

FRENCH STUDIES B

Montaigne: EssaisWeek 9: Montaigne the conservative

1. Théodore de Bèze (see II, 323, De la praesumption)
2. En ce debat par lequel la France est à présent agitée de guerres civiles, le meilleur & le plus sain party est sans doute celui qui maintient & la religion & la police ancienne du pays (II, 330, De la liberté de conscience)
3. il n'y a remede (III, 282, De l'experience)
4. Or de la cognoissance de cette mienne volubilité j'ay par accident engendré en moy quelque constance d'opinions, & n'ay guiere altéré les miennes premieres & naturelles. Car, quelque apparence qu'il y ayt en la nouvelleté, je ne change pas aisément, de peur que j'ay de perdre au change (II, 235, Apologie...)
5. the pointlessness of fashion-following: I, 165, 322-3, 351; II, 318, etc.
6. Louis Meigret
7. la conservation des estats est chose qui vraysemblablement surpasse nostre intelligence (III, 173)
8. status quo = lesser of two evils: I, 166; II, 318; III, 171; e.g. le plus viel & mieux cogneu mal est tousjours plus supportable que le mal recent & inexperimenté (III, 172, De la vanité)
9. man proposes, fortune disposes: I, 342; III, 148, 272, etc.; e.g. au travers de tous nos projects, de nos conseils & precautions, la fortune maintient tousjours la possession des evenemens (I, 174, Divers evenements de mesme conseil)
10. c'est une dangereuse invention que celle des gehenes (II, 39; cf. I, 258; II, 100, 361-2, 385)
11. Johann Wier
12. Pierre Ayrault
13. Jean Bodin
14. Luis Vives

MONTAIGNE THE CONSERVATIVE * (1969; 1971)

Bibliography:

Essays: { I, XLIII } I, 242, I, 322-3; I, 380-1; II, 235, 244-5, 248;
{ I, xxiii, xxvii } I, 211, 301-2, 353-4, 639, 651, 656;
{ II, 229, 58-59, 394-400, 522-524 }
{ III, 26 } { II, 317-8; III, 170-175; III, 280-282 }

Brown, Frieda: Religious & Political Conservatism in the 'Essais'

chapters in other studies, eg Lanson?

eg. Sayce (1972) chapter 10, pp. 233-259

* This seems not a bad lecture; as usual, it is too long. Go quickly, be prepared to omit (especially in the section on motivation).

I propose to examine this question in several sections:

- 1 the conservative in religion;
- 2 the conservative in politics;
- 3 the incongruity of the combination: pessimist/quietist;
- 4 the reasons for these attitudes;
- 5 a contradiction, the progressive conservative.

M the conservative

What was M a conservative about? How conservative was he? He was a conservative ^{about, given that this was} ~~about the only things one could be~~ in the 16th century: religion & politics, which more or less come to the same thing in 16th-century France.

Religion:

To be a conservative in the matter of religion in the 16th was to be Catholic; to be progressive was to be a reformer, and reform, however well-intentioned and Catholic the proposer might be, smacked of Reformation, of Luther & Calvin. One had to watch one's step — if one deviated by one step from the straight & narrow of rigid orthodoxy there was always some sick mouthing fanatic to call the dogs on you, to stir some witch-hunt & light a faggot for you. If you said, for example, that the Latin poems of Théodore de Bèze (as M says ^{II, 323} (1) II 65, xvii) were good, there was always some alert yahoo of a Dominican who could interpret this as encouragement of heresy — and so it was interpreted by the Papal Censors in Rome, during M's Italian journey 1580-81 — Bèze being a ^{Calvin's successor to Geneva chair of} Protestant, a minion of Calvin and an important one, couldn't ^{heresy} possibly be a good poet, and if you say he is, you can't be a good Catholic! If you said that torture was cruel, again there was always someone with power or influence to note it down as an unChristian sentiment and to try to persuade you to turn back from heresy. Or if you said that perhaps it was

doubtful whether witches actually could fly through the air on broomsticks, there was always some erudite maniac who could point out that this was an anti-Christian statement: for did not the Bible speak of it, didn't the Devil take Christ himself up through the airs to the mountain-top, and what he can do with the son of God he can easily do with a mere witch.

