

MICHEL DE MONTAIGNE  
**ESSAYS**

**Book 3 · Chapter 1**



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## Of profit and honesty

NO MAN living is free from speaking foolish things; the ill lucke is, to speake them curiouslie:

*Næ iste magno conatu magnas nugas dixerit.*

*This fellow sure with much a doe,  
Will tell great tales and trifles too.*

That concerneth not me; mine slip from me with as little care, as they are of small worth: whereby they speede the better. I would sudainly quit them, for the least cost were in them: Nor doe I buie, or sell them, but for what they waighe. I speake unto paper, as to the first man I meete. That this is true, marke well what followes. *To whom should not tretcherie be detestable*, when Tiberius refused it on such great interest? One sent him word out of *Germanie*, that if he thought it good, *Ariminius* should be made away by poison. He was the mightiest enemy the Romans had, who had so vilely used them under *Varus*, and who onely impeached the encrease of his domination in that country. His answer was; *that the people of Rome were accustomed to be revenged on their enemies by open courses, With weapons in hand; not by subtile sleights, nor in hugger mugger*: thus left he the profitable for the honest. He was (yon will say) a cosener. I beleeve it; that's no wonder, in men of his profession. But the confession of vertue, is of no lesse consequence in his mouth that hateth the same, for so much as truth by force doth wrest it from him, and if he will not admit it in him, at least, to adorne himselfe, he will put it on. *Our composition, both publike and private, is full of imperfection*; yet is there nothing in nature unserviceable, no not inutility it selfe, nothing thereof hath beene insinuated in this huge universe, but houldeth some fit place therein. Our essence is symented with crased qualities; ambition, jealousie, enuie, revenge, superstition, dispaire, lodge in us, with so naturall a possession, as their image is also discerned in beasts: yea and crueltie, so unnaturall a vice: for in the midst of compassion, we inwardly feele a kinde of bitter-sweete-pricking of malicious delight, to see others suffer; and children feele it also:

*Suaue mari magno turbantibus æquora uentis,  
E terra magnum alterius spectare laborem.*

*T'is sweete on graund seas, when windes waves turmoyle,  
From land to see an others greevous toyle.*

The seed of which qualities, who should roote out of man, should ruine the fundamentall conditions of our life: In matter of policie likewise, some necessary functions are not onely base, but faultie: vices finde therein a seate, and employ themselves in the stitching up of our frame; as poisons in the preservation of our health. If they become excusable, because we have need of them, and that common necessitie effaceth their true propertie; let us resigne the acting of this part to hardie Cittizens, who stick not to sacrifice their honours and consciences, as those of old, their lives, for their countries availe and safetie. We that are more weake, had best assume taskes of more ease and lesse hazard. The Common-wealth requireth some to betray, some to lie, and some to massaker: leave we that commission to people more obedient and more plyable. Truly, I have often beene vexed, to see our judges, by fraude or false hopes of favour or pardon, draw on a malefactor, to betray his offence, employing therein both cozinage and impudencie. It were fit for justice, and *Plato* himselfe, who favoureth this custome, to furnish me with meanes more sutable to my humour. T'is a malicious justice, and in my conceite no lesse wounded by it selfe, then by others. I answered not long since, that hardlie could I betray my Prince for a particular man, who should be very sory to betray a particular man for my Prince. And loathe not onely to deceave, but that any be deceived in me; whereto I will neither furnish matter nor occasion. In that little businesse I have managed betweene our Princes, amid the divisions and subdivisions, which at this day teare and turmoile us so; I have curiously heeded, that they mistake me not, nor muffled themselves in my maske. The professors of that trade hold themselves most covert; presending and counterfetting the greatest indifference and neerensse to the cause they can. As for me, I offer my selfe in my liveliest reasons, in a forme most mine owne: A tender and yong Negotiator, and who had rather faile in my businesse, then in my selfe. Yet hath this bin hitherto with so good hap (for surely fortune is in these matters a principall actor) that few have dealt betweene party and party with lesse suspition, and more inward favour. I have in all my proceedings an open fashion, easie to insinuate and give it selfe credite at first acquaintance. Sinceritie, plainenesse, and naked truth, in what age so ever, finde also their oportunitie and employment. Besides, their libertie is little called in question, or subject to hate, who deale without respect of their owne interest. And they may truly use the answer of *Hipperides* unto the Athenians, complaining of his bitter invectives and sharpnesse of his speach: *Consider not, my maisters whither I am free, but whither I be so, without taking ought, or bettering my state by it.* My libertie also hath easilie discharged me from all suspition of faintnesse, by it's vigor (nor forbearing to speake any thing, though it bite or stung them; I could not have said worse in their absence) and because it carrieth an apparant show of simplicitie and carelesnesse. I pretend no other fruite by negotiating, then to negotiate; and annexe no long pursuites or propositions to it. Every action makes his particular game, winne he if he can. Nor am I

