ARTICLE XXIII.—DETACHED THOUGHTS UPON THE HISTORY OF CIVILIZATION BY ANDREW STUART, ADVOCATE.

[Read 15th April, 1837.]

The inductive philosophy of Bacon which has already so much advanced physical science, and is daily adding to its stores, has hitherto been very sparingly applied to that branch of moral science which relates to the civil condition of man and to the laws which regulate the advancement of the species in wisdom, and promote the well-being of nations.

Such laws must exist. Shall blind chance, of which no vestiges exist in the physical world, reign with unlimited sway over the moral fortunes of our race? As there are permanent laws regulating the birth and growth of the individual, so is there not reason to believe that there are laws equally invariable touching the infaucy and growth of the species? One striking difference exists; the individual dies and with him all the knowledge which he has attained—generation disappears after generation, but the species lives enriched by the intellectual wealth obtained by the labors of all these who have gone before. In the hands of its fragile depositaries knowledge is immortal, incorruptible, and endowed with a living spirit which continually augmenteth itseif. Who then would not join in the exclama- " tion of Lord Bacon—Quod si navis inventum res existimata " tam nobilis et admirabilis fuerit, quœ opes mercesque hinc " inde transportat regiones locis disjunctissimas, participatione " fructuum et commodorum consociat quanto rectius literæ ce- " lebrari debent que tanquam naves sulcantes Occanum tem- " poris remotissima secula ingeniorum et inventorum commer- " cio et societate copulant."

Many modern philosophers of high name, forgetting that laws of this nature can only be detected by a careful study of facts, have expatiated over periods anterior to historical records, and have indulged their imaginations in describing what they are pleased to call the state of nature.* These visions subsist not with historical day light, but like those of a vulgar and childish superstition abruptly disappear with the first grey dawn of morning.

* See some sound philosophical observations upon these theories in Ferguson's Essay on Civil Society.

Less visonary but altogether unsatisfactory is the statement that the natural road to civilization is from the hunter's state to the pastoral—from the pastoral to the agricultural, and again from this last to the commercial state. The induction upon which this theory rests is exceedingly narrow, and does not embrace all the phenomena, nor satisfactorily explain those which it does embrace. Any civilized man examining whence he derives his own civilization will soon perceive that he does not owe it to himself—that he is principally indebted for it to his parents and teachers, and to the generation by which he is environed. But this does not solve the problem, it only removes the difficulty one step back:—how did the last generation obtain their civilization? A like answer is the obvious one to this inquiry, and so backwards as to each successive generation until we reach the creation. We found the savages of North America in the hunter's state, and our own unavailing efforts to confer upon them what we call civilization, sufficiently shews the fixedness amongst them of that condition. The earliest records, and a continued chain of historical testimony down to our own day, exhibit the sons of Ishmael as shepherds, and there appears now as little reason to expect that the Arabians of the desert and many other of the wandering tribes of the East will become cultivators of the earth, as that the red men of this continent will devote their lives to tending upon sheep, and rearing horned cattle. But in truth, these three states are hardly ever found in a simple and unmixed form. The Indian depending as he does, principally upon the chase, cultivates also maize and tobacco, and effects his exchanges through the medium of his rude *wampum* currency; the pastoral man of the East cannot live without some culture of the earth, and some means of transporting, conveying and exchanging commodities, and it is hardly possible to conceive an agricultural state without commerce. At all events the inquiry still remains as to the causes which have led to these and other changes, and which have influenced the progress of civilization in different ages, and in different countries.

It is not difficult to comprehend any given form, or succession of forms, of social existence in people and nations. The great difficulty lies, in ascertaining the causes of the transition from the one form to the other form. Supposing civilization not to have originally existed in the progenitors of mankind, or if it did exist, supposing it to have been lost, how could it in the one case be attained, or in the other regained? How shall the stream rise to a point of elevation above its source? Will it not rather descend, or assume the form of one flat dead level?

Looking at the social condition of man over the habitable globe with reference to civilization, we find the species divided into three great classes; the civilized man of the East,—the civilized man of the West and his descendants of the new World,—and nations, which we denominate savage, scattered in no inconsiderable numbers over the four quarters of the globe.

The civilization of the East, now, and for ages past, has been stationary. The condition of savage nations seems to have the same stationary character, and there does not appear to be within this form of society, any germ from which civilization can be evolved.

On the other hand the European nations exhibit the presence of a vital principle, which for ages has been, and still is expanding, into new and enlarged forms, continually changing and improving their social condition.

In the History of the World one people connects the fixed forms of the civilization, which we still see in the East, with the varying and continually improving manners and institutions of the nations of modern Europe. That people was the Roman people. Touching at one extremity the hierocratic governments of the remotest antiquity—uniting in one stream the separate and various currents of civilization of ancient Italy—incorporating and fashioning the savage inhabitants of countries subdued by her arms and humanized by her policy—Rome when she at last yielded to her barbarian invaders, transferred to her rude conquerors the useful arts and those principles of order and government which were destined gradually to bring out the forms of society which we now see around us.

The extension of her empire had facilitated the diffusion of Christianity, the doctrines and practices of which originated that great and salutary change in human society of which it is not given to us to know the whole future extent.

In contemplating the history of this wonderful people, the inquiry forces itself upon the minds of the most incurious. How is it that the Roman people came to acquire and to retain for so long a period of time, dominion over so many nations? The solution of this problem, when made, will throw much light upon the history of civilization. The materials for legitimate induction, to be found in the History of Rome, are abundant. The history commences with the twilight of civillzation, and its records are preserved in an unbroken chain for twenty centuries.* This problem has been treated by the President, Montesquieu, in his "Considérations sur la Grandeur et le deca-

* Counting from the foundation of Rome to the end of the Eastern Empire.

dence des Romains." Has this important chapter in the history of civilization been supplied by that work? I think not—and proceed to examine its leading positions.

