, when he had questioned me concerning the convulsed state of our country, and I had made him such an answer as I thought calculated for the time, I began in my turn to ask him what sentiments either the French, or any strangers that he met in France, entertained concerning Scottish affairs. For I had no doubt that the novelty of the events would, as is usual, have furnished occasion and matter for political discussions.

“Why,” says he, “do you address to me such a question? No, since you know the whole train of events, and are not unacquainted with what most people say and almost all think, you may easily conjecture, from the internal conviction of your own mind, what is, or at least what ought to be, the opinion of all mankind.”

But the more distant foreign nations are, and the fewer causes they have from that distance for anger, for hatred, for love and for other passions likely to make the mind swerve from truth, the more ingenuous and open they commonly are in judging, and the more freely they speak what they think;

think; and this very freedom of speech and mutual interchange of thought removes much obscurity, disentangles many knotty points, converts doubts into certainties, and may shut the mouths of the dishonest and designing, and instruct the weak and unenlightened.

*M.* Would you have me be ingenuous in my answer?

*B.* Why not?

*M.* Though I was strongly actuated by a desire of revisiting, after a long absence, my country, my parents, my relations and friends, yet nothing inflamed this passion so much as the language of the untutored multitude. For, however firm I had thought the temper of my mind rendered either by the effects of habit or by the precepts of philosophy, yet, when the event now under consideration occurred, I could not, by some fatality, conceal its softness and effeminacy. For, as the shocking enormity here lately exhibited was unanimously detested by all orders of men, and the perpetrator still uncertain, the vulgar, always swayed rather by momentary impulse than by sound discretion, imputed the fault of a few to the many; and the common hatred to the misdeed of private individuals so overwhelmed the whole nation, that even those, who stood most remote from suspicion, laboured under the infamy of other men's crimes. Therefore, till this storm of calumny should subside into a calm, I readily took shelter in this port, where, however, I fear that I have struck against a rock.

*B.* For what reason, I beseech you?

*M.* Because the minds of all men, being already heated, seem to me likely to be so much inflamed by the atrocity of the late crime as to leave no room for defense. For how can I resist the attack

not only of the uninformed multitude, but even of those who assume the character of politicians, while both will exclaim that our ferocious rage was not satiated by murdering, with unparalleled cruelty, an innocent youth, but exhibited a new example of barbarity in the persecution of women, a sex that is spared even by hostile armies at the capture of cities? From what horror, indeed, will any dignity or any majesty deter men who are guilty of such outrage to their princes? After these enormities, whom will justice, morality, law, respect for sovereignty or reverence for legal magistracy, restrain through shame or check through fear? When the exercise of the supreme executive power is become the ridicule of the lowest rabble, when trampling upon every distinction between right and wrong, between honour and dishonour, men degenerate, almost by common consent, into savage barbarity. To these and still more atrocious charges I know that I shall be forced, upon my return to France, to listen, as the ears of all have in the mean time been so thoroughly shut as to be susceptible of no apology, nor even of a satisfactory defence.

*B.* But I will easily relieve you from this apprehension, and clear our nation from so false an imputation. For, if foreigners so heartily execrate the heinousness of the antecedent crime, where is the propriety of reprobating the severity of the subsequent punishment? Or, if they are vexed at the degradation of the queen, the former must necessarily meet with their approbation. Do you, therefore, choose to which of the two cases you wish to attach guilt; for neither they nor you, if you mean to be consistent, can either praise or dispraise both.

*M.* The



*A.* The murder of the king I certainly detest and abominate, and am glad that the odium of conscious guilt does not fall upon the publick, but is attributable to the villainy of a few desperadoes. But the latter act I cannot either wholly approve or disapprove. The detection by sagacity and industry of the most nefarious deed mentioned in any history, and the vengeance awaiting the wicked perpetrators from open hostilities, appear to me glorious and memorable achievements. But with the degradation of the chief magistrate, and with the contempt brought upon the royal name, which has been among all nations constantly held sacred and inviolable, I know not how all the nations of Europe will be affected, especially those that live under a regal government. As for myself, though not ignorant of the adverse pretences and allegations, I feel violent emotions either from the magnitude or novelty of the event; and the more so that some of its authors are connected with me by the closest intimacy.

*B.* Now, methinks, I can nearly discern what it is that affects you, but not perhaps so much as it touches those iniquitous estimators of other men's merit, to whom you think satisfaction is due. Of those, who will violently condemn the forcible seizure of the queen, I reckon three principal divisions. One is peculiarly pernicious, as it comprehends the panders to the lusts of tyrants, wretches who think no act unjust or dishonourable by which they conceive that kings may be gratified, and who measure every thing not by its intrinsic value, but by the passions of their masters. These are such venal devotees to the desires of another that they have retained freedom neither of speech nor of action. From this band proceeded the banditti, who, without any cause  
of

of enmity, and merely with the hopes of preferment and power at court, sacrificed, in the most cruel manner, an innocent youth to another's lust. While these hypocrites pretend to lament the fate of the queen, and to sigh and groan over her miseries, they mean only to provide for their own security, and really grieve at seeing the enormous reward for their execrable villainy, which they had devoured in imagination, snatched out of their jaws. This sort of people ought, therefore, in my opinion, to be chastised not so much by words as by the severity of the laws and by the force of arms. Others look totally to their own affairs. These, though in other respects by no means bad men, are not vexed, as they would wish us to think, at the injury done to the publick, but at their own domestick losses; and therefore seem to me to need consolation rather than any remedy derivable from reason or from law. The remainder consist of the rude and undistinguishing multitude, who wonder and gape at every novelty, who censure almost every occurrence, and think hardly any thing right but what is either their own act or what is done under their own eye. For every departure from the practice of their ancestors they think a proportionate deviation from justice and equity. These being swayed neither by malice nor by envy, nor by any regard to self-interest, are generally susceptible of instruction and of being reclaimed from error, and commonly yield to the force of reasoning and conviction; a truth of which we now have, and formerly often had, experience in the case of religion: for

When the state of man to tame should see,  
It tries to curb him with the power of fear.

M. THE

*M.* That remark we have more than once found to be perfectly just.

*B.* What, if, in order to silence this multitude, you should ask the most clamorous and importunate their opinion concerning the fate of Caligula, of Nero and of Domitian; I presume that none of them would be so fervently attached to the regal name as not to acknowledge that they were justly punished?

*M.* Possibly what you say may be true. But the same persons will immediately exclaim that they do not complain of the punishment of tyrants, but feel indignant at the undeserved calamities of legal sovereigns.

*B.* Do not you then see how easily the multitude may be pacified?

*M.* Not yet. The matter seems to require more elucidation.

*B.* I will, by a few words, make it intelligible. The vulgar, according to you, approve the murder of tyrants, but compassionate the sufferings of kings. Do not you think then, that, if they should clearly understand the difference between a tyrant and a king, it will be possible, in most particulars, to alter their opinion?

*M.* Were all to acknowledge the justice of killing tyrants, it would open a wide inlet for the diffusion of light upon the subject. But some men there are, and those of no contemptible authority, who, though they subject legal sovereigns to penal laws, contend for the sacredness of tyrants; and, though their decision is certainly in my opinion absurd, yet they are ready to fight for their government, however extravagant and intolerable, as for their own altars and hearths.

*B.* I also have more than once met with various individuals, who obstinately maintained the same doctrine.

doctrine; but whether they were right or wrong we shall elsewhere more commodiously examine. In the mean time, if you will, let this point be taken for granted, upon condition that, if you do not afterwards find it sufficiently demonstrated, you may at pleasure resume the subject for discussion.

*M.* Upon these terms I have no objection.

*B.* We shall then establish it as an axiom that a king and a tyrant are contraries.

*M.* Be it so.

*B.* He then who has explained the origin and the causes of creating kings, and the duties of kings to their subjects and of subjects to their kings, must be allowed to have by the contrast nearly explained whatever relates to the nature of a tyrant.

*M.* I think so.

*B.* And when the picture of each is exhibited, do not you think that the people will also understand what is their duty to each?

*M.* Nothing is more likely.

*B.* But in things extremely dissimilar, and withal of the same general class, there may be certain similarities very apt to lead the inadvertent into error.

*M.* That may indisputably be the case, and particularly when an inferior character finds it easy to assume the appearance of a superior, and studies nothing so much as to impose upon ignorance.

*B.* Have you in your mind any distinct picture of a king and a tyrant? for, if you have, you will ease me of much labour.

*M.* The figure of both, which I have in my mind, I could certainly describe with ease; but it would appear to your eyes, I fear, idle and misshapen. Therefore, lest, by forcing you to rectify my errors, the conversation should exceed the due

due bounds, I choose rather to hear the sentiments adopted by you, who have the advantage of me both in age and experience, and not only know the opinions of others, but have also visited in person many states, and noted their manners and customs.

*B.* That I shall do, and with pleasure; nor shall I expound so much my own as the opinion of the ancients, that more weight and authority may accompany my words, as not being framed for the present occasion, but extracted from the doctrines of those who were entirely unconnected with this controversy, and delivered their sentiments with no less eloquence than brevity, without hatred, without favour or envy, for which they could not have the most distant motive; and I shall adopt principally the opinions not of those who grew old in the shades of inactivity, but of men who were in well regulated states distinguished at home and abroad for wisdom and virtue. But, before I produce their testimony, I wish to ask you a few questions, that, when we have agreed upon some points of no small importance, I may not be compelled to deviate from my intended course, and to dwell either upon the explanation or confirmation of matters that are evident and almost acknowledged truths.

*A.* Your plan I approve; and, therefore, if you have any questions to ask, proceed.

*B.* Is it your opinion that there was a time when men lived in huts and even in caves, and strolled at random, without laws, without settled habitations, like mere vagrants, uniting in herds as they were led by fancy and caprice, or invited by some convenience and common advantage?

*A.* That is certainly my firm belief; for it is not only consonant to the order of nature but also sanctioned by almost all the histories of all nations. Of

that rude and uncultivated life we have from Homer's pen a picturesque description soon after the Trojan war among the Sicilians :

By them no statute and no right was known,  
No council held, no monarch fills the throne ;  
But high on hills or airy cliffs they dwell,  
Or deep in caverns or some rocky cell ;  
Each rules his race, his neighbour not his care,  
Heedless of others, to his own severe.

At the same period, too, Italy is said to have been equally uncultivated, so that, from the state of the most fertile regions of the globe, it is easy to form a conjecture that the rest were nothing but wild and desolate wastes.

*B.* But which of the two do you think most conformable to nature ; that vagrant and solitary life, or the social and unanimous assemblage of men ?

*M.* Undoubtedly the unanimous assemblage of men, whom

Utility herself from whom on earth  
Justice and equity derive their birth,

First collected into masses and taught,

Fenc'd by one wall or by one ley and bar,  
From open'd gates to pour the tide of war.

*B.* What! do you imagine that utility was the first and principal cause of human union ?

*M.* Why not? Since the first number of the greatest ages is, that men were made together for a purpose.

2. To certain individuals, indeed, utility may be made great influence, both in the formation and in the improvement of society. But, as the most natural and their assemblage claims a much higher

order,

origin, and the bond of their union is of a much earlier and more venerable date. For, if every individual were to pay attention only to his own interest, there is ground for suspecting, I fear, that this very utility would rather dissolve than unite society.

*M.* That observation may perhaps be true. But I should be glad to hear what is your other source of human association.

*B.* It is a certain innate propensity, not only in men but also in other animals of the gentler tribe, to associate readily, even without the allurements of utility, with beings of their own species. But of the brute creation it is not our present business to treat. Men we certainly find so deeply impressed and so forcibly sway'd by this natural principle, that, if any of them were to enjoy in abundance every thing that is calculated either for the preservation and health of the body or for the pleasure and amusement of the mind, he must, without human intercourse, experience life to be a burden. This is such a notorious truth, that even the persons, who, from a love of science and a desire of investigating truth, have retired from the bustle of the world and lived recluse in sequestered retreats, have neither been able for a length of time to bear a perpetual exertion of mind, nor, upon discovering the necessity of relaxation, to remain unmou'd in solitude; but readily produced the very result of their studies, and, as if they had laboured for the common good, added the fruit of their labours to the common stock. Hence it is my opinion, that if any person be so attracted to solitude as to shun and fly the society of men, he is actuated rather by a disease of the mind than a principle of nature. Such, according to report, was Timon of Athens and Belshazzar of Ceneth,

A witch

A wretch, who, preying in corrosive pain  
 On his own vitals, roam'd th' Aëlian plain  
 With comforts and solitary pace,  
 Shunning the commerce of the human race.

*M.* Here our sentiments are not far from coincidence. But the term Nature, adopted by you, is an expression which from habit I often use rather than understand; and it is applied by others so variously and to such a multitude of objects that I am generally at a loss about the idea which it conveys.

*B.* At present I certainly wish nothing else to be understood by it but the light infused into our minds by the divinity; for, since God created this dignified animal

Erect, of deeper reach of thought possess'd,  
 And fit to be the lord of all the rest,

he not only bestowed upon his body eyes, by whose guidance he might shun what is adverse, and pursue what is adapted to his condition, but also presented to his mind a kind of light by which he might distinguish vice and infamy from virtue and honour. This power, some call nature, I me the law of nature: I certainly hold it to be divine, and am thoroughly persuaded that

Nature's and Wisdom's voice are still the same.

Of this law, too, we have from God a kind of abridgement, comprehending the whole in a few words, when he commands us to love him with all our heart, and our neighbours as our selves. The sacred volumes, in all the books which relate to the formation of our morals, concern hardly any thing else but an explanation of this law.

*M.* Do you then conceive that human freedom derives its origin not from any order or law, or that



that collected the dispersed tribes of men, but from God himself?

*B.* That is positively my opinion; and, in the words of Cicero, I think that nothing done upon earth is more acceptable to the Sovereign Deity, that rules this world, than assemblages of men called states, and united upon principles of justice. The different members of these states politicians wish to have connected by ties similar to the coherence subsisting between all the limbs of our body, to be cemented by mutual good offices, to labour for the general interest, to repel dangers and secure advantages in common, and, by a reciprocation of benefits, to conciliate the affections of the whole community.

*M.* You do not then assign utility as the cause of men's union in society, but the law implanted in our minds by God at our birth, which you hold to be a much higher and more divine origin?

*B.* I admit of utility as one cause, but not as the absolute mother of justice and equity, as some would have her; but rather as their handmaid, and one of the guardians of a well regulated community.

*M.* Here also I have no difficulty in expressing my concurrence and assent.

*B.* Now as our bodies, which consist of repugnant principles, are liable to diseases, that is, to passions and certain internal commotions: so in like manner must those larger bodies called states, as they are composed of different and in some measure of incompatible ranks, conditions and dispositions of men, and of men, too, who

Cannot, with a fix'd and steady view,  
Even for an hour a single plan pursue.

Hence

Hence the latter must certainly, like the former, come to a speedy dissolution, unless their tumults are calmed by a kind of physician, who, adopting an equable and salutary temperament, braces the weaker parts by fomentations, checks the redundant humours, and provides for the several members, so that neither the feebler parts may waste through want, nor the stronger grow too luxuriant through excess.

*M.* These would be the consequences that must inevitably ensue.

*B.* By what name shall we qualify him, who shall perform the part of physician to the body politic?

*M.* About the name I am not very anxious; but such a personage, whatever his name may be, I hold to be of the first excellence and to have the strongest resemblance to the divinity. In this respect much forecast seems discovered in the wisdom of our ancestors, who distinguished an office so honourable in its own nature by a very splendid name. For you mean, I suppose, a King, a term of which the import is such, that it renders a thing of the most excellent and transcendent nature almost visible to our eyes.

*B.* You judge rightly, for by that appellation we address the deity: since we have not a more magnificent title to express the pre-eminence of his excellent nature, nor better adapted for expressing his paternal care and affection. Why should I collect other words that are metaphorically used to signify the office of a King, such as father, shepherd of the people, guide, prince and governor? The intention of all such expressions is to shew that kings were made not for themselves, but for the people. And, now that we have agreed about

about the name, let us, if you please, discuss the office, still treading the path which we have hitherto pursued.

*M.* What path, I beseech you?

*B.* You recollect what has been just said, that states have a great resemblance to the human body, civil commotions to diseases, and kings to physicians. If therefore we understand the business of a physician, we shall not be far, I presume, from comprehending the duty of a king.

*M.* It may be so; for, by the comparative view which you have exhibited, they appear to have not only a great resemblance, but even a strong affinity.

*B.* Do not expect that I should here discuss every minute particular; for it is what is neither allowed by the limits of our time nor required by the nature of the subject. But, if I show you that there is a striking similarity in the most prominent features, your own imagination will readily suggest what is omitted, and complete the picture.

*M.* Proceed, as you have begun.

*B.* Each seems also to have the same object in view.

*M.* What object?

*B.* The preservation of the body committed to his care.

*M.* I understand. For one ought, as far as the nature of the case will admit, to maintain the human body, and the other the body politic, in a sound state; and, when they happen to be affected with a disease, to restore them to good health.

*B.* Your conception of the matter is just; for the office of each is twofold,—the maintenance of a sound, and the recovery of a disordered constitution.

*M.* Such is my idea.

*B.* For in both cases the diseases are similar.

O

*M.* So

*M.* So they seem.

*B.* For both are injured by a certain redundance of what is noxious, and by a deficiency of what is salutary; and they are both cured nearly by a similar process, either by nursing or gently cherishing the body when emaciated, or relieving it when full and overburdened by the discharge of superfluities, and by moderate exercise and labour.

*M.* Such is the fact. But there seems to be this difference, that in the one the humours, in the other the morals, must be duly tempered.

*B.* You are perfect master of the subject; for the body politic, like the natural, has its peculiar kind of temperament, which, I think, we may, with the greatest propriety, denominate Justice; since it is she that provides for its distinct members and makes them perform their duties with uniformity. Sometimes by the operation of bleeding, sometimes by the discharge of noxious matter, she, by a kind of evacuation, expels redundancies; sometimes she rouses despondence and pusillanimity and administers consolation to diffidence, and reduces the whole body to the temper mentioned above, and exercises it, when thus reduced, by suitable labours; so that, by a regular and due intermixture of labour and rest, she preserves, as far as the thing is possible, the renovated constitution.

*M.* To all your positions I would readily assent, had you not made justice the temperament of the body politic; for by its very name and profession temperance seems rightfully entitled to that office.

*B.* I think it of no great moment on which of the two you confer this honour. For, as all the virtues, of which the energy is visible in action, consist in the observation of a due and uniform medium, they are so mutually interwoven and connected,

ned, that they seem all to have but one object, the moderation of the passions. Under whatever general head it may be classed, it is of little importance which of the two names you adopt; and yet that moderation, which is exerted in common affairs and in the ordinary commerce of life, may, in my opinion, be with the greatest propriety denominated justice.

*M.* Here I have no difficulty in yielding my assent.

*B.* Now I imagine that the intention of the ancients in creating a king was, according to what we are told of bees in their hives, spontaneously to bestow the sovereignty on him who was most distinguished among his countrymen for singular merit, and who seemed to surpass all his fellows in wisdom and equity.

*M.* That is probably the fact.

*B.* But what must be done, if no such person can be found in the community?

*M.* By the law of nature mentioned before an equal has neither the power nor right of assuming authority over his equals; for I think it but justice that among persons in other respects equal the returns of command and obedience should also be equal.

*B.* But, if the people, from a dislike to an ambitious canvass every year, should choose to elect as king an individual not possessed indeed of every regal virtue, but still eminent for nobility, for wealth or military glory, may not he, with the greatest justice, be deemed a king?

*M.* Undoubtedly; for the people have a right of investing whom they please with the sovereign power.

*B.* Suppose that we should employ for the cure of diseases a man of considerable acuteness, but still

not possessed of extraordinary skill in the medical art, must we directly upon his election by the generality consider him as a physician?