urged with the passion of love or hate unto great men; nor is my will shackled with anger, or particulare respect. I regarde our kings with an affection simply-lawful, and meerelie civill, neither mooved nor unmooved by private interest; for which I like my selfe the better. The generall and just cause bindes me no more then moderately, and without violent fits. I am not subject to these piercing pledges and inward gages. Choller and hate are beyond the duty of justice, and are passions fitting onely those, whose reason is not sufficient to hold them to their duty: *Utatur motu animi, qui uti ratione non potest, Let him use the motion of his minde, that cannot use reason.* All lawfull intentions are of themselves temperate: if not, they are altered into sedicious and unlawfull. It is that makes me marche every where with my head aloft, my face and heart open. Verilie (and I feare not to avouch it) I could easilie for a neede, bring a candle to Saint *Michell*, and another to his Dragon, as the good olde woman. I will followe the best side to the fire, but not into it, if I can choose. If neede require, let *Montaigne* my mannor-house be swallowed up in the publike ruine; but if there be no such necessitie, I will acknowledge my selfe beholding unto fortune if she please to save it; and for it's safetie employ as much scope as my endeavours can affoorde me. Was it not *Atticus*, who cleaving to the right (but loosing side) saved himselfe by his moderation, in that generall shipwracke of the worlde, amidst so many changes and divers alterations? To private men, such as he was, it is more easie. And in such kinde of businesses, I thinke one dealeth justly, not to be too forward to insinuate or invite himselfe: To holde a staggering or midle course, to beare an unmooved affection, and without inclination in the troubles of his country, and publike divisions, I deeme neither seemely nor honest: *Ea non media, sed nulla via est, uelut euentum expectantium, quo fortuna consilia sua applicent, That is not the mid-way, but a mad way, or no way, as of those that expect the event with intent to apply their dissignes as fortune shall fal out.* That may be permitted in the affaires of neighbours. So did *Gelon* the tirant of *Siracusa* suspend his inclination in the Barbarian wars against the Greekes, keeping Ambassadors at *Delphos*, with presents, to watch on what side the victory would light, and to apprehend the fittest occasion of reconcilement with the victors. It were a kinde of treason to doe so in our owne affaires and domesticall matters, wherein of necessity one must resolve and take a side: but for a man that hath neither charge, nor expresse commaundement to urge him; not to busie or entermedle himselfe therein, I holde it more excusable; (Yet frame I not this excuse for my selfe) then in forraine and strangers wars, wherewith according to our lawes, no man is troubled against his will. Neverthesse those, who wholly ingage themselves into them, may carry such an order, and temper as the storme (without offending them) may glide over their heads. Had we not reason to hope as much of the deceased Bishop of *Orleans*, Lord of *Morvilliers*? And I know some, who at this present worthilie bestirre themselves, in so even a fashion or pleasing a manner, that they are likely to continue on foote, whatsoever injurious alteration or fall, the heavens may prepare against us. *I holde it onely fit for Kings to be angry with Kings:* And mocke at those rash spirits, who from the bravery of their harts offer themselves to so unproportionate quarrels. For one undertaketh not a perticuler quarrell against a Prince, in marching against him openly and courageously, for his honour, and according to his duty: If hee love not such a man, he doth better; at least he esteemeth him. And the cause of