I would premise, that in examining the work of Montesquieu, much difficulty is felt from its want of plan and method, and from the concise and abrupt style of the author. The intermediate links to connect his propositions with the main subject, are omitted, and left to be supplied by the sagacity of the reader, whose modesty or vanity is thus made tributary to the dogmatism of the writer. It becomes necessary, therefore, not to examine and verify inductions, the steps of which are given, but to examine all the possible bearings of his propositions upon the problem under inquiry, and to shew that they do not lead to its solution. This peculiarity of Montesquieu, to which he is probably in no small degree indebted for his reputation, renders necessary the method of exhaustion, and it is hoped will serve as an apology for the tediousness which too often accompanies that method, and which it may not be here possible to avoid.

I would further premise that there are two conditions which any solution of this problem, to be satisfactory, must fulfill. 1stly. The causes assigned must be not only of a nature to augment the political power of a state, but must also have been peculiar to the Roman State—and 2ndly. It ought to be shown whence these peculiarities originated.

The first and principal cause of the greatness of Rome, assigned by Montesquieu, is the usage of triumphs.

"Romulus (says he) and his successors were in almost perpetual wars with their neighbors, to increase the number of their citizens, their women, and their territories. They used to return to the city laden with the spoils of conquered nations, and these spoils, which consisted of wheat sheaves and flocks, used to fill them with the greatest joy. Such is the origin of triumphs to which that city afterwards chiefly owed its grandeur." But if we examine the previous history both of the East and West, we shall find that this was not the origin of triumphs, but merely the first occasion of their use at Rome. We shall find that they existed long before the foundation of Rome,—that they naturally spring up wherever war comes to be pursued as a system, and victory to be considered as a national good; and that of course numerous nations practised them who never rose to such power and eminence as the Romans. Triumphs have been most general in the most uncivilized States. The Mexicans followed the practice, not only in its most ostentatious, but in its most cruel and barbarous forms

as the companions of Cortez witnessed in the case of their unfortunate comrades. At the present day, the return of a New Zealand chief from a successful expedition, is strictly triumphant

The following is Livy's account of the triumph of Romulus :—

Ne Crustumini quidem atque Antemnates, pro ardore iraque Cæninensium satis se impigre movent: ita per seipsum nomen Cæninum in agrum Romanum impetum facit. Sed effuse vastantibus fit obvius cum exercitu Romulus, levique certamine docet, vanam sine viribus iram esse: exercitum fundit fugatque: fusum persequitur: regem in prœlio obtruncat, & spoliat: duce hostium occiso, urbem primo impetu capit. Inde exercitu victore reducto, ipse cum factis vir magnificus, tum factorum ostentator haud minor, spolia ducis hostium cæsi suspensa, fabricato ad id apte ferculo gerens, in Capitolium ascendit: ibique ea quum ad quercum pastoribus sacram deposuisset, simul cum dono designavit templo Jovis fines, cognomenque addidit Deo: *Jupiter Feretri*, inquit, *hæc tibi victor Romulus rex regia arma fero, templumque iis regionibus, quas modo animo metatus sum, dedico: sedem opimis spoliis: quæ regibus ducibusque hostium cæsis, me auctorem sequentes, posteri ferent.* Hæc templi est origo, quod primum omnium Romæ sacratum est: ita deinde Diis visum, nec irritam conditoris templi vocem esse qua laturos eo spolia posteros nuncupavit: nec multitudine compotum, ejus doni vulgari laudem. Bina postea intra tot annos, tot bella, opima parta sunt spolia: adeo rara ejus fortuna decoris fuit.

Livy, lib. i. c. 10.

From the foregoing quotation, it appears, that there is no authority from Livy for attributing to Romulus the invention of the triumph. He attributes to that founder, the invention of that kind of triumph only, which was accompanied with the presentation of the *spolia opima.* Plutarch, however, in the following passage does attribute the invention to Romulus; but with how little reason, will appear, from the considerations to be afterwards adduced :—

In his life of Romulus, he says—" Romulus, that he might " perform his vow in the most acceptable manner to Jupiter, " and withal make the pomp of it delightful to the citizens, " cut down a tall oak which he saw growing in the camp; " this he adorned like a trophy, and fastened thereon Acron's " whole suit of armour, disposed in its proper form; then he " himself girding his garment about him, and crowning his head " with a laurel garland, his hair gracefully flowing, carried the " trophy erected upon his right shoulder, and so marched on " singing songs of triumph, his whole soldiery in arms following

" after, and the citizens all receiving him with acclamations of " joy and wonder. The pomp of this day was both the original " and model of all succeeding triumphs.

Notwithstanding the assertion of Plutarch, nothing is more clear than that the triumph had its origin in a period long antecedent to Romulus.

In truth, of all the usages which obtained amongst the nations of antiquity, one of the oldest of which we have evidence, is the triumph.

According to the notions of the Pagan nations, the Gods were continually present, conferring temporal benefits or inflicting temporal evils upon individuals and nations. The victories which they achieved which secured to them, not only their goods and lands, but often their own personal liberty and the honor of their wives and daughters, the temples of their Gods and the sacred tombs of their ancestors were conceived to be immediately due to the tutelary Deities of the State.

Any omission to discharge the debt of gratitude thus incurred, it was understood would be followed by immediate and exemplary punishment proceeding from the justly offended Deities.

At the first dawn of history, in the mists of Mythology, we see this institution.

The Indian Bacchus, son of Semele and Jupiter, had a triumph in honor of his Indian victories seated on a car drawn by tigers.

> Qualis odoratis descendens Liber ab Indis
> Egit pampineos frænata tigride currus.
> Sil Ital. lib. 17.

This Bacchus may be considered the same as Osiris (Diod. Sic. lib. I.). They were worshipped with the same ceremonies, and were probably both considered as incarnations of the Sun. We are thus carried back to the most remote period in Egyptian story.

That the triumph of Bacchus was the original of the Roman triumph, is proved by many circumstances.

It was from one of the names of Bacchus (Thriambos) that the ceremony derived its appellation (Varro de Ling. Lat. See also Plutarc in Marcello and Diod Sic.)

The Io triumphe mentioned in the Roman Poets, was an invocation to Bacchus, by this name. Examples are frequent.

