

CHAPTER IX.

THE REPUBLIC OF LACEDÆMON—Origin—Divided Sovereignty—Brown's Theory of the Spartan Constitution examined—Reform of Lycurgus—Senate—Limitation of the Kingly Power—Regulation of Manners—Equal Partition of Land among all the Citizens—Iron Money—Arts prohibited and confined to Slaves—Public Tables—Education—Defects of the System of Lycurgus—Its effects on Manners—Theft authorized—Cruelty—Idleness—Creation of the Ephori.

THE territory of Lacedæmon, or Laconia, of which Sparta, situated on the Eurotas, was the chief city, forms the south-east corner of Peloponnesus; having Argos and Arcadia on the north, Messene on the west, the *Mare internum*, or Mediterranean, on the south, and the bay of Argos on the Ægean Sea to the east. The whole territory, bounded by a natural barrier of mountains, did not exceed fifty miles in its largest diameter, but was extremely populous, containing many considerable towns and excellent sea-ports. Sparta is said to have been built by a prince of the name of Lacedæmon, who reigned there in the time of Crotonus, king of Argos, and Amphitryon of Athens, 303 years before the destruction of Troy, and 711 before the first Olympiad. At the time of the siege of Troy, Menelaus was the sovereign of Lacedæmon, whose wife Helen, carried off by Paris, the son of Priam, was the cause of the war.

Orestes, the son of Agamemnon, and nephew of Menelaus, succeeded to the sovereignty of Lacedæmon in right of his mother Clytemnestra, the daughter of Tyndarus. The united kingdoms of Argos, Mycenæ, and Lacedæmon were possessed by his son Tesamenes, who, being expelled and dethroned, as we have seen, by the Heraclidæ, they made a partition of his states, assigning Laconia to Eurysthenes and Procles, two sons of Aristodemus. The brothers did not divide the kingdom, but governed jointly with equal power, as the Roman consuls; and such continued to be the form of the Spartan sovereignty during a succession of thirty princes of the line of Eurysthenes, and twenty-seven of the race of Procles. The celebrated Lycurgus was the son of Polydectes, the sixth prince in a direct descent from Procles. Of the great political revolution, operated by this eminent legislator, we shall immediately proceed to give some account, after a previous examination of a new theory of the Spartan government, which, though extremely ingenious, rests on no basis of historical evidence.

It is in general a very just opinion that political establishments and forms of government have owed their origin not so much to the genius and efforts of any individual lawgiver or politician, as to a natural progress in the condition of men, and the state of society in which they arose: but this observation, in general true, is not universally so. It is as fallacious a position to assert that no political establishment has been the result of the genius of a single man, as to affirm that all have had that origin. It is too much the prevailing passion with speculative politicians to reduce every thing to general principles. Man, say they, is every where the same animal; and will, placed in similar situations, always exhibit a similar appearance. His manners, his habits, his improvements, the government under which he lives, the municipal laws by which he is regulated, arise naturally from that situation in which we find him, and all is the result of a few general laws of nature which operate equally upon the whole of the human kind. I very much fear that this fondness for generalizing has been prejudicial both to sound philosophy and to historic truth, by making fact bend to system. I am afraid that those who have flattered themselves with possessing that penetration of intellect which can develop the simple but hidden laws which regulate human nature, have forgotten that it is the knowledge of facts alone that must lead to the discovery of those laws; and that to know for certain whether we possess those necessary facts, we must have attained a perfect acquaintance with the history of the whole species. The philosopher, who antecedently to this extensive knowledge should, from a partial view of a single nation or race of men, or even from the best details which history can furnish, think himself qualified to lay down the laws of the species, may have the ability to make a very beautiful hypothesis, which, after all, may be as distant from the truth as an Utopian romance.

These reflections have occurred on considering a theory with regard to the constitution of Sparta, which was first started by an ingenious writer, Dr. Brown, in his *Essay on Civil Liberty*; and as it pleases the imagination by its ingenuity, it has obtained of late a pretty general currency. It has been adopted by Mr. Logan in a small tract entitled "*The Philosophy of History*," and has thence been ingrafted into a larger work, probably written by the same author, though under a different name.*

The theory to which I allude, proceeding upon this principle, that all political establishments result naturally from the state of society in which they arise, gives the following ingenious account of the origin of the Spartan government, and solution of all those singular phenomena which it exhibited.

