

MICHEL DE MONTAIGNE

# ESSAYS



**Book 1 • Chapter 15**

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## On the Punishment of Cowardice

I ONCE heard of a Prince, and a great Captain, having a Narration given him as he sat at Table of the proceeding against Monsieur *de Vervins*, who was sentenced to Death for having surrendered *Bullen* to the *English*, openly maintain'd that a Souldier could not justly be put to Death for want of Courage. And, in truth, a Man should make a great Difference betwixt Faults that merely proceed from Infirmity, and those that are visibly the Effects of Treachery and Malice: for in the last they will fully act against the Rules of Reason that Nature has imprinted in us; whereas in the former it seems as if we might produce the same Nature, who left us in such a state of Imperfection, and defect of Courage, for our justification. Insomuch that many have thought we are not justly questionable for anything, but what we commit against the Light of our own Conscience. And it is partly upon this Rule, that those ground their Opinion who disapprove of Capital and Sanguinary Punishments inflicted upon Hereticks and Miscreants; and theirs also, who hold that an Advocate or a Judge are not accountable for having ignorantly fail'd in their Administration. But as to Cowardice, it is most certain, that the most usual way of chastising it is by Ignominy and Disgrace; and it is suppos'd, that this Practice was first brought into use by the Legislator *Cherondas*; and that before his time, the Laws of Greece punish'd those with Death who fled from a Battel; whereas he ordain'd only that they should be three days expos'd in the publick Place dress'd in Womens Attire, hoping yet for some Service from them, having awak'd their Courage by this open Shame; *Suffundere malis hominis sanguinem quàm effundere*, choosing rather to bring the Blood into their Cheeks than to let it out of their Bodies. It appears also, that the *Roman* Laws did anciently punish those with Death who had run away: for *Ammianus Marcellinus* says, that the Emperour *Julian* commanded ten of his Souldiers, who had turn'd their Backs in an Encounter against the *Parthians*, to be first degraded, and afterwards put to death, according (says he) to the ancient Laws, and yet else-where for the like Offence, he only condemns others to remain amongst the Prisoners under the Baggage Ensign. The punishment the People of *Rome* inflicted upon those who fled from the Battel of *Cannæ*, and those who ran away with *Cneius Fulvius*, at his Defeat, did not extend to death. And yet methinks Men should consider what they do in such Cases, lest disgrace should make such Delinquents

desperate, and not only faint Friends, but implacable and mortal Enemies. Of late memory, the *Seigneur de Franget*, Lieutenant to the Mareschal de Chatillon's Company, having by the Mareschal de Chabanes been put in Governour of *Fontarabie*, in the Place of *Monsieur de Lude*; and having surrender'd it to the *Spaniard*, he was for that condemn'd to be degraded from all Nobility, and both himself and his Posterity declar'd ignoble, taxable, and for ever incapable of bearing Arms; which severe Sentence was afterwards accordingly executed at Lions; and since that all the Gentlemen who were in *Guise* when the *Count Nassau* enter'd into it underwent the same punishment, as several others have done since for the like Offence. Notwithstanding, in case of such a manifest Ignorance or Cowardice as exceeds all ordinary Example, 'tis but reason to take it for a sufficient Proof of Treachery and Malice, and for such it ought to be censur'd and punish'd.