> Tuque dum procedes, *Io Triumphe*,
> Non semel dicemus, *Io Triumphe*,
> Civitas omnes dabimusque Diis
> Tura beniguis
> Harat, lib. iv. carm.

Io Triumphe, tu moraris aureos
Currus & intactas boves
Io Triumphe nec Iugurthino parum
Bello reportastis ducem.
Horat. Epod. ii. ode ix.

And Tibullus says :—

Ipse gerens laureas, laurodevinctus agresti
Miles Io maguâ voce Triumphe canit.
Lib. ii. Eleg. vi.

Ovid, speaking of the triumph of Germanicus—

Tempora Phæbelauro cingitur Ioque
Miles Io maguâ voce Triumphe canet.
Lib. iv. Eleg. ii.

See also Ovid, lib. i. amor—Eleg. ii.—

Martial, lib. vii. Epigram.
Et Alcimus Avitus, lib. vi. ad Fusinam sororem c. vi.*

Triumphs were in use with the Hebrews.
Exodus, chap. xv. 1 Sam. xviii.

With the Persians.
Cedrenus, p. 114. Athen, lib. v. Herod, l. 7.

With the Carthaginians.
Polyb. lib. 3.

Virgil alludes to these last in the following lines :—

Quos Africa terra triumphis
Dives alit.
Aen. iv. 37.

and to a like usage amongst the ancient Arcadian inhabitants of the Palatine Mount, in the exquisitely pathetic lament of Evander, on the dead body of his son Pallas—

Hi nostri reditus expectatique triumphi
Hæc mea magua fides at non Evandri pudendis
Vulueribus passim aspicies : nec sospiti duæ
Optabisnato funus pater.
Aen. lib. xi. 54.

The triumphs of Sesostris are still exhibited on the walls of the temple of Memphis, on which the victor himself is distinguishable with features strikingly resembling the great Captain, who, in our day expiated his faults, and terminated his misfortnnes at St. Helena.

---

* See these and other passages in Brisson, Ant. Form. Rom. p. 394.

As the followers of Romulus from Longa Alba, derived their religion and usages from the Greeks, it is necessary to ascertain whether traces of this usage are to be found amongst the latter.*

An offering to the Gods out of the spoils taken from the enemy, sometimes by collecting them in a heap and consuming them with fire—sometimes by dedicating a certain portion of them, or making presents out of them to the Gods, was common amongst the ancient Greeks, and many traces of this usage are found in their Poets. Trophies consisting of the enemy's armour, hung upon the trunk of an olive tree as the emblem of peace—of the oak as consecrated to Jupiter—or of the favorite tree of another God—were not unfrequent. This custom was very ancient, (Herod, xi) and universally received, not in Greece alone but in most other countries—hence Hector promises to dedicate his enemy's armour in Apollo's temple, if he would vouchsafe him victory:

> If kinder Phœbus my proceedings bless
> And crown my bold attempt with good success,
> Make Hector conquer, whilst his foe shall bleed,
> And give me the honor of so brave a deed,
> When I've despoil'd my foe his arms I'll bring
> And there devote them in his temple ———

As a further expression of their gratitude to the Gods, it was customary to offer solemn sacrifices, and return public thanks.

Sometimes they erected towers which they adorned with the spoils of their enemies, as was done by Fabius Maximus and Domitius Ahenobarbus after the victory over the Allobroges—at other times they raised lofty altars to the Gods, whereof we have an instance in Alexander after his return from his Indian Expedition. And at others the God was honored with a temple, as was done by the Dorians after their victory over the Acheans, and by Romulus upon the occasion of this victory over the Cæninenses.

The trophy erected by Æneas on the occasion of his killing Mezentius is the same as that of Romulus.

> Vota Deum primo victor solvebat Eoo;
> Ingentem quercum, decisis undique ramis,
> Constituit tumulo, fulgentiaque induit arma,
> Mezenti ducis exuvias, tibi, magne, tropæum,
> Bellipotens; aptat rorantes sanguine cristas,
> Telaque trunca viri, et bis sex thoraca petitum
> Perfossumque locis, clypeumque ex ære sinistræ
> Subligat, atque ensem collo suspendit eburnum.

* See Potter's Antiq. II. 14.

The vow by Romulus of a temple to Jupiter Feretrius corresponds with the above mentioned erection of a temple by the Dorians in honor of their victory over the Acheans. The last was dedicated to Jupiter Tropaios, and the epithet Feretrius has the same import as Tropaios Pheretrum signifying the trunk upon which the arms were suspended.

The whole ceremony of the Triumph of Romulus, it thus appears, is of Greek origin. That which next followed it of Tarquinius Priscus is Etruscan.

The principal part of the forms of the last were continued to the end of the Republic.

The facts transmitted to us by the Historians and Poets of Rome, afford us a deeper insight into this usage as practised during the Republic, than we can have as to more ancient nations.

The Roman Triumph from the time of the expulsion of the Kings, was a thanksgiving to the Gods, and an expiation authorized by the Senate at the instance of a successful General, being a Dictator Consul, or Prætor, and his army, and sanctioned by a law of the people, permitting the General, followed by the army, to enter the city in triumphal order. It was the form in which the Roman people rendered to the Gods the ancient and accustomed homage for some signal victory obtained by the army under the auspices of the triumphing general, over the enemies of Rome, in a regular war, whereby the territory of the state had been enlarged.

That the Triumph was primarily a thanksgiving to the Gods, appears from the form in which it was asked for and decreed by the Senate.

The successful general proclaimed Imperator on the field of battle by his soldiers, sent to the Senate letters fastened with laurel, containing an account of his victory, and of the loss on both sides. The fasces of his lictors and the arms of his soldiers were also adorned with laurels. The oaths of his centurions taken before the Questors, attested the truth of his letters and established that more than five thousand, according to one author, or six thousand according to another, of the enemies of Rome had fallen. A salutary jealousy of the military power, prohibited the victorious general and his army from coming within less than five miles from the walls of Rome—the nearest limit of the *Ager Romanus*—unless sanctioned by a law of the people. The Senate met without the walls in its consecrated Curia, to hear and determine upon his prayer,

UT OB REM BENE GESTAM DIIS IMMORTALIBUS HONOREM HABERI JUBERENT ET UT SIBI TRIUMPHANTI URBEM INGREDI VICTOREMQUE EXERCITUM DEPORTARE LICERET.—(Brisson. de Form. Rom. p. 231, and the Authors by him cited.)