*M.* By no means. For learning and experience in many arts, and not votes, constitute a physician.

*B.* What do you think of the artists in the other professions?

*M.* I think that the same reasoning is applicable to them all.

*B.* Do you believe that it requires any art to discharge the functions of a king?

*M.* Why should I not?

*B.* Can you give any reason for your belief?

*M.* I think I can; and it is that which is peculiar to all the arts.

*B.* What reason do you mean?

*M.* All the arts certainly originated in experience. For, while most people proceeded at random and without method in the performance of many actions, which others completed with superior skill and talents, men of discernment, having remarked the result on both sides and weighed the causes of their results, arranged several classes of precepts and called each class an art.

*B.* By the means therefore of similar remarks, the art of sovereignty may be described as well as that of medicine?

*M.* That I think possible.

*B.* On what precepts then must it be founded?

*M.* I am not prepared to give you a satisfactory answer.

*B.* Perhaps its comparison with other arts may lead to its comprehension.

*M.* In what manner?

*B.* Thus. There are certain precepts peculiar to grammar, to medicine and to agriculture.

*M.* I

*M.* I comprehend.

*B.* May we not call these precepts of grammar and medicine also arts and laws, and so on in other cases?

*M.* So I certainly think.

*B.* What do you think of the civil law? Is it not a system of precepts calculated for sovereigns?

*M.* So it seems.

*B.* Ought it not then to be understood by him who would be created a king?

*M.* The inference appears unavoidable.

*B.* What shall we then say of him who does not understand it? Do you conceive that, even after his nomination by the people, he should not be called king?

*M.* Here you reduce me to a dilemma; for, to make my answer compatible with the preceding concessions, I must affirm that the suffrages of the people can no more make a king than any other artist.

*B.* What then do you think ought to be done in this case? For, if the person elected by common suffrage is not a king, I fear that we are not likely to have any legal sovereign.

*M.* I also am not without the same fear.

*B.* Is it your pleasure then that the position just laid down in comparing the arts should be discussed with greater minuteness?

*M.* Be it so, if you think it necessary.

*B.* Did we not, in the several arts, call the precepts of the several artists laws?

*M.* We did.

*B.* But I fear that we did not then use sufficient circumspection.

*M.* Why so?

*B.* Because it seems an absurdity to suppose that he who understands any art should not be an artist.

*M.* It

*M.* It is an absurdity.

*B.* Ought we not therefore to consider him, who can perform what belongs to art, an artist, whether it proceeds from the spontaneous impulse of nature, or from an habitual facility acquired by a constant repetition of similar acts?

*M.* I think so.

*B.* Him then, who possesses either the method or the skill to do any thing rightly, we may term an artist, if he has by practice acquired the requisite power.

*M.* With more propriety, undoubtedly, than the other who understands only the bare precepts, without practice and experience.

*B.* The precepts then are not to be considered as the art?

*M.* By no means; but rather the semblance of art, or, more nearly still, its shadow.

*B.* What then is that directing power in states that we are to call either the art or science of politicks?

*M.* I suppose that you mean the providential wisdom, from which, as a fountain, all laws calculated for the benefit of human society must flow.

*B.* You have hit the mark. Therefore, if any man should possess this wisdom in the highest degree of perfection, we might call him a king by nature, not by suffrage, and invest him with unlimited power? But, if no such person can be found, we must be satisfied with the nearest approach to this excellency of nature, and, in its possession grasping a certain resemblance of the desired reality, call him king?

*M.* Let us honour him with that title, if you please.

*B.* And, because there is reason to fear that he may not have sufficient firmness of mind to resist these

these



those affections which may, and often do, cause deviations from rectitude, we shall give him the additional assistance of law, as a colleague, or rather as a regulator of his passions.

*M.* It is not then your opinion that a king should in all matters be invested with arbitrary power?

*B.* By no means; for I recollect that he is not only a king, but also a man erring much through ignorance, offending much through inclination and much almost against his will; as he is an animal readily yielding to every breath of favour or hatred. This imperfection of nature too is generally increased by the possession of office; so that here, if any-where, I recognise the force of the sentiment in the comedy, when it says, that “by unrestrained authority we all become worse.” For this reason legislative sages supplied their king with law, either to instruct his ignorance or to rectify his mistakes. From these remarks you may, I presume, conceive, as in a typical representation, what my idea is of a genuine king’s duty.

*M.* In whatever regards the creation of kings, their name and their office, you have given me entire satisfaction; and yet, if you wish to make any additions, I am ready to listen. But, though my imagination hurries on with eagerness to the remainder of your discussion, one circumstance, which through your whole discourse gave me some offence, must not pass in silence; and it is this, that you seemed to be a little too hard upon kings; an act of injustice of which I have before frequently suspected you, when I heard the ancient republics and the modern state of Venice become in your mouth the subjects of extravagant encomiums.

*B.* In this case you did not form a just idea of my sentiments; for among the Romans, the Mas-

filians,

filians, the Venetians, and others who held the directions of the laws to be more sacred than the commands of their kings, it is not so much the diversity as the equity of their civil administration that I admire; nor do I think it of much consequence whether the supreme magistrate be called king, duke, emperor or consul, if it be observed as an invariable maxim that it was for the express purpose of maintaining justice and equity that he was invested with the magistracy. For, if the plan of government be founded on law, there is no just reason for disputing about its name. The person, whom we call the Doge of Venice, is nothing else but a legal sovereign; and the first Roman Consul retained not only the ensigns but all the powers of the ancient kings. The only difference was, that, as, to your knowledge, was the case with the perpetual kings of the Lacedemonians, the presiding magistrates were two, and established not for a perpetuity but for a single year. Hence we must still adhere steadily to what was asserted at the commencement, that kings were at first constituted for the maintenance of justice and equity. Had they been able to abide inviolably by this rule, they might have secured perpetual possession of the sovereignty, such as they had received it, that is, free and unshackled by laws. But, as the state of human affairs be, according to the usual progress of every created existence, a constant tendency to deterioration, regal government, which was originally instituted for the purposes of publick utility, degenerated gradually into impotent tyranny. For, when kings observed no laws but their capricious passions, and finding their power unconfined and unobscured, set no bounds to their lusts, and were swayed much by favour, much by hatred, and much by private interest; their domineering in-  
fluence

ience excited an universal desire for laws. On this account statutes were enacted by the people, and kings were in their judicial decisions obliged to adopt not what their own licentious fancies dictated but what the laws functioned by the people ordained. For they had been taught by many experiments, that it was much safer to trust their liberties to laws than to kings; since many causes might induce the latter to deviate from rectitude; and the former, being equally deaf to prayers and to threats, always maintained an even and invariable tenour. Kings being accordingly left in other respects free found their power confined to prescribed limits only by the necessity of squaring their words and actions by the directions of law, and by inflicting punishments and bestowing rewards, the two strongest ties of human society, according to its ordinances; so that, in conformity to the expressions of a distinguished adept in political science, a king became a speaking law, and law a dumb king.

*M.* At the first outset of your discourse you were so lavish in praise of kings, that the veneration due to their august majesty seemed to render them almost sacred and inviolable. But now, as if actuated by repentance, you confine them to narrow bounds, and thrust them, as it were, into the cells of law, so as not to leave them even the common freedoms of speech. Me you have egregiously disappointed; for I was in great hopes that, in the progress of your discourse, you would, either of your own accord or at my suggestion, restore what an illustrious historian calls the most glorious spectacle in the eyes of gods and men to its original splendour: but by spoiling of every ornament, and circumscribing within a close prison, the magistracy first known in the world, you have to

debased it, that to any person in his sober senses it must be an object of contempt rather than of desire. For can there be a man, whose brain is not deranged, that would not choose rather to rest satisfied with a moderate fortune in a private station, than, while he is intent upon other men's business and inattentive to his own, to be obliged, in the midst of perpetual vexations, to regulate the whole course of his life by the caprice of the multitude? Hence, if it be proposed that this should everywhere be the condition of royalty, I fear that there will soon be a greater scarcity of kings than in the first infancy of our religion there was of bishops. Indeed, if this be the criterion by which we are to estimate kings, I am not surprised that the persons, who formerly accepted of such an illustrious dignity, were found only among shepherds and ploughmen.

*B.* Mark, I beseech you, the egregious mistake which you commit, in supposing that nations created kings not for the maintenance of justice, but for the enjoyment of pleasure. Consider how much by this plan you retrench and narrow their greatness. And, that you may the more easily comprehend what I mean, compare any of the kings whom you have seen, and whose resemblance you wish to find in the king that I describe, when he appears at his levee dressed, for idle show, like a girl's doll, in all the colours of the rainbow, and surrounded with vast parade by an immense crowd; compare, I say, any of these with the renowned princes of antiquity, whose memory still lives and flourishes, and will be celebrated among the latest posterity, and you will perceive that they were the originals of the picture that I have just sketched. Have you never heard in conversation that Philip of Macedon upon answering an old woman, that

begged

begged of him to inquire into a grievance of which she complained, "That he was not at leisure," and upon receiving this reply, "Cease then to be a king;"—have you heard, I say, that this king, the conqueror of so many states, and the lord of so many nations, when reminded of his functions by a poor old woman, complied and recognised the official duty of a king? Compare this Philip, then, not only with the greatest kings that now exist in Europe, but also with the most renowned in ancient story; and you will find none his match in prudence, fortitude, and patience of labour, and few his equals in extent of dominion. Leonidas, Agesilaus, and other Spartan kings, all great men, I forbear to mention, lest I should be thought to produce obsolete examples. One saying, however, of Gorgo, a Spartan maid, and the daughter of king Cleomedes, I cannot pass unnoticed. Seeing his slave pulling off the slippers of an Asiatick guest, she exclaimed, in running up to her father, "Father, your guest has no hands." From these expressions you may easily form an estimate of the whole discipline of Sparta, and of the domestick economy of its kings. Yet to this rustick, but manly, discipline, we owe our present acquisitions, such as they are; while the Asiatick school has only furnished sluggards, by whom the fairest inheritance, the fruit of ancestral virtue, has been lost through luxury and effeminacy. And, without mentioning the ancients, such not long ago among the Gallicians was Pelagius, who gave the first shock to the power of the Saracens in Spain. Though

Beneath one humble roof, their common shade,  
His sheep, his shepherds, and his gods were laid:

yet the Spanish kings are so far from being ashamed of him, that they reckon it their greatest glory to find their branch of the genealogick tree terminate in his trunk. But, as this topick requires a more ample discussion, let us return to the point, at which the digression began. For I wish, with all possible speed, to evince what I first promised, that this representation of royalty is not a fiction of my brain, but its express image, as conceived by the most illustrious statesmen in all ages; and, therefore, I shall briefly enumerate the originals from which it has been copied. Marcus Tullius Cicero's volume concerning Moral Duties is in universal esteem, and in the second book of it you will find these expressions. "In my opinion, not only the Medes, as Herodotus says, but also our ancestors, selected men of good morals as kings, for the purpose of enjoying the benefit of justice. For, when the needy multitude happened to be oppressed by the wealthy, they had recourse to some person of eminent merit, who might secure the weak from injury, and, with a steady arm, hold the balance of law even between the high and low. And the same cause, which rendered kings necessary, occasioned the institution of laws. For the constant object of pursuit was uniform justice, since otherwise it would not be justice. When this advantage could be derived from one just and good man, they were satisfied; but when that was not the case, they enacted laws, that should at all times, and to all persons, speak the same language. Hence the distinction is evident, that these were usually selected for the private magistrates of whom justice the vulgar best entertained a high opinion; and if besides they had the additional recommendation of wisdom, there was nothing which they thought themselves in-  
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pable of acquiring under their auspices." From these words you understand, I presume, what, in Cicero's opinion, induced nations to wish both for kings and for laws. Here I might recommend to your perusal the works of Xenophon, who was no less distinguished for military achievements than for attachment to philosophy, did I not know your familiarity with him to be such that you can repeat almost all his sentences. Of Plato, however, and Aristotle, though I know how much you prize their opinions, I say nothing at present; because I choose rather to have men illustrious for real action, than for their name in the shades of academies, for my auxiliaries. The stoical king, such as he is described by Seneca in his *Thyestes*, I am still less disposed to offer to your consideration, not so much because he is not a perfect image of a good king, as because that pattern of a good prince is solely an ideal conception of the mind calculated for admiration rather than a well-grounded hope ever likely to be gratified. Besides, that there might be no room for malevolent insinuations against the examples which I have produced, I have not travelled into the desert of the Scythians for men who either carried their own horses or performed any other servile work incompatible with our manners, but into the heart of Greece, and for those men who, at the very time when the Greeks were most distinguished for the liberal and polite arts, presided over the greatest nations and the best regulated communities, and presided over them in such a manner, that, when alive, they acquired the highest veneration among their countrymen, and left, when dead, their memory glorious to posterity.

M. Here, if you should insist upon a declaration of my sentiments, I must say that I did not

confess either my inconsistency, or timidity, or other anonymous mental infirmity. For, whenever I read in the most excellent historians the passages which you have either quoted or indicated, or hear their doctrines commended by sages whose authority I have not the confidence to question, and praised by all good men, they appear to me not only true, just, and sound, but even noble and splendid. Again, when I direct my eye to the elegancies and niceties of our times, the sanctity and sobriety of the ancients seem rather uncouth and destitute of the requisite polish. But this subject we may, perhaps, discuss some other time at our leisure. Now proceed, if you please, to finish the plan which you have begun.

*B.* Will you allow me then to make a brief abstract of what has been said? Thus we shall best gain a simultaneous view of what has passed, and have it in our power to retract any inconsiderate or rash concession.

*M.* By all means.

*B.* First of all, then, we ascertained that the human species was, by nature, made for society, and for living in a community?

*M.* We did so.

*B.* We also agreed that a king, for being a man of consummate virtue, was chosen as a guardian to the society?

*M.* That is true.

*B.* And, as the mutual quarrels of the people had introduced the necessity of creating kings, so the injuries done by kings to their subjects occasioned the desire of laws?

*M.* I own it.

*B.* I saw, therefore, we judged a necessity of the regal art, as the precepts of medicine are of the medical art?

*M.* We



*M.* We did so.

*B.* As we could not allow to either a singular and exact knowledge of his art, we judged it safer that each should, in his method of cure, follow the prescribed rules of his art, than act at random?

*M.* It is safer undoubtedly.

*B.* But the precepts of the medical art seemed not of one single kind.

*M.* How?

*B.* Some we found calculated for preserving, and others for restoring health.

*M.* The division is just.

*B.* How is it with the regal art?

*M.* It contains, I think, as many species.

*B.* The next point to be considered is, what answer ought to be given to the following question—  
“ Can you think that physicians are so thoroughly acquainted with all diseases and their remedies that nothing farther can be desired for their cure?”

*M.* By no means. For many new kinds of diseases start up almost every age; and likewise new remedies for each are, almost every year, either discovered by the industry of men or imported from distant regions.

*B.* What do you think of the civil laws of society?

*M.* They seem, in their nature, to be similar, if not the same.

*B.* The written precepts of their arts then will not enable either physicians or kings to prevent or to cure all the diseases of individuals or of communities.

*M.* I deem the thing impossible.

*B.* Why then should we not investigate as well the articles which can, as those which cannot, come within the purview of laws?

*M.* Our labour will not be fruitless.

*B.* The

*B.* The matters which it is impossible to comprehend within laws seem to me numerous and important; and first of all comes whatever admits of deliberation concerning the future.

*M.* That is certainly one head of exception.

*B.* The next is a multitude of past events; such as those where truth is investigated by conjectures, or confirmed by witnesses, or wrung from criminals by tortures.

*M.* Nothing can be clearer.

*B.* In elucidating these questions then, what will be the duty of a king?

*M.* Here I think that there is no great occasion for long discussion, since in what regards provision for the future kings are so far from arrogating supreme power, that they readily invite to their assistance counsel learned in the law.

*B.* What do you think of matters which are collected from conjectures or cleared up by witnesses, such as are the crimes of murder, of adultery, and imprisonment?

*M.* These points, after they have been discussed by the ingenuity and cleared up by the address of lawyers, I see generally left to the determination of judges.

*B.* And perhaps with propriety; for if the king should take it into his head to hear the causes of individual, when will he have leisure to think of war, of peace, and of those important affairs which involve the safety and existence of the community? When, in a word, will he have time to recruit nature by doing nothing.

*M.* The exigence of every man is to nat-  
with to see devolved upon the king alone; but  
cause, if it were devolved, he, a single man, could  
never be equal to the task of considering all the  
causes of all his subjects. I therefore judge, sup-

prove the advice no less wise than necessary given to Moses by his father-in-law, "To divide among numbers the burden of judicature;" upon which I forbear to enlarge, because the story is universally known.

*B.* But even these judges, I suppose, are to administer justice according to the directions of the laws?

*M.* They are undoubtedly. But, from what you have said, I see that there are but few things, for which the laws can, in comparison of those for which they cannot, provide.

*B.* There is another additional difficulty of no less magnitude, that all the cases, for which laws may be enacted, cannot be comprised within any prescribed and determinate form of words.

*M.* How so?

*B.* The lawyers, who greatly magnify their art, and would be thought the high priests of justice, allege, That the multitude of cases is so great, that they may be deemed almost infinite, and that every day there arise in states new crimes, like new kinds of ulcers. What is to be done here by the legislator, who must adapt his laws to what is present and past?

*M.* Not much, if he should not be some divinity dropt from heaven.

*B.* To these inconveniences add another, and that no small, difficulty, that, from the great mutability of human affairs, hardly any art can furnish precepts that ought to be universally permanent and invariably applicable.

*M.* Nothing can be truer.

*B.* The safest plan then seems to be, to entrust a skillful physician with the health of his patient, and a king with the preservation of his people: for

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the physician, by venturing beyond the rules of his art, will often cure the diseased, either with their consent, or sometimes against their will; and the king will impose a new but still a salutary law upon his subjects by persuasion or even by compulsion.

*M.* I see no obstacle that can prevent him.

*B.* When both are engaged in these acts, do they not seem each to exert a vigour beyond his own law?

*M.* To me each appears to adhere to his art. For it was one of our preliminary positions, that it is not precepts that constitute art, but the mental powers employed by the artist in treating the subject matter of art. At one thing, however, if you really speak from your heart, I am in raptures—that, compelled by a kind of injunction from truth, you restored kings to the diminished rank from which they had been violently degraded.

*B.* Come not so hastily to a conclusion; for you have not yet heard all. The crime of law is attended with another inconvenience. For the law, like an obstinate and unskillful workman, thinks nothing right but what itself commands; while a king may perhaps excuse weakness and tenacity, and find reason to pardon even detected error. Law is deaf, unfeeling, and inexorable. A youth may allege the slippery ground, which he tread, as the cause of his fall, and a woman the infirmity of her sex; one may plead poverty, a second drunkenness, and a third first ship. To all their subtleties, what does the law say? Go, executioner, chain his limbs, cover his head, and hang him, man, from the gall, upon the accursed tree. Now, you cannot be ignorant how dangerous it is, in the midst of these calamities, to depend for safety on laws that do not.

*M.* What

*M.* What you mention is undoubtedly pregnant with danger.

*B.* I observe, that, on recollecting these circumstances, certain persons are somewhat alarmed.

*M.* Somewhat! do you say?

*B.* Hence, when I carefully revolve in my own mind the preceding positions, I fear that my comparison of a physician and a king may, in this particular, appear to have been improperly introduced.

*M.* In what particular?

*B.* In releasing both from all bondage to precepts, and in leaving them the power of curing at their will.

*M.* What do you find here most offensive?