lawes especially, and defence of the auncient state, hath ever found this priviledge, that such as for their owne interest, disturbe the same, excuse (if they honour not) their deffendors. But *we ought not terme duty* (as now a dayes we do) *a sower rigour, and intestine crabbednesse, proceeding of private interest and passion; nor courage; a treacherous and malicious proceeding.* Their disposition to frowardnesse and mischiefe, they entitle zeale: That's not the cause doth heate them, t'is their owne interest: They kindle a warre, not because it is just, but because it is warre. *Why may not a man beare himselfe betweene enemies featly and faithfully?* Doe it, if not altogether with an equall (for it may admit different measure) at least with a sober affection, which may not so much engage you to the one, that he looke for all at your hands. Content your selfe with a moderate proportion of their favour, and to glide in troubled waters without fishing in them. *Th'other manner of offering ones uttermost endeavours to both sides, implyeth lesse discretion then conscience.* What knowes he, to whom you betray another, as much your friend as himselfe, but you will doe the like for him, when his turne shall come. He takes you for a villaine; the whilst he heares you, and gathers out of you, and makes his best use of your disloyaltie: For, *double fellowes are onely beneficiall in what they bring, but we must looke, they carry away as little as may be.* I carry nothing to the one, which I may not (having opportunity) say unto the other, the accent only changed a little: and report, either but indifferent or knowne, or common things. No benefit can induce me to lye unto them; what is entrusted to my silence I conceale religiously, but take as little in trust as I can. *Princes secrets are a troublesome charge, to such as have nought to doe with them.* I ever by my good will capitulate with them, that they trust me with very little; but let them assuredly trust what I disclose unto them. I alwayes knew more then I would. *An open speech, opens the way to another, and drawes all out, even as Wine, and Love.* *Philipides* in my minde, answered king *Lisimachus* wisely, when he demanded of him, what of his wealth or state he should impart unto him; *Which and what you please* (quoth he) *so it be not your secrets.* I see every one mutinie, if another conceale the deapth or misterie of the affaires from him, wherein he pleaseth to employ him, or have but purloyned any circumstance from him. For my part, I am content one tell me no more of his businesse then hee will have me know or deale in, nor desire I, that my knowledge exceede or restraine my word. If I must needes be the instrument of cozonage, it shall at least bee with safety of my conscience. I will not be esteemed a servant, nor so affected, nor yet so faithfull, that I be judged fit to betray any man. *Who is unfaithfull to himselfe, may be excused if he be faithlesse to his Maister.* But Princes entertaine not men by halves, and despise bounded and condicionall services. What remedy? I freely tell them my limits; for, a slave I must not be but unto reason, which yet I cannot compasse: And they are to blame, to exact from a free man, the like subjection unto their service, and the same obligation, which they may from those they have made and bought; and whose fortune dependeth particularly and expresly on theirs. The lawes have delivered me from much trouble: they have chosen mee a side to follow, and appointed mee a maister to obey: all other superioritie and duty, ought to be relative unto that and bee restrained. Yea may it not be concluded, that if my affection should otherwise transport me, I would presently afforde my helping hand unto it. *Will and desires are a law to themselves,* actions are to receive it of publike institutions: All these