The army of the Heraclidæ, when they came to recover the

* Rutherford's *View of Universal History*.

dominion of their ancestors, was composed of Dorians from Thessaly, the most barbarous of all the Greek tribes. The Achæans, the ancient inhabitants of Laconia, were compelled to seek new habitations, while the barbarians of Thessaly took possession of their country. Of all the nations which are the subject of history, this people, it is said, bore the nearest resemblance to the rude Americans. An American tribe, where a chief presides, where the council of the aged deliberate, and the assembly of the people give their voice, is on the eve of such a political establishment as the Spartan constitution. The Dorians, or Thessalians, settled in Lacedæmon, manifested the same manners with all other nations in a barbarous state. Lycurgus did no more than arrest them in that state by forming their usages into laws. He checked them at once in the first stage of improvement; he put forth a bold hand to that spring which is in society, and stopped its motion.

It remains now to inquire whether this ingenious theory is consistent with historic truth. It may be remarked, in the first place, that the Dorians, thus represented as one of the most barbarous of the Greek nations, were in no period of history described as possessing that character. From the nature of their country, they were in ancient times a pastoral people, whose chief occupation was the care of their flocks and herds; and hence the Doric character in poetry and music is synonymous with the pastoral. But the Dorians inhabiting the centre of Greece adjoining to Attica, and in the immediate vicinity of Delphos, were probably among the most early refined of the Grecian tribes. They were among the first who, from an excessive population, sent forth distant colonies; and, if we are to judge of the mother state from her children, we should estimate their civilization at that period to be remarkable; since their colonies Syracuse and Agrigentum, Tarentum and Locri, were within a short period of their foundation among the most polished and luxurious of the states of antiquity.

But in reality we have no sufficient authority for this alleged fact, that the Dorians, or any other people, expelled the ancient inhabitants of Laconia, and took possession of their country. That the Heraclidæ, after a tedious war, at length recovered the dominions of their ancestors, is a fact upon which all antiquity is agreed; but that they used the absurd and unnatural policy of extirpating their own natural subjects, and planting a race of strangers in their stead, is an assertion which is not easily to be credited. A single oration of Isocrates is quoted as countenancing this alleged fact. Addressing the Lacedæmonians, he says, "Ye were originally Dorians;" and in another passage he says that the Dorians agreed to follow the Heraclidæ on condition of getting a share of the conquered lands. On this slender authority rests the supposed fact, that the Dorians got the whole of this territory by the extirpation of its former inhabitants. An incidental passage in

the speech of a rætorician, referring to an event which must have happened near 800 years before his time, is thus the only warrant for a fact which in itself is contrary to all probability.

And here the question may be put, whence has it happened that this idea of the origin of the Spartan constitution should have escaped all the politicians of antiquity—all those ingenious and accurate writers who have been at the utmost pains to delineate the origin and nature of this extraordinary system of government—that those great geniuses of antiquity who lived so much nearer to the times of which they treated—who had all the information we have, and unquestionably a great deal more that we have lost—should not have had the sagacity to developé this very simple idea of the rise of this extraordinary constitution? How it has happened that Xenophon, Plutarch, Aristotle, Plato, Polybius, should, after all their researches on the subject, never have once stumbled upon a truth of such obvious discovery;—that all those writers should have joined in the highest encomiums of the extraordinary political ability of Lycurgus in effecting so singular and so violent a change in the constitution of his country and manners of his people;—and that it should now be discovered, at the distance of above 2600 years, that this legislator, so celebrated in antiquity, made no change whatever, and had no other merit than that of fixing by laws the manners of his countrymen in the rude state in which he found them.

Xenophon, in his treatise on the Lacedæmonian polity, enlarges on the most extraordinary genius of Lycurgus, who could devise a system so opposite to that of all other establishments, and is continually adverting to the contrariety between the laws which he established, and those which prevailed in the neighboring states.

Plutarch says, that Lycurgus, on returning after an absence of many years, which he had spent in Crete, in Egypt, in Africa, in Spain, and in Asia, in conference with the learned men of all those countries, and in the study of their laws and governments, conceived the great design of entirely new modelling the laws and constitution of his country, then in the utmost disorder and imperfection. He mentions particularly that the separation of the military profession from that of the mechanical arts was what Lycurgus most admired in Egypt, and thence he introduced the same regulation among his own countrymen at his return. He saw, says Plutarch, that "partial amendments would be like a mild and gentle medicine in a mortal disease; that the cure must be made by cutting off at once every principle of ancient corruption, and thus giving the body politic a new, vigorous, and healthy constitution." The same author informs us, that the execution of this design was attended, as might have been expected, with the greatest difficulty, and relates a particular circumstance which strongly proves it: the regulation of the diet of the citizens excited

such commotion, that the lawgiver in a popular tumult had one of his eyes beaten out.