*B.* When you have heard me, I shall leave yourself to judge. For the inexpediency of exempting kings from the shackles of laws we assigned two causes, love and hatred, which, in judging, lead the minds of men astray. In the case of a physician, there is no reason to fear that he should act amiss through love, as from restoring the health of his patient he may even expect a reward. And again, if a sick person should suspect that his physician is solicited by prayers, promises, and bribes, to aim at his life, he will be at liberty to call in another; or, if another be not within his reach, he will naturally have recourse for a remedy to dumb books, rather than to a bribed member of the faculty. As to our complaint concerning the inflexible nature of laws, we ought to consider whether it is not chargeable with inconsistency.

*M.* In what manner?

*B.* A king of superiour excellence, such as is visible rather to the mind than to the eye, we thought proper to subject to no law.

*M.* To none.

*B.* For what reason?

*M.* Because, I suppose, he would, according to the words of Paul, be a law to himself and to others; as his life would be a just expression of what the law ordains.

*B.* Your judgement is correct; and, what may perhaps surprise you, some ages before Paul the same discovery had been made by Aristotle through the mere light of nature. This remark I make solely for the purpose of showing the more clearly that the voice of God and of Nature is the same. But, that we may complete the plan which has been sketched, will you tell me what object the original founders of Laws had principally in view?

*M.* Equity, I presume, as was before observed.

*B.* What I now inquire is not what end, but rather what pattern, they kept before their eyes.

*M.* Though, perhaps, I understand your meaning, yet I wish to hear it explained; that, if I am right, you may corroborate my opinion; and, if not, that you may correct my error.

*B.* You know, I apprehend, the nature of the soul's power over the body.

*M.* Some conception of it I can certainly form.

*B.* You must also know, that of whatever is not thoughtlessly done by men they have previously a certain pleasure in their mind, and that it is far more perfect than the works which even the greatest artists fashion and express by that medium.

*M.* Of the truth of that observation I have no doubt, but speaking and writing, frequently an experimental proof; for I am sensible that my words are no less necessary to my thoughts than my thoughts to their objects. And neither can our words, when confined in this close and unblinded prison of the body, clearly discern the subtle nature of ideas, nor can any language convey

convey to others our ideas, however preconceived, so as not to be greatly inferiour to those formed by our own intellects.

*B.* What then shall we say was the object of legislators in their institutions?

*M.* Your meaning I think myself not far from comprehending; and, if I mistake not, it is that they called to their aid the picture of a perfect king; and by it expressed the figure, not of his person, but of his thoughts, and ordered that to be law which he should deem good and equitable.

*B.* Your conception of the matter is just; for that is the very sentiment which I meant to communicate. Now I wish that you would consider what were the qualities which we originally gave to our ideal king. Did we not suppose him unmoved by love, by hatred, by anger, by envy, and by the other passions?

*M.* Such we certainly made his effigy, or even believed him to have actually been in the days of ancient virtue.

*B.* But do not the laws seem to have been, in some measure, framed according to his image?

*M.* Nothing is more likely.

*B.* A good king then will be no less unfeeling and inexorable than a good law.

*M.* He will be equally relentless; and yet, though neither can effect, nor ought to desire, a change in either, I may still wish, if it be possible, to render both a little flexible.

*B.* But in judicial proceedings God does not desire us to pity even the poor, but commands us to look solely to what is right and equitable, and according to that rule alone to pronounce sentence.

*M.* I acknowledge the soundness of the doctrine, and submit it to the force of truth. Since then we must not exempt the king from a dependence on law,

law, who is to be the legislator that we are to give him as an instructor?

*B.* Whom do you think most fit for the superintendence of this office?

*M.* If you ask my opinion, I answer the king himself. For in most other arts the artists themselves deliver the precepts, which serve as memorandums to aid their own recollection, and to remind others of their duty.

*B.* I, on the contrary, can see no difference between leaving a king free and at large, and granting him the power of enacting laws; as no man will spontaneously put on shackles. Indeed I know not whether it is not better to leave him quite loose, than to vex him with unavailing chains which he may shake off at pleasure.

*M.* But, since you trust the helm of state to laws rather than to kings, take care, I beseech you, that you do not subject the person, whom you verbally term king, to a tyrant

With chains and jails his actions to controul,  
And thwart each liberal purpose of his soul;

and that you do not expose him, when loaded with fetters, to the indignity of toiling with slaves in the field, or with malefactors in the house of correction.

*B.* Forbear harsh words, I pray; for I subject him to no matter, but desire that the people, from whom he derives his power, should have the liberty of protesting its bounds; and I require that no illegal exercise over the people of the rights which he has received from their nation. Nor do I wish, as you are now, to impale these laws upon him by force; but declare it as my opinion, that, as an interdependence exists, not only between the king and the community,



community should make that a general statute which is conducive to the general good.

*M.* Would you then assign this province to the people?

*B.* To the people undoubtedly, if you should not chance to alter my opinion.

*M.* Nothing, in my conception, can be more improper.

*B.* For what reason?

*M.* You know the proverb, "the people is a monster of many heads." You are sensible, undoubtedly, of their great rashness and great inconstancy.

*B.* It was never my idea that this business should be left to the sole decision of all the people; but that, nearly in conformity to our practice, representatives selected from all orders should assemble as council to the king, and that, when they had previously discussed and passed a conditional act, it should be ultimately referred to the people for their sanction.

*M.* Your plan I perfectly understand; but I think that you gain nothing by your circumspcctive caution. You do not choose to leave a king above the laws. And for what? Because there are in human nature two savage monsters, cupidity and irascibility, that wage perpetual war with reason. Laws, therefore, become an object of desire, that they might check their licentiousness, and reclaim their excessive extravagance to a due respect for legal authority. What purpose does it answer to assign him these counsellors selected from the people? Are they not equally the victims of the same intestine war? Do they not suffer as much as kings from the same evils? Therefore, the more counsellors you attach to a king, the greater will be

the number of fools; and what is to be expected from them is obvious.

*B* What you imagine is totally different from the result which I expect; and, why I expect it, I will now unfold. First of all, it is not absolutely true, as you suppose, that there is no advantage in a multitude of counsellors, though none of them, perhaps, should be a man of eminent wisdom. For numbers of men not only see farther, and with more discriminating eyes than any one of them separately, but also than any man that surpasses any single individual among them in understanding and sagacity. For individuals possess certain portions of the virtues, which, being accumulated in one man, constitute one transcendent virtue. In medical preparations, and particularly in the antidote called Mithridatick, this truth is evident: for though most of its ingredients are separately noxious, they afford, when mixed, a sovereign remedy against poisons. After a similar manner, slovenliness and hesitation prove injurious in some men, as precipitate rashness does in others; but diluted among a multitude, they yield a certain temperament, or that golden mean, for which we look in every species of virtue.

*M* Well, since you press the matter, let the people have the right of proposing and of enacting laws, and let kings be in some measure only keepers of the records. Yet when these laws shall happen to be contradictory, or to contain clauses in ambiguously or obscurely worded, is the king to act no part? especially since, if you insist upon the strict interpretation of them according to the written letter, many absurdities must inevitably ensue? And here, if I produce as an example the lawless law of the Hebrews, "If a stranger mount

the wall, let him forfeit his head," what can be more absurd than that a country's saviour, the man who overturned the enemies on their scaling-ladders, should himself be dragged as a criminal to execution?

*M.* You approve then of the old saying, "The extremity of law is the extremity of injustice."

*B.* I certainly do.

*M.* If any question of this kind should come into a court of justice, a necessity arises for a merciful interpreter to mitigate the severity of the law, and to prevent what was intended for the general good from proving ruinous to worthy and innocent men.

*B.* Your sentiments are just; and, if you had been sufficiently attentive, you would have perceived that in the whole of this disquisition I have aimed at nothing else but at preserving sacred and inviolate Cicero's maxim—"Let the safety of the people be the supreme law." Therefore, if any case should occur in a court of justice of such a complexion, that there can be no question about what is good and equitable, it will be part of the king's prospective duty to see the law squared by the fore-mentioned rule. But you seem to me, in the name of kings, to demand more than what the most imperious of them ever arrogate. For you know that, when the law seems to dictate one thing, and its author to have meant another, such questions, as well as controversies grounded upon ambiguous or contradictory laws, are generally referred to the judges. Hence arise the numerous cases solemnly argued by grave counsellors at the bar, and the minute precepts applicable to them in the works of ingenious theoreticians.

*M.* I know what you assert to be fact. But I think that, in this point, no less injury is done to the laws than to kings. For I judge it better, by the immediate decision of one good man, to end a suit, than to allow ingenious and sometimes knavish cauits the power of obscuring rather than of explaining the law. For, while the barristers contend not only for the cause of their clients, but also for the glory of ingenuity, discord is in the mean time cherished, religion and irreligion, right and wrong, are confounded; and what we deny to a king we grant to persons of inferior rank, less studious, in general, of truth than of litigation.

*B.* You have forgotten, I suspect, a point, which we yet now ascertained.

*M.* What may that be?

*B.* That to the perfect king, whom we at first delineated, such unlimited power ought to be granted, that he can have no occasion for any laws; but that, when this honour is conferred on one of the multitude, not greatly superior, and perhaps even inferior to others, it is dangerous to leave him at large and unfettered by laws.

*M.* But what is all this to the interpretation of the laws?

*B.* A great deal, you would think, had you not overlooked a material circumstance, to which we allude in our words to the king, who is not to be understood as a person, the undoubted possessor of a certain authority or power, and of a certain jurisdiction.

*M.* If I can guess of any thing, it is that you speak of an abstracted power.

*B.* I have said that the king is not to be understood as a person, and that he is not to be understood as a person, the undoubted possessor of a certain authority or power, and of a certain jurisdiction.

tion. When you grant to the king the interpretation of the law, you allow him the power of making the law speak, not what the legislator intends, or what is for the general good of the community, but what is for the advantage of the interpreter, and, for his own interest, of squaring all proceedings by it as by an unerring rule. Appius Claudius had in his decemvirate enacted a very equitable law, "That in a litigation concerning freedom the claim of freedom should be favoured." What language could be clearer? But the very author of this law, by his interpretation, made it useless. You see, I presume, how much you contribute in one line to the licentiousness of your king, by enabling him to make the law utter what he wishes, and not utter what he does not wish. If this doctrine be once admitted, it will avail nothing to pass good laws to remind a good king of his duty, and to confine a bad one within due bounds. Nay (for I will speak my sentiments openly and without disguise), it would be better to have no laws at all, than, under the cloak of law, to tolerate unrestrained and even honourable robbery.

*A.* Do you imagine that any king will be so impudent as to pay no regard to his reputation and character among the people, or so forgetful of himself and of his family as to degenerate into the depravity of those whom he overawes and coerces by ignominy, by prison, by confiscation of goods, and by the heaviest punishments?

*B.* Let us not believe such events possible, if they are not already historical facts, known by the unspeakable mischiefs which they have occasioned to the whole world.

*A.* Where, I beseech you, are these facts to be found?

*R.* In

*R.* Where?

B. Where ' do you ask? As if all the European nations had not only seen, but also felt the incalculable mischiefs done to humanity by, I will not say, the immoderate power, but by the unbridled licentiousness of the Roman pontiff! From what moderate and apparently honourable motives it first arose, with what little ground for apprehension it furnished the improvident, none can be ignorant. The laws originally proposed for our direction had not only been derived from the inmost recesses of nature, but also ordained by God, explained by his inspired prophets, confirmed by the Son of God, himself also God, recommended in the writings and expressed in the lives, and sealed by the blood of the most approved and sacrificed personages. Nor was there, in the whole law, a chapter more carefully penned, more clearly explained, or more strongly enforced, than that which describes the duty of bishops. Hence, as it is an impiety to add, to retrench, to repeal or alter a single article in those laws, nothing remained for episcopal ingenuity but the interpretation. The bishop of Rome having assumed this privilege, not only opposed the true churches, but exercised the most enormous tyranny that ever was seen in the world: for having assumed to himself a divinity, not only over men, but even over angels, he absolutely degraded himself except a bet of degradation, that in heaven, on earth, and in hell, the pope's will should be law, and that Christ's will should be law only of the pope's slaves. For, in the law itself, as appears from the promise to his church, he is to be obeyed as Christ, provided it be to obey Christ himself, not only through his ministry, but also in his stead. Hence, when Christ himself was the head of the Roman pontiff, Popes

teised the crown of Chilperic, and Ferdinand of Arragon dethroned Joan of Navarre; sons took up iniquious arms against their father, and subjects against their king; and Christ being himself poisoned, was obliged afterwards to become a poisoner, that he might, by poison, destroy Henry of Luxemburg.

*A.* This is the first time that I ever heard of these enormities. I wish, however, to see what you have advanced concerning the interpretation of law: a little more elucidated.

*B.* I will produce one single example, from which you may conceive the whole force and tendency of this general argument. "There is a law, that a bishop should be the husband of one wife;" and what can be more plain or less perplexed? But "this one wife the pope interprets to be one church," as if the law was ordained for not repressing the lust, but the avarice of bishops. This explanation, however, though nothing at all to the purpose, bearing on its face the specious appearance of piety and decorum, might pass muster, had he not vitiated the whole by a second interpretation. What then does this pontiff contrive? "The interpretation," says he, "must vary with persons, cases, places and times." Such is the distinguished nobility of some men, that no number of churches can be sufficient for their pride. Some churches again are so miserably poor, that they cannot afford even to a monk, let he a beggar, now a mitred prelate, an adequate livelihood, if he would maintain the character and dignity of a bishop. By this knavish interpretation of the law there was devised a form, by which those who were called the bishops of single churches held others in commendam, and enjoyed the spoils of all

A. The day would fail me should I attempt to enumerate the trials which are daily contrived to evade this single ordinance. But, though the practices are disgraceful to the pontifical name, and to the Christian character, the tyranny of the popes did not stop at this limit. For such is the nature of all things, that, when they once begin to slide down the precipice, they never stop till they reach the bottom. Do you wish to have this point elucidated by a splendid example? Do you recollect among the emperors of Roman blood any that was either more cruel or more abandoned than Caius Caligula?

M. None, that I can remember.

B. Among his enormities, which do you think the most infamous action? I do not mean those actions which clerical casuists class among reserved cases, but such as occur in the rest of his life.

M. I cannot recollect.

B. What do you think of his conduct in inviting his horse, called Incitatus, to supper, of laying before him barley of gold, and in naming him consul elect?

A. It was certainly the act of an abandoned wretch.

B. What then is your opinion of his conduct, when he made him as his colleague in the pontifical office?

M. Are you firm in these notions?

B. Surely, and necessarily; and yet I do not think that these notions seem to you to be firm. But one man in Britain, Junius, has been distinguished by a name, which is to imply posterity, and which is not to be long forgotten, and that man is Junius Brutus, the possessor of Liberty, and the



seems to me to have entered into a contest for superiority in infamy with that infamous monster, Caius Caligula.

*M.* What enormity of this kind did he commit?

*B.* He chose for his colleague in the priesthood his ape's keeper, a fellow more detestable than that vile beast.

*M.* There was, perhaps, another reason for his choice.

*B.* Another is assigned; but I have selected the least dishonourable. Therefore, since not only so great a contempt for the priesthood, but so total a forgetfulness of human dignity, arose from the licentiousness of interpreting the law, I hope that you will no longer reckon that power inconsiderable.

*M.* But the ancients do not seem to me to have thought this office of interpretation so very important as you wish to make it appear. The truth of this observation may be collected from a single circumstance, that the Roman emperors granted the privilege to counsellors; a fact which overturns the whole of your verbose dissertation, and refutes not only what you asserted concerning the magnitude of that power, but, in opposition to your earnest wish, clearly demonstrates that the liberty of answering legal questions, which they granted to others, was not denied to themselves, if their inclination prompted or their occupation permitted its exercise.

*B.* The Roman emperors, whom the soldiers placed at their head, without any discrimination, or the least regard to the public good, do not stand in the predicament of the kings that we have been describing; as they were generally chosen by the most abandoned class of men for their dissipated character, or forced their way to the throne

by open violence. Their conduct in granting to counsellors the power of answering legal questions I find not at all reprehensible; for, though it is of very great importance, it is, with some degree of safety, entrusted to men to whom it cannot be an instrument of tyranny. Besides, as it was entrusted to numbers, they were kept to their duty by mutual reverence; since, if any of them deviated from rectitude, he was refuted by the answer of another. Nay, if a knot of counsellors entered into a knavish conspiracy, recourse might be had for relief to the judge, who was not under the necessity of holding their answers law. Recourse might also be had to the emperor, who had the power of inflicting punishment on every violator of the laws. Since these men were thus bound by so many chains, and more in dread of perdition for malversation than in expectation of rewards for fraud, you see, I apprehend, that the danger from them could not be very formidable.

*A.* Have you any farther remarks to make about your king?

*B.* First of all, if you please, let us collect in a few words what has been said; for thus we shall more easily discover whether we have been guilty of any omission.

*A.* Your plan has my approbation.

*B.* We seem'd to be pretty well agreed about the origin and cause of creating kings, and of establishing laws, but to differ a little about the author of the law. Compell'd, however, at last by the evidence of truth, you appear'd, though with a reluctance, to yield your assent.

*A.* The king, as a sovereign, I think the most dreadful creature, and could not be writhed from the thought of the power of ordering, but even of interpreting the laws, and here I fear that

if the matter should become publick, I may be charged with prevarication; since I allowed a cause, which, at the outset, I thought so good, to be so easily wrested out of my hands.

*B.* Be not alarmed; for, if any one should, in this case, charge you with prevarication, I promise you my counsel gratis.

*M.* Of that promise, perhaps, we shall soon have a trial.

*B.* We discovered also many sorts of business, that seemed incapable of being included in any laws; and of these we referred, with the king's consent, part to the ordinary judges, and part to his council.

*M.* That we did so, I recollect. And, in the interim, what do you think came into my head?

*B.* How can I, unless you tell me?

*M.* I thought you carved out kings in some degree similar to those figures of stone that seem generally to lean upon the heads of columns, as if they supported the whole structure, while, in reality, they bear no more of the weight than any other stone.

*B.* What an excellent advocate for kings! You complain that I impose upon them too light a burden, while their sole business, night and day, is hardly any thing else but to discover associates, with whom they may either divide the burden of government, or upon whom they may lay its whole weight! And yet you seem, at the same time, to be enraged that I administer some relief to their distress.

*M.* These auxiliaries I also embrace with cordiality; but wish them, as servants, not as masters, as guides to point out the way; not to lead where they please, or rather to drag and impel a king

as a machine, and leave him nothing else but the mere power of giving his assent. I have, therefore, been for some time in expectation of seeing you, after closing your discourse upon royalty, make a digression to tyranny or to any other subject. For so narrow are the limits to which you have confined your king, that, I fear, if we should dwell longer upon that topick, you will, in addition to the loss of his high estate and sovereign power, banish him to some desert island, where, shorn of all his honours, he may drag a comfortless old age in penury and wretchedness.

*B.* You dread, as you allege, the charge of prevarication. Now I, on the other hand, fear that the king, whom you attempt to defend, will be injured by your chicanery. For, in the first place, why do you wish to see him idle, if you would not encourage idleness in architects; and in the next, to rob him of the good ministers and faithful counsellors that I gave him, not as guardians to superintend his conduct, but as associates to relieve him from part of his labour? By their removal you leave him surrounded by a legion of knaves, who render him a terror to his subjects, and you do not think his power sufficiently formidable, unless we leave him at liberty to do much harm. I wish to see him beloved by his subjects; and guarded, not by terror, but by affection; the only armour that can render kings perfectly secure. And, if you do not act with obstinacy, this is what, I trust, I shall soon effect. For I shall bring him out of what you call a narrow dungeon into broad daylight, and, by one law, invest him with such additional power and majesty, that, if he should wish for more, you will not hesitate yourself to charge him with effrontery.

*M.* *U. 2*

*M.* That is a topick which I long to see elucidated.