M was a conserver:

(2) en ce debat par lequel la France est à présent agitée de guerres civiles, le meilleur & le plus sain party est sans doute celui qui maintient & la religion & la police ancienne du pays
 { II, 72, De la liberté de conscience
 II, 330

Not that he would go as far as some Catholics, those whom he rebukes in that essay and elsewhere, who used any means of intolerance, cruelty, treachery, massacres of Saint Bartholomew, to oppose and stamp out the new movement of reform and innovation within the church, which was ~~known~~ called protestantisme (the word being coined about the time of M's birth; the other word huguenot being unknown to Littré before 1560; and Huguet?)

But though he was no fanatic, no sniffer of heresy, M did draw a pretty strict line when it came to questioning, or proposing reforms in matters of religious observance. He supported the traditional doctrine of the church, toeing the party-line, on such vexed and subversive matters as the translation of the Bible into French or the too frequent use of the psalms of David. It is in { I, 380 I, lvi, 353-354 that M waxes to my mind most prim and pompous & quite unlike his usual easy-going tolerant self — he thinks it unseemly for shop-boys

~~TRYC~~ * See page 2.1 for Huguet on huguenot

Huguet on huguenot

It may be not without its little significance that, though M has a fair few things to say about the reformers, about Luther and the Protestants, he never uses (as far as I can see) a word which was of very fresh coinage in the middle

of the 16th century: huguenot. *ditte leant towards 1560 for its 1st appearance in print, relating it (as do others) to the conversion d'Amboise in that year. Pasquier himself dates it to about 1550 as a current word.*

Huguet tells us: ce mot est signalé comme nouveau & très répandu

and he gives examples of its use by H. Estienne: Apôd. pour Hér.;

Dial. du lang. franç. ital.; E. Pasquier: Lettres, & Recherches;

Regnier de la Planche: Hist. de l'Estat de France; Monluc:

Commentaires; Saint François de Sales: Defense de la croix;

Aubigné: le Caducée, les Tragiques;

Huguet also gives: huguenotaille, huguenoterie, huguenotique, huguenotteté

all of them scornful terms, more or less.

The word was as new and as fashionable an epithet for a new phenomenon as, say, the neologism that all politicians and commentators love to use nowadays: escalation. Yet, despite the number of times M opines about the Reformers, not once does he appear to use this word, despite its attractions

a of novelty;

b of scornfulness;

or perhaps one should say, not despite these features, but

BECAUSE of them. M's non-use of the derogatory neologism may

not so; he does use it. Also in the Journal de Voyage

be a symptom of

- a his fairmindedness, refusing to use against the Protestants one of the less attractive tactics of the Catholic backlash; and
- b his conservatism in the matter of language, more of which anon;

to include among the trite furniture of their minds the words & sentiments of the psalms; similarly, to translate the scriptures from Latin into the vulgar tongue seems to M to belittle them & to put them at the mercy of the uninstructed interpretation of ignoramuses. Who is to check the translations into vernaculars, who is competent enough to do it? And where do you stop: what about Breton & Basque Bibles? All this dissemination of the texts into the hands and minds of inexpert folk simply encourages people to judge for themselves, to question, to use their minds on a subject that their minds were not meant to be used on; to make up their own minds on what is to be merely believed, ~~and~~ on the meaning of certain texts & on the choice of dogmas & this simply encourages the growth of factions, foments civil & religious strife. The only way to cure or prevent this splintering of the church is what M recommends at ^{§ I, 230} I 197 xxvii (note the title, "most thoroughly *est folie de rapporter le vray & le faux à notre suffisance*" sceptical before Apologie" says Brush 40):

Ou il faut se submitre du tout à l'autorité de nostre police ecclesiastique, ou du tout s'en dispenser. Ce n'est pas à nous à establir la part que nous luy devons d'obeïssance

Politics:

Religion was politics in the 16th century; it still is in Belfast in the 20th. The so-called Wars of Religion were really what M calls them: civil war, not just a theologians' quibble come to blows. To attack the status quo in matters of religion was to attack the status quo and the stability of

the state; to be in favour of preserving the Catholic variety of Christianity was simply to be in favour of maintaining the political status quo, the state of French society ~~w~~ as it was in the mid-1500s. And innovation seems to have been thought of as indistinguishable from what M calls nouvelleté: which doesn't mean merely novelty or new things, but the violent overthrow of the existing social organisation, what we would now call revolution, and which seemed to M in his early days at least, and to his contemporaries, the only conceivable alternative to the status quo — no piecemeal reforms, no tinkering, no spare parts or repairs, for the whole body politic hangs together, touch one part & you affect the workings of the others:

il y a grand doute, s'il se peut trouver si evident profit au changement d'une loy receue, telle qu'elle soit, qu'il ya de mal à la remuer, d'autant qu'une police, c'est comme un bastiment de diverses pieces jointes ensemble, d'une telle liason, qu'il est impossible d'en esbranler une que tout le corps ne s'en sente

{ I xxiii 125 De la coustume
I, 166

If something goes wrong, thorough age, with a particular law or a policy, then the remedy is not to change it, but, if I read him aright, to reinforce it (~~whatever that means~~)

quand quelque piece se démanche on peut l'estayer

{ II 395-6
III, 171

But to change it is to encourage the undermining of everything that holds society together. To start chopping & changing in public affairs is like curing an illness by putting the patient to death (II 396). (III, 171)

Nothing good could come of change, M was convinced of that.

The present state of affairs might not be perfect — and M was able, with his 13 years' law experience behind him, to see several malfunctions of the law, several points at which the law needed to be overhauled, more of which anon — but imperfect and all as it was M was sure that it was a lot better than things would be after men had pitted their pernicious & puny minds against all the inertia of authority and tradition and the unpredictability of fortune. Change must always be for the worse, that he knew. The evil one knows is preferable to the evil that may come after it — look what happens when men try to change their political system and make the future take the shape of their idea, look what happened to Rome after the murder of Caesar ^{{III, 171} (II 396); Caesar was bad enough, but what his murderers unleashed was so bad that they regretted ever having tried to reform the state

il est bien aisé d'accuser d'imperfection une police, car toutes choses mortelles en sont pleines; il est bien aisé d'engendrer à un peuple le mépris de ses anciennes observances: jamais homme n'entreprend cela, qui n'en vint à bout; mais d'y rétablir un meilleur état en la place de celui qu'on a ruiné, à ceci plusieurs se sont morfondus, de ceux qui l'avoient entrepris

^{{II 59} De la praesumption
_{{II, 318}

So M preaches an almost complete political quietism: do nothing, sit on the fence, do not be so presumptuous as to think you can have any competence in judging why and how states behave — the thought that one day there might be such a beast as a political scientist would have amused M no end. A scientist! How can one be a scientist in/ignorance? Unless of course one is a jargonning quack, like those other

bleating quibblers and conmen, the doctors, the philosophers, the theologians, all of them in M's eyes to some extent experts in ignorance and ^{profiteers on} human gullibility. It is therefore no surprise that M should have had apparently no high opinion of the Italian who was ^{one of} the founders of modern political science, whose scandalous book The Prince had been a Latin best-seller all over Europe 20 years before M's birth:

Machiavelli (II 58). And M's comment on Machiavelli is no censure in the usual ignorant vein of anti-Machiavelli criticism, of his cynicism or immorality or duplicity or the other nasty things that the uninformed have come to take as the meaning of the word Machiavellian. No, M's criticism is just — as we might expect — that to theorize on such a fickle & ungraspable subject as politics is to waste one's breath. For no matter what arguments one uses to support any theory of politics, whatever examples one alleges from history, there will always be other arguments, equally plausible but equally refutable & therefore equally pointless, which can be used against you. Machiavelli can be contradicted; and the people who do contradict ~~ed~~ can themselves be contradicted and so on until you build up as much quibbling & claptrap as the lawyers

il s'y trouveroit tousjours, à un tel argument, dequoy y fournir responses, dupliques, repliques, tripliques, quadrupliques, & cette infinie contexture de débats que nostre chicane a alongé tant qu'elle a peu en faveur des procez

{II 58
{II.317)