proceedings of mine, are somewhat dissonant from our formes. They should produce no great effects, nor holde out long among us. *Innocencie it selfe could not in these times nor negotiate without dissimulation, nor trafficke without lying.* Neither are publike functions of my dyet; what my profession requires thereto, I furnish in the most private manner I can. Being a childe, I was plunged into them up to the eares, and had good successe; but I got loose in good time. I have often since shunned meddling with them, seldome accepted, and never required; ever holding my backe toward ambition; but if not rowers, who go forward as it were backward; Yet so, as I am lesse beholding to my resolution, then to my good fortune, that I was not wholly embarked in them. For, there are courses lesse against my taste, and more comfortable to my carriage, by which if heretofore it had called me to the service of the common-wealth, and my advancement unto credit in the world; I know that in following the same I had exceeded the reason of my conceite. Those which commonly say against my profession, that what I terme liberty, simplicity and plainenesse in my behaviour, is art, cunning and subtilty: and rather discretion, then goodnesse; industry, then nature; good wit, then good hap; do me more honour then shame. But truely they make my cunning overcunning. And whosoever hath traced me and nearely looked into my humoures, lie loose a good wager, if he confesse not, that there is no rule in their schoole, could, a mid such crooked pathes and dyvers windings, square and raport this naturall motion, and maintaine an apparance of liberty and licence, so equall and inflexible; and that all their attention and wit, is not of power to bring them to it. *The way to trueth is but one and simple;* that of perticular profit and benefit of affaires a man hath in charge, double, uneeven and accidentall. I have often seene these counterfet and artiftiall liberties in practise, but most commonly, without successe. They savour of *Esopes*. Asse; who in emulation of the dogge, layde his two fore-feete very jocondly on his maisters shoulders; but looke how many blandishments the pretty dogge received, under one, so many bastonadoes were redoubled upon the poore Asses backe. *Id maxime quemque decet, quod est cuiusque suum maxime: that becomes every man especially, which is his owne especially:* I will not deprive cousinage of her ranke; that were to understand the worlde but ill: I know it hath often done profitable service, it supporteth, yea and nourisheth the greatest part of mens vacations.

There are some lawfull vices; as many actions, or good or excusable, unlawfull. Justice in it selfe, naturall and univerfall is otherwise ordered, and more nobly distributed, then this other especiall, and nationall justice, restrained and suted to the neede of our pollicie: *Ueri iuris germanæque iustitiæ solidam et expressam affigiem nullam tenemus; umbra et imaginibus utimur.* We have no lively nor life-like purtrature of upright law and naturall justice: we use but the shaddowes and colours of them. So that wise *Dandamys*, hearing the lives of *Socrates*, *Pithagoras* and *Diogenes* repeated, in other things, judged them great and worthy men, but overmuch subjected to the reverence of the lawes: which to authorize and second, true vertue is to decline very much from his naturall vigore: and not onely by their permission, but persuasions divers, vicious actions are committed and take place. *Ex Senatus consultis plebisque scitis scelera exercentur.* Even by decrees of counsell, and by statute-lawes are mischiefes put in