*B.* That I may, therefore, satisfy your eagerness with all possible speed, I shall proceed directly to the essential point. One of our late and uncontroverted deductions was, that no law can be so clearly and explicitly worded as to leave no room for fraud by a knavish interpretation. This matter you will best understand by the production of an example. It was provided by law, that an illegitimate son should not succeed his father in an ecclesiastical benefice. Even in this affair, which one would imagine could admit of no fraud, an evasion was found practicable; for the father substituted another in his son's place, and that other resigned the benefice to the bastard. When after this subterfuge it was expressly provided, by an additional clause, that the benefice which the father had at any time held should never be held by the son, nothing was gained even by this provision; for, to render it ineffectual, the priests agreed mutually to substitute one another's sons. When this practice also was forbidden, the law was eluded by a fresh kind of fraud. There starts up against the father a supposititious claimant, who pretends a right to the benefice; and, while the father is engaged in a sham fight with the supposititious sycophant, the son requests the benefice by petition of the Roman pontiff, if the right of neither litigant should be found valid. Thus both parties are, by their voluntary and spontaneous cession, worsted, and the son possesses the benefice of the father by the father's prevarication. In one law, then, you see what various kinds of frauds are practised.

*M.* I do.

*S.* I

*B.* Do

*B.* Do not legislators, in this case, appear to you to act entirely like the medical practitioners, who, in attempting by the application of plasters to check the eruptions of the scurvy or of any other distemper, force the repelled humours to burst out at once through various channels, and, for one head amputated, to exhibit numbers sprouting up like the hydra's.

*M.* There cannot be a more apt comparison.

*B.* As the physician of the body ought at first to have expelled entirely all noxious humours, ought not the physician of the state to imitate him, and to exterminate universally all corrupt morals?

*M.* That, though I think it difficult, I hold to be the only genuine method of cure.

*B.* And, if this object can be attained, I think there will be occasion but for few laws.

*M.* That is certainly matter of fact.

*B.* Does it not appear likely to you, that the person who can make a proper application of this medicine will contribute more to the publick good than all the assemblies of all the orders collected for the enactment of laws?

*M.* Infinitely more, without doubt. But let me ask, in the words of the comick poet, "Where is the person mighty enough to confer so great a favour?"

*B.* What do you think of entrusting the king with this charge?

*M.* An admirable contrivance truly! What was a pleasant and a smooth down-hill path you have left the people in a mass to tread; but the laborious, rugged, and arduous departments, you make the sole province of the king, as if it were not enough to confine him chained within a close prison,

son, unless you also imposed upon him so heavy a burden that he must sink.

*B.* You misstate the case. I ask nothing of him that is unreasonable or difficult. I do not insist, but request, that he would listen to entreaty.

*M.* To what do you allude ?

*B.* To the natural behaviour of a good father to his children, judging that a king should, through his whole life, behave in the same manner to his subjects, whom he ought to consider as his children.

*M.* What is that remark to the present purpose ?

*B.* This is certainly the only, at least a very powerful, antidote against the poison of corrupt morals ; and, that you may not think it a fiction of my brain, listen to Claudian's advice to a king.

“ Of citizen and father you should act the part,  
 The general interest wearing next your heart.  
 O'er one great body you, as head, preside,  
 And from its good can ne'er your own divide.  
 To your own laws, if you should think them fit  
 Others to bind, be foremost to submit.  
 To laws the people willing homage pay,  
 Whene'er their author can himself obey.  
 The king's example as a model serves,  
 As in a hive none from the sov'reign's swerves.  
 An ear to edicts when no man will lend,  
 The prince's life the human mind can bend.  
 The vulgar herd, a changeful servile race,  
 Still ape their betters, ev'n in cloaths and face.”

Do not imagine that a poet possessed of such distinguished genius and learning was mistaken in thinking that this circumstance had so mighty an influence ; for the populace is so much inclined to follow,

follow, and so eager to imitate the manners of those who are eminently conspicuous for probity and worth, that they attempt in their conversation, dress, and gait, to copy even some of their imperfections. In their exertions, however, to resemble kings in habit, manner and language, they are not actuated solely by the love of imitation, but also by the hopes of insinuating themselves into the favour of the great, and of acquiring, by wheedling arts, fortune, preferment and power; as they know that man is by nature formed not only for loving himself and his connexions, but also for embracing with cordiality in others his own likeness, however imperfect and vicious. This homage, though not demanded with pride and effrontery, but courted as a precarious favour, has a far greater effect than what the threats of the laws, the engines of punishment, and files of musketeers can produce. This propensity recalls the people without violence to moderation, procures to the king the affection of his subjects, gives permanence to the tranquillity of the publick, and solidity to the property of individuals. Let a king, therefore, constantly revolve in his own mind that, as he stands in a publick theatre, exhibited as a spectacle to every beholder, all his words and actions must be noted, and subject to comments; and that

To reap vice ne'er secretly is known,  
 Exposed abett'rs on a splendid throne;  
 What shape let us assume, or how we digress,  
 All is exposed by some's publick prying eye.

With what great caution then ought princes, in both cases, to act: since neither their virtues nor their vices can remain conceal'd, nor come to light, without



without effecting numberless changes. If you should still doubt the great influence of the king's life upon the publick discipline, take a retrospective view of infant Rome in its nascent state, and in its first cradle. When this rude and uncivilised people, composed (for I will use no harsher terms) of shepherds and strangers, ferocious itself by nature, with a most ferocious king at its head, had formed a kind of camp, to disturb the peace and to provoke the arms of the surrounding nations, how great must have been the hatred, how violent the alarm of its neighbours! That very people, having chosen for its head a pious and upright king, was thought so suddenly changed, that any violence offered to it, in the service of the gods, and in the exercise of justice, was reckoned almost impiety by those very neighbours whose lands it had ravaged, whose cities it had burnt, and whose relations and children it had dragged into slavery. Now, if in the midst of such brutal manners and uncultivated times, Numa Pompilius, a king lately fetched from a hostile nation, could effect such a mighty alteration, what may we expect, or, rather, what may we not expect, from those princes who have been born and bred to the hopes of royalty, and who receive an empire supported by relations, by dependents, and by ancient connexions? How much ought their minds to be inflamed with the love of virtue, by considering that they may not only hope for the praise of a single day, like actors who have performed their part well, but also presume that they secure the love and admiration of their own age, and perpetual renown, and honours nearly divine among posterity. The picture of this honour, which I have conceived in my mind, I wish I could express to you in words. But that I may, in some measure, delineate to you a faint sketch,

sketch, figure to yourself the brazen serpent erected by Moses in the desert of Arabia, and curing solely by its presence the wounds inflicted by other serpents; conceive some of the numerous host stung by the serpents, and crowding to the infallible remedy; others looking astonished at the novelty of the unprecedented miracle; and all with every species of praise celebrating the unbounded and incredible beneficence of God in removing the pains of a deadly wound—not by medicines, with torture to the patient, with labour to the physician, and constant anxiety to friends, but restoring the part to a sound state, not by the slow operation of time, but in a single moment. Now compare to this serpent a king; but so compare him, as to reckon a good king among the greatest blessings of God; since he alone, without expense, without trouble to you, relieves all the distresses, and quiets all the commotions of the realm, and soon happily cures, by conciliatory address, even ancient animosities, and proves salutary, not only to those who behold him personally, but also to those who are so far distant as not to have the least hope of ever seeing him; and has, by his very effigy, when presented to the mind, such power as easily to effect what neither the learning of lawyers, nor the knowledge of philosophers, nor the experience of so many ages employed in the formation of the arts, was ever able to attain. In fact, what honour, what dignity, what greatness or majesty can be expressed or conceived superiour to that of the man, who, by his language, his conversation, his look, his name, and even by the presence of his image in the mind, can bring back dissolute profligates to moderate expenses, violent oppressors to equitable practices, and furious madmen to their sober senses? This, if I mistake not, is the true picture  
of

of a king, not indeed of a king hedged round with arms, always in fear, or causing fear, and, from his hatred of the people, measuring their hatred to himself. This portrait, which I have just exhibited, has been expressed in the most beautiful colours by Seneca, in his *Thyestes*; and, as it is a very elegant piece of poetry, it must undoubtedly occur to your recollection. Now do you think that I still entertain mean and contemptible notions of a king, and that, as you lately said, I thrust him, with a load of fetters, into a legal dungeon? Have I not rather brought him forward into day-light, into the communities of men, and into the public theatre of the human race, thronged, indeed, not by a haughty circle of spearmen and swordsmen, and silk-clad profligates, but guarded by his own innocence, and protected, not by the terrour of arms, but by the love of the people; and not only free and erect, but honoured, venerable, sacred and august, hailed by every species of good omens and felicitating acclamations, and attracting in his whole progress the looks, the eyes and souls of all spectators? What ovation, what triumph, can be compared to such a daily procession? Were a God in human shape to drop down upon earth, what greater honour could be shown him than what would be paid to a genuine king, that is, to the living image of God? A greater honour than this neither love could bestow, nor fear extort, nor flattery invent. What think you of this picture of a king?

*M.* It is truly splendid, and so magnificent, that it seems impossible to conceive any thing more noble. But during the corrupt morals of our times, it is difficult to conceive the existence of such magnanimity, unless a happy liberality of mind and natural goodness of disposition be aided by the diligence of education. For the mind, if

once formed by good instructions and arts, will, when confirmed by age and experience, pursue true glory through the paths of virtue, be in vain tempted by the allurements of pleasure, and remain unshaken by the assaults of adverse fortune. For so much

To native power does discipline impart,  
And proper culture steel the human heart,

that in the very avocations of pleasure, it meets with opportunities for the exercise of virtue, and considers the difficulties, which usually terrify weak minds, as casual materials for the acquisition of just renown. Hence, as a liberal education is in every point of view so momentous, what prospective care and anxious precaution ought to be used, that the tender minds of kings may be properly seasoned from their very cradle! For, as the blessings conferred by good kings on their subjects are so numerous, and the calamities originating with bad princes are, on the other hand, equally numerous, nothing appears to me to have, in every respect, a greater weight than the moral characters and political dispositions of kings themselves, and of those who enjoy with them a share of the supreme power. For the good or bad conduct of individuals generally escapes the notice of the multitude, or the obliquity of its author allows the example to reach but a few: but all the words and deeds of those who direct the helm of state being written, as Horace says, in a kind of votive tablet, cannot remain concealed, but lie open to general imitation. Nor is it merely by a fondness for pleasing, but by the inviting blandishments of interest, that ministers attach the minds of courtiers, and make the public discipline veer with the veering inclinations

clinations of kings. I fear, however, that we shall not be able to prevail upon our princes to discharge those functions, of which you have just given a detail. For they are so corrupted by the allurements of pleasure, and so much deceived by a false idea of honour, that I think them likely to experience nearly the same misfortune which, as we are told by some poets, befel the Trojans in their voyage under Paris. Having left the real Helen in Egypt with Proteus, a man of uncommon sanctity, and indeed of a godlike character, they fought during ten years for her image with such obstinacy, that the same moment proved the end of the most destructive of wars, and of the most opulent kingdom then in existence. This false idol of royalty, when once possessed by right or by wrong, impotent tyrants embrace with fondness, and can neither retain without a crime, nor relinquish without ruin. If any man were to hint that the true Helen, for whom they believe themselves contending, is concealed in some remote and sequestered region, they would declare him insane.

*B.* It is with much pleasure I find that, if you have not really seen the daughter of Jove, you have, from my description, at least formed some idea of her beauty. For, if those, who, to their own great detriment, are in love with the representation of the imaginary Helen, were to see a perfect likeness of the real one, painted by some Protogenes or Apelles, I doubt not but they would feel for it the greatest admiration, and the most violent passion; and that, if they did not immediately bid adieu to the other, they would justly incur the cruel punishment denounced against tyrants in the imprecation of the satirist Persius—

" Great Father of the Gods, when, for our crimes,  
Thou send'st some heavy judgement on the times,  
Some barbarous king, the terror of the age,  
The type and true vicegerent of thy rage,  
Thus punish him:—set Virtue in his sight,  
Grac'd with earth's charm that can the eye invite;  
But set her distant, that he thus may see  
His guilt outweigh'd by lost felicity."

And, since tyrants have been incidentally mentioned, what do you think of proceeding directly to the consideration of them?

*M.* I have no objection, if you think that no other subject claims a preference.

*B.* In my opinion we shall not be in the least danger of going astray, if, in the investigation of a tyrant, we follow the steps which we trod in our search after a king.

*M.* That is likewise my opinion. For we shall most easily comprehend their difference, if we survey them contrasted.

*B.* And first, if we begin with the name tyrant, we shall find it uncertain to what language it belongs. Accordingly, to inquire whether its etymology be Greek or Latin will be superfluous. But what the ancients called tyranny can, I think, be no mystery to any person who is a little familiar with polite literature. For both the Greeks and Latins call'd these tyrants whose power was in every respect unlimited, restrained by no legal ties, and subject to the cognizance of no jurisdiction; and therefore, in both languages, as you will know, not only heroes and the most eminent men, but also the planets of the Gods, and even Jupiter himself, are call'd tyrants, and that by a name who, in the opinion of the polite Gods with the greatest reverence and honor

*M.* Of

*M.* Of that I am by no means ignorant; and therefore I am the more surpris'd that the name should be, for so many ages, held odious and even highly reproachful.

*B.* This term has certainly met with the fate of most others; for words, if duly considered, will be found in their own nature totally innocent. Though they strike the ear, some with a smooth, some with a harsh sound, yet they have no intrinsic power of exciting in the mind anger, hatred, or mirth, or in any way of creating pleasure or pain. It ever we experience any such thing, it generally proceeds, not from the word, but from human custom, and from the idea conceived in the mind. Hence a word, that to some is a mark of respect, cannot be uttered before others without a prefatory apology.

*M.* I recollect that something of a similar nature has happened in the case of Nero and Judas; for the former of these names among the Romans, and the latter among the Jews, was reckon'd by the highest families eminently splendid and honourable. Afterwards, however, through no defect in the names, but from the fault of two individuals, it happened that the most abandoned would not give them to their children; into so much obscurity had they fallen through infamy.

*B.* That tyrant stands in the same predicament is evident. For that the first magistrates, who received that name, were good men, is probable from this circumstance, that the name was for some time so honourable, that men apply'd it even to the gods. Their successors, by their crimes, rendered it so detestable, that all shunn'd it as contagious and pestifential, and deem'd it a lighter reproach to be call'd *Langman than a tyrant.*

*M.* Here

*M.* Here the same thing happened as to the kings at Rome after the expulsion of the Tarquins, and to the name of dictator after the consulship of Antony and Dolabella.

*B.* You perfectly comprehend the matter. On the other hand again, humble and plebeian names became, through the merit of the persons to whom they belonged, illustrious, as among the Romans, Camillus, Metellus, Scropha; and among the Germans, Henry, Genferick and Charles. This observation you will the more easily understand, if you consider that, after the name of tyrant became extinct, the substance of the thing remained, and this species of magistracy still retained its pristine dignity among a variety of illustrious nations, as the *Æsymnetæ* among the Greeks, and dictators among the Romans. For both were legal tyrants; tyrants indeed, because they were superiour to the law, and legal, because elected by the consent of the people.

*M.* What do I hear! that there are even legal tyrants? From you, at least, I expected to have heard a quite different doctrine. For now you seem to confound every distinction between kings and tyrants.

*B.* Among the ancients, kings and tyrants seem undoubtedly to have conveyed the same idea, but, I conceive, at different periods of time. For the name of tyrants was, I presume, the more ancient; and, when nations became tired of them, kings succeeded in their place under a more soothing title, and with a milder sway. When trade also originated, men had recourse to the moderating power of laws, that might limit the extent of their authority, and fix bounds to their boundless desires. Thus, at the variations of times and manners required new councils, and new governments



vements became odious, new forms were invented. The subjects, however, which we have at present undertaken to discuss, are the two species of government; that in which the power of the laws is superior to the king's, and, what is the worst species of tyranny, that in which every thing is diametrically opposite to royalty; and to compare them one with the other.

*M.* It is so; and I long much to hear you upon that topick.

*B.* The first point, then, which we ascertained was, that kings were created for the maintenance of civil society; and we established it as an axiom, that it was their duty to administer justice to every man according to the directions of the law.

*M.* I recollect it.

*B.* First then, by what name shall he, who does not receive that office by the people's voluntary consent, but seizes it by violence, or intercepts it by fraud, be qualified?

*M.* By that of tyrant, I conceive.

*B.* There are besides many other distinctions, which, as they may be easily collected from Aristotle, I shall lightly skim. Regal government is conformable, and tyranny contrary, to nature: a king rules over a willing, a tyrant over a reluctant people; royalty is a freeman's authority over freemen, tyranny a master's over his slaves: citizens act as sentinels to a king, for the security of his person; foreigners to a tyrant, for the oppression of the citizens; for the one exercises his power for the benefit of the people, and the other for his own.

*M.* What then shall we say of those, who, by violence, and without the people's consent, obtained supreme power, and governed their respective states for many years in such a manner as to leave the publick no reason to be dissatisfied with their administration;

in illuſion? For, except a legal election, how title was there wanted in Hiero of Syracuſe, and in the Medicean Caſino of Florence, to conſtitute a juſt and accompliſhed king?

*B.* There we can by no means help infering in the catalogue of tyrants. For, as an excellent hiſtorian has finely remarks, “by force to rule your country or parents, though you ſhould have the power, and ſhould rectify their errors, is ſtill offenſive and vexariouſ.” In the next place, ſuch men ſeem to me to aſſemble robbers, who, by artfully drinking in ill-gotten blood, ex- ceed from iniquity the reputation of juſtice, and from robbing the prize of innocence; and yet never are in the object of deteſtation. For, by the ſame ſubtilty from one ſide they ſeek to ſettle gratitude for their charity on the other, and ſo, the leſs credit for their villainy they give to their citizens that their views are not the publick good, but their own private power; ſo that they may be more flowly eſpyed and plained, and, by ſubtilty, a ſole the general hatred, turn all their authority the more eaſily to their diſcretion. When this has been once effected, they refine their natural character; for what ſin is hardly to be collected to harvest may be eaſily conceived from the ſeed that has been ſown in ſpight.

For to make every thing tend to your own good, and to ſerve in your own purſuit, the whole force of nature is in the ſame effect as if you ſhould abrogate it all-hand. But this kind of tyrants ought properly to be tolerated, if they cannot be removed without general harm; as we are oblig’d to ſuffer to exiſt ſome ſilly diſtempers rather than to expoſe our life to the hazard of a permanent and no leſs one. But moſt, who openly exerciſe their power, not for their country, but for themſelves, and pay no regard

gard to the publick interest, but to their own gratification, who reckon the weakness of their fellow citizens the establishment of their own authority, and who imagine royalty to be not a charge entrusted to them by God, but a prey offered to their rapacity, are not connected with us by any civil or human tie, but ought to be put under an interdict, as open enemies to God and man. For all the actions of kings ought to keep in view, not their own private emolument, but the general safety of the state; and the more they are exalted above the most eminent citizens, the more they ought to imitate those celestial bodies that, without any act of conciliation on our side, pour upon mankind the vital and beneficent streams of their light and heat. Even the very titles, with which we decorated kings (and perhaps they are within your recollection), might remind them of this munificence.

*M.* I think I recollect that, towards their subjects, they were to practise the indulgence of fathers to their children, to use the diligence of shepherds in promoting their interest, to behave as generous for the security of their persons, as chief-justices in displaying a pre-eminence of virtue, and as emperors in issuing salutary edicts.

*B.* Can he then be called a father, who treats his subjects as slaves? or he a shepherd, who does not feed, but flay his flock? or he a pilot, whose constant study it is to throw the goods overboard; and who, according to the nautical adage, scuttles the vessel in which he sails?

