THE NEW SCIENCE OF
GIAMBATTISTA VICO
Revised Translation of the Third Edition (1744)
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AND MAX HAROLD FISCH
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CONCERNING THE COMMON NATURE OF THE NATIONS

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[SECTION I]

NOTES ON THE CHRONOLOGICAL TABLE,
IN WHICH THE MATERIALS ARE SET IN ORDER

I

[Chronological table, based on the three epochs of the times of the Egyptians, who
said all the world before them had passed through three ages: that of the gods, that
of the heroes, and that of men] [52].

43 This Chronological Table sets forth in outline the world of the
ancient nations, starting from the universal flood and passing from the
Hebrews through the Chaldeans, Scythians, Phoenicians, Egyptians,
Greeks, and Romans down to the Second Carthaginian War. On it there
appear men and deeds of the greatest renown, assigned to certain times
and places by the community of scholars. These men and deeds either
did not have their being at the times or in the places to which they have
been commonly assigned, or never existed at all. On the other hand, from
the long dark shadows where they have lain buried, notable men and
most pertinent deeds emerge, through whom and by which the decisive
changes in human institutions have come about. All this is set forth in
these Notes, to show how uncertain, unseemly, defective, or vain are the
beginnings of the humanity of the nations.

44 Moreover this Table takes a position quite opposed to that of
the Chronological Canon [Canon chronicon, aegyptiacus, hebraicus,
graecus] of John Marsham, in which he tries to prove that the Egyptians
preceded all the nations of the world in government and religion, and
that their sacred rites and civil ordinances, transported to other peoples,
were received with some emendation by the Hebrews. In this opinion he
was followed by [John] Spencer in his dissertation De Urim et Thummim,
in which he expresses the opinion that the Israelites had taken from the
Egyptians all their knowledge of divine institutions by means of the sacred
Cabala. Finally Marsham was acclaimed by van Heurn in his Antiquitates
philosophiae barbaricae, in which, in the part entitled Chaldaicus, he
writes that Moses, instructed in the knowledge of them by the Egyptians, had brought divine institutions to the Hebrews in his laws. Against this line of argument arose Hermann Wits in his Aegyptia. He thinks that the first gentle author to give certain information about the Egyptians was Dio Cassius, who flourished under the philosopher Marcus Aurelius. But on this point he may be confuted by the Annals of Tacitus [2.56], in which we are told that Germanicus, having gone into the East, proceeded thence to Egypt to see the famous antiquities of Thebes, and had one of the priests there interpret to him the hieroglyphs inscribed on some of the monuments. The priest, talking foolishly, told him that those characters preserved the memory of the boundless power that their king Ramses [II] had held in Africa, in the East and even in Asia Minor, equal to the power of the Romans in their own time, which was very great. But this passage, perhaps because it was contrary to his position, Wits said nothing about.

But certainly such boundless antiquity did not yield much recondite wisdom to the inland Egyptians. For in the time of Clement of Alexandria, as he recounts in his Miscellanies [Stromata 6.4], their so-called priestly books were in circulation to the number of forty-two, and they contained the greatest errors in philosophy and astronomy, for which Chaeremon, teacher of St. Dionysius the Areopagite, is often scoffed at by Strabo [17.1.29]. Their ideas about medicine are found by Galen in his discussion of Hermetic medicine [On Simples 6.6r.] to be obvious nonsense and mere quackery. Their morality was dissolute, for it not only tolerated or permitted harlots but made them respectable. Their theology was full of superstition, magic and witchcraft. And the magnificence of their pyramids and other monuments might well have sprung from barbarism, which accords well with hugeness [8.6]. Egyptian sculpture and casting are regarded even today as extremely crude. For delicacy is the fruit of philosophy, wherefore Greece alone, which was the nation of philosophers, shone with all the fine arts that human genius has ever discovered: painting, sculpture, casting, and the arts of engraving, which are most delicate because they are compelled to abstract the surfaces of the bodies they represent [794].

This ancient wisdom of the Egyptians was raised to the stars by Alexandria, founded on the sea by Alexander the Great. Unitizing African acuteness with Greek delicacy, it produced distinguished philosophers in divinity, through whom the city gained such renown for high divine wisdom that the Alexandrian Museum was later as much celebrated as the Academy, the Lyceum, the Stoa, and the Cynosarges all together had been in Athens. Alexandria was called on this account "the mother of the sciences." Such was its excellence that the Greeks called it simply Polis, The City, as Athens was called Aytu and Rome Urb. Thence came Manetho, the Egyptian high priest, who turned all Egyptian history into a sublime natural theology [222], just as the Greek philosophers had previously done with their fables, which will here be found to have been their most ancient histories. Thus the same thing happened to the Greek fables as to the Egyptian hieroglyphs.