Political quietist as he was, M was no XVIIIth century optimist, no Pangloss yapping apologetics for barbarity & saying that this world is the best of all possible worlds. He was, as I said, with his inside knowledge of the workings of the law, in a good position to know that there was much room for improvement in the managing of public affairs. And he often says as much; he often draws attention to corruption, skullduggery, abuses of one sort or another which are made possible or even abetted by the law as it stands. For example: French law is absurd as it stands, French laws are not codified in French, but in Latin, a language that the people don't understand so that in all legal transactions there are built-in injustices. From the one act of Charlemagne who adopted the Roman laws in the Latin language there arise ^{3 evils:} a) the need for the paid class of law-interpreters, whom M calls the 4th Estate: the lawyers; b) the selling of justice; c) the refusing of justice to those who cannot pay. M even says that this is a monstrueuse opinion which causes this state of affairs (all this in Coustume ^{I, 164} {123, 124})

Elsewhere he is again very pessimistic about the state of the law, its contradictions, its errors, its inflexibility & putting expediency before justice. He recounts an anecdote an incident that has just happened at his house: peasants' fear & refusal to succour injured & dying man lest they be accused ~~of~~ it, and M agrees with them ^{III, 280-281 De l'expérience} (II 522). Another ^{anecdote} to show not only how the innocent can be condemned, but condemned

by the letter of the law and in full knowledge of their innocence (522-523. Yet his reaction to this sort of miscarriage of justice is not "to the barricades", nor even to eloquize against injustice; his attitude is to us ignoble and even irrational:

il n'y a remède ^{§ III, 282 de l'expérience} _{II 523. (3)}

He sees that the law's only repute in men's minds is that it happens to be the law; not that it is just, but just that it IS ^{III, 283} (524). An idea that he repeats elsewhere ^{§ II, 248} (I, 656): that the law's only pedigree is not one of worth or wisdom, but purely & simply of old age. He knows that if one were to dig down from the dignified & complex rituals through the accumulation of precedent one would find a paltry insubstantial kernel in the beginning. M has no illusions about the holy grandeur of the law, he's been a lawyer himself, remember, he knows that laws are sometimes made by fools or by men who hate justice, but always by men, and men are auteurs vains & irresolus ^{III, 283} (II 524). He knows too that laws are arbitrary, set up here, disregarded there, different according to country or age; he has no belief in any natural law & ^{sees} ~~knows~~ ~~that~~ ~~men~~ this variety and relativity of laws to place and time ^{II, 245-246} as a result of the weakness of the human mind (I, 652-653).

And yet, despite this lucid disenchantment with the law & the conduct of public affairs, M was still a quietist, still unpersuaded of the point of political or legal reform, though living in an age in which intolerance, fanaticism, absurdity,

inhumanity^{persecution} & injustice were at least as rampant & flagrant as in the days of Voltaire, 200 years later — yet M's attitude to the question whether an honneste homme should put his passion and his pen at the service of the propaganda of enlightenment was diametrically opposed to Voltaire's answer: V: yes, with all one's heart! M: no, one's heart belongs to the important things, the things in oneself; don't wear it on your sleeve & don't waste your precious self in ^{irrevocable} engagement to any outside cause.

Why a conservative?

The question obviously arises because of the incongruous cohabitation in his mind of an uncompromising resistance to change & a pessimism which saw clearly that the world was in a bad way. Nowadays the conservative is a different beast: his conservatism is based usually on a ^{optimistic} refusal to admit that things are bad; but M's conservatism, as we've seen, starts from the realization that things have never been worse.

Why should someone want to preserve a status quo that he knows to be rotten? The law is corrupt and absurd — preserve it! The state is sick — leave it alone! The illogicality of his conclusions ^{is!} ~~are~~, on the face of them, ^{itself} ~~themselves~~ absurd.

To my mind, it is impossible to give a thorough account of M's motivation at 400 years' distance; is it possible to give an account of anyone's motives for their conservatism? Without going as far as some who suggest that your Fascist is a Fascist because of sexual impotence (Hitler perhaps, but what

about the omnifutuent Mussolini whose legendary virility had debutantes and dowagers queueing daily for the honour of being raped on his office carpet²), I suspect that in all conservatives their politics are the polite expression of, the public false-face on nastier things: selfishness, a belief that one is rich by divine right, a liking for ^{authority, orthodoxy &} force and for the survival of the fittest (of which one is one). How much M shared the common self-deceptions ^{& half-truths} of conservative thinking one cannot say; the reasons which one can allege for his attachment to the status quo are all more superficial than the jaundiced psycho-analytical eye of the XXth century can allow to be the whole truth. But it is probably as near to the truth as we can come at 400 years' distance, while eschewing that jumping-to-conclusions that would misfit M's spirit.