*M.* By no means.

*B.* What do you think of the king, who governs, not for the benefit of the people, but for the gratification of his own appetites and passions, and is manifestly engaged in an insidious conspiracy against his subjects?

*M.* I shall certainly deem him neither a general, nor an emperor, nor a supreme judge.

*B.* Should you then observe a man usurping the name of king, who excels none of the multitude in any species of virtue, and is even inferior to many, who discovers no paternal affection for his subjects, but crushes them under his proud sway; who considers them as a flock entrusted to him, not for their preservation but for his own emolument; will you reckon him truly a king, though he should stalk along, crowded by a numerous train of guards, and make an ostentatious display of a magnificent dress, and dazzle the eye by exhibiting the sword of the law, and conciliate the favour and applause of the vulgar by prizes, games, processions, mad piles of buildings, and other popular signs of grandeur? Will you, I say, deem him a king?

*M.* Not at all, if I mean to be consistent; I must consider him as an outcast from human society.

*B.* By what bounds do you circumscribe this human society?

*M.* By the very same to which you seemed to me, in your preceding dissertation, to wish it confined to the fences of law; for I see that robbers, thieves and adulterers, who transgress them, are punished by the people, and that their transgression of the limits prescribed by human society is thought a just cause for their punishment.

*B.* What will you say of those who never would come within the pales of human society?

*M.* I should consider them as enemies to God and man, and entitled to the treatment, not of men, but of wolves and other ravenous animals, which, if bred by any person, are bred to the destruction of himself and of others, and, if killed,

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are killed to the advantage not only of the individual but of the publick. Nay, were I empowered to enact a law, I would adopt the Roman method of treating monsters, and order such a race of men to be exposed on some desolate island, or to be sunk in the deep at a distance from the sight of land, lest they should, even when dead, injure the living by their contagion; and publish a decree, that whoever dispatched them should be rewarded, not only by the whole people, but by private persons, as is generally done to those who have killed wolves or bears, or seized their cubs. For, if any such monster were to arise, and to utter human accents, and to have the appearance of a man's face, and his likeness in every other part, I could never think myself connected with him by any social tie. Or if any one, divesting himself of humanity, should degenerate into savage barbarity, and refuse to unite with other men, but for men's destruction, I do not think him entitled to the appellation of man any more than satyrs, apes or bears, though in his look, gesture and language, he should counterfeit man.

*B.* Now you comprehend, if I mistake not, what notion the wisest of the ancients entertained of a king's as well as of a tyrant's character. Is it your pleasure then that the rule adopted by us, in forming an idea of a king, should be followed in exhibiting the portrait of a tyrant?

*M.* Certainly; and, if it is not too troublesome, I am eager to hear you proceed.

*B.* You have not forgotten, I imagine, what is said by the poets of the furies, and by the populace of devils, that they are spirits hostile to the human race, and, in the midst of their own eternal torments, delighting in the torture of men. This is certainly a true picture of tyranny. But, since

this picture is discernible only to the mind, and without sensation, I shall offer you another, which will impress not only your mind but your senses, and rush upon your eyes almost palpably visible. Imagine yourself viewing a ship at sea, tossed by storms, and all the shores around not only destitute of harbours, but full of inveterate enemies; imagine also the master of that ship engaged in a mutual contest of hatred with the passengers, and yet having no hopes of safety but in the fidelity of the sailor, and even those not certain, as he cannot be ignorant that his life is in the hands of a barbarous class of men, strangers to all humanity, retained in their duty solely by proffers of money, and easily tempted to his destruction by the prospect of greater hire. Such, positively, is the life embraced by tyrants as a state of beatitude. At road they dread open enemies, at home their subjects; and not only their subjects, but their domestics, their relations, their brothers, their wives, their children, and their parents. Accordingly, they always either wage or dread an external war with foreigners, a civil war with their subjects, or a domestic war with their relations, and never expect any assistance but from hirelings, and dare not hire the good nor trust the bad. What enjoyment then can life be to such men? Dionysius, dreading the application of a razor to his throat, would not permit his daughters, ladies of adult age, to supply the place of a barber. His brother was murdered by Timoleon, the Ptolemæan Alexander by his wife, and Spurius Cassius by his father. What racks must the man, who has these examples constantly before his eyes, carry in his breast, when he considers himself erected as a mark at which all mankind are to shoot their arrow? when he is tormented by the stings of conscience, not only when awake, but is routed

even in his sleep by the terriffick images of the living and the dead, and pursued by the furies shaking their torches? For the time assigned by nature to all animals for repose, and to men as a relief from cares, becomes to him all honour and despair.

*M.* These topics you have unfolded with no inconsiderable art, and, perhaps, with equal truth; but, if I am not mistaken, with little subserviency to our plan. For nations, who have the power of electing kings, have also the power of binding them, when elected, by laws. But you know that ours are not kings by election but by birth; and I have always been of opinion that the crown was not more an hereditary right than the power of making their will the law. Nor have I lightly adopted this opinion, but deliberately, and under the sanction of great statesmen, with whom, if I have erred, I need not be ashamed of my error. For, without mentioning others, the lawyers affirm that, by the imperial law enacted concerning their authority, the whole power of the people was transferred to them, so that their pleasure should stand as law. Hence arose a certain emperor's threats, that he would, by one edict, wrest from all the lawyers, all the power, in which they so much gloried.

*B.* While you were quoting the very worst authority, in so important a case, you acted with prudence in suppressing all names; as it would be the name of Caius Caligula, who, for the gratification of his savage cruelty, wished that the Roman people had but one neck, and possessed nothing that belongs; I will not say to a king, but to a man, but the form. You cannot, therefore, be ignorant what little credit is due to his word. As to the imperial law, lawyers themselves

elves can neither explain its nature, nor ascertain when, by whom, or in what words, it was passed. For the Roman kings never possessed that power, as an appeal lay from them to the people. The act, by which Lucius Flaccus, after the extinction of Roman liberty, established, through the silence of the other laws, the tyranny of Lucius Sylla, no man ever recognised as a law; for the purport of that act was, that whatever Lucius Sylla did should be valid in law. Of such a power over itself, no free people was ever so mad as to make a voluntary grant; or, if ever there was, it certainly deserved to live in perpetual slavery to tyrants, and to suffer the punishment due to its folly. However, if any such law really existed, we ought to consider it as an example for caution, not for imitation.

*M.* Your admonition, though well founded, is applicable only to those who have the power of creating kings of specifick qualities; but not at all to us, who, by our suffrages, do not elect the best, but accept the gift of chance. This remark, made by our lawyers, peculiarly affects us, who bestowed upon the ancestors of our kings such a right to bind us and our posterity, that they and their descendants hold perpetual sovereignty over us. I wish, therefore, that this advice had been suggested to them, I mean to our ancestors, as they were entirely at liberty to adopt what kings they pleased. Your counsel coming now too late, has certainly no other tendency, but to make us deplore the folly of our ancestors, and feel the misery of our condition. For, sold into bondage as we are, what remains for us but to suffer punishment for the folly of others, and to alleviate its weight by the meekness of our patience; and not to exasperate, by unseasonable murmurs, the rage of those, whose yoke we cannot shake off, whose  
power



power we cannot diminish, and whose violence and tyranny we cannot escape? The imperial law, however, to which you are such a determined foe, was not, as you wish to insinuate, invented in favour of tyrants; for it was sanctioned by the justest of princes, by Justinian, with whom such open flattery could never have prevailed; for Horace's maxim is applicable even to a foolish prince:

Whom does false honour please, or lying fame affright?  
None but the wretches who in vice and lies delight.

*B.* However cruelly ungrateful to Belisarius some historians paint Justinian, he is certainly allowed to have been, in general, a great prince. Let him, therefore, be such as you wish him to appear: you ought still to recollect, that most of his cotemporaries have characterised Scribonian, the principal compiler of the laws in question, as a most abandoned man, who might have easily been induced to go any lengths for the gratification of the worst of sovereigns. For,

All wish the dire prerogative to kill;  
Even they would have the pow'r who want the will:

And,

Nothing so monstrous can be said or feign'd,  
But with belief and joy is entertain'd,  
When to his face the worthless wretch is prais'd,  
Whom venal courtiers to a God have rais'd.

But let us return to our own princes, to whom you say that the crown belongs by inheritance, not by suffrage. Now I here speak only of our own; for, were I to make a digression to foreign princes, I fear that the discussion would embrace too wide a field.

*M.* That

*M.* That is, in my opinion, the best mode of proceeding; as foreign transactions are not very intimately connected with the present subject.

*B.* If then we trace the history of our nation from its first origin, it will be found a settled point, that the princes invested with sovereign power owed their election to the opinion generally entertained of their merit.

*M.* Such is the account contained in our historical records.

*B.* Nor is it a less settled point, that many princes, who made a cruel or flagitious use of their office, were called to an account by their subjects; that some were, in certain cases, banished, and in others executed; and that, though either their sons or relations were chosen in their place, yet no inquiry was ever instituted against the authors of their punishment; but that violence offered to government by some part of the world, been punished with more severity. And, since it would be tedious to enumerate individuals, a few only of a memorable and full life in the nation's memory, shall be here mentioned. The number of years of our King, was left behind him a name in his first age, yet so incredibly renowned for his humanity, that persons sprung from the most illustrious families, and of the first distinction for their abilities, were delivered by a sword and a pillory, that of punishment. This, on the other hand, was happily, and for ever forgotten, as if it had never happened; and a new model of the same was made of it. On the death of Henry, of France, James, six months after his coronation, that is, in the first year of the first of Henry, travelled into France, and over his father's relation to that crown, but also their correspondence with King Lewis, by the

Calenbeing, as he was coming to plead his cause, murdered on the road by an enemy, was revenged in an exemplary manner by a decree of the States; and Ewen, who had been condemned to perpetual imprisonment, having been similarly killed in confinement by an enemy, was similarly revenged; and the violent death of the man, whose nefarious life all detested, was punished as parricide.

*M.* The present subject of our inquiry is, not so much what has been sometimes done, as what are the legal rights of our sovereigns.

*B.* Returning then to that question, and considering the state of our kings down to Kenneth the Third, who first established his race permanently upon the throne, we shall find it a clear case, that as the people, till that period, exercised the right of creating and correcting their kings, he must have procured this right to his family either by force or by persuasion.

*M.* The inference is undeniably just.

*B.* Besides, if he extorted obedience from the people by force, the people, upon the first prospect of superiority in the contest, may shake off so grievous a yoke; since the received laws and the imperative voice of nature proclaim, both to kings and to nations, that every system upheld by violence may, by the like violence, be overturned.

*M.* But what will follow, if the people, either circumvented by fraud, or compelled by fear, should submit to slavery? What reason can be alleged why they should not for ever adhere to a convention once solemnly ratified?

*B.* If you talk to me of a convention, what reason is there that I should not, in opposition, produce those causes which may effect the dissolution of compacts and conventions? And first, with

regard to agreements founded on violence and fear, there is in all communities an established law, derived from the pure fountains of nature. Even to such as have been over-reached by fraud, the laws grant an entire restitution to their former state, and order this rule to be scrupulously observed in the case of minors, and other persons, whose interest they wish particularly to consult. Who then can have a juster claim to restitution than the whole body of the people, since an injury offered to it affects not only a single part of the community, but is visibly diffused through all the members of the body politic?

*M.* I know that in the causes of private persons this law is adopted, and that it is in no case iniquitous. But upon this topick we need not enter into any violent contest; since, as we are informed by our historians, it is extremely probable that the right in question was bestowed upon our kings by the people's consent.

*B.* It is likewise probable, that so important a right was not granted without some important cause.

*M.* That position I readily admit.

*B.* What then, do you think, was the principal cause?

*M.* What other cause can I assign but those recorded in history? The people's impatience, under the pressure of ambition, of anxiety, of misery, and of intestine war, frequently terminating in the utter ruin of one of the parties, and always with infinite mischief to both. For those who deposed the sovereign power endeavored to keep their children in total armed possession, by the total extinction of their brothers and nearest relations; a species of policy, which, we hear, is adopted among the Turks; and which, we see, is practiced

practised by the chieftains in our own isles, as well as in Ireland.

*B.* To which of the two then, do you think, the contest proved more dangerous, to the people or to the princes?

*M.* To the princes indisputably; for the people, though ultimately doomed to become the prey of the victors, may, during the contest, live in perfect security.

*B.* Princes then, it seems, have wished, rather on their own account than for the publick benefit, to make the crown permanent and hereditary in their family.

*M.* The supposition appears probable.

*B.* Now, in order to gain a point so essential to the lasting honour, to the wealth and security of their family, it is reasonable to suppose that, in return, they relinquished some part of their right, and that to retain the good-will and affection of the people, and to procure their consent, they granted on their side some equivalent boon.

*M.* I believe so.

*B.* You will certainly allow it to be an incredible supposition, that, in return for so important a concession to their kings, they should suffer their condition to be altered for the worse?

*M.* Absolutely incredible.

*B.* Nor would kings, had they known this to be an injurious institution, disadvantageous both to their children and to the people, have solicited its adoption with such ambitious zeal?

*M.* By no means.

*B.* Suppose then any individual, in the mixed throng of a free people, freely to ask the king, "What is to be done, if any of our kings should have a son that is an idiot; or, what is worse still, a son that is insane? Will you grant the power

of regulating our conduct to a man who cannot regulate his own?"

*M.* There was no occasion, I think, for suggesting this exception, since, whenever this class of men occurs, there is sufficient provision made by the laws.

*B.* An honest, as well as sound opinion. Let us, therefore, inquire, whether, if kings had obtained from the people unlimited power over the laws, it would not have been injurious, especially to those who wished to provide for the welfare of their posterity?

*M.* Why, I beseech you, should we think that it would prove injurious?

*B.* Because nothing contributes so much to the perpetuity of sovereign authority, as a due temperament, no less honourable to kings than equitable and salutary to the people. For nature has implanted in the human mind an elevated and generous principle, which makes it unwilling to obey unjust mandates; and there is nothing so efficacious in consolidating societies of men as a reciprocity of benefits. The answer, therefore, of Theopompus to his wife, who upbraided him with having, by the introduction of the Ephori into power, impaired the energy of regal government, and with transmitting to his children the crown less than he had received it, seems not to have been unwise, when he said, "I have left it so much the firmer round their head."

*M.* What you say concerning the perpetuity of the sovereign power I see to be perfectly true. For the kingdoms of the Scots and Danes are, I think, by far the most ancient in Europe; and this distinction they seem to me to have secured by nothing so much as by the moderate use of the supreme power; while at the same time the crowns  
of

of France, of England, and of Spain, have passed from family to family. Yet I know not whether our kings were as wise as Theopompus.

*B.* Though they should not have been so provident, do you think that the people were so foolish as to neglect an opportunity, so seasonably offered, or, so struck with fear, or so seduced by flattery, as to submit spontaneously to slavery?

*M.* They were not perhaps. But let them, as the thing is possible, have been so blind as not to see what was for their own benefit; or let them have been, with their eyes open, so regardless of their own interest as to have despised it, will they not be justly punished for their folly?

*B.* It is not likely that any of these suppositions was ever realised, since in our times their conduct has been constantly the reverse. For beside the constant punishment of bad kings, whenever they became tyrants to their subjects, there still remain, even in old families, some vestiges of the ancient practice. For the ancient Scots or Highlanders continue, down to our days, to elect their own chieftains, and to assign them a council of elders; and those who do not obey this council are deprived of the honourable office. Could then what is still partially observed with the greatest scrupulousness in certain districts be neglected in providing for the general good? or would those become voluntary slaves to the man, who would deem the grant of royalty, under legal restraints, a favour? Can it be supposed that the liberty, which they had secured by valour, defended by arms, and enjoyed uninterruptedly for ages, should, without violence, and without war, be resigned to him as an unexpected prey? That such power was never possessed by our kings is, without mentioning the punishments so often inflicted on them for mal-administration,

nation, sufficiently evident from the misfortune of John Baliol, who was, about 260 years ago, rejected by the nobility, because he had subjected himself and his kingdom to Edward the First of England; and Robert the First was substituted in his place. The same truth is evinced also by that uninterrupted practice, which has descended from the earliest times to ours.

*M.* What practice do you mean?

*B.* Our kings, at their publick inauguration, solemnly promise to the whole people to observe the statutes, customs, and institutions of our ancestors, and to adhere strictly to that system of jurisprudence handed down by antiquity. This fact is proved by the whole tenour of the ceremonies at their coronation, and by their first arrival in our cities. From all these circumstances it may be easily conceived what sort of power they received from our ancestors, and that it was clearly such as magistrates, elected by suffrage, are bound by oath not to exceed. Upon such terms God offered the crown to David and to his posterity, promising that they should be kings as long as they obeyed the laws which he had obtained. All this evidence makes it probable that the authority conferred by our ancestors on their kings was not unbounded and immense, but circumscribed and confined to fixed limits. In favour of this right in the people add, British immemorial prescription and long use, never contravened by any publick decree.

*M.* But I fear the kings will not be easily persuaded, by the consideration of these probabilities, to submit to factious, however much tyrannized by royal orders, or justified by popular prescription.

*B.* In like manner, it is my belief that the people will not be easily persuaded upon to relinquish a



right received from their ancestors, approved by the concurring voice of all, and practised for an uninterrupted series of ages; nor do I think it necessary to form conjectures about what they will do, when I see what they have done. But, if from the obstinate perverseness of both parties, recourse should be had to arms, the conqueror will certainly impose what laws he pleases on the conquered: but he will impose them only till he, that has had the worst of the contest, can resume his arms with recollected strength. These struggles end always with mischief to the people, but generally with utter ruin to their kings; and in these causes all the disasters of all kingdoms originate.

*M.* Such must necessarily be the result.

*B.* Here, perhaps, I have entered into a minuter investigation than the subject required; but my design was to elucidate, more completely, the limits of regal power among us in ancient times. For, if I had insisted upon the full extent of my legal claims, I might have taken a much shorter road to the object of my pursuit.

*M.* Though you have nearly satisfied me already, yet I shall be glad to hear you explain the nature of this compendious road.

*B.* First, then, I wish you to answer, whether you approve of the definition of a law given by lawyers, when they say that a law is a decree made by the people, at the instance of the legal magistrate.

*M.* Undoubtedly it has my approbation.

*B.* It was also ascertained that, when laws were found to be defective, they might, by the same legislators, be either amended or repealed.

*M.* It was so.

*B.* You see besides, I suppose, that the persons, who become our kings by birth, become so both by the laws and by the suffrages of the people, no

less than those constituted such originally by election; and that the people, who made the laws, will not be in want of remedies, not only against violence and fraud, but also against neglect in acknowledging the acceptance of them.

*M.* I see it clearly.

*B.* There is only this difference, that the law relative to our kings was passed some ages ago; and that, when a new reign commences, it is not usual to make a new law, but to approve the old. But among nations who hold assemblies for the election of their several kings successively, the same time usually serves for passing the law, for making and approving the king, and for the commencement of the reign.

*M.* It is so.

*B.* Now, if you please, let us briefly collect the substance of what has been ascertained; that, if we have any-where been too rash in our conclusions, there may be room for recantation.

*M.* With all my heart.

*B.* First of all, it was our opinion that a king is created for the benefit of the people, and that nothing derived from heaven can be a greater blessing than a good, or a greater curse than a bad king.

*M.* Right.

*B.* We also said that a bad king is called a tyrant.

*M.* We did so.

*B.* And, because the crop of good men is not so abundant as to supply us constantly with a succession of worthy persons for our selection, or hereditary right so fortunate in its line of succession as to furnish us always, by accident, with a series of good princes, we accept, as kings, not such as we could wish, but such as either publick consent has sanctioned,

functioned, or chance offered. The hazard, however, incurred either in electing new dynasties, or in approving the casual claimants by hereditary right, occasioned a general wish for laws that should limit the extent of regal power. Now these laws ought to be nothing else but the express image, as far as it can be attained, of a good king.