*practise*. I follow the common phrase, which makes a difference between profitable and honest things; terming some naturall actions, which are not onely profitable but necessarie, dishonest and filthie. But to continue our examples of treason. Two which aspired unto the kingdome of *Thrace*, were false into controversie for their rights. The Emperour hindred them from falling together by the eares: the one under colour of contriving some friendlie accorde by an enterview, enuicing the other to a feast in his house, emprisoned and murthred him. Justice required, that the Romanes should be satisfied for this outrage: some difficulties impeached the ordinarie course. What they could not lawfully doe without warre and hazard, they attempted to accomplish by treason: what they could not honestlie atchieve, they profitably compassed. For employting whereof *Pomponius Flaccus* was thought most fitte: who trayning the fellowe into his Nettes by fained wordes and sugred assurances, in lieu of the favour and honour hee promised him, sent him bound hand and foote to *Rome*. One traytor over-reached another, against common custome: For, they are all full of distrust, and t'is very hard to surprize them in their owne arte: witness the heavie and dismall experience we have latelie felt of it. Let who liste be *Pomponius Flaccus*; and there are too-too many that will be so. As for my parte, both my worde and faith, are as the rest, pieces of this common bodie: their best effect is the publike service: that's ever presupposed with me. But as, if one should commaund me to take the charge of the Rolles or Recordes of the Pallace, I would answer; I have no skill in them: or to be a leader of Pioners, I would say; I am called to a worthier office: Even so, who would goe about to employe me, not to murther or poison, but to lye, betraye, and forswear my selfe, I would tell him; If I have robbed or stolne any thing from any man, send me rather to the Gallies. For, a Gentleman may lawfullie speake as did the Lacedemonians, defeated by *Antipater*, upon the points of their agreement: *You may impose as heavie burdens, and harmefull taxes upon us as you please; but you loose your time, to commaund us any shamefull or dishonest things*. Every man should give himselfe the oathe, which the Egiptian Kings, solemnlie and usuallie presented to their judges; *Not to swarve from their consciences*, what commaund soever they should receive from themselves to the contrarie. In such commissions there is an evident note of ignominie and condemnation. And whosoever gives them you, accuseth you; and if you conceive them right, gives you them as a trouble and burthen. As much as the publike affaires amend by your endeavours, your owne empaireth: the better you doe, so much the worse doe you. And it shall not be newe, nor peradventure without shadowe of justice, that he who setteth you a worke, becommeth your ruine. *If treason be in any case excusable, it is onely then, when t'is employed to punish and betraye treason*. We shall finde many treacheries, to have beene not onely refused, but punished by them, in whose favour they were under-taken. Who knowes not the sentence of *Fabritius*, against *Pyrrus* his Physition? And the commander hath often severely revenged them on the partie he employed in them, refusing so unbridled a credite and powre, and disavowing so lewde and so vile an obedience. *Iaropelc* Duke of *Russia*, sollicited an Hungarian Gentleman, to betraye *Boleslaus* King of *Polonia*, in contriving his death, or furnishing the Russians with meanes to worke-him some notable mischief. This gallant, presentlie bestirres him in it, and more then ever applying himselfe to the Kings service, obtained to be of his counsell, and of those he most trusted. By

which advantages, and with the opportunitie of his maisters absence, he betrayde *Vicilicia*, a great and rich cittie to the Russians: which was wholie sackt and burnt by them, with a generall slaughter, both of the inhabitants, of what sexe or age soever, and a great number of nobility thereabouts, whom to that purpose he had assembled. *Iaropelc* his anger thus aswaged with revenge, and his rage mitigated (which was not without pretext, for *Bolaslaus* had mightily wronged and in like manner incensed him) and glutted with the fruite of treason, examining the ugliness thereof, naked and alone, and with imparciall eyes behoulding the same, not distempred by passion, conceived such a remorse, and tooke it so to hart, that he forthwith caused the eyes of his instrumentall executioner to be pulled out, and his tongue and privie parts to be cut of. *Antigonus* perswaded the *Angyraspides* soldiers, to betray *Eumenes* their generall, and his adversarie, unto him; whom when they had delivered, and he had caused to be slaine; himselfe desired to be the Commissarie of devine justice, for the punishment of so detestable a trecherie: and resigning them into the hands of the Governor of the Province, gave him expresse charge, in what manner soever it were, to rid himselfe of them, and bring them to some mischievous end. Whereby, of that great number they were, not one ever after sawe the smoake of *Macedone*. *The better they served his turne, the more wicked he judged them, and the more worthie of punishment.* The slave that betraide the corner wherein his maister *P. Sulpicius* lay hid, was set at libertie, according to the promise of *Syllas* proscrition: But according to the promise of common reason, beeing freed, he was throwne head-long from off the rocke *Tarpeye*. And *Clovis* King of *France*, in lieu of the golden armes he had promised the three servants of *Cannacre*, caused them to be hanged, after they had by his sollicitation betraide their maister unto him. They twitch them up with the purse of their reward about their necks. Having satisfide their second and speciall faith, they also satisfie the generall and first. *Mahomet* the second, desirous to rid himselfe of his brother (through jealousie of rule, and according to the stile of that race) employed one of his officers in it; who stifled him, by much water powred downe his throate all at once: which done, in expiation of the fact, he delivered the murtherer into the hands of his brothers mother (for they were brethren but by the fathers side) she, in his presence, opened his bosome, and with hir owne revenging hands searching for his heart, pluckt it out, and cast it unto dogges to eate. Even unto vile dispositions (having made use of a filthie action) it is so sweete and pleasing, if they may with securitie, as it were, in way of recompence and holie correction, sowe one sure stitche of goodnesse, and justice unto it. Besides, they respect the ministers of such horrible crimes, as people, that still upbraide them with them, and covet by their deaths to smother the knowledge, and cancell the testimonie of their practises. Now if perhaps, not to frustrate the publike neede of that last and desperate remedy, one rewarde you for it: yet, hee who doth it (if he be not as bad him selfe) will hould you a most accursed and execrable creature. And deemeth you a greater traitor, then he whom you have betrayed: for with your owne handes, he toucheth the lewdnesse of your disposition, without disavowing, without object. But employeth you, as we do out-cast persons in the executions of justice: an office as profitable as little honest. Besides the basenesse of such commissions, there is in them a prostitution of conscience. The daughter of *Sejanus*, could not in