Those superficial reasons that I can see are possibly 6:

- 1 his temperamant
- 2 his Pyrrhonism
- 3 the Throubles (cf Ireland's; the word is M's)
- 4 his belief, typical of his time, in the force of Fortune
- 5 his involvement, typical of his time, in the continuing argument, inherited from the ancients, on the relative merits of the vita activa & the vita contemplativa.

+6? His legal training to avoid the unprecedented? Are lawyers conditioned into conservatism?

Answer about some of them:

- 1 His temperament

I say 'superficial' reasons, but ~~x~~ obviously temperamant is less of a rationalization than the others. M often refers to his

laziness & his sluggish nature, to the power of ~~his~~ habit and also to his changeableness and his distrust of it:

(4) Or de la cognoissance de cette mienne volubilité j'ay par accident engendré en moi quelque constance d'opinions, et n'ay guiere altéré les miennes premières & naturelles. Car, quelque apparence qu'il y ayt en la nouvelleté, je ne change pas aisément, de peur que j'ay de perdre au change (and so on about how he's managed to survive through the Troubles {I, 639} {II, 235} *mere*)

As I have said on other topics, now and then ~~an~~ *mere* aside can be revealing eg what he says about the new Gregorian calendar (Greg XIII in December 1582, ^{III, 222} II 455-456): he can't get used to it, still counts the days in the old way, being incapable de nouvelleté ^{III, 222} (456) — and this is a c passage! ie written at least 6 years after the change in 1582! (As though a modern old codger were to go on counting in lsd years after the rest of us had changed to decimal thinking.) In similar vein are his frequent complaints about the futility of

(5) fashion & its constant changes, its pointless willy-nillying of men & women into new ways and out of their old ways (^{II, 818} II, 59; ^{I, 165} I 124-125; most articulate attack on fashion is at ^{I, 351} I 329, ^{I, 322-323} *Des coutumes* ~~raisonnés~~) but there are echoes throughout, eg ^{I, 369} I 301-302). This attraction to novelty, ~~M saw~~ as one of the clearest proofs of men's imbecillité, of la foiblesse de nostre jugement (I 344) and is perhaps at the root of another characteristic which marks him off from his contemporaries: his opposition to 2 movements then under way among the literate a) the wholesale importation into the ~~Frennh~~ language of new words borrowed from other

languages II 301. So that his resistance to change and his dislike of innovation helps to account for the flavour of his style, that homeliness, that down-to-earth, homespun quality that comes from using the old French words, the vulgar, the vernacular, the language of the streets as he says, and which is so noticeable in M and distinguishes him so clearly from say Rabelais. *with his passion for invention of words (more of which I will hence?)*

and b) his opposition to the reform of the spelling that people like Louis Meigret ⁽⁶⁾ were trying to bring about, so as to put some order into the chaos of the time. ^(III, 98 Vante) (II 404; & note 829, p 665) *→ "suivre l'orthographe ancienne" he writes to the printer*

2 His Pyrrhonism

This dislike of change is allied in M's mind to his desperation at the lack of any solid morality on which to base a consistent code of behaviour — one of the greatest lacks in man's make-up, for M, and explaining why he was no more of a Christian than he was and why he was attracted to the various Greek and Roman attitudes of Stoicism, Epicureanism & Scepticism. For one of the virtues of the Pyrrhonist ethic that must have appealed to M was that it recommended a complete conformity with the ways of one's society — not in thought and belief but in action, M seeing no hypocrisy but only virtue in the discrepancy between one's personal beliefs and the practices that public life demands from one. He believed this

so implicitly himself that he must surely have underlined it when he came across it in Sextus Empiricus. The clearest statement ~~x~~ of this sceptic's faith is at I¹⁶⁶ 125 (M doesn't say this is a sceptic attitude, but it is; or so says Brush, 9-10). And of course his conservatism in religion was also as we've seen intimately bound up with his scepticism: men's minds are so influençable, so malleable & fickle, that for them to make up their own minds, as the Protestants wanted to do, on what is or is not true, or on what is worth changing or omitting from old religious practices is sure to be ~~x~~ error (see I²³⁰ 197). And the same sceptical attitude is inherent in what he has to say of projects of political reform or social reform: men are so mentally incompetent that they cannot hope ever to reach an understanding of political events