*M.* That deduction also we acknowledged to be legitimate.

*B.* What now remains to be discussed is the punishment due to tyrants.

*M.* That seems the only topick not yet thoroughly examined.

*B.* If a king then should break through every restraint of law, and behave absolutely as a publick enemy, what conduct ought, in your opinion, to be adopted?

*M.* Here I own myself at a nonplus. For, though the arguments advanced by you seem to evince that we cannot have any natural connexion with such a king, yet the power of long habit is so great, that with me it has the force of law; and, indeed, it takes such deep and firm root in the minds of men, that, if it should ever be productive of error, it is better to bear it, than, by endeavouring to cure the disease, to endanger the constitution of the whole body. For such is the nature of some remedies, that it is more eligible to bear the pain which they occasion, than to search for doubtful remedies, in the trial of which, though every thing should ultimately succeed, the pains resulting from their application are so acute, that the disease itself is less pernicious than its cure. In the next place, what has still more weight with me is, that I see what you call tyranny sanctioned by the oracle of God; and what you ex-

crate as the ruin of law, called, by the Deity, the law of the realm. My judgment is more decisively sway'd by that single passage, than by all the arguments of ail the philosophers. If you do not extricate me from this dilemma, no human reasoning can, with all its subtilty, prevent me from deserting, at once, to the enemy.

*B.* You are involved, I see, in a common, but enormous, cloud of error, by endeavouring to sanction tyranny by tyranny. For how great the tyranny of custom is, when it has once got thorough hold of the human mind, we have too often experienced in the present age, and learned sufficiently from ancient examples in the father of history, Herodotus. But ancient examples I need not produce, since the authors are open for your inspection. Consider in your own mind what multitudes of things, and those not unimportant, there are, in which the suggestions of reason have made you deviate from customs that ages had rendered inveterate; and you will be soon taught by domestick examples, that, of all others, the highway, which is here so much recommended, is the most dangerous to follow. Examine it, therefore, with cautious circumspection; and you will see it strewd with carnage, and choaked with ruin. But, if this truth be, according to the usual phrase, clearer than the light itself, I need not dwell longer either on the proof, or on the ill-consequences of so evident a proposition. As to the passage, however, quoted by you from the Book of Kings; and which you either notice than explain, I desire, I beseech you, to be guided that what God has said in the line of tyrants, he should approve in the conduct of kings. If he yet may draw from this passage, I desire you to consider him, who is the proper head of God; and, next, what his reason would have said to the King; and, lastly,

lastly, what was God's answer. First, they request a king. And of what sort? A king circumscribed by laws? Such they had; for Samuel had been appointed by God to preside over them; and he had for many years administered justice in a legal manner, according to the directions of the divine law. But his sons, who sat as judges during his old age, were guilty of many flagitious acts, and in their decisions violated the laws. Hitherto I cannot see that they had any just reason for desiring a change, but rather a reform of the government, which they might certainly have expected from the beneficence of that God, who had not long before, and for a reason nearly similar, extirpated the whole family of Heli. What then do they request? A king, who might, as among the neighbouring nations, be their judge at home, and their general abroad. Now these were, in reality, tyrants. For, as the nations of Asia discover greater fervility of mind than the Europeans, so they will submit with greater facility to the commands of tyrants; and, hence there is not, as far as I know, mention any-where made in historians of a king subject to laws in Asia. Besides, that a tyrant, and not a king, is here described, is readily deducible even from this circumstance, that in Deuteronomy God had beforehand prescribed to them a form of government, not only different, but perfectly the reverse. According to this form, Samuel, and the rest of the judges, had, for a series of years, administered justice; and, when they rejected it, God complained that they had rejected him.

*M.* Yet God every-where styles him king, and not tyrant.

*B.* He does, indeed, style him king; for it is peculiar to God, in addressing a popular assembly, to adopt popular language. Accordingly, in speak-

ing to the commonalty, he uses a common word : but that none might be deceived by its ambiguity, he explains here, distinctly, in what sense it was taken among the neighbouring nations.

*M.* Though we should admit the justness of your reasonings upon that ancient example, we are still more closely pressed by a more modern instance in Paul, who commands us to pray for the life of sovereigns, and is far from allowing us to renounce their authority, much less to dethrone, and, when dethroned, to murder them. And what princes does he thus recommend to our prayers? Of all that ever existed the most cruel, Tiberius, Caligula, Claudius and Nero; for these were coeval with the epistles of Paul.

*B.* In comparing the writings of all the philosophers and lawyers with Paul's, you seem to me to act rightly, in allowing to his authority so much preponderance in the balance. But you should consider whether you have sufficiently weighed his opinions; for you ought to examine not only his words, but also at what times, to what persons, and for what purposes, he wrote. First then, let us see what Paul wrote. In the third chapter of his letter to Titus, he writes, "Put subjects in mind to be obedient to principalities and powers, and to be ready for every good work." Here you see, I presume, what end he assigns to obedience. In the second chapter of his epistle to Timothy, the same apostle writes, "That we should pray for all men, even for kings and other magistrates, that we may lead a peaceable life, in all godliness and purity." Here also you see that he proposes, as the end of prayer, not the security of kings, but the tranquillity of the church; and hence it will be no difficult matter to comprehend his form of prayer. In his epistle to the Romans, his definition of a  
king

king is accurate, even to logical subtilty; for he says that a king is God's minister, wielding the sword of the law for the punishment of the bad, and for the support and aid of the good." "For these passages of Paul's," says Chrysoftom, "relate not to a tyrant, but to a real and legitimate sovereign, who personates a genuine God upon earth, and to whom resistance is certainly resistance to the ordinance of God." Yet, though we should pray for bad princes, we ought not, therefore, to infer directly, that their vices should not be punished like the crimes of robbers, for whom also we are ordered to pray; nor, if we are bound to obey a good, does it follow that we should not resist a bad prince? Besides, if you attend to the cause which induced Paul to commit these ideas to writing, you will find, I fear, that this passage is greatly against you; since he wrote them to chastise the temerity of certain persons, who maintained that Christians ought not to be under the control of magistrates. For, since the magistrates were invested with authority on purpose to restrain wicked men, to enable us all to live under equal laws, and to exhibit a living example of divine justice, they contended that he was of no use among persons so uncontaminated by the contagion of vice as to be a law to themselves. Paul, therefore, does not here treat of the magistrate, but of the magistracy, that is, of the function and duty of the person who presides over others, nor of this nor of that species of magistracy, but of every possible form of government; nor does he contend against those who maintained that bad magistrates ought not to be punished, but against persons who renounced every kind of authority; who, by an absurd interpretation of Christian liberty, affirmed that it was an indignity to men, emancipated by the Son of God, and directed

ected by God's Spirit, to be controlled by any human power. To refute this erroneous opinion, Paul shows that magistracy is not only a good, but a sacred and divine ordinance, and instituted expressly for connecting assemblages and communities of men, and to enable them, conjointly, to acknowledge God's blessings, and to abstain from mutual injuries. Persons raised to the rank of magistrates God has ordered to be the conservators of his laws; and, therefore, if we acknowledge laws to be, as they certainly are, good things, we must also acknowledge that their conservators are entitled to honour, and that their office is a good and useful institution. But the magistrate is terrible. To whom, I beseech you? To the good, or to the bad? To the good he cannot be a terror, as he secures them from being so; but, if he is a terror to the bad, it is not so to you, who are directed by the Spirit of God. What occasion then is there, you will say, for submitting me to the magistrate, since I am God's freeman? Much. To prove yourself God's freeman, obey his laws; for the spirit of God, of whose direction you boast, framed the laws, approves of magistracy, and authorises obedience to the magistrate. On this head, therefore, we shall easily come to an agreement, that a magistrate is necessary in the best constituted societies, and that he ought to be treated with every kind of respect. Hence, if any person entertains contrary sentiments, we deem him insane, intemperate, and worthy of the severest punishment; since he openly resists God's will, communicated to us in the Scriptures. For, supposing that no punishment at all for the violation of all laws, human and divine, should be inflicted on a Catgula, a Nero, a Calpurnia, and other tyrants of that sort, what would be the consequence? I leave Paul, who is discoursing,



discourſing of the power of magiſtrates, and of bad men, by whom it is badly exerciſed. Indeed, if you examine that kind of tyrants by Paul's rule, they will not at all be magiſtrates. Again, if you ſhould contend that even bad princes are ordained by God, take care leſt your language ſhould be charged with captiouſneſs. For God to counteract poiſon by poiſon, as an antidote, ſometimes ſets a bad man over bad men for their puniſhment; and yet that God is the author of human wickedneſs no man in his ſenſes will dare to affirm, as none can be ignorant that the ſame God is the author of the puniſhments inflicted on the wicked. Even a good magiſtrate generally chooſes a bad man to be the executioner in puniſhing the guilty. This executioner, though thus appointed by the magiſtrate to that office, is not, in conſequence, indulged with impunity for every crime, nor raiſed ſo high as not to be amenable to the laws. On this compariſon I ſhall dwell no longer, leſt the ſycophants of the court ſhould cry out that I ſpeak with too little reverence of the ſupreme magiſtrate. But, let their outcries be ever ſo loud, certainly they will never be able to deny that the function of the executioner is a part of publick, and perhaps alſo of kingly duty, even by the confeſſion of kings themſelves; ſince, when violence is offered to any publick manner, they complain that their own perſon and majeſty are violated. Now, if any thing can, certainly the puniſhment of the wicked muſt, conſtitute a part of the king's executive duty. In what predicament ſtand the governors of cities, the commandants of camps, the mayors of corporations, and other ſuperiour officers? Does Paul order us to be obedient alſo to them? or does he hold them private perſons? But not only all inferiour magiſtrates, but even thoſe who are upon  
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an equality with kings, it is customary to call to an account for mal-administration. I could wish, therefore, that those who dream of this mighty power conferred on kings by Paul's words would either show, from the same Paul, that kings alone are to be understood in the name *powers*, and therefore to be alone exempted from legal animadversion; or, if the word *powers* means also other magistrates appointed by the authority of the same God for the same purpose, that they would also show where all magistrates are pronounced to be independent of law, and released from the fear of punishment; or, where that immunity has been granted only to kings, and denied to others invested with publick authority.

*A.* But to the higher powers he commands all to be obedient.

*B.* He does so; but under the name of powers he must necessarily comprehend other magistrates also, unless you should, perhaps, imagine that he thought states not under a regal government to be without powers, and therefore mere anarchies.

*M.* That is not my belief, nor is the thing likely; and I am the more steadfastly of this opinion, that your interpretation of this passage is confirmed by the agreement of all the more learned commentators, who think Paul's dissertation here intended against those that contended for a total exemption from the control of all laws and magistrates.

*B.* What then do you think of what I lately said? Is it your belief that the most cruel of all tyrants are not included in Paul's form of words?

*M.* Yes. For what do you allege to alter my belief? especially as Jeremiah earnestly admonishes the Jews, and that by divine command, to obey the king of the Assyrians, and by no means

to contravene his authority. And hence the inference is, by a similar mode of reasoning, drawn, that other tyrants also, however barbarous, ought to be obeyed.

*B.* Meaning to answer first what you advanced last, I must desire you to remark that the prophet does not command the Jews to obey all tyrants, but only the king of the Assyrians. Therefore if, from a single and particular command, you should be inclined to collect the form of a general law, you cannot be ignorant, in the first place, as I guess has taught you better, of what an absurdity you will be guilty; and that you will, in the next place, be in danger of an attack, with similar arms, from the enemies of tyranny. For you must either show in what the singularity of this instance consists, that you offer it as a fit object of imitation to all men on all occasions; or, if that should be impossible, you must acknowledge that, among all the special commands of God, whatever is ordered in the case of any single individual extends equally to all mankind. If you once admit this inference, and admit it you must, it will be directly objected, that by God's order also Ahab was slain, and that a reward was both promised and paid by divine command to his murderer. Therefore, when you take refuge under the shelter of the obedience supposed to be due to all tyrants, because God, by his prophet, commanded his own people to obey a single tyrant, your ears will immediately ring with an opposite cant, that all tyrants ought to be slain by their own subjects, because Ahab was, by divine command, murdered by the general of his own forces. Therefore I advise you either to provide from Scripture some stronger bulwark for your tyrants, or to set

it aside for the present, and to return to the schools of philosophers.

*A.* That hint I shall certainly take into consideration. But, in the mean time, let us return to the point from which we digressed, and examine where the Scripture grants us a licence to murder princes with impunity.

*B.* My first argument is, that, as there is in Holy Writ, an express command for the extirpation of crimes and criminals, without any exception of degree or rank, there is no where any peculiar privilege granted, in that respect, to tyrants, more than to private persons; and my next is, that the definition of powers furnished by Paul does not, in the least, refer to tyrants; as they accommodate the whole plan of their government, not to the utility of the people, but to the gratification of their own lusts. Besides, you must note, with particular attention of what vast consequence Paul has made bishops, bestowing upon their office the highest encomiums, and making them, in the opposite scale of comparison, correspond, in some measure, to kings, at least as far as the nature of their respective functions will admit. For the former are physicians for internal, and the latter for external maladies; and yet he has not directed that the one class should be free and loose from the other's jurisdiction; but that, as bishops are, in the exercise of the common duties of civil life, subject to kings, so kings also should obey the spiritual admonitions of bishops. Now these bishops, though exalted to such a height of majesty and grandeur, are not exempted by any law, human or divine, from punishment for their crimes. And, without mentioning others, the Pope himself, who is in truth no more denud a bishop of bishops, and whose rank is so far above the eminence of all kings,

kings, that he would be reckoned a kind of God among mortals, is not even, by his own friends, the canonists, the class of men most devoted to his will, exempted from legal punishment. For judging it absurd for a God, a name which they do not hesitate to give him, to be subject to human animadversion, and thinking it unjust that the greatest crimes, and most flagitious enormities, should remain unpunished, they devised a method by which both the crimes might be punished, and the Pope be still held sacred and inviolable. For they declared the right of the Pope to be one thing, and the right of the person, who should be Pope, another; and, while they exempt the Pope, whom they invest with the attribute of infallibility, from the cognizance of the laws, they still acknowledge the person, who is Pope, to be liable to vices, and punishable for his vices: and to this doctrine they have given their unequivocal sanction, not more by the subtilty of their reasonings, than by the severity of their punishments. It would be tedious to enumerate the pontiffs, or, in their language, the men who bore the character of pontiffs, and were during their lives not only forced to forswear the office, but, even after their death, dug from their tombs and cast into the Tiber. Without recurring to ancient examples, we need only refer to the late instance of Paul the Fourth, whose fate is still fresh in our memories, and against whom his favourite Rome expressed the common hatred by a new kind of decree. For the vengeance from which he had escaped was wreaked upon his relations, upon his statues, and upon his portraits. Nor ought you to imagine that excessive subtilty is couched under this interpretation, by which we separate the person from the power; since it is acknowledged even by philosophy, and

approved by the ancient commentators, and it is not unknown to the untutored vulgar, however little accustomed to the refinements of disputation. Mechanicks do not consider it as a disgrace to their trade, that either a carpenter or baker is punished for an act of robbery; but rejoice rather that their company is purged from the stain of such infamous malefactors. If any of them should entertain a contrary sentiment, there is, I think, reason to fear that he grieves more at the punishment of men with whom he is connected by a consciousness of guilt, than at the infamy of his company. Indeed, if kings did not form their councils of miscreants and flatterers, and measure their own importance by the gratitude due to their virtues rather than by the impunity of their crimes, they would, in my opinion, not be vexed at the punishment of tyrants, or think that their fate, however grievous, was any diminution of regal dignity; but rather be pleased to see its honour cleared from a stain of so foul a nature; especially since they use to be violently angry, and with great justice, with those who cloak their own misdeeds under the regal name.

*M.* And not without reason, assuredly. But I wish that you would quit this topic, and proceed to the other subjects, which you proposed to handle.

*B.* What subjects, pray, do you mean?

*M.* The periods in which Paul composed his writings, and the persons to whom he addressed them; for I am eager to know of what advantage the knowledge of these circumstances can be to your argument.

*B.* Here, too, you shall be honoured. And first, in treating of the time, let me observe that Paul wrote these passages when the infant church was still

still in her cradle ; a time that made it necessary for her not only to be free from guilt, but also not to afford even an unjust cause of accusation to persons in active search of a handle for calumny ; and, in the next place, that he wrote to men collected from various nations, and indeed from the whole extent of the Roman empire, into one blended mass. Among these there were but few distinguished for opulence ; hardly any that were, or had been, magistrates ; not many that held the rank of citizens, and these mostly lodgers, or even mere freedmen ; and the rest almost all mechanicks and slaves. Among these, however, there were not wanted men who extended Christian liberty farther than the simplicity of the Gospel would admit. Accordingly, this multitude, composed of a promiscuous crowd of plebeians, that, with great labour, gained a scanty livelihood, had not so much reason to be anxious about the form of the government, the majesty of the empire, and the life and duty of kings, as about publick tranquillity and domestick repose, and could hardly claim any other blessing but the happiness of being any-how sheltered under the shade of the empire. If such men attempted to grasp any part of the publick administration, they deserved to be considered not only as foolish, but absolutely insane ; and they would deserve it still more, if they issued from their cells, and proved troublesome to the ministers who managed the helm of government. There was a necessity, too, for checking premature luxury, that ill-omened interpreter of Christian liberty. What then did Paul write ? No new precepts, certainly, but those common maxims, that subjects should be obedient to the magistrates, servants to their masters, wives to their husbands, and not imagine that the yoke of the Lord, though light, releases us from the ties of morality :

morality ; but ought rather to make us more conscientious in the observance of them, so that, in all the gradations of duty, we might omit nothing that could help us to conciliate the good-will of all men by honest practices. The ultimate consequence would thus be, that the name of God would, to all nations, sound more pleasing, and the glory of the Gospel would be more widely diffused. To effect these purposes, there was a necessity for publick peace, of which princes and magistrates, though, perhaps, bad men, were the conservators. Do you wish to have this matter set before your eyes in a lively picture ? Figure to yourself any of our doctors to be writing to the Christians now living under the Turks ; to men, I say, of slender fortune, of humble mind, without arms, few in number, and exposed to every injury from every man ; what other advice, I pray, could he give, but the advice of Paul to the church at Rome, and of Jeremiah to the exiles in Assyria ? Now a most conclusive argument, that Paul's attention was here directed solely to those persons, to whom he was then writing, and not to the whole body of the citizens, is, that though he minutely explains the mutual duties of husbands to their wives, of wives to their husbands, of parents to their children, of children to their parents, of masters to their slaves, and of slaves to their masters, he does not, in describing the duty of a magistrate, address, as in the preceding parts, them expressly by name. For what reason then must we suppose that Paul gave no directions to kings and to other magistrates, especially as their passions required much more than those of private persons the coercive restraints of law ? What other reason can we imagine, but that, at the time in question, there were neither kings nor other magistrates to whom