Rome, by any true formale course of lawe, be put to death, because she was a virgine: that lawes might have their due course, she was first deflowred by the common hang-man, and then strangled. Not his hand onely, but his soule is a slave unto publike commoditie. When *Amurath* the first, to agravate the punishment of his subjects, who had given support to his sonnes unnaturall rebellion, appointed their neerest kinsmen to lend their hands unto this execution: I finde it never honest<sup>1</sup> in some of them, who rather chose unjustlie to be held guiltie of anothers treason,<sup>2</sup> then to serve justice with their trectherie. And whereas in some paltrie townes forced in my time, I have seene base varlets for savegarde of their owne lives, yeeld to hang their friends and companions, I ever thought them of worse condition, then such as were hanged. It is reported, that *Witoldus* Prince of *Lituania*, introduced an order with that nation, which was that the partie condemned to die, should with his owne hands make himselfe away; finding it strange, that a third man being guiltlesse of the fact, should be employed and charged to commit a murther. When an urgent circumstance, or any violent and unexpected accident, induceth a Prince for the necessitie of his estate, or as thay say for state matters, to breake his worde and faith, or otherwise forceth him out of his ordinarie dutie, hee is to ascribe that necessitie unto a lash of Gods rod: It is no vice, for he hath quit his reason, unto a reason more publike, and more powrefull, but surelie t'is ill fortune. So that to one, who asked me what remedie? I replyde, none; were he trulie rackt betweene these two extreames (*Sed uideat ne quaeratur latebra periurio. But let him take heede he seeke not a starting hole for perjurie*) he must have done it; but if he did it sans regret or scruple, if it greeved him not to doe it, t'is an argument his conscience is but in ill tearmes. Now were there any one of so tender or cheverell a conscience, to whome no cure might seeme worthie of so extreame a remedie: I should prise or regard him no whit the lesse. He cannot loose himselfe more handsomlie nor more excusable. *We cannot doe every thing, nor be in every place.* When all is done, thus and thus, must we often, as unto our last Anker and sole refuge, resigne the protection of our vessell, unto the onely conduct of heaven. To what juster necessitie can he reserve himselfe? what is lesse possible for him to doe, then what hee cannot effect, without charge unto his faith, and imputation to his honour? things which peradventure should be dearer to him, then his owne saluation, and the safetie of his people. When with enfoulded armes he shall devoutlie call on God for his ayde, may he not hope, that his fatherlie mercie shall not refuse the extraordinarie favour, and sinne-forgiving grace of his all powerfull hand, unto a pure and righteous hand? They are dangerous exemples, rare and crased exceptions to our naturall rules: we must yeelde unto them, but with great moderation, and heedie circumspection. No private commoditie, may any way deserve we should offer our conscience this wrong: the common-wealth may, when it is most apparant and important. *Timoleon* did fitle warrant and warde the strangenesse of his exploite by the teares he shed, remembring it was with a brotherlie hand he slew the tyrant, And it neerelie pinched his selfe-gnawne conscience, that he was compelled to purchase the common good, at the rate of his honestie. The sacred Senate it selfe, by his meanes delivered from thraldome, durst not definitivelie decide of so haughtie an action, and rend in two so urgent and different semblances. But the *Siracusans* having opportunelie and at that very instant sent to the *Corinthians*, to