The religious character of the Triumph is expressly confirmed by the following passage in Livy.—Lib. xxxiii.

In senatu, cùm more omnium Imperatorum, expositis rebus ab se gestis, postulassent, "UT PRO REPUB. FORTITER FIDELITERQUE AD-"MINISTRATA, ET DIIS IMMORTALIBUS HABERETUR HONOS, ET IPSIS TRIUMPHAN-"TIBUS URBEM INIRE LICERET:" Se verò "EA QUÆ POSTULARENT DECER-"NERE" Patres "MERITO DEORUM PRIMUM DEIN SECUNDÙM DEOS CONSU-"LVM RESPONDERUNT."

This decree of the Patrician order—for a long time the sole possessors of ecclesiastical and administrative powers—and of the knowledge of the *majora auspicia* upon which the fortunes of Rome depended, authorized the introduction and passing of a law by the Roman people, granting to the Imperator power to enter the city in triumph—with his army, and superseding for the day of the triumph, every Magistracy from the Consul downwards.

Thus far the institution bears all the marks of being at once a religious and civil one—and it will be found to retain them in its progress and conclusion.

On the day assigned for the triumph, the army was assembled by its Chief, not in his military dress and accoutrements, but with a star bespangled purple toga, his face vermillion, like the Capitoline Jupiter,* and like him wearing a purple *tunica palmata*, in one hand an ivory sceptre with the perched Eagle, in the other a branch of laurel, himself crowned with laurel, with a plain iron ring on his finger, emblem of frugality; he addressed them from his tribunal in praise of their exploits, and distributed amongst them the various military distinctions and rewards to which he thought them entitled, and their share in the spoils. This preliminary ceremony having ended in a sacrifice, he ascended not a war chariot but the turret formed car, peculiarly appropriated to this purpose, accompanied by the youths of his family, and drawn by four white horses, the horses of Jupiter *Dios Hippoi*, as they are called in Herodian (lib. 7.) praying thus—DII, NUTU ET IMPERIO, QUORUM NATA ET AUCTA EST RES ROMANA, EANDEM PLACATI, PROPITIATIQUE SERVATE.

A public slave, according to others, the public executioner, held over the head of the triumphing general, a crown of gold, too weighty for him to wear, reminding him from time to time, that he was only a man. Tied to the bottom of the car, was a scourge and the *tintinabulum* worn by criminals going to execution, to bring to mind the sovereignty of the laws.

* Camillus was so painted, but the usage afterwards became obsolete.

At the head of the procession were trumpeters playing triumphal airs, and the priests and ministers of the temple, in regular bodies, driving before them the destined victim, the white ox with his garlands and fillets and gilt horns carrying their sacred implements of sacrifice with frankincense, wine and meal; these were followed by the more splendid of the spoils, piled up in vehicles or carried by youths dressed for the occasion. Then came the names and titles of the conquered nations, with models of the captured cities, and sometimes with strange animals or plants from the conquered country—next the captured chiefs of the enemy in chains—the golden crowns presented by Roman provincials in honor of the triumphing general, and after them the triumphing general himself with regal and divine insignia on his lofty car of ivory inlaid with gold.

He was followed by his army and a crowd of citizens and strangers carrying laurel branches and singing triumphal songs.

The Senate received and joined the procession at the *porta triumphalis*. The whole proceeded through the city, all the temples being open and filled with perfumes, and through the *via sacra* to the hill of the capitol—on turning towards which from the forum, the captives were ordered to be taken to the Tullian Prison, where they were either confined for life or strangled. On reaching the capitol the triumphing general pronounced the following prayer:

GRATIAS TIBI JUPITER OPTUME MAXUME TIBIQUE JUNONI REGINÆ, ET CÆTERIS HUIUS CUSTODIBUS, HABITATORIBUSQUE ARCIS DII, LUBENS LÆTUSQUE AGO, RE ROMANA IN HANC DIEM ET HORAM PER MANUS QUOD VOLUISTIS MEAS SERVATA BENE GESTAQUE EANDAM ET SERVATE, UT FACITAS FOUETE PROTEGITE, PROPITIATI, SUPPLEX ORO.*

The victims were immolated with the greatest solemnity—the golden crown dedicated to Jove and precious gifts, shields and other memorials hung up in his temple.

The whole concluded with a distribution of monies amongst the people, the depositing of the spoils in the public treasury, and with a religious feast at the public charge.

The error of Montesquieu, respecting the origin and nature of the Roman triumph, is a fundamental one. This usage cannot be rightly understood, without a correct knowledge of the form and structure of society in ancient Rome, and of some of the most important changes which it underwent.

* This and the previous prayer is given upon the authority of Rosini Antiq. Rom. pp. 772. 773, de triumpho majore, in the Prolegomina, to which chapter, by Dempster, will be found all the principal passages in the Roman Poets and Historians which have relation to this usage.