47 With such a show of high wisdom, the nation, arrogant by nature (and hence mockingly called "animals of glory"), in a city which was a great emporium of the Mediterranean and, through the Red Sea, of the Ocean and the Indies (a city among whose abominable customs was that related by Tacitus in a golden passage [A. 2.60], that it was "avid of new religions"), believed that the false gods which were scattered abroad in the world (as they learned from the nations which met there for maritime trade) must all have originated in their Egypt, and that their Jove Ammon was the oldest of all Joves (of which every gentle nation had one), and that the Herculean of all the other nations (varo enumerated as many as forty [141]) must have taken their names from their Egyptian Hercules. These [pretensions], both reported to us by Tacitus, were due in part to the prejudiced opinion of their exceptional antiquity, which they vainly boasted over all other nations of the world, adding that in ancient times they had lorded it over a great part of the world. They were due in part also to their not knowing the way in which uniform ideas of gods and heroes were born among the gentle peoples without their having any knowledge of each other, as we shall fully demonstrate later on [145f]. Now for all the too flattering judgments with which Diodorus Siculus (who lived in the times of Augustus) adorns the Egyptians, he does not accord them more than two thousand years of antiquity [1.25r.], and his judgments are overthrown by Jacques Cappel in his Historia sacra et exotica, who puts them in the same class with those which Xenophon had ascribed to Cyrus (and we may add those which Plato often refers to the Persians [as in his Aellebes 1 120E]). Finally all this concerning the vanity of the high ancient wisdom of the Egyptians is confirmed by the hoax of the Potimander, palmed off as Hermetic doctrine. Saumaise considered this fragment a disordered and badly composed collection of things, and Casaubon found that it contained no doctrine more ancient than that which the Platonists set forth in their same phraseology.

48 This false opinion of their great antiquity was caused among the Egyptians by a property of the human mind—that of being indefinite [120f]—by which it is often led to believe that the things it does not know
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<tr>
<th>Hierarchs (D)</th>
<th>Chaldeans (B)</th>
<th>Egyptians (I)</th>
<th>Persians (V)</th>
<th>Egyptians (V)</th>
<th>Greeks</th>
<th>Romans</th>
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**Chronological Table**

Based on the three epochs of the times of the Egyptians, who said all the world before them had passed through three ages: that of the gods, that of the heroes, and that of men (I).

43 ancient Hellenes appear and did not begin the four course; had they appeared, the C and D. It is impossible to say when Egypt began.
are vastly greater than in fact they are. The Egyptians were in this respect like the Chinese, who grew to so great a nation shut off from all foreign nations, for the Egyptians were similarly shut off until Psammethicus, and the Scythians until Idanthyrsus. The Scythians [or Russians] indeed, according to a vulgar tradition, surpassed the Egyptians in antiquity. This vulgar tradition must have taken its start from [the legendary episode] with which profane universal history begins. It sets up, in Justin’s version [1.1, 5], as two pre-beginnings antedating the monarchy of the Assyrians, two powerful kings, Tanaus the Scythian and Sesostris the Egyptian, who have until now made the world seem older than it really is. [The story goes] that Tanaus had moved first through the [near] East with a great army to subdue Egypt, which is by nature very difficult to penetrate with an army, and that then Sesostris with an equally great host had moved to subdue Scythia. Yet Scythia lived unknown to the Persians themselves (who had extended their monarchy over that of the Medes, their neighbors) down to the time of Darius called the Great, who declared war on Idanthyrsus, king of the Scythians; and this king was so barbarous even in the days of a most civilized Persia that he answered him with five real words in the form of five objects, since he did not even know how to write with hieroglyphs [59, 435]. And we are to believe that these two great and mighty kings crossed Asia with two great hosts without making a province either of Scythia or Egypt, but leaving it in such liberty that there later grew up there the first of the four most famous monarchies in the world, that of Assyria!