(7)
la conservation des estats est chose qui vray-
semblablement surpasse nostre intelligence

} II 298
{ III 173

3 The Troubles

All this, M's Pyrrhonism & conservative leanings, were probably ^{reinforced} ~~conditioned~~ in him by the time and Troubles he lived in, since there are fashions in thought & in intellectuals' fodder as much as in clothes and behaviour, however much the intellectuals are unaware of it and however much they despise fashion. Just as (what I said the other week on M's religion) had he lived in another more settled age, he might

never have written on religion at all, so, had ~~x~~ it not been for the upheavals in French society in the 2nd $\frac{1}{2}$ of the 16th, M might never have ^{had} ~~ax~~ to evolve his conservative attitudes, never articulate them as he did. Since as Orwell says when one is on a sinking ship one's thoughts are about sinking ships. The climate in the country ~~in the country~~ was such that one had to be an ostrich not to be affected by it; and M's way of being affected by it was naturally by the aggravation of his latent temperamental resistance to change:

je suis desgousté de la nouvelleté, quelque visage qu'elle porte, & ay raison, car j'en ay veu des effets très-dommageables. Celle qui nous presse depuis tant d'ans, elle n'a pas tout exploicté, mais on peut dire avec apparence, que par accident elle a tout produict & engendré, voire et les maux & ruines qui se font depuis sans elle, et contre elle

I 126
I, 166

The experience of the so-called Wars of Religion had convinced M of another important conclusion, which helps to explain that incongruity we noticed: the conservative pessimist and not optimist, those strange bedfellows in M's mind: the belief that the world was in a bad way & the other apparently contradictory one that one should ~~leave~~ leave it to its own devices, not attempt to reform it. For this other conclusion that M had drawn from his observation of the religious Reformation & the ensuing wars was this: any change that men project and try to bring about is bound to be for the worse:

je ne change pas aisément, de peur que j'ay de perdre au change

I 639 (II, 235)

(E) (4)

possibly an example, too, of that political phenomenon: mediation polarizing rightwards under impulsion of too - fast left-moving agitation?

Each time he talks of the attempts at reform he says of their results: maux inévitables (...) vices certains^{I, 66} (I 126) or something like that (I 129). So the status quo was not just irrationally preferable to M; it was the lesser of 2 evils. The present was bad; but God only knew what the future might bring, so let's stop here:

Nos meurs sont extrêmement corrompues, & panchent d'une merveilleuse inclination vers l'empirement; & de nos loix & usances, il y en a plusieurs barbares & monstrueuses; toutesfois, pour la difficulté de nous mettre en meilleur estat, & le danger de ce crollement, si je pouvoy planter une cheville à nostre rouë & l'arrester en ce point, je le ferois de bon coeur.

{II 59 (see also II 396-397
(II, 318) II, 171, 172

eg 396 le monde est inepte à se guarir (...) Nous voyons par mille exemples qu'il se guarit ordinairement à ses despens

or 397

le plus viel & mieux cogneu mal est tousjours plus supportable que le mal recent & inexperimenté

4 Fortune

One of those fads in ideas that I mentioned: just as ~~much~~ nowadays thinking people believe more or less in, say, the need to give economic aid to underdeveloped countries or contraceptive information and advice to schoolgirls (notions which would have been unintelligible to the average semi-educated adult even a generation or two ago) so in 16th century France Europe prevailed the fashion of Fortune. Hamlet believed in her: "There's a divinity shapes our ends, rough hew them how we may". She was present at the heart of the Spanish Golden

Age
/and such inventions of it as the picaresque novel. The image of the wheel lifting up some unworthy while at the same time humbling someone equally undeservedly is ^{one of} ~~perhaps~~ the most common in European writing of the time. M was in that sense a fashionable intellectual in that he shared Hamlet's belief (voire, may even have been responsible for Hamlet's belief, as Shakespere probably read the Essais). Did we not say, in connection with M the Autobiographer that M professes little interest in acts for their own sake, since men's deeds tell one as much about Fortune as about men's abilities. Fortune was unpredictable; men might propose, but it was for Fortune to dispose. Men might plan reforms of the state, but things would as likely as not work out in some way they hadn't planned for:

L'heur & le malheur sont à mon gré 2 souveraines puissances. C'est imprudence d'estimer que l'humaine prudence puisse remplir le rôle de la fortune. Et vaine est l'entreprise de celui qui presume d'embrasser & causes & consequences, & mener par la main le progrez de son faict

II 370 (=II, 448)

cf II 512-513 (=III, 272)

or I 134 (=I, 174)

Tant est chose vaine & frivole que l'humaine prudence; & au travers de tous nos projects, de nos conseils & precautions, la fortune maintient tous-jours la possession des evenemens

or I 318 and elsewhere, usually stressing the discrepancy between I, 342 prudence and fortune's turns.

5 Vita activa/contemplativa

Another fashionable debate, inherited by Christians (via

Aquinas & Augustine) from Plato and Aristotle and still a living intellectual topic in the 16th century was the pros & cons of the vita activa/vita contemplativa opposition.

Too long and complicated to go into now; suffice it to say that M had his views on this as on ^{the} other topics that his age grew opinions about in his mind, as it were. And that conclusion was on the side of the contemplativa, at least in his book; in his life he was not so clear-cut, dabbling in local and national politics as mayor of Bordeaux and as a part-time courtier. (See Arendt's Human Condition, p 13: "The term vita activa is loaded and overloaded with tradition. It is as old as (but not older than) our tradition of political thought.")

Contradictory things

Three branches of public life that, despite all his convictions and ingrained conservatism, M saw needed to be changed for the better: two ^{one} of them will be dealt with in ^{another} other classes — [the educational system, and] the epidemic of witch-hunting that had begun in the 1570s; the third I'll say a word on now.

TORTURE: M was a lawyer, in daily contact over some 13 years with the blind cumbersome juggernaut of 16th century justice. Though Villey doubts whether M ever actually officiated at

interrogations of suspects (so says Boase, at any rate, on the first page of his article on witches; without a reference, hélas!) nonetheless he knew all about the clumsy cruelty of the methods by which 'truth' was arrived at: the $\frac{1}{4}$ -proofs which when added together with another three $\frac{1}{4}$ -proofs could ^{help} condemn a man to the axe; the value given to evidence by women being counted as $\frac{1}{2}$ that given by men (Bodin, 177); the unquestioned assumption that brutality and torture were the most infallible aids to establishing guilt and innocence (see p 19 for Esmein's quote of Claude Lebrun de la Rochette pp 149-150).

M questioned the use of torture in ~~any~~ various essays, the main references being: I: 39; II: 100, 128; II: 361-362, 385; I: 404, 473, 239; II: 105, 130-131.

He finds the torture among Christian nations more barbarick than cannibalism among his Brazilians (I, 473)^{II, 100}, eating dead bodies less cruel than torturing live ones (I, 239)^{I, 258}. He points out the fallacy of the reasoning that pain makes people tell the truth, a good para of sound sense on this. And at II, 130-1^{II, 385} he gives examples of torture unable to make men speak. Some more good common sense and compassion at { II, 361-2
II, 105.

One can see, in the tone of these passages, that M is no tub-thumping righter of wrongs; the tone is one of quiet sincerity, relying on logic and the demonstration of experience rather than on emotional appeals. What he doesn't do, you notice, is propose or demand any change or amendment in legislation. Any action that his views might have would not be

*1971 (I find it!): in Montaigne, Rieder, 1937, p. 19

Extract from Le procès civil et criminel, by Claude Lebrun de la Rochette, Rouen, 1616, 2e partie, p. 140

"Par la disposition du droit, les juges ne se doivent servir à la question que de cordes. Et néanmoins, en diverses provinces, les juges et prévôts des mareschaux se servent d'autres instruments, comme de riottes, de l'eau pour l'avallement de la serviette, du vinaigre, de l'huile instillée par le gosier, de poix ardentes, des oeufs cuits en la braise appliquez sous les aisselles, quelques-uns de froid intolérable, de la faim, de la soif occasionnée par la manducation de viandes extrêmement salées, données à l'accusé sans aucun breuvage; autres par les doigts serrés estroitement et en extrémité ou dans le chien d'une harquebuse ou pistolet, ou liez de petites cordelettes ou fiscelles entre divers petits bastons qu'ils [p. 150] nomment grésillons, autres par la botte d'une corde, autres par l'escarpin et autres diversement..."