To none of the institutions of Rome is more applicable, the expression which Cicero applies to civil law generally, *Plurima est in omni jure civili antiquitatis effigies.*

At the foundation of Rome the Hellenic descendants from Longa Alba, with the cognate Arcadian inhabitants of the Palatine Mount, formed the whole of the subjects of Romulus. Their coalition with the Sabine tribe, and the transfer of the Cæminenses and other Sabines to Rome, gave a numerical preponderance to that portion of the inhabitants of Rome. In an elective monarchy as that of Rome was, we may infer from the elevation of Numa Pompilius, a Sabine, to the throne, a preponderance of the Sabine population. That preponderance was, however, probably not very considerable, as this king was succeeded by Tullus Hostilius, the grandson of the Hostilius, who distinguished himself under Romulus, in the battle with the Sabines, commanded by Titus Tatius, and therefore of Longa Alban origin, and he again by Ancus Martius, the grandson of the Sabine Numa Pompilius. The next king, Tarquinius Priscus, was of Etruscan birth and education ; and his successor, Servius Tullius, was educated in the family of Tarquin, and raised to the throne by the influence of the Etruscan Queen Tanaquil. The successor of Servius Tullius and the last of the Roman Kings, Tarquinius Superbus, was also of Etruscan origin. The expulsion of this last king from Rome appears to have been the consequence of a general revolutionary spirit throughout all Italy ; for, after his reign, we find no mention made of kings in any of the wars, or negociations of Rome, subsequently recorded.*

The basis of the religious system improved by Romulus, was the religion of the Greeks, as it was practised before the age of

---

* The revolution which destroyed the Pythagoreans in all the Greek Cities of Italy, seems to have been a part of a great movement which extended to Rome, and led to the expulsion of Tarquin. It seems to be established, that the birth of Pythagoras did not precede the year 600, A. C., and that his death was posterior to 509, A. C. He was certainly a cotemporary of Servius Tullius, and the last Tarquin. See Dissertation sur Pythagore ou l'on fixe le temps auquel ce Philosophe a vecu par M. de la Nauze. Mem. Ac. Insc. xiv. 375, and Recherches sur le temps auquel le Philosophe Pythagore, fondateur de la Secte Italique, peut avoir vecu par M. Freret. Ib. p. 472. The extent and violence of the revolutions and seditions excited in Magna Grecea, by reason of the Pythagoreans, may be judged of by the fact that the memory of them subsisted in this part of Italy, down to the time of Pozphyry, who was born in the year 332 of the Christian Æra, were still spoken of there, and were called—

Ἐπῖ των Ρυθαγορεων στασείς

If we are to believe, Tertullian Pythagoras aspired to the dignity of king of Thurium. Tertul. Apol. 46.

Hesiod.* The religious institutions of Numa Pompilius were derived from the *vetus ac tetrica disciplina Sabinorum.* We know that the religion of Romulus was exceedingly simple in its character and forms ; there are no traces in the Greek religion of a sacerdotal cast. There is reason to believe that the religion of the Sabines was at least equally simple.† That of the Etruscan differed essentially from both the former. The government of ancient Etruria appears to have been as purely hierocratic as that of ancient Egypt. The administrative and the ecclesiastical powers were exclusively in the sacerdotal cast of the *Lucumones ;* the mass of the people were in a state of the most abject slavery, and employed in works of as stupendous magnitude as those of Egypt, differing from them only in being works of great and durable public utility, instead of being merely ostentatious. The hierocratic system was introduced and established by the Tarquins, supported as these kings doubtless were, by the Etruscan portion of the Roman people. Hence the establishment of the power of the Patricians as a sacerdotal cast apart from the mass of the people. The law of the twelve tables interdicting the intermarriage of the Patricians with the Plebeians was not taken from the original institutions of Rome, but formed a part of the hierocratic system of Etruria, which had been transferred by Tarquin to Rome, and incorporated with the old Greek and Sabine institutions.

These changes are distinctly visible in the forms of the triumph ; that of Romulus was purely Hellenic, and corresponded with the simplicity of the Hellenic religion and manners. The triumph of Tarquinius Priscus bore a deep impress of an hierocratic government.‡ In this government the king and the high priest are the same—

> Rex Anius, rex idem hominum Phœbique Sacerdos.
> Vittis et sacrâ redimitus tempora lauro.
>
> Æneid, 3, 80.

They are both identified as much as possible by the splendor of their attire with the God who is worshipped. Hence the *toga picta,* the *tunica palmata,* the ivory sceptre with the perched eagle, the vermilion painting, the sacred turret formed car, the four white horses of Jove. Hence, too, the ceremony was purely religious, the object of it was not so much to encourage military ardor, as to bring back a high spirited soldiery to habits

---

* See the first book of Dion. Hal.

† The Sabines seem to have been Celts. See Pelloutier Histoire des Celtes. The sacerdotal order, with the Celts, was not a cast.

‡ Eutropius, lib. 1, and Florus, lib. 1. c. 5, expressly refer the origin of the Triumph to Tarquinius Priscus. Besides the forms of the triumph, as

of obedience and peaceful submission to the civil authority and to the priesthood who were the depositaries of it. The procession commenced and ended with prayer. The procession was preceded by the priests and the victims; and the spoils and the captives, and the laurel crown with the golden ones which preceded the triumphal car, were parts of the priestly *cortege*. These are obvious accompaniments of a Pagan thanksgiving. In the laurel crown preceding the car, and in the laurel branches held by the triumphing general, and by those who followed him, are to be found the expiatory character of the triumph. While other spoils are hung up in the temple of Jupiter, the laurel crown, as the most valuable of the gifts, was placed in the lap of the God—

> —Nondum gremio Jovis Indica laurus,
> Nondum Arabes, seres que rogant.
> Statius.

It was peculiarly the *corona triumphalis*. See *Festus* Triumphales Coronæ. *Gellius*, lib. 5, c. 6, and *Tertullian*. There is a remarkable passage in Pliny respecting the use of the laurel in religious rites, and particularly in this particular rite of the triumph.