49 For the same reason, perhaps, the Chaldeans did not fail to enter the lists in this contest of antiquity. They too were an inland people and, as we shall show, more ancient than the other two, who vainly boasted that they had preserved the astronomical observations of a good twenty-eight thousand years. This was perhaps the reason that Flavius Josephus the Jew [in his Jewish Antiquities 1.70] erroneously regarded as antediluvian the observations described on the two columns, one of marble and one of brick, raised against the two floods, and thought that he himself had seen the marble one in Syria. So important was it to the ancient nations to preserve astronomical records, whereas this sense was quite dead among the nations that followed them! Wherefore this column finds its proper place in the museum of credulity.

50 But the Chinese are found writing in hieroglyphs [85] just as the ancient Egyptians did [435] (to say nothing of the Scythians, who did not even know how to put their hieroglyphs in writing [48]). For many thousands of years they had no commerce with other nations by whom they might have been informed concerning the real antiquity of the world. Just as a man confined while asleep in a very small dark room, in horror of darkness [on waking] believes it certainly much larger than grooping with his hands will show it to be, so, in the darkness of their chronology, the Chinese and the Egyptians have done, and the Chaldeans likewise. It is true that Father Michele Ruggieri, a Jesuit, declares that he has himself read books printed before the coming of Jesus Christ. It is true further that Father Martini, another Jesuit, in his Sinica historia ascribes a great antiquity to Confucius, which has led many into atheism, as we are informed by Martin Schoock in his Diluvium Noachii universale, in which he says that Isaac de la Peyre, author of the Pseudamphitrite, perhaps for that reason abandoned the Catholic faith and then wrote that the flood spread over the lands of the Hebrews only. Nevertheless Nicolas Trigault, better informed than Ruggieri or Martini, writes in his De christianis expeditione apud Sinarum that printing was in use in China not more than two centuries earlier than in Europe, and that Confucius flourished not more than five hundred years before Christ. And the Confucian philosophy, like the priestly books of the Egyptians, in its few references to physical nature is rude and clumsy, and it is almost wholly devoted to a vulgar morality, the morality commanded to the people by their laws.

51 Premising such reflections on the vain opinion of their own antiquity held by these gentile nations and above all by the Egyptians, we should begin our study of gentile learning [tutto lo scibile gentil sesso] by scientifically ascertaining this important starting-point—where and when that learning had its first beginnings in the world—and by adding human reasons thereby in support of Christian faith [tutto il credibile cristiano], which takes its start from the fact that the first people of the world were the Hebrews, whose prince was Adam, created by the true God at the time of the creation of the world. It follows that the first science to be learned should be mythology or the interpretation of fables; for, as we shall see, all the histories of the gentiles have their beginnings in fables, which were the first histories of the gentile nations [202]. By such a method the beginnings of the sciences as well as of the nations are to be discovered, for they sprang from the nations and from no other source. It will be shown throughout this work that they had their beginnings in the public needs or utilities of the peoples and that they were later perfected as acute individuals applied their reflection to them [498]. This is the proper starting-point for universal history, which all scholars say is defective in its beginnings [399].
The New Science of Giambattista Vico

In this undertaking we shall be greatly helped by the antiquity of the Egyptians, for they have preserved for us two great fragments not less marvelous than their pyramids, namely these two great philological verities. The first is narrated by Herodotus [2, 56; cf. Diodorus Siculus 1, 44]: that the Egyptians reduced all the preceding time of the world to three ages, the first that of the gods, the second that of the heroes, the third that of men. The other (as related in Scheffer’s De natura et constitutione philosophiae italicae seu pythagoricae) is that, with corresponding number and sequence, through all that period three languages had been spoken: the first hieroglyphic, with sacred characters; the second symbolic, with heroic characters; the third epitaphic, with characters agreed on by the peoples [175, 428ff]. This division of times was not followed by Marcus Terentius Varro: we must not say because he did not know of it, for, with his boundless erudition, he deserved the honor bestowed on him in the title “most learned of the Romans” in their most enlightened period, the age of Cicero; but rather because he did not choose to; perhaps because he applied [only] to Roman history what by our principles will be found true of all the ancient nations, namely that all Roman institutions, divine and human, were native to Latium. He therefore studied to give them all Latin origins in his great work [The Antiquities] of Divine and Human Institutions [M4], of which the injustice of time has deprived us. (So far was Varro from believing in the legendary bringing of the law of the Twelve Tables from Athens to Rome). [According to Censorinus, Natal Day 21, he divided the times of the world into three: a dark time, corresponding to the Egyptian age of the gods; a fabulous time, corresponding to their age of the heroes; and a historic time, corresponding to their age of men [564, 990].