Quoted in: Histoire de la procédure criminelle en France et spécialement de la procédure inquisitoire depuis le XIIIe siècle jusqu'à nos jours, by Adhémar Esmein, Paris, Larose et Forcel, 1882, pp. 149-150

in effecting a sudden change in the law and risking some upheaval in the profession, the laying-off of torturers and repercussions in the boiling-oil and thumbscrews industries but in the slow enlightenment of men's minds. One may think that M's passages are little enough but it is actually on the question of cruelty (even to animals) and of torture of men and women that M is at his most original, his most free of the ruts of thought that his period ran along. Remember, when reading any writer from some past period (and also from our own) what I've tried to impress on you at various times and that Huxley puts like this:

At any given time and place certain thoughts are completely unthinkable. (But this radical unthinkableness of certain thoughts is not paralleled by any radical unfeelebleness of certain emotions, or any radical undoableness of the actions inspired by such emotions. Anything can at all times be felt and acted upon, albeit sometimes with great difficulty and in the teeth of general disapproval.) But though individuals can always feel and do whatever their temperament & constitution permit them to feel and do, they cannot think about their experiences except within the frame of reference which, at that particular time & place, has come to seem self-evident...

The Devils of Loudun, 181

So bear in mind that in 1580, and for a long time afterwards, it was self-evident that torturing suspects was the best way to make them tell the truth; that it was a Christian way of behaving; that there was nothing ~~very~~ cruel about it. This is the background to M's complaints. As Villey puts it:

Pour la torture (...) sa nécessité est universellement reconnue. Il n'y a pas de débat à son sujet; on n'en parle pas, ni pour l'attaquer, ni pour la défendre. Elle est dans les moeurs

Even Johann WIER, whom I've mentioned before (once apprenticed to Cornelius Agrippa), who was to write a fighting, courageous and subversive book on the question of witchcraft, even the lucid Wier, though he seems to have no LIKING for torture (unlike Bodin & Co, whose word for it is exquis), seems to look on it as a necessary evil. Certainly, any objections he might have against it are not on humanitarian grounds but only that it is a pointless way to deal with melancholia and possession by devils. For Wier, if it can be said that he really objects to torture, it is incorrect, not wrong. (11)

Pierre Ayrault, an exact contemporary of M, a jurist, who wrote a long critique of the ordonnance of ~~1539~~ 1539 by which François Ier (who passes for an enlightened hearty monarch of the good ^{old felly} Henry VIII sort) fixed the rules of criminal law & trial procedures — and in that long critique by Ayrault not one word of regret about the institution of torture, the necessity for which he took for granted (at least I can find no word. Esmein, p 167, not 1, says only one word of regret, but I couldn't find it). (12)

Bodin: no maniac, looked upon as a most sufficient man (even M had a good word for him ^{I, 89; II, 383} (I 460, II 128) as a writer, a reasoner and historian; may be taken perhaps as an ^{above-}average educated 16th-century scholar — he thought burning alive was too good for witches, the Biblical torture of stoning he thought more suitable, more "excellent" as he puts it; & he mentions somewhere his regret at being unable to use the

the Aristotle of the 16th rivals Machiavelli as a pioneer political thinker

exquisite old Persian method of crushing heads between mill-stones.

There was one man before M: a Spanish humanist who had died in 1540, LUIS VIVES, who had spoken out against torture. We know from the researches of Pierre Villey that M had read Vives and had borrowed ideas from him (Villey II, 356).

It is an indication of M's temerity in thus affronting world opinion that the Inquisitors in Roma, the white-and-black Domini cani, "the Lord's Hounds", found it unChristian of him to say that torture was cruel, & recommended him to delete the passages where he speaks of it. Which, needless to say, he promised he would do & then didn't; not only that, he went on, in later years, to add to them and strengthen his plea for humane treatment of suspects and criminals, thus founding a tradition among French essayists not to be carried on until that second Renaissance 200 years later by Montesquieu & Voltaire.

for next week : I, xi, xxi, xxvii

II, xxx

III, xi

* the people who own John XXIII at
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