Laurus triumphis proprie dicatur, uel gratissima domibus, janitrix Cæsarum pontificumque : quæ sola & domos exornat, & ante limina excubat. * * * * *

Ipsa pacifera, ut quam prætendi etiam inter armatos hostes quietis sit indicium. Romanis præcipue lætitiæ victoriarumque nuncia additur literis & militum lanceis, pilisque. Fasces imperatorum decorat. Ex his in gremio Jouis optimi maximi deponitur, quoties lætitiam victoria novam attulit. Idque non quia perpetuo viret, nec quia pacifera est, præferenda utique myrto & oleæ est, sed quia spectatissima in monte Parnaso. Ideoque etiam gratta Apollini, assuetis eo dona mittere jam & regibus Romanis, teste L. Bruto. Fortassis etiam in argumentum, quoniam ibi libertatem publicam is meruissit, lauriferam tellurem illam osculatus ex responso : Et quia manu satarum receptarumque in domos, fulmine sola non icitur. Ob has causas equidem crediderim, honorem eis habitum in triumphis potius, quàm quia suffimentum sit cædis hostium &

---

practised in the time of the Republic of Etruscan origin, already mentioned, the *aurea bulla*, which hang from the neck of the triumphing general with some amulet in it against envy, is probably also derived from Etruria. The God Fascinus, whose image was suspended to the bottom of the triumphal car, was an Etruscan God. (Plin. Nat. Hist. xxxi. 4. 33.) The Fescenine verses, which were sung by the followers, derived their origin and their name from a city of Etruria. (See upon the subject of these verses, Muratori Dissertat. sopra le Antich. Ital. Tom. II. p. 515.)

purgatio, ut tradit Massurius. Adeoque in profanis usibus pollui laurum & oleam fas non est, ut ne propiciandis quidem numinibus accendi ex his altaria aræue debeant. Laurus quidem manifesto abdicat ignes crepitu, & quadam detestatione, interaneorum etiam vitia & nervorum ligno torquente. Tiberium principem tonante cælo coronari ea solitum ferunt contra fulminum metus. Plin. Nat. Hist. lib. xv. c. 30. See also Juvenal, Sat. 2, v. 158.

The authority of *Massurius Sabinus*, referred to by Pliny, is much higher than his own upon this matter. Sabinus was one of the most distinguished of the Roman jurisconsults, from whom the Sabinian sect derived their name, the author of several works upon law of the highest estimation, as is evinced by his being named in the Theodosian Code, one of the nine jurisconsults to whose responses the authority of law is by that code given,* and his works are commented upon by Ulpian, Pomponius and Paul. (See the Digest.†) The religious usages, their origin and import, constituted a part of the jurisprudence of Rome, and this union of religion and law, was also one of the consequences of the hierocratic power; hence is derived the Roman definition of jurisprudence. *Jurisprudentia est divinarum atque humanarum rerum notitia, justi atque injusti scientia.* Inst. 1. Massurius Sabinus, therefore, in the passage quoted by Pliny, was writing *de suâ arte*, and is therefore entitled to full credence.

The allusions in the Roman Poets to the laurel, are without number. I have never met with more than one allusion to the form of the letters from a general informing the senate of a defeat. It will be found in Juvenal, Sat. iv. v. 149.

> Tanquam de Cattis aliquid, torvisque Sicambris,
> Dicturus; tanquam diversis partibus orbis,
> Anxia præcipiti venisset epistola penna.

upon which passage an ancient scholiast observes—Antea si quid nuntiabant consules in Urbe per Epistolas nuntiabant, si victoriæ nuntiabantur laurus in epistula figebatur si autem aliquid adversi penna figebatur.

The revolution which seems to have ended in the destruction of all kingly power in ancient Italy, with the expulsion of the last Tarquin, constitutes one of the most important epochs in the history of civilization, and thenceforward the connexion between ancient and modern civilization can be traced.

Down to this period of time the hierocratic governments and

---

* Cod. Theodos. L. i. T. iv. de Respons. prud.

† Besides general references in various laws AD SABINUM, his books MEMORABILIUM are mentioned, l. 144, D. de Verb. signific. AD EDICTUM PRÆTORIS in li. 18, de Oper. libert. and ADSESSORIORUM in l. 5, § 8, D. de injur.

the simpler and more free Hellenic, Sabine and Aboriginal governments stood apart. The destruction of the regal government left every where, except at Rome, the remaining elements of each particular government to assume their natural place, upon the withdrawal of the regal power. Rome contained three several systems of religious institutions, and manners, partially amalgamated, on all of which the hierocratic government had a dominant, but not unlimited sway.

The consequences of the expulsion of Tarquin must be sought for as well in the principles of revolution, peculiar to the hierocratic system, as in the manners and habits of the two races not educated in that system.

By the succession of the elder Tarquin, the hierocratic system had been superindnced upon systems more simple and free. Its tendency was to make of the king, a mere pageant, and to distribute the substance of power among the members of the sacerdotal cast, of which he still remained at the head. A man of vigor and talent like the last Tarquin, would naturally be exposed to a conspiracy from the Patricians who formed that cast, and it was by them accordingly that he was expelled; but it formed no part of the plan of those who expelled him, that any substantial power should be given to the mass of the people. The king was to be removed, but the power of the sacerdotal cast was to remain unimpaired. It was necessary to conceal, however, from the people, by whose physical energies the revolution had been achieved, that their condition remained the same. This revolution, therefore, was followed by no abridgment of the power of the Patricians; on the contrary, that power was augmented by all the portion of power which had belonged to the king.

The modifications which the form of the triumph appear to have received at this time, were the result of the two antagonist principles which agitated the Roman Republic, down to the period of its final destruction under Augustus, when that destruction is again marked in a change of the form of the triumph to be hereafter adverted to. These modifications were further represented by the emblematic forms of the day. Upon the extinction of the regal power, the whole of the hierocratic authority came to be vested in the senate. The only power which that authority had to fear in states constituted as these ancient states were, was the military power; hence arose the provision that no general of an army should enter the Roman territory proper, the *ager Romanus*,* without a decree of the

* For the limits of the *ager Romanus*, see Sigon de Antiq. Jur. Pop. Rom. p. 6.

senate authorizing it; hence the practice of the senate meeting the triumphing general at the *porta triumphalis*, and preceding his car; hence the necessity of the decree of the senate authorizing a rogation to the people to grant the triumph; hence the triumphing general was not permitted to use any of the ornaments, or circumstances of his triumph, one instant after the ceremony ended. Marius, in the plenitude of his military power, venturing to go into the senate in his triumphal dress, excited such sentiments of indignation, that he was obliged, abruptly, to leave it, and put on the usual *prætexta*.* And the privilege conferred on Metellus of going to the senate in his car, is one of the extraordinary honors conferred upon that great man, and now stands recorded upon an ancient stone at Rome.† The new forms introduced upon this occasion, with reference to the mass of the people, rather flattered their prejudices than conveyed any substantial power. Amongst these are to be numbered, the scourge, the tintinabulum, the slave, or public executioner, holding the crown over the head of the triumphing general, and reminding him that he was but a man.