require their protection, and a governour able to re-establish their towne in her former majestie, and deliver *Sicilie* from a number of pettie tyrants, which greevously oppressed the same: they appointed *Timoleon*, with this new caveat and declaration: That according as he should well or ill demeane himselfe in his charge, their sentence should incline, either to grace him as the redeemer of his country, or disgrace him, as the murtherer of his brother. This fantasticall conclusion, hath some excuse upon the danger of the example, and importance of an acte so different: and they did well, to discharge their judgement of it, or to embarke him somewhere els, and on their considerations. Now the proceedings of *Timoleon* in his renowned journie did soone yeeld his cause the cleerer, so worthily and vertuously did he every way comporte himselfe therein. And the good hap, which ever accompanied him in the encombrances and difficulties he was to subdue in the atchievement of his noble enterprise, seemed to be sent him by the Gods, conspiring to second, and consenting to favour his justification: This mans end is excusable, if ever any could be. But the encrease and profit of the publike revenues, which served the Roman Senate for a pretext of the ensuing-foule conclusion I purpose to relate, is not of sufficient force to warrant such injustice. Certaine citties had by the order and permission of the Senate, with mony purchased their libertie, at the hands of *L. Sylla*. The matter comming in question againe, the Senate condemned them, to be fineable and taxed as before: and the mony they had employed for their ransome, should be deemed as lost and forfeited. Civill warres doe often produce such enormous examples: That we punish private men, for somuch as they have beleevd us, when we were other then now we are. And one same Magistrate doth laie the penaltie of his change on such as cannot doe withall. The Schoolemaister whippeth his scholler for his docilitie, and the guide streeketh the blinde man he leadeth. A horrible image of justice. Some rules in Philosophie are both false and fainte. The example proposed unto us, of respecting private utilitie before faith given, hath not sufficient powre by the circumstance they adde unto it. Theeves have taken you, and on your oathe to pay them a certaine summe of money, have set you at libertie againe: They erre, that say, an honest man is quit of his worde and faith without paying, being out of their handes; There is no such matter, *What feare and danger hath once forced me to will and consent unto, I am bound to will and performe, being out of danger and feare.* And although it have but forced my tongue, and not my will, yet am I bound to make my worde good, and keepe my promise. For my part, when it hath sometimes unadvisedly over-runne my thought, yet have I made a conscience to disavowe the same. Otherwise wee should by degrees come to abolish all the right a third man taketh and may challenge of our promises. *Quasi uerò forti uiro uis possit adhiberi. As though any force could be used upon a valiant man,* T'is onely lawfull for our private interest to excuse the breache of promise, if wee have rashlie promised things in themselves wicked and unjust. For, *the right of vertue ought to over-rule the right of our bonde.* I have heretofore placed *Epaminondas* in the first ranke of excellent men, and now recant it not. Unto what high pitch raised he the consideration of his particular dutie? who never slew man he had vanquished; who for that unvaluable good of restoring his countrie hir libertie, made it a matter of conscience, to murther a Tyrant or his complices, without a due and formall course of lawe: and who judged him a bad man, how good a cittizen soever, that amongst his enemies and in