Furthermore the antiquity of the Egyptians will help us with two pretentious memories, examples of that conceit of nations by which, as Diodorus Siculus observed [1, 9, 3], every nation barbarian or civilized has considered itself to be the oldest and to have preserved its records from the beginning of the world [155]; a privilege, as we shall see, of the Hebrews alone [54]. These two pretentious memories we have observed to be, first, the legend that their Jove Ammon was the oldest of all the Joves in the world, and second, that the Hercules of all the other nations had taken their name from the Egyptian Hercules [47]. That is, that all nations had passed first through the age of gods, the king of whom was by all these nations held to be Jove; and then through the age of heroes, who considered themselves sons of the gods, and of whom Hercules was believed to be the greatest.

Book I: Establishment of Principles

The first column is dedicated to the Hebrews, who, on the most reliable authority of Flavius Josephus the Jew and Lactantius Firmianus [64], lived unknown to all the gentle nations. And yet they reckoned rightly the account of the times passed through by the world, now accepted as true by the severest critics, according to the calculation of Philo the Jew. If his estimate varies from that of Eusebius, the difference is one of a mere fifteen hundred years, which is a very short period of time compared with the variations among the chronologies made up by the Chaldeans, Sceptics, Egyptians, and in our own day by the Chinese. And this should be an invincible proof that the Hebrews were the first people in our world and that in the sacred history they have truthfully preserved their memories from the beginning of the world [165ff].

The second column is devoted to the Chaldeans, both because in geography it is clear that the most inland monarchy of all the habitable world must have been in Assyria, and because in this work it is shown that the inland nations were populated first, and then the maritime nations [736]. And certainly the Chaldeans were the first gentle sages, and the common opinion of philologians regards Zoroaster the Chaldean as their prince. And without question universal history takes its beginning from the monarchy of the Assyrians, which must have begun to take shape among the Chaldean people; from whom, when it had grown to great size, it must have passed to the nation of the Assyrians under Ninus, who must have founded that monarchy not with people brought in from outside but with those born within Chaldea itself, whereupon he did away with the Chaldean name and brought forward the Assyrian in its stead. It must have been the plebeians of that nation through whose support Ninus made himself king. It will be shown in this work that such was the political custom in almost all nations, as we know certainly it was of the Roman. Now the same [universal] history tells us that Zoroaster was slain by Ninus. We shall see that this was said, in heroic language, in the sense that the kingdom of the Chaldeans which had been aristocratic (and of which Zoroaster had been the heroic character) was overthrown by means of the popular liberty of the plebeians of that people. We shall see that in heroic times these plebeians were a different nation from the nobles, and that
with the aid of this nation Ninus established himself as monarch. Otherwise, if things are not as we have stated them, this monster of chronology would emerge in Assyrian history: that within the lifetime of one man, Zoroaster, Chaldea had grown from a land of lawless vagabonds to such greatness of empire that Ninus was able to found on it a mighty monarchy. For lack of these principles, Ninus, taken as the initiator of universal history, has hitherto made the monarchy of Assyria seem to have been born all at once, as a fog is born in a summer shower [725].

IV
[The Scythians]

56 The third column is set up for the Scythians, who surpassed the Egyptians in antiquity, as we learned not far back [48] from a vulgar tradition.

V
[The Phoenicians]

57 The fourth column is assigned to the Phoenicians and as to the Egyptians, whom the Phoenicians brought from the Chaldeans the use of the quadrant and the knowledge of the elevation of the polestar [727]. Of so much there is a vulgar tradition. We shall show later that they brought also vulgar [alphabetic] characters [440].

VI
[The Egyptians]

58 For all the reasons discussed above, the Egyptians, to whom Marsham in his Canon accords the distinction of being the most ancient of all the nations, merit the fifth place in our Chronological Table.

VII
[Zoroaster, or the kingdom of the Chaldeans. Year of the world 1750.]