Such are the ideas of two of the ablest politicians of antiquity, who have written professedly of the Spartan constitution and government. We have no hint from them of this ingenious theory, of fixing the manners of barbarians, or stopping the spring of society. Do we find any thing of this notion in Plato? Not a word: every thing, on the contrary, which marks an extraordinary change effected by Lycurgus; which intimates the difficulties he met with, and the force of genius by which he surmounted them. "He appeared," says Plato, "*like a god among men.*" He realized and actually executed what the greatest philosophers have scarcely dared to imagine: to raise men above the passion of interest, above pain, above pleasure; to extinguish in them the strongest propensities of nature, and to fill their whole souls with the love of glory and of their country.

Do we find any trace of these modern ideas in Herodotus, in Aristotle, in Polybius? Nothing that approaches to them. They all breathe the same sentiments; they all paint the wonderful change operated by Lycurgus, the extraordinary genius of that politician and lawgiver. But the modern theorists have discovered in the ancient governments principles and political springs which lay concealed from those who framed and those who lived under them. They have traced the principles of the Spartan constitution among every barbarous people: their government and laws among *the savages in America*; and the singular manners and more singular institutions which distinguished the Spartans from all the rest of Greece, among the tribes of savages who wander in the woods, and live in a state of nature.

If the laws of Sparta have this resemblance to the institutions of all barbarous nations, I would ask among what barbarous people do we find such institutions as the following, or any thing in their manners analogous to them? Children at Sparta were not considered as belonging to the individual parents, but to the state. After the performance of the first maternal duties, the youth were educated at the charge of the public; and every citizen had as much authority over his neighbor's children as over his own. Slaves, in the same manner, were, at Sparta, a species of common property; every man might make use of his neighbor's slaves; and hunt, as Xenophon informs us, not only with his neighbor's servants, but with his dogs and horses. Among nations in their rudest state, as the wild Americans, we know that the condition of children is, that they are subjected to the absolute will and disposal of the father: the community or tribe has no more concern with the children of the individual, than they have with his bow or his hatchet, or the prey that he has taken, or slain with his arrows.

A communion of property, such as that we have mentioned, is totally adverse to the manners of a savage people, whose charac-

teristic feature is predominant selfishness, and where the notions of the individual with respect to the property he possesses are obstinately repugnant to all communication.

The strong inducement to marriage held forth by the laws of Lycurgus, by punishing those with infamy who refused to marry, has no foundation in the manners of any of those barbarous nations with which we are acquainted.

We discover not in barbarous tribes any thing analogous to the oath of government, which, at Sparta, was annually renewed between the kings and people. The kings swore to rule according to the laws, and the people took a solemn oath, by the mouth of their magistrates, to be faithful and obedient, *on that condition*, to their government.

The confinement of the citizens of Sparta to the same simple diet, and the public tables, where all fed in common, have no parallel among any barbarous people that has ever yet been discovered. Intemperance in food, and drunkenness, are among the predominant vices of all rude nations.

No philosophic traveller has yet discovered among any barbarous nations in that period when they have become stationary, and have a fixed territorial residence, any traces of any agrarian law. If this could be found in any savage state, we might then suppose that Lycurgus made no extraordinary innovation when he divided Laconia into 39,000 equal portions among its whole inhabitants.

Similar illustrations might be added without number. It cannot be alleged, in opposition to those instances I have mentioned, that they are minute or unessential circumstances of dissimilarity, which would not counterbalance the great and material points of coincidence; they are, on the contrary, great and capital features of the Spartan constitution, to which we shall not find the smallest resemblance in the institutions or manners of any barbarous people. Instances of this kind, where they consist of important and specific facts, have much more influence than general characters either of weight or dissimilarity. It is just as absurd to say, that a barbarous American tribe, where a chief presides, where the council of the aged deliberate, and the assembly of the people gives its voice, is on the eve of such a constitution as that of Sparta, as it were to say that they are on the eve of such a constitution as that of Britain;—because there is a coincidence of the same general characters, a king presiding, a privy-council deliberating, and the people giving their voice by their representatives in parliament.

I forbear to pursue this subject to a greater length. Too much, it may be thought, has been said on this modern theory of the Spartan government: but the currency it has obtained, and the general prevalence of the spirit of systematizing, which is hurtful to improvement in most sciences, and is particularly dangerous in matters of history, seemed to make it necessary that this remarkable example should meet with particular examination. I pro-

ceed now to a short delineation of the constitution of Sparta, and shall consider its great legislator in that point of view in which his character has been regarded by all antiquity.