the furie of a battle, spared not his friend, or his hoste. Loe here a minde of a riche composition. He matched unto the most violent and rude actions of men, goodnesse and courtesie, yea and the most choise and delicate, that may be found in the schoole of Philosophie. This so high-raised courage, so swelling and so obstinate against sorow, death and povertie, was it nature or arte, made it relent, even to the utmost straine of exceeding tendernesse and debonaretie of complexion? Being cloathed in the dreadfull liverie of steele and blood, hee goeth on crushing and brusing a nation, invincible to all others, but to himselfe: yet mildelie relenteth in the midst of a combat or confusion, when he meetes with his hoste or with his friend. Verilie, this man was deservedlie fit to commaund in warre, which in the extreamest furie of his innated rage, made him to feele the sting of courtesie, and remorse of gentlenesse: then when all enflamed, it foamed with furie, and burned with murder. Tis a miracle, to be able to joyne any showe of justice with such actions. But it onely belongeth to the unmatched courage of *Epaminondas*, in that confused plight, to joyne mildenesse and facilitie of the most gentle behaviour that ever was, unto them, yea and pure innocencie it selfe. And whereas one tould the *Mammertins*, that statutes were of no force against armed men: an other to the Tribune of the people, that the time of justice and warre, were two: a third, that the confused noise of warre and clang of armes, hindred him from understanding the sober voice of the lawes: This man was not so much as empeached from conceiving the milde sound of civilitie and kindnesse. Borrowed he of his enemies the custome of sacrificing to the Muses (when he went to the warres) to qualifie by their sweetnesse and mildnesse, that martiall furie, and hostile surlinesse? Let us not feare, after so great a maister, to hold that some things are unlawfull, even against our fellest enemies: that publike interest, ought not to chalenge all of all, against private interest: *Manente memoria etiam in dissidio publicorum fœderum priuati iuris: Some memorie of private right continuuing even in disagreement of publike contracts.*

*Et nulla potentia uires  
Præstandi, ne quid peccet amicus, habet:*

*No power hath so great might,  
To make friends still goe right.*

*And that all things be not lawfull to an honest man, for the service of his King, the generall cause and defence of the lawes. Non enim patria præstat omnibus officiis, & ipsi conducit pios habere ciues in parentes. For our countrie is not above all other duties; it is good for the countrie to have hir inhabitants use pietie toward their parents. Tis an instruction befitting the times: we neede not harden our courages with these plates of Iron and steele, it sufficeth our shoulders be armed with them: it is enough to dippe our Pens in Inke, too much to dye them in bloud. If it be greatnesse of courage, and th'effect of a rare and singular vertue, to neglect friendship, despise private respects and bondes; ones worde and kindred, for the common good and obedience of the Magistrate: it is verilie able to excuse us from it, if wee but allege, that it is a greatnesse unable to lodge in the greatnesse of *Epaminondas* his courage. I abhorre the enraged admonitions of this other unrulie spirite.*

*dum tela micant, non uos pietatis imago  
Vlla, nec aduersa conspecti fronte parentes  
Commoueant, uultus gladio turbante uerendos.*

*While swords are brandisht, let no show of grace  
Once moove you, nor your parents face to face,  
But with your swords disturbe their reverend grace.*

Let us bereave wicked, bloodie and trayterous dispositions, of this pretext of reason: leave we that impious and exorbitant justice, and adhere unto more humane imitations, *Oh what may time and example bring to passe!* In an encounter of the civill warres against *Cinna*, one of *Pompeyes* souldiers, having unwittingly slaine his brother, who was on the other side, through shame and sorrow presentlie killed himselfe; And some yeares after, in another civill warre of the said people, a souldier bouldlie demanded a rewarde of his Captaines for killing his owne brother. Falselie doe we argue honour, and the beautie of an action, by it's profit: and conclude as ill, to thinke every one is bound unto it, and that it is honest, if it be commodious.

*Omnia non pariter rerum sunt omnibus apta.*

*All things alike to all,  
Doe not well-fitting fall.*

Choose we out the most necessarie and most beneficiall matter of humane societie, it wilbe a mariage: yet is it, that the *Saintes* counsell findeth and deemeth the contrary side more honest, excluding from it the most reverend vocation of men: as we to our races assigne such beasts as are of least esteeme.

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## NOTES

- 1 Montaigne had *tres-honeste* (very honest). Florio corrected his mistake in subsequent editions.
- 2 Later editions have the more correct *parricide*.