59 Zoroaster is shown in this work to have been a poetic character of founders of peoples in the East. These are as many of these founders scattered through that great part of the world as there are Herculeses scattered through the opposite part, the West. And perhaps the Hercules whom Varro [14] observed to exist in the likeness of the western ones even in Asia, such as the Tyrian or Phoenician, were considered by the Easterners as so many Zoroasters. But the conceit of scholars, who will have it that whatever they know is as old as the world, has made of them one individual man balmeth with the highest esoteric wisdom, and has attached to him the oracles of philosophy, which do nothing but palm off as old a very new doctrine, namely that of the Pythagoreans and the Platonists. But this conceit of the scholars did not stop here, for it swelled even further by deriving from him the scholastic succession among the nations. According to them, Zoroaster taught Berossus for Chaldea; Berossus, Thrice-great Hermes for Egypt; Thrice-great Hermes, Atlas for Ethiopia; Atlas, Orpheus for Thrace; and finally Orpheus founded his school in Greece. But we shall see shortly how [fast from] easy these long journeys were for the ancient nations, who, because of their recent savage origin, lived everywhere unknown even to their nearest neighbors, and came to know each other only by occasion of war or by reason of trade [93].

60 But concerning the Chaldeans the philologians themselves, confused by the various vulgar traditions which they have themselves collected, do not know whether they were individual men or entire families or a whole people or nation. All these doubts will be resolved by the following principles. They were one individual, then entire families, later a whole people, and finally a great nation on which the monarchy of Assyria was founded. Their wisdom was at first in vulgar divinity, by means of which they divined the future from the path of falling stars at night, and then in judicial astrology. Thus among the Latins a judicial astrologer was still called a Chaldean.

VIII
[Japetus, from whom spring the giants. Year of the world 1856.]

61 Giants, as we shall show by physical histories found in the Greek fables and by proofs both physical and moral drawn from civil histories, existed in nature among all the first gentile nations [369–373].

IX
[Nimrod, or the confusion of tongues. Year of the world 1856.]

62 The confusion of tongues came about in a miraculous way so that on the instant many different languages were formed. The Fathers will have it that through this confusion of tongues the purity of the sacred antediluvian language was gradually lost. This should be understood as referring to the languages of the Eastern peoples among whom Shem propagated the human race. It must have been otherwise in the case of the nations of all the rest of the world; for the races of Ham and Japheth were destined to be scattered through the great forest of this earth in a savage migration of two hundred years. Wandering and alone, they were to bring forth their children, with a savage education, destitute of any human custom and deprived of any human speech, and so in a state of wild animals. It was necessary that just so much time should pass before the
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Earth, having at last dried off from the wetness of the universal flood, could send off dry exhalations of the sort wherein lightning could be generated, which stunned and terrified men into abandoning themselves to the false religions of so many Joves that Varro was able to count forty of them, and the Egyptians claimed their Jove Ammon to be the oldest of all [14: Tertullian Apology 14.8 says three hundred]. They turned to a kind of divination which consisted in divining the future from the thunder and lightning and from the flights of eagles which they held to be birds of Jove. But among the Easterners there was born a more refined divination from the observation of the movements of the planets and the aspects of the stars. Thus Zoroaster is honored as the first wise man among the gentiles. Bochart gives him the title "contemplator of the stars." Just as the first vulgar wisdom was born among the Easterners, so also among them arose the first monarchy, that of Assyria.

63 This chain of reasoning disposes of all those recent etymologists who attempt to trace all the languages of the world back to the origins of the eastern tongues. The fact is that all the nations sprang from Ham and Japheth first developed their native languages inland, and [only] then, having descended to the sea, began to deal with the Phoenicians, who were famous for navigation and colonies along the shores of the Mediterranean and of the Ocean. We have shown in the first edition of our New Science [Op. 3.368f] that this is true of the origins of the Latin language and that, by analogy with the Latin, it must hold for all the others as well.

X

[One of these giants, Prometheus, steals fire from the sun. Year of the world 1856.]

64 From this fable we perceive that Heaven reigned on earth, when it was believed to be no higher than the mountain tops, according to the vulgar tradition that also tells that it left great and numerous benefits to the human race.

XI

[Deusvall]

65 In his time Themis, or divine justice, had a temple on Mount Parnassus, and she judged on earth the disputes of mortals.

XII

[Thrice-great Hermes the elder, or the Egyptian age of the gods.]

66 This is the Hermes who, on the authority of Cicero, On the Nature of the Gods [3.22.56], was called by the Egyptians [Toth or]...
ascribed to this same Hermes all they discovered that was necessary or useful to human civil life. He must therefore have been, not an individual man rich in esoteric wisdom who was subsequently made a god, but a poetic character of the first men of Egypt who were wise in vulgar wisdom and who founded there first the families and then the peoples that finally composed that great nation. From this same passage just cited from Iamblichus it follows that, if the Egyptian division stands of the three ages of gods, heroes and men, and this Thrice-great was their god, then the life of this Hermes must embrace the entire Egyptian age of the gods.