The return of the Heraclidæ, as we have seen, gave two kings to Lacedæmon. In the partition of their conquests, Sparta fell to the share of Eurysthenes and Procles, the sons of Aristodemus, who agreed to a joint dominion, which should descend in the same manner to their posterity. The sovereignty, split into two branches, remained thus divided for about 900 years. The earlier periods of this government were, from that cause, as might have been expected, most disorderly and tumultuous. While each ruler acknowledged no other law than his own will, to which he found a frequent opposition from the equally arbitrary will of another, it is easy to imagine what must have been the condition of the subject, and what the weakness and disorder of the kingdom.

In this miserable state of anarchy, Lycurgus succeeded to one branch of the throne, by the death of his brother Polydectes; but the widow of the last prince being after a few months delivered of a son, he yielded the crown to his infant nephew. Thus at liberty, and meditating more effectually to serve his country at a future period, he travelled into Crete, Asia, and Egypt, in the view of studying the laws of foreign nations and the spirit of their governments. The singular example he had shown of moderation in resigning the throne, his known abilities, and the fruits expected from those treasures of acquired knowledge he was now supposed to possess, made his countrymen pray his return with eager impatience. He returned to Sparta; and even the kings themselves are said to have joined the voice of the people in soliciting his aid to reform and save his country.

Lycurgus undertook the arduous office in the true spirit of disinterested patriotism. He perceived immediately that he must encounter the most formidable difficulties in effecting what he proposed,—a total change, not only in the government but in the manners of his people. For this great purpose, he had learned from the example of the Cretan Minos, that no engine was so powerful over the minds of a rude and ignorant people, as the belief of acting by supernatural aid. The Delphian oracle, tutored, it may be supposed, to the purpose, declared Lycurgus the friend and favorite of the gods; and proclaimed to Sparta, that from him she should derive the most perfect government on earth.

Armed with this heavenly sanction, Lycurgus boldly proposed his system. The former constitution, if it deserved that name, was an unnatural mixture of an hereditary divided monarchy, and a disorderly democracy. Between these contending powers, there was no clearly defined partition of authority, nor any intermediate power to preserve the balance. To supply this want was the first aim of Lycurgus. He created a senate, elective, of twenty-eight members, whose function was, as a national council, to

prepare and digest laws and ordinances, which the people had a power to approve or reject. Nothing could come before the assembly of the people that had not either originated in the senate, or previously received its sanction. On the other hand, the approbation of the people was necessary to validate the determinations of the senate. Thus, in fact, the sovereignty resided properly in the people; to whom the senate was a council, furnished with sufficient power to regulate without dictating their determinations.

The kings presided in the senate, and had a double suffrage. They were likewise the generals of the republic; but in other respects, their power was extremely limited. They could form no enterprise without the sanction of a council of the citizens, whose duty was to watch over their measures. On considering this circumscribed authority of the kings, Condillac has well remarked, that the throne seemed preserved in the line of the Heraclidæ, only with the view of preventing any citizen aspiring to it; and two kings were in reality less dangerous to liberty than one; since they constantly kept alive two opposite parties, each restraining the other's ambition, and thus preventing all approach to tyranny.

A system thus simple, and thus beautifully balanced, seemed in some measure to ensure its own duration. But Lycurgus well knew, that permanence was not to be looked for from the best concerted system, if attention were not given at the same time to the regulation of that great spring on which all governments depend, the manners of the people. *Quid leges sine moribus vane proficiunt?*

In this important article, the regulation of manners, one single principle influenced the whole plan of Lycurgus. *Luxury is the bane of society.* Let us see in what manner the particular institutions of the Spartan legislator were calculated to guard against that powerful source of corruption.

The inequality of possessions was in the first place to be corrected, which could not be done without a new partition of territorial property. This was in all probability the greatest of those difficulties which Lycurgus had to encounter. An agrarian law, as striking at the root of wealth, pre-eminence and luxury, is of all political regulations that which has ever been found of the most difficult accomplishment. We shall see the effects of such attempts in the Roman commonwealth. The Greek historians have left us much in the dark as to the means which Lycurgus employed to enforce this necessary, but harsh and violent change. It seems most probable that he gained the wealthiest of the citizens to an acquiescence in this measure, by artfully employing the passion of honor to combat that of interest; for example, by admitting this class of men chiefly to a share in the government of the state, when the senate was first formed, and the chief offices