The two inferior forms of triumph, the ovation and the triumph upon the Alban Mount, cannot be rightly understood without reference to the Pontifical Law of Rome. The ovation, like the greater triumph, besides being a thanksgiving, or rather a public rejoicing, was also an expiatory rite. Hence the use of the myrtle in the ovation, that tree being as well as the laurel, used in expiatory ceremonies. We learn this fact too from Pliny—

Quippe ita traditur: myrtea verbena Romanos Sabinosque, cum propter raptas virgines dimicare voluissent de positis armis pacificatos in eo loco qui nunc signa Veneris Cluacinæ habet. Cluere enim antiqui pugnare dicebant. Et in ea quoque arbore re suffimenti genus habetur. Ideo tum electa, quoniam conjunctioni & huic arbori præest Venus. Haud scio an primæva etiam omnium in locis publicis Romæ sata sit, fatidico quidem & memorabili augurio. Inter antiquissima namque delubra habetur

* Plutarch in Mario.

† The following is the inscription :—

L. CÆCILIVS. L. F.
METELLVS.

PONTEFEX. MAX. COS. II. DICTATOR. MAG. EQ. XV. VIR. AGRIS. DANDIS. QVI. PRIMVS. ELEPHANTOS. PRIMO. PVNICO. BELLO. DVXIT. IN. TRIVMPHO. PRIMA. RIVS. BELLATOR. OPTIMTS. ORATOR. FORTISSIMVS. IMPERATOR. AVSPICIO. SVO. MAXIMAS. RES. GESSIT. MAXIMO. VSVS. HONORE. SVMMA. SAPIENTIA. MAXIMVS SENATOR. PARTAM. EX. ÆQVO. PECVNIAM. MAGNAM. SINGVLIS. LIBERIS. RELIQVIT. CLARISSIMVS. IN. CIVITATE. FVIT. TRIBVTVM. EI. VT. QVOTIES. IN. SENATVM. IRET. CVRRV. VEHERETVR. AD. CVRIAM. QVOD. A. CONDITO. ÆVO. NVLLI. ALII. CONTIGIT.

Quirini, hoc est, ipsius Romuli, in eo sacræ myrti fuere duæ ante ædem ipsam per longum tempus. Altera patricia appellata, altera plebeia. Pliny's Nat. Hist. lib. xv. c. 29.

No magistrate, except a Dictator, Consul or Prætor, had the *majora auspicia*, which were involved in the higher triumph, but were not involved in the ovation, and the ovation might therefore be conferred upon a magistrate or officer of a rank inferior to these.

The ecclesiastical power of the senate did not extend beyond the limits of the *ager Romanus* within which the Alban Mount was not included. There was no necessity, therefore, for a decree of the senate to authorize a rogation to the people, for the grant of a triumph in this portion of the Latin territory.

The wisdom of the senate deferred, but did not prevent the extinction of its anthority by military violence. The fourth form of the Roman triumph was that which was seen in the triumph of Augustus, wherein the senate, instead of preceding, followed the car of the triumphing general. And thus ended in a military despotism, the long struggle commencing with Tarquinius Priscus, and ending with Augustus, between the hierocratic institutions introduced by the former, with the more free and simple institutions of the Hellenic Sabine and Aboriginal nations of Italy. I think, therefore, there can be little doubt that the President, Mostesquieu, has entirely misconceived the nature, character, and effects of the Roman triumph.

But if the triumph had been what Montesquieu represents it, still he would not be advanced a step in his enquiry. The formal triumphs are, by him, confounded with the victories which they celebrated. The triumphs were the consequences, not the causes of the victories. And though it be granted, that the hope of obtaining triumphs, encouraged the exertions which led to future victory; yet, still it had not this effect to any greater extent in Rome, than in other nations. Unless some peculiar efficacy in procuring victories, can be shewn to have been inherent in the Roman triumphs, it will not serve to account for the superiority attained by that people. The same institution should have led to the same result every where.

The limits of a paper like the present, do not admit of commenting on the remaining causes assigned by Montesquieu, for the Roman greatness, otherwise than very generally.

The principal of these causes are—their perpetual wars—the annual change of their chief magistrates—their never concluding a peace except after a victory, and their bending all their thoughts and genius to the ends of war, and the consequent improvement made by them in this art, adoptiug from other

nations whatever was best. Further, he adds, the equal distribution of the lands—the vigor of the Roman Institutions, and the policy of the Senate not suffering those to rise whom they had once depressed—making use of their own allies and immediately extirpating the destroyers, choosing the proper time for assailing other states, and making their enemies suffer inexpressible evils, destroying their enemies and draining their treasures, encouraging factions in the free cities and disregarding the faith of treaties.

The circumstances here adverted to are not so peculiar to Rome as to be entitled to be received as leading to a solution of the problem under investigation.

Were the Æqui and Volsci, were the Hernici and the other cognate Latin Tribes less disposed to war than the Romans? Were the Sabines less stubborn or warlike than they? and what of the Marsi of whom it was said by the Romans themselves, that they had never triumphed without them nor over them?—Are the Etruscans, and above all the Gauls represented to us as indifferent to military glory? The truth is that at this period of the history of the world, war was considered as one of the principal means of acquisition as commerce now is. This notion was incorporated with the manners and feelings and policy of all these nations. In this order of things the meanest citizen felt, that *Omnis civilis vita latet sub tutelâ militaris gloriæ.*

If Rome then was engaged in perpetual wars to increase her wealth and territories, her neighbors were not less moved by the same desires, and if we are to believe the historians of Rome, her victories and conquests were forced upon her by a succession of unjust aggressions.

The frequent changes in the military command of the armies of Rome were the source of much danger, and when her military operations became more extensive, subjected the Republic to great inconveniences and afforded a pretext for the continuance in command of Marius, Sylla, Pompey and Cæsar of the triumvirs, and lastly of Augustus in whom the Republic ended.