XIII

[The golden age, or the Greek age of the gods.]

60 Fabulous history acquaints us with one of the peculiarities of this age, namely that the gods consorted with men on earth. To give certainty to the principles of chronology, we shall consider in this work a natural theogony or generation of the gods [317], formed naturally in the imaginations of the Greeks on certain occasions of human need or utility, in which they felt they had received help or comfort in the early childhood of the world, when it was overwhelmed by most frightful religions. For whatever men saw or imagined, or even did themselves, they took to be divinity [185]. Now by making twelve short epochs of the twelve gods of the so-called greater gentes [B2], that is the gods consecrated by men in the time of the families, a rational chronology of poetic history leads us to assign to the age of the gods a duration of nine hundred years [734]. This gives us the beginnings of universal profane history.

XIV

[Hellen—son of Deucalion, grandson of Prometheus, great grandson of Lapetus—through his three sons, spreads three dialects in Greece. Year of the world 2082.]

70 From this Hellen the native Greeks were called Hellenes; but the Greeks of Italy were called Grai and their land Graikia, whence they were called Graeci by the Latins. So well did the Greeks of Italy know the name of the mother country beyond the sea, whence they had come as colonists into Italy! For no such word as Graikia is found in any Greek writer, as Jacques Le Paulmier observes in his Graeciae antiquae descriptio.

XV

[Ocosra the Egyptian brings twelve colonies into Attica, of which Theseus later makes up Athens.]

71 When Strabo [9.1.8] judges on the contrary that Attica, because of its rocky soil, could not attract foreigners to come and live there, he does so in order to support the further assertion that the Attic dialect is one of the first among the native dialects of Greece.

XVI

[Cadmus the Phoenician founds Thebes in Boeotia and introduces vulgar letters into Greece. Year of the world 2448.]

72 Since he introduced the Phoenician alphabet there, Boeotia should have been from its literate beginnings the most ingenious of all the nations of Greece; but it produced men of such doleful minds that “Boeotian” became a proverbial term for a man of slow wit.

XVII

[Saturn, or the Latin age of the gods. Year of the world 2491.]

73 This is the age of the gods beginning among the nations of Latium and corresponding in character to the golden age of the Greeks, among whom our mythology will show [544ff] that the first gold was grain, by the harvests of which for many centuries the first nations counted their years [427]. Saturn was so called by the Latins, from satil, sown, and is called Chronos by the Greeks, among whom chronos means time, whence comes the word chronology.

XVIII

[Thrice-great Hermes the younger, or the Egyptian age of the heroes. Year of the world 2553.]

74 This Hermes the younger must be a poetic character of the age of the heroes in Egypt. This age in Greece comes only after an age of the gods lasting nine hundred years; but among the Egyptians the age of the gods lasts only through the time of a father, son, and grandson. Corresponding to this anachronism in history we have already noticed a similar one in Assyrian history, the case of Zoroaster [55, 59].

XIX

[Danaus the Egyptian drives the Inachids out of the kingdom of Argos. Year of the world 2553.]

75 These royal successions are great canons of chronology: thus Danaus occupies the kingdom of Argos, which had previously been ruled by nine kings of the house of Inachus, during whose time there must have passed three hundred years (according to the rule of the chronologers), as there must have passed nearly five hundred years during the time of the fourteen Latin kings who reigned in Alba.

76 But Thucydides [1.5] says that in heroic times the kings drove one
another off the throne almost daily; as Amulius drives Numitor from the kingdom of Alba and Romulus then dethrones Amulius and restores Numitor. This came about through the savagery of those times, and also because the heroic cities were without walls, nor were fortresses then in use. We shall see later that this was true also of the returned barbarian times [645, 1014].

XX
[The Heracids, spread abroad through Greece, being in the age of the heroes there. Crete in Crete, in Saturnia or Italy, and in Asia, bring in the kingdoms of priests. Year of the world 568.] 77. These two great fragments of antiquity, as Denis Petau observes, fall in Greek history before the heroic time of the Greeks. The Heracids or sons of Hercules are scattered abroad through Greece more than a hundred years before the coming of Hercules their father, whereas, in order to propagate so many descendants, he would have had to be born many centuries earlier.