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he could write. Conceive Paul to be living in our times, when not only the people, but the sovereigns adopt the name of Christians. At the same period, let there be a prince, who thinks that not only human, but also divine laws, ought to be subservient to his capricious lusts; who would have not only his decrees, but even his nods, held as laws; who, as Paul says in the Gospel, "neither fears God nor reverences men;" who, not to say any thing worse, squanders the revenues of the church upon parasites and buffoons; who derides the sincere observers of religion, and deems them fools and madmen: what, do you think, would Paul write concerning such a man? If he should wish to be thought consistent, he will declare him unworthy of being reckoned a magistrate; he will put all Christians under an interdict to abstain from all familiarity, all conversation, and all communion with him; his punishment by the civil laws he will leave to the citizens, and will not think them stepping beyond their duty, when they announce that the man, with whom the divine law will allow them no commerce, can no longer be their king. But the servile herd of courtiers, finding every honourable resource fail, will have the impudence to say, that God, in his wrath, lets tyrants loose upon nations, as publick executioners, to wreak their vengeance. Now, though I should acknowledge the truth of this assertion, yet it is equally true, that God generally excites some poor and almost unknown individuals of the lowest vulgar to check the extravagant pride and lawless career of tyrants. For God, as was said before, commands the wicked to be exterminated, and excepts neither rank, nor sex, nor condition, nor even person; since to him kings are not more acceptable than beggars. It may, therefore, be truly

truly affirmed, that God, who is equally the Father of all, from whose eye nothing can be hid, and whose power nothing can resist, will leave no crime unpunished. Besides, another parasite may perhaps start up, and ask me to produce, from Holy Writ, an example of a king punished by his subjects; and yet, if no such instance should immediately occur, it will not directly follow that what we do not there read should be held wicked and nefarious. I can enumerate, from the codes of many nations, numerous and most wholesome laws, of which there is not the least trace in the sacred Scriptures. For, as it has been established by the unanimous consent of all men, that what the law commands should be deemed just, and what it forbids unjust, so we find no human records which forbid us ever to do what is not contained in the law. For such servility has never been recognised; nor will the nature of human affairs, so fruitful in new examples, allow it to be recognised to such a degree, that whatever is not ordained by some law, or evidenced by some illustrious record, should be instantly reckoned wicked and nefarious. Therefore, if any man should require of me to show him, in the books of the sacred volumes, an instance in which the punishment of kings is approved, I shall reciprocally ask where it is disapproved. Indeed, if it should be a rule that nothing ought to be done without a precedent, only a small remnant of our civil constitutions, and even of our laws, will continue standing: for the greatest part of them is founded, not upon ancient precedents, but established in opposition to new and unprecedented circumstances. But now we have given a fuller answer than the case required to the inquirers for precedents. For, though the kings of the Jews should not have been punished by their subjects,

subjects, it does not greatly affect our reasoning; as they were not originally created by the people, but assigned to them by God. With very good reason, therefore, he who conferred the honour also exacted the punishment. But we contend that the people, from whom our kings derive whatever power they claim, is paramount to our kings; and that the commonalty has the same jurisdiction over them which they have over any individual of the commonalty. The usages of all nations, that live under legal kings, are in our favour; and all states, that obey kings of their own election, in common adopt the opinion that whatever right the people may have granted to an individual, it may, for just reasons, also re-demand. For this is an inalienable privilege which all communities must have always retained. Accordingly Lentulus, for having conspired with Cataline to overturn the republick, was forced to resign the prætorship; and the decemvirs, the founders of the laws, though invested with supreme magistracy, were degraded; and some Venetian Doges, and Cholperick, king of the Franks, after being stripped of every imperial badge, grew old, as private persons, in monasteries; and not long ago, Christian, king of the Danes, ended his life in prison twenty years after he had been dethroned. Nay, even the dictatorship, which was a species of despotism, was still subordinate to the power of the people. And it has been every-where an invariable usage, that public favours, improperly bestowed, might be reclaimed; and that even liberty, the favourite object of law, might be taken from ungrateful freedmen. These observations, which, I hope, will be sufficient, I have made, that we may not seem to be the only people who have adopted what is called a new practice towards our kings. Every

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thing, that properly relates to us, might have been dispatched in few words.

*M.* In what manner? This is an argument which I should be much pleased to hear discussed.

*B.* I could enumerate twelve or more of our kings, who, for their villainy or flagitiousness, were either condemned to perpetual imprisonment, or escaped the punishment due to their crimes, by exile or by death. But, that none may allege that I produce antique and obsolete precedents, if I should mention the Caiens, Ewens and Verchars, I shall go back for a few examples no farther than the memory of our fathers. James the Third was, in a publick assembly of all the orders, declared to have been justly slain for his extreme cruelty to his relations, and for the enormous turpitude of his life; and in the act there was inserted a clause, providing that those who had projected the conspiracy, or aided by their person or their purse, should never, on that account, be injured or molested.

What they declared, after the event, to have been a just and regular act, they undoubtedly meant to propose as an example to posterity, and that certainly with no less propriety than *Quintius* acted, when he delivered from the tribunal a panegyrick on *Servilius Ahala*, for having, in the forum, slain *Spurius Mælius*, who hesitated and refused to plead his cause in a court of law; and gave it as his opinion, that he was not polluted with the blood of a citizen, but ennobled by the death of a tyrant; and found his opinion confirmed by the applauding voice of succeeding generations. When he thus approved the assassination of a man who only aimed at tyranny, what do you think he would do to a tyrant, who, upon the graves of his fellow citizens, practices robbery, and upon their

persons

persons the trade of a butcher? What was the conduct of our countrymen? In granting, by a public decree, impunity to a perpetrated deed, they certainly enacted a law including any similar event that might occur in future. For, in the result, it makes no difference whether you pass sentence upon what is past, or enact a statute for what is to come; for in either way you give judgment concerning the nature of the fact, and concerning the punishment or reward of its author.

*A.* These arguments, perhaps, will, among our people, be deemed valid; but abroad, among other nations, I know not how they will be received. You see that I must satisfy them, not as in a court of justice agitating a criminal question, but before the publick eye a question of reputation, affecting, indeed, not myself, as I am far beyond the reach of jurisdiction, but my countrymen. For I am afraid that the decrees, by which you think yourself sufficiently justified, will be blamed by foreign nations more than the deed itself, however pregnant with odium and atrocity. With respect to the precedents which you have produced, you know, if I mistake not, what is usually said by every man according to his particular disposition and discernment. I therefore, since you seemed to me to have derived your explanation of other topicks, not so much from the decrees of men as from the fountains of nature, I wish that you would, in a few words, unfold what you have to say for the equity of that law.

*B.* Though to plead in a foreign court, in defence of a law adopted from the first origin of the Scottish monarchy, justified by the experience of so many ages, necessary to the people, neither severe nor dishonourable to their kings, and not til. now

accused of inconsistency with natural law, may seem unreasonable; yet, on your account, I shall make the trial. And, as if I were arguing with the very persons who may be disposed to give you trouble, first I ask, What is it that you find here worthy of censure? Is it the cause which gave rise to the law, or the law itself? The cause was a desire to restrain the unbridled passions of kings; and he who condemns this purpose must condemn all the laws of all nations, as they were all enacted for the same reason. Is it the law itself that you censure, and do you think it reasonable that kings should be freed from every restraint of law? Let us also examine whether such a plan is expedient. To prove that it cannot be expedient for the people, we need not waste many words. For, if in the preceding part of our conversation we were right in comparing a king to a physician, it is evident that, as it was there proved not to be expedient for the people that a physician should be allowed to kill any man at pleasure, so it cannot be advantageous to the public to grant to a king a licence to commit promiscuous havoc among the whole community. With the people, therefore, who possess the sovereign power in making the law, we ought not to be angry, if, as they wish to be governed by a good king, they should also wish that a king, who is not the very best of men, should be governed by the law. Now, if this law be not advantageous to the king, let us see whether he ought to propose to the people to relinquish some part of their right, and let us appoint the meeting of parliament for the consideration of its repeal, not at the third market, but, according to our custom, on the fortieth day. In the mean time, in order to discuss here, between ourselves, the propriety of the measure, allow me to ask you, Whether

you think that he, who releases a man in a state of insanity from a strait-waistcoat, consults the true interest of the insane person?

*M.* By no means.

*B.* What do you say of him, who, at his constant request, gives to a man, labouring under such a paroxysm of fever as not to be far from insanity, cold water? Do you conceive him to deserve well of his patient?

*M.* But I speak of kings in their sound senses, and deny that men in full health have any occasion for medicines, or kings in their sound senses for laws. But you would have all kings be thought bad, for upon all you impose laws.

*B.* Not all bad, by any means; but neither do I look upon the whole people as bad; and yet the law addresses the whole with one voice. That voice the bad dread, and the good, being not concerned, hear at their ease. Thus neither good kings have any reason for feeling indignant at this law; nor would bad kings, if they had wisdom, fail to return thanks to the legislator for ordaining that what he conceived likely to be in the event prejudicial should in the act be illegal. If ever they should recover a sound state of mind, they will certainly come to this resolution, like persons relieved from a distemper, and expressing their gratitude to the physician whom they hated for not gratifying the calls of their sickly appetites. But, if they should continue in their state of insanity, he who humours them most should be deemed most their enemy. In this class we must rank flatterers, who, by cherishing their vices with blandishments, exasperate their disease, and generally fall headlong at last in one common ruin with their kings.

*M.* Cer-

*M.* Certainly I cannot deny that such princes deserved, and still deserve, to be fettered by laws. For no monster is more outrageous, or more pernicious than man, when, as in the fables of the poets, he has once degenerated into a brute.

*B.* On this assertion you would insist still more if you had remarked what a complicated animal man is, and of what various monsters he is composed. This truth the ancient poets discerned with great acuteness, and expressed with no less elegance, when they record that, in the formation of man, Prometheus borrowed from the several animals certain particles with which he constituted his mingled frame. To recount the natures of all separately would be endless; but, undoubtedly, there appear evidently in man two inextinguishable monsters, anger and lust. And what else is the object, or the object of laws, but to render these monsters obedient to reason, and to control them, while not obedient, by the power of their mandates. He, therefore, who releases either a king, or any other man, from the shackles of law, releases not only a single man, but sets loose against reason two of the most cruel monsters, and arms them for breaking through the barriers of order: so that truth and rectitude seem to have guided the tongue of Aristotle, when he said that "He who obeys the laws, obeys God and the law; and that he who obeys man, obeys man and a wild beast."

*M.* Though these doctrines seem to be expressed with much neatness and elegance, yet I think that we have fallen into a double error; first, because our last inferences do not seem to be perfectly correspondent to the premises; and next, because, though we should, in other respects, be found consistent,



silent, yet we have not, in my opinion, made any considerable progress towards the end of our investigation. In the preceding part, we agreed that the voice of the king and of the law should be the law; but here we have made it dependent on the law. Now, though we should grant all this reasoning to be ever so just, what great advantage do we derive from the concession? Who will call a king that has become a tyrant to an account? For I fear that justice, unsupported by physical strength, will not, of itself, be sufficiently powerful to coerce a king that has forgotten his duty, or to drag him by violence to plead his cause.

*B.* I suspect that you have not sufficiently considered the conclusions founded on our preceding debate about the regal power. For, if you had sufficiently considered them, you would have easily seen that the observations which you have just advanced are not in the least repugnant. That you may the more readily comprehend my meaning; first give me an answer to this question: "When a magistrate, or secretary, puts words into the mouth of the publick crier, is not the voice of both the same;—the voice, I mean, of the crier and of the secretary?"

*M.* The same entirely.

*B.* Which of the two appears to you to be the superiour?

*M.* He that dictates the words.

*B.* What do you think of the king, the author of the edict?

*M.* That he is greater than either.

*B.* According to this representation, then, let us compare the king, the law, and the people. Hence we shall find the voice of the king and of the law to be the same. But whence is their authority derived?

derived? The king's from the law, or the law's from the king?

*M.* The king's from the law.

*B.* How do you come at that conclusion?

*M.* By considering that a king is not intended for restraining the law, but the law for restraining the king; and it is from the law that a king derives his quality of royalty; since without it he would be a tyrant.

*B.* The law then is paramount to the king, and serves to direct and moderate his passions and actions.

*M.* That is a concession already made.

*B.* Is not then the voice of the people and of the law the same?

*M.* The same.

*B.* Which is the more powerful, the people or the law?

*M.* The whole people, I imagine.

*B.* Why do you entertain that idea?

*M.* Because the people is the parent, or at least the author of the law, and has the power of its enactment, or repeal, at pleasure.

*B.* Since the people, then, is more powerful than the king, let us see whether it is not before the people that he must be called to account. And here let us inquire, whether what has been instituted for the sake of another is not of less value than the object of its institution.

*M.* That proposition I wish to hear more distinctly explained.

*B.* Attend to the following line of argument.— Is not the bit made for the horse?

*M.* For the horse undoubtedly.

*B.* What do you say of the saddle, the harness and spurs?

*M.* That

*M.* That they were intended for the same purpose.

*B.* Therefore, if there was no horse, they would be of no use.

*M.* Of none.

*B.* A horse then takes the lead of them all.

*M.* Certainly.

*B.* What do you think of the horse? For what use is he so much in request?

*M.* For many; and particularly for gaining victory in war.

*B.* Victory then we value more than horses, arms, and other preparatory instruments of war.

*M.* Much more, indisputably.

*B.* In the creation of a king what had men principally in view?

*M.* The interest of the people, I believe.

*B.* Therefore, if there were no society of men, there would be no occasion for kings.

*M.* None at all.

*B.* The people, therefore, takes the lead of the king.

*M.* The conclusion is unavoidable.

*B.* If the people takes the lead, it is also entitled to the superiority. Hence, when the king is called before the tribunal of the people, an inferior is summoned to appear before a superior.

*M.* But when can we hope for the felicity of seeing the whole people unanimously agree to what is right?

*B.* That is indeed a blessing, of which we can scarcely have any hope, and of which we need not certainly wait in expectation; since, otherways, no law could be passed, nor magistrate created. For there is hardly any law so equitable to all, or any man so much in possession of popular favour, as not to be somewhere the object either of en-

mity, or of envy, or of detraction. The only question is, whether the law is advantageous to the majority, and whether the majority has a good opinion of the candidate? Therefore, if the people can ordain a law, and create a magistrate, what hinders it to pass sentence upon him, and to appoint judges for his trial? Or, if the tribunes of the people at Rome, or the Ephori at Sparta, were appointed to mitigate the rigour of kingly government, why should any man think it injurious, in a free people, to adopt in a similar, or even a different manner, prospective remedies for checking the enormities of tyranny?

*M.* Here, I think, I nearly see how far the power of the people extends; but what its will may be, what laws it may pass, it is difficult to judge. For the majority is commonly attached to ancient usages, and abhors novelty; a circumstance the more surprising, that its inconstancy in food, raiment, building, and every species of furniture, is notorious.

*B.* Do not imagine that I have made these remarks, because I wish here to introduce any novelty. No; my sole object was to show that it was an ancient practice to make kings plead their cause before a court of justice: a thing which you conceived to be not only a novelty, but almost an incredibility. For, without mentioning the numerous instances of it among our forefathers, as we have before observed, and as you may yourself easily learn from history, have you never heard that candidates for the crown referred their dispute to arbitrators?

*M.* That such a mode of decision was adopted once by the Persians I have certainly heard.

*B.* Our historians record, that our Græme, and our Malcolm the Second, followed the same plan.  
But,

But, that you may not allege that it is not by their own consent that the litigants submit to this kind of arbitrators, let us come to the ordinary judges.

*M.* Here I fear that you will be reduced to the same dilemma with those who should spread a net in the ocean to catch whales.

*B.* How so?

*M.* Because arrest, coercion, and animadversion, must always descend from the superiour to the inferiour. Now, before what judges will you order the king to appear? Before those on whom he is invested with supreme power to pass sentence, and whose proceedings he is empowered to quash by a mere prohibition?

*B.* But what will you say, if we should be able to discover a superiour power that has the same claim of jurisdiction over kings that kings have over others?

*M.* That topick I wish to hear argued.

*B.* This very jurisdiction, if you recollect, we found to be vested in the people.

*M.* In the whole people, I own, or in the greater part. • Nay, I grant you still more, that it is vested in those to whom the people, or a majority, may have transferred that power.

*B.* You are obliging in relieving me from that labour.

*M.* But you are not ignorant that the greater part of the people is, either through fear or rewards, or from the hope of bribes, or of impunity, so corrupt as to prefer their own interests or pleasures to the publick utility, and even to personal safety. Besides, those, who are not influenced by these considerations, are not very many; for

The good are rare, and can in numbers scarce pretend,  
With Nile in mouths, or Thebes in portals, to contend.

All the remaining dregs of the sink, that are fattened with blood and slaughter, envy other men's liberty, and sell their own. But, forbearing to mention persons to whom the very name even of bad kings is sacred, I omit also those, who, though not ignorant of the extent of law and equity, still prefer peaceable sloth to honourable danger, and, in suspense of mind, adapt all their schemes to their expectations of the event, or follow the fortune, not the cause, of the parties. How numerous this class of people is likely to be cannot escape your notice.

*B.* Numerous, undoubtedly, they will be; but not the most numerous class. For the injuries of tyrants extend to multitudes, and their favours but to few. For the desires of the vulgar are insatiable, and, like fires, require a constant supply of fresh fuel: for what is forcibly extorted from multitudes supports a few in a starving condition, instead of satisfying their hunger. Besides, the attachment of such men is variable,—

And still with fortune's smiles both stands and falls.

But, if they were ever so consistent in their plan of politicks, yet they do not deserve to be ranked among citizens; for they infringe, or rather betray, the rights of human society; a vice, which, if intolerable in a king, is much more so in a private individual. Who then are to be reckoned citizens? Those who obey the laws and uphold the social compact, who choose rather to undergo all labours and all dangers for the common safety than, dishonourably, to grow old in ease and sloth, who always keep before their eyes, not the enjoyments of the present hour, but the meed of eternal fame among posterity. Hence, if any persons should be deterred from incurring danger through  
fear

fear or regard to their property, yet still the splendour of a glorious action, and the beauty of virtue, will rouse desponding minds; and those who will not have the courage to be the original authors or leading actors will not refuse to be companions. Therefore, if citizens be estimated, not by their number, but by their worth, not only the better, but also the greater part will take their stand in the ranks of liberty, of honour, and of national defence. For that reason, if the whole body of the populace should be of a different sentiment, it cannot in the least affect the present argument; because the question is not what is likely to happen, but what may be legally done. But now let us come to the ordinary judges.

*M.* Of that discussion I have been long in expectation.

*B.* If a private person should urge that the king, in violation of all equity, keeps possession of the whole, or any part of his landed estate, how do you think this person is to act? Shall he resign his land, because he cannot appoint a person to sit in judgment on the king?

*M.* By no means. But he will call not upon the king, but upon his attorney to appear in court.