Then as to the maxim never to make peace but when victorious; it is quite true that a State in perpetual war pursuing steadily this rule must either vanquish all its neighbors or be itself destroyed. But which shall be the alternative? The Æqui and Volsci were as obstinate as the Romans, but the Æqui and Volsci were exterminated. It is not the rule that gives empire, it is the power that enables them to persist in it. And the enquiry remains, what were the sources of this power?

The improvements made by the Romans in the art of war, were not by any means so great nor their discipline so peculiar

as they are generally represented. The arms and military discipline of the Latin nations seem always to have been the same as those of the Romans. The epoch of the inventionof the legion, is not known, probably it may be fixed about the period of the sacking of Rome by the Gauls. The legion was used by Hannibal and by Milthridates, and it is expressly said by Livy that in the social war, the arms and discipline of the Italic Confederates, were the same as those of the Romans. We have it from the best authority, that so late as the Samnite war which commenced in the year A. C. 343, and continued for sixty-three years the military art was in a less perfect state with the Romans than with the Samnites—Majores nostri (says Cæsar, ap. Sallust.)—arma atque tela militaria a Samnitibus sumpserunt; et quod ubique apud socios et hostes idoneum videbatur cum summo studio domi exequebantur.

This mode of advancement by adopting the improvements of neighboring States, whether friends or enemies, appears to be so very natural that one can hardly be persuaded that it would not be adopted by other nations besides the Romans. And stronger evidence than has yet been offered, would be necessary to induce the belief that these other nations would rest satisfied with inferior instruments of offence and defence, when they saw such superior ones in the hands of their enemies.

But not only were the other Italic States equally warlike, patriotic and greedy of booty as the Romans, but they had like annual chief magistrates, senates and assemblies of the people.

The division of senate and people, of patricians and plebeins, the union of civil and military authority in the same hands—the love of country—the passion for glory—the religious creed, and the destroying of conquered cities, and the occupying of them with colonies—these seem to have been common to all the ancient Italic States, and afford therefore, no solution to the problem, why Rome surpassed the others. The rule not to ransom their soldiers who were made prisoners, was established only after the superiority of Rome over her neighbors, was fully settled.—(Denina, Riv. d'Ital. lib. II. c. 1.)

The Senate managed the resources of the Republic and its foreign relations with all the systematic skill and policy pointed out by Montesquieu in his 6th and 7th Chapters.

Yet the success of these means indicates greater force of moral principle than the Author seems willing to allow to that body. Skill and policy when separated from moral principle degenerate into fraud and violence, and in fact are nothing else. But such ingredients one may be assured could never be the foundation of stable power. To maintain a lengthened sway

over any great portion of mankind, skill and policy must be united to justice. At least they must be believed to posses that union; and unless in the majority of instances they do possess it, the belief of it will not last long. Fraud and violence are readily and sometimes greadily resorted to by the individual. But the rest of mandkind detest them, and are up in arms against them. No combination of circumstances can secure power in their hands. Justice was in fact a distinguished attribute of the Roman Senate, and in numberless instances tempered the precipitancy and ferocity of the people. This was always the case in the better days of the Republic.

Still it is an enigma which has not been solved, how the powers of this body and those of the people could be made to act harmoniously together.—(Hume's Essays, I. p. 387—Essay X. of some remarkable Customs.)

And thus we are still left in the dark as to the means by which Rome rendered herself the mistress of the resources of the whole of Italy, divided as that country was at the time of the foundation of Rome, into so many independent, powerful and hostile states. Montesquieu, in his fourth Chapter, treats of the contest between Carthage and Rome, and assigns reasons for the subjugation of the former power by the latter. Without entering into the consideration of these reasons, or of those which in his fifth Chapter he assigns for the conquest of Greece, of Macedonia and of Syria, after the depression of Carthage, it is quite clear that unless Rome had been mistress of Italy, she could not have conquered those countries. And the question comes back again upon us, how came a horde of Shepherds and Banditti, from most inauspicious beginnings, to obtain the dominion of Italy.

Since the subversion of the Roman Empire, every Italian patriot has sighed over her divisions, and has poured forth unavailing vows for the union of her various states into one independent nation What they have only prayed for, ancient Rome achieved.*

* Let the concluding sentences of " the Prince" of Machiavelli urging Lorenzo de Medici, to organize and put himself at the head of a great Italian Confederacy to expel foreigners, be read. " Non si deve (says this much abused patriot) adunque lasciar passare questa occasione, acciocchè l' Italia vegga dopo tanto tempo apparire un suo rendentore. Nè posso esprimere con quale amore ei fussi ricevuto in tutte quelle provincie che hanno patito per queste illuvioni esterne, con qual sete di vendetta, con che ostinata fede, con che pièta, con che lacrime ! Quali porte se gli serrerebbono ? Quali popoli gli negherebbono la obbedienza ? Quale invidia se gli opporrebbe ? Quale Italiano gli negherebbe l'ossequio ? Ad ognuno puzza questo barbaro dominio. Pigli adunque la illustre casa vostra questo assunto

But if all that has been stated by Montesquieu had been true, the solution would have removed the difficulty but one link back;—according to an Indian Fable the earth is supported by a Tortoise, but what supports the Tortoise? Granting the superiority of the Roman Institutions and manners over those of their neighbours, and of all the other inhabitants of the earth—how came this people of banditti and exiles, without any special revelation, at once to have reached so high an elevation in wisdom and virtue?

Upon the whole it does not appear to me that the work of Montesquieu satisfactorily explains the great problem, which he attempts to solve, and I am inclined to believe that the result of a careful study of the sources of the power of ancient Rome, would shew that they were to be found more in the arts of peace than in those of war, and that her military institutions were subordinate to her civil polity.

con quello animo e con quelle speranze che si pigliano l'imprese giuste, acciocchè sotto la sua insegna questa patria ne sia nobilitata, e sotto i suoi auspici si verifichi quel detto del Petrarca :—

Virtù contro al furore
Prenderà l'arme, e fia il combatter corto,
Che l' antico valore
Ne gl' Italici cuor non è ancor morto.