*B.* Now mark the force and tendency of the subterfuge which you use. For it makes no difference to me, whether the king shall appear, or his attorney; since, either way, the litigation must proceed at the risk of the king, and the loss or gain from the issue of the suit will be his, and not his attorney's. In a word, he is himself the culprit, or the person whose interest is in dispute. Now I wish that you would consider, not only how absurd, but also how iniquitous it is to permit a suit to be commenced against a king for a paltry piece of land, for a skylight or a gutter, and to refuse

all justice in a case of parricide, empoisonment, or murder; in small matters to use the utmost severity of law; and on the commission of the most flagitious crimes to allow every licence and impunity; so as to make the old saying appear an absolute truth, 'that the laws are mere cobwebs, which entangle flies, and leave a free passage to large insects.' Nor is there any justice in the complaint and indignation of those who say that it is neither decent nor equitable that a man of an inferior order should pass sentence upon a king, since it is a known and received practice in a question of money or land, and the most elevated persons after the king generally plead their cause before judges, that are neither in riches, nor in nobility, nor in merit, their equals, nor indeed much superior in eminence to the vulgar, and are much farther below the defendants in the scale of citizenship than men of the highest rank are below kings. And yet kings and men of the first quality think this circumstance no degradation from their dignity. Indeed, if we should once acknowledge it as a received maxim that the judge must always be, in every respect, superior to the defendant, the poor must wait in patient expectation till the king has either inclination or leisure to inquire into any charge of injustice preferred against a noble culprit. Besides, their complaint is not only unjust, but false; for none that comes before a judge comes before an inferior; especially as God himself honours the tribe of judges so far as to call them, not only kings, but even gods, and thus to communicate to them, as far the thing is possible, his own dignity. Accordingly, the popes of Rome, who graciously indulged kings with leave to kiss their toes, who on their approach sent their own mules to meet them, as a mark of honour, who trod upon  
the



the necks of emperors, were all obedience when summoned into a court of justice; and, when ordered by their judges, resigned the pontifical office. John the Twenty-second having after his flight been dragged back in chains, and released, at last, with difficulty for money, prostrated himself before another that was substituted in his place, and by that prostration sanctioned the decree of his judges. What was the conduct of the synod of Bâle? Did it not, by the common consent of all the orders, determine and ordain that the pope is subject to a council of priests? By what means those fathers were persuaded to come to this resolution you may learn from the acts of the councils. I know not, then, how kings, who allow the majesty of the popes to exceed theirs so much in eminence as to overshadow them all with the height of its exaltation, can think it any diminution of their dignity to stand in that place to which a pope, who sat upon a much higher throne, thought it no indignity to descend; namely, to plead his cause before a council of cardinals. Why should I mention the falsehood chargeable upon the complaint of those who express indignation at seeing kings summoned before the tribunal of an inferior? For he that condemns or acquits in judicial questions is not a Titius, or a Sempronius, or a Stichus, but the law itself; to which obedience in kings is declared to be honourable by two illustrious emperors, Theodosius and Valentinian. Their very words, as they richly deserve to be remembered in every age, I shall here quote:—"It is an expression," say they, "worthy of the sovereign's majesty, to confess that the prince is bound by the laws. And, in reality, the imperial dignity is exalted by subjecting the prince's power to the laws; and that we announce, by the oracle of the present edict, which specifies what licence we do not allow

allow to another." These sentiments were fancied by the best of princes, and cannot but be obvious to the worst. For Nero, when dressed like a musical performer, is said to have been observant, not only of their motions and gestures, but also to have, at the trial of skill, stood suspended between hope and fear, in anxiety for victory; for, though he knew that he should be declared victorious, yet he thought the victory would be more honourable, if he obtained it, not from courtly adulation, but by a regular contest; and he imagined that the observation of its rules tended not to the diminution of his authority, but to the splendour of his victory.

*M.* Your language, I see, is not so extravagant as I first had thought, when you wished to subject kings to the laws; for it is founded, not so much upon the authority of philosophers, as of kings and emperors and ecclesiastical councils. But I do not thoroughly comprehend what you mean by saying, that in this case the judge is not the man, but the law.

*B.* Refresh your memory a little with a review of our former deductions. Did we not say that the voice of the king and of the law was the same?

*M.* We did.

*B.* What is the voice of the secretary and of the clerk, when the law is proclaimed?

*M.* The same.

*B.* What is that of the judge, when he grounds his decisions on the law?

*M.* The same.

*B.* But whence is their authority derived,—the judge's from the law, or the law's from the judge?

*M.* The judge's from the law.

*B.* The efficacy of the sentence then arises from the law, and the pronounciation of the words only from the judge.

*M.* So

*M.* So it seems.

*B.* Nay, what can be more certain; since the sentence of a judge, if conformable to law, is valid; and, if otherways, null?

*M.* Nothing can be more true.

*B.* You see, then, that the judge derives his authority from the law, and not the law from the judge.

*M.* I do.

*B.* Nor does the humble condition of the publisher impair the dignity of the law; but its dignity, whether it be published by a king, or by a judge, or by a crier, is always the same.

*M.* Completely so.

*B.* The law, therefore, when once ordained, is first the voice of the king, and next of others.

*M.* It is so.

*B.* A king, therefore, when condemned by a judge, seems to be condemned by the law.

*M.* Clearly.

*B.* If he is condemned by the law, he is condemned by his own voice; since the voice of the law and of the king is the same.

*M.* By his own voice it should seem, as much as if he were convicted by letters written with his own hand.

*B.* Why then should we be so much puzzled by scruples about the judge, when we have the king's own confession, that is, the law, in our possession? Nay, let us also examine an idea that has just come into my head, whether a king, when he sits as judge in a cause, ought not to divest himself of every character,—of a brother's, a father's, a relation's, a friend's, and an enemy's, and to consider only his function as a judge?

*M.* He ought.

*B.* And to attend solely to that character which is peculiarly adapted to the cause?

*M.* I wish that you would here speak with more perspicuity.

*B.* Attend then.—When any man clandestinely seizes another's property, what name do we give to the deed?

*M.* We call it theft.

*B.* And by what appellation do we qualify the actor?

*M.* By the appellation of thief.

*B.* What do we say of him who uses another man's wife as his own?

*M.* That he commits adultery.

*B.* What do we call him?

*M.* An adulterer.

*B.* How do we denominate him who sits to judge?

*M.* We style him judge.

*B.* In the same manner, also, names may be given to others from the actions in which they are employed.

*M.* They may.

*B.* A king, therefore, in administering justice, ought to divest himself of every character but a judge's.

*M.* He certainly ought, and particularly of every character that can, in his judicial capacity, be prejudicial to either of the litigants.

*B.* What do you say of him who is the subject of the judicial inquiry? What name can we give him from the legal action?

*M.* We may call him culprit.

*B.* And is it not reasonable that he should lay aside every character likely to impede the legal course of justice?

*M.* If he should stand in any other predicament than a culprit's, it is certainly wrong to call him a culprit.

since, in a judicial question, God orders no respect to be paid even to the poor.

*B.* Therefore, if any man, who is both a painter and a grammarian, should be engaged in a law-suit about painting with another who is a painter, but no grammarian, ought he, in this case, to derive any advantage from his skill in grammar?

*M.* None.

*B.* Nor from his skill in painting, if he should be contending for superiority in grammar?

*M.* Just as little.

*B.* In a judicial trial, therefore, the judge will recognise only one name; to wit that of the crime, of which the plaintiff accuses the defendant.

*M.* One only.

*B.* Therefore, if the king be accused of parricide, is the name of king of any consequence to the judge?

*M.* Of none: for the controversy hinges, not upon royalty, but upon parricide.

*B.* What do you say, if two parricides should be summoned before a court of justice, the one a king, and the other a beggar? Ought not the judge to observe the same rule in taking cognisance of both?

*M.* The same, undoubtedly: and here Lucian seems to me to have spoken with no less truth than elegance, when he says,

“Caesar, my captain on the German plains,  
Is here my mate.—Guilt equals whom it stains.”

*B.* With truth, certainly. Sentence, therefore, is here to be pronounced, not upon a king and a pauper, but upon parricides. For the sentence would then come on a king, if the question were, which of

two persons ought to be a king: or if it were inquired, whether Hiero be a king or a tyrant? or if the controvery were about any thing else belonging properly to the office of king: as a painter becomes the subject of judicial disquisition, when the question is, whether he knows the art of painting?

*A.* What is to be the result, if the king should refuse, of his own accord, and cannot be dragged by force, to appear in a court of justice?

*B.* Here he stands in the same predicament with all malefactors; for no robber or murderer will spontaneously submit to justice. But you know, I presume, the extent of the law, and that it allows a thief in the night to be killed any how, and a thief in the day to be killed, if he uses a weapon in his defense. If nothing but force can drag him before a court of judicature, you recollect what then is the usual practice. For robbers, too powerful to be reduced to order by the regular course of law, we master by war and arms. And there are hardly any other pretexts for any war between nations, between kings and their subjects, but injuries, which, being incapable of a legal decision, are decided by the sword.

*A.* Against open enemies, indeed, these are usually the causes of waging war: but we must observe a different process with kings, whom we are, by the pledge of a most solemn oath, bound to obey.

*B.* Bound, indeed, we are: but, on the other hand, they were the first to promise that they would defend their subjects with equity and benevolence.

*A.* So it is the fact.

*B.* A mutual compact then subsists between a king and his subjects?

*A.* So it should appear.

*B.* Does

*B.* Does not he then, who deviates from conventions, and acts in opposition to compacts, dissolve those compacts and conventions?

*M.* He does.

*B.* Upon the dissolution then of the tie which connected the king with his people, whatever right belonged by agreement to him who dissolves the compact is, I presume, forfeited?

*M.* It is.

*B.* He also, with whom the agreement was made, becomes as free as he was before the stipulation?

*M.* He clearly enjoys the same right and the same liberty.

*B.* If a king be guilty of acts tending to the dissolution of that society, for the preservation of which he was created, what do we call him?

*M.* A tyrant, I suppose.

*B.* But a tyrant is so far from being entitled to any just authority over a people, that he is the people's open enemy.

*M.* Their open enemy, undoubtedly.

*B.* Grievous and intolerable injuries render a war with an open enemy just and necessary.

*M.* Undeniably just.

*B.* What do you call a war undertaken against the publick enemy of all mankind,—a tyrant?

*M.* The justest of all wars.

*B.* But when war is, for a just cause, once proclaimed against an open enemy, not only the whole people, but also each individual, has a right to kill that enemy.

*M.* I own it.

*B.* What say you of a tyrant, that publick enemy, with whom all good men are perpetually at war,—Have not all the individuals of the whole  
man.

ness of mankind, indifferentially, a right to exercise upon him all the severities of war?

Alas! see that almost all nations entertained that opinion. For even her husband's death is generally applauded in Thebe, his brother's in Timoleon, and his son's in Cassius. Fulvius too is praised for killing his son, as he was on his way to Cataline; and Brutus for condemning his sons and relations to the y<sup>e</sup>llows, when he learned their plan to restore the tyrants. Nay, many states of Greece voted publick rewards and honours to tyrannicides; so much did they think, as was before observed, that with tyrants every tie of humanity is dissolved. But why do I collect the assent of single persons or states, when I can produce the testimony of almost all the world? For who does not severely censure Domitian's Corbulo for having so far neglected the interest of the human race, as not to have hulked, when the deed was easy, Nero from his throne? Nor was he censured only by the Romans, but even by Tiridates, king of the Parthians, who feared no thing less than that the contagion of the example should eventually reach his own person. The mind even of the worst men, who have become savage through acts of cruelty, are not so totally directed of this publick hatred to tyranny, that it does not, on some occasions, burst involuntarily, and reduce them, by the consideration of truth and honour, to a state of respect and satisfaction. Witness, upon the assassination of that cruel tyrant Caligula, his soldiers, who were his best cruel, tamingly insensible, and unprincipall part of the military, who did not see, as they say, 'Quo modo hinc illud tyrannus?' Valerius's relation, a scene of contrariety of action, exhibited how a single man's piety



whence he might be heard and seen, "I wish that I had killed him." At this expression these men, who were destitute of almost all humanity, forbore, as if thunderstruck, all riotous tumult. For so great is the power of virtue, that, when its picture, however imperfectly sketched, is presented to the mind, its most impetuous ebullitions subside; the violence of its fury languishes; and madness, in spite of all resistance, acknowledges the empire of reason. Nor do those who now move heaven and earth with their clamours harbour other sentiments. The truth of this observation may be evinced even by this consideration, that, though they censure the late events, the same, or similar transactions, and even of a more atrocious nature, when quoted from ancient history, receive their approbation and applause, and, by that circumstance, demonstrate that they are more swayed by private affections than by publick injuries. But why should we look for a surer witness of what tyrants deserve than their own conscience? Hence springs their perpetual fear of all, and particularly of good men; and hence they behold the sword, which they keep always drawn for others, constantly hanging over their own necks; and, by their own hatred to others, measure the attachment of others to themselves. But good men, on the other hand, everling this order, and fearing nothing, frequently incur danger by estimating the benevolent disposition of mankind, not by its vicious nature, but by their own meritorious conduct.

*B.* You are then of opinion, that tyrants ought to be ranked among the most ferocious beasts; and that tyrannick violence is more against nature than poverty, than disease, than death, and every other evil that the decrees of nature have entailed upon mankind?

*M.* Truly,

*M.* Truly, when I estimate within myself the weights of different arguments, I cannot deny the truth of these positions; but, when I reflect on the dangers and inconveniences which attend this opinion, my mind, as if checked at once with a bridle, fails somehow in mettle, and, bending towards utility from the excessive rectitude of Stoical severity, falls almost into a swoon. For, if any one be at liberty to kill a tyrant, mark what a wide field you open to the villany of the wicked, to what danger you expose the good, what licence you allow to the bad, and what disorder you introduce into every department. For who, after killing a good, or at least not the worst king, may not palliate his crime under the specious appearance of virtue? Or, if even a good man should unsuccessfully attempt the assassination of a detestable prince, or successfully execute the intended deed, what great confusion must necessarily ensue in every quarter! While the bad tumultuously express their indignation at the loss of a leader, the good will not all approve of the deed; and even those who approve will not all defend the author against a wicked faction; and the generality will cloak their own sloth under the honourable pretext of peace, and rather calumniate the valour of others than confess their own cowardice. Assuredly, though this recollective attention to private interest, though this mean excuse for deserting the publick cause, and this fear of incurring danger, should not entirely break, they undoubtedly weaken the spirits of most men, and cause a preference of tranquillity, though not very certain, to the expectation of uncertain liberty.

*B.* If you attend to the antecedent reasonings, your present apprehensions will be easily removed. For we remarked that some nations have, by their free sallages, sanctioned tyrants, whom, for the

liberty

lenity of their administration, we dignify with regal names. None will, by my advice, offer violence to any of these, or even of those who have by force or fraud become sovereigns, if their government be but tempered by a civick disposition of mind. Such, among the Romans, were Vespasian, Titus, and Pertinax, Alexander among the Greeks, and Hiero at Syracuse: for, though they obtained the imperial power by violence and arms, yet they deserved, by their justice and equity, to be numbered among legitimate kings. Besides, I here explain under this head how far our power and duty extend by law, but do not advise the enforcement of either. Of the former a distinct knowledge and clear explanation are sufficient; of the latter the plan requires wisdom, the attempt prudence, and the execution valour. Though these preparatives may, in the case of a rash attempt, be aided or frustrated by times, persons, places, and other instruments of action, I shall merit blame for any errors no more than the physician, who properly describes the various remedies for diseases, ought to be censured for the folly of another, who administers them at an improper time.

*M.* One thing seems still wanted to complete this disquisition, and, if you make that addition, I must acknowledge that your favours have reached their utmost possible limit. What I mean to ask is, whether tyrants ought to be liable to ecclesiastical censures?

*B.* Whenever you please, you may see that kind of censure justified in the first epistle of Paul to the Corinthians, where the apostle forbids us to have any convivial or familiar converse with persons notoriously wicked or flagitious. Were this precept observed among Christians, the wicked must either repent, or perish with hunger, cold and nakedness.

*M.* That opinion has certainly great weight; but yet I know not whether the people that uses every where to pay so much respect to magistrates will believe that this rule comprehends kings.

*B.* The ancient ecclesiastical writers, to a man, certainly understood, in this manner, Paul's expressions. For even the emperor Theodosius was excluded by Ambrose from the congregation of Christians, and Theodosius obeyed the bishop. Nor, as far as I know, is any bishop's conduct more highly extolled by antiquity, nor any emperor's modesty more loudly applauded. But, as to the main point, what great difference does it make, whether you be expelled from the communion of Christians, or be forbid fire and water? For against those, who refuse to obey their orders, all magistrates use, for their most formidable engine, the latter decree, and all ecclesiasticks the former. Now the punishment inflicted by both, for a contempt of their authority, is death; but the one denounces the destruction of the body, and the other the destruction of the whole man. Will not the church, then, which considers much lighter crimes punishable with death, think death justly due to him whom alive it excommunicates from the congregation of the godly, and whom dead it dooms to the company of devils?—For the justice of my country's cause, I think that I have said enough; and if still some foreigners should not be satisfied, I beg that they would consider how iniquitously they treat us. For, as there are in Europe numbers of great and opulent nations, having each its own distinct laws, it is arrogance in them to prescribe to all their own peculiar form of government. The Swiss live in a republick; the Germans, under the name of empire, enjoy a legitimate monarchy; some states in Germany indeed

deed are, I hear, subject to a nobility; the Venetians have a government that is a due mixture of all these forms; and Muscovy is attached to a despotism. We possess a kingdom that is, indeed, small, but that has now for above two thousand years remained free from a foreign yoke. Originally we created kings limited by laws, just to ourselves and to others. These laws length of time has proved to be advantageous; as it is by the observation of them, more than by the force of arms, that the kingdom still remains unshaken. What injustice then it is to desire that we should either repeal or disregard laws, of which we have, for so many ages, experienced the utility? Or, rather, what impudence it is in men, who can scarcely maintain their own government, to attempt an alteration in the policy of another country? Why should I mention that our institutions are beneficial, not only to ourselves, but also to our neighbours? For what can contribute more to the maintenance of peace with neighbours than moderation in kings? For, in general, it is through the effervescence of their unruly passions that unjust wars are rashly undertaken, wickedly waged, and dishonourably concluded. Besides, what can be more prejudicial to any state than bad laws among its neighbours, as their contagion uses frequently to spread wide? Or why do they molest us alone, when different laws and institutions are used by so many surrounding nations, and the same, entirely, by none? Or why do they now at last molest us, when we do not hazard any novelty, but adhere to our old system; when we are not the only, nor the first people that adopted this practice, and do not now adopt it for the first time? But some are not pleased with our laws; perhaps, also, not with their own. We do not inquire curiously

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into

into other men's institutions ; and, therefore, they should leave us ours, that have been for so many years experimentally approved. Do we disturb their councils ? or do we, in any respect, molest them ? But, say they, you are seditious. To this charge I could freely answer, What is that to them ? If we are disorderly, it is at our own risk, and to our own loss. Yet I could enumerate not a few seditions, that both commonwealths and monarchies found not prejudicial. But that species of defence I shall not use. I deny that any nation was less seditious ; I deny that any was ever in its seditions more temperate. Many contests have occurred concerning the laws, concerning the right to the crown, concerning the administration of the government, but still without danger to the general weal : nor was the conflict, as among nations in general, continued to the ruin of the populace ; nor from hatred to our princes, but from patriotick zeal, and a steady attachment to the laws. How often, in our memory, have large armies stood opposed in battle array, and parted, not only without a wound, but without a fray, without a reproach ? How often have private quarrels been quashed by publick utility ? How often has the report of a publick enemy's approach extinguished domestick broils ? Nor have our seditions been quieted with more temperance than good fortune ; since the party that had justice on its side generally commanded success ; and, as our civil disputes were conducted with moderation, they were amicably adjusted on the basis of utility.

These are the arguments which occur to me at present ; and they seem calculated for checking the loquacity of the malevolent, for refuting the dogmatism of the obstinate, and for satisfying the doubts of the equitable. The right to the crown  
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among other nations I did not think of much consequence to us. Our own practice I have explained in a few words; but yet in more than I intended, or than the subject required; because this was a labour which I undertook on your account only; and, if I have your approbation, I am satisfied.

*M.* As far as I am concerned, the satisfaction, which you have given, is complete; and, if I shall be able to give others the same satisfaction, I shall think myself not only much benefited by your discourse, but relieved from a great deal of trouble.

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F I N I S.

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N. B.—Mr. MACFARLAN undertakes, for a Hundred Pounds a Year, to board and educate *Six Young Gentlemen*, at his House opposite to the *Margrave of Aspsack's*, in the Road leading from *HammerSmith* to *Fulham*, three Miles and a Half from *Hyde-Park Corner*. The House and Grounds are in all Respects well calculated for the intended Purpose; and there is now a Vacancy for Two Pupils, who will be taught the Languages or Sciences, or both, as circumstances may require.





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Page 94, line 26, expunge *still*, and read *voices* for *voies*,  
and *is* for *are*.

— 95, line 33, expunge *who*, and place it before *cannot*  
in line 34.

— 112, line 21, read *empoisonment* for *imprisonment*.









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