XXI
[Dido of Tyre goes to found Carthage.]
78. We place her at the end of the heroic time of the Phoenicians, and thus [conceive her to have been] driven out of Tyre because she had been conquered in a heroic contest, as she professes to have left the city on account of the hatred of her brother-in-law. This multitude of Tyrian men was called in heroic diction a woman because it was made up of the weak and vanquished [98].

XXII
[Orpheus, and with him the age of the theological poets.]
79. This Orpheus, who reduces the wild beasts of Greece to humanity, is evidently a vast den of a thousand monsters. He comes from Thrace, a country of fierce warriors, Mases, not of humane philosophers, for the Thracians were through all later time so barbarous that Androtion the philosopher removed Orpheus from the number of sages simply because he had been born in Thrace. [Aelian, Various History 8.6.] And [yet] in her beginnings he came forth so skilled in the Greek language that he composed in it verses of marvelous poetry, with which he tamed the barbarians through their ears; for though already organized in nations they were not restrained by their eyes from setting fire to cities full of marvels. And he finds the Greeks still wild beasts [though] Decallion a thousand years before had taught them piety by his reverence and fear of divine justice.

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On Mount Parnassus, in front of the temple raised to divine justice (which was later the dwelling of the Muses and Apollo, the god and the arts of humanity), Decallion with Pyrrha his wife, both with veiled heads (that is, with the modesty of human cohabitation, meaning marriage), seize the stones that lie before their feet (that is, the stupid brutes of the former savage times) and make them into men by throwing them over their shoulders (that is, by the discipline of household economy in the state of the families) [534]. Hellen too, seven hundred years before, had brought [the Greeks] together by means of language and had sown the three dialects among them by means of his three sons. And the house of Inachus could show that it had founded its kingdoms three centuries before and had continued the royal successions through that period. Finally comes Orpheus to teach the Greeks humanity; and, from the savage condition in which he finds it, he brings Greece into such splendor as a nation that he is a companion of Jason on the naval enterprise of the Golden Fleece (naval enterprises and navigation being the last discoveries of peoples), and he is accompanied on this expedition by Castor and Pollux, the brothers of Helen, for whose sake the famous Trojan War was fought. So, in the life of one man, so many civil institutions are formed, for which the extent of a thousand years would hardly suffice! Such a monstrosity of Greek chronology in the person of Orpheus [735] is like the other two we have observed above: one in Assyrian history in the person of Zoroaster [55, 59], and another in Egyptian history in the two Hermes [668, 74]. It was perhaps because of all this that Cicero in his On the Nature of the Gods [1.38,107] suspected that such a person as Orpheus never existed in the world.

80. To these great chronological difficulties may be added others no less serious of a moral and political nature. For Orpheus then founds the humanity of Greece on the examples of an adulterous Jove, a Juno who is the mortal enemy of the virtues of the Heracids, a chaste Diana who solicits the sleeping Endymion at night, an Apollo who gives oracular responses and pursues to the point of death modest maiden Daphne, a Mars who, as if it were not enough for the gods to commit adultery on earth, carries it even into the sea with Venus. Nor is this unrestrained licentiousness of the gods satisfied by forbidden intercourse with women: Jove burns with wicked love for Ganymede; indeed this lust reaches the point of bostality and Jove, transformed into a swan, lies with Leda. This licentiousness, practiced on men and beasts, was precisely the infamous evil of the outlaw world. Many of the gods and goddesses in heaven do not contract matrimony at all. One marriage there is, that of Jove and Juno, and it is sterile; and not only sterile but full of atrocious wrangling. Jove
indeed fixes in the air his chaste and jealous wife and he himself gives birth to Minerva, who springs from his head. And finally Saturn, if he begats children, devours them. Such examples, powerful divine examples as they are, though such fables may contain all the reconcilest wisdom desired by Plato and in our time by Bacon of Verulam in his *Wisdom of the Ancients*, if taken at face value would corrupt the most civilized peoples and would incite them to become as bestial as the very beasts of Orpheus; so apt and efficacious they are to transform men from the state of beasts to that of humanity! In view of these things it is a very slight reproof that Saint Augustine makes of the gods of the gentiles in his *City of God* (7:7), apropos of the scene in Terence’s *Eumolp* [586–606] in which Chara, tempted by a painting of Jove lying with Danaë in a shower of gold, summons up the hardihood, which he had lacked, to violate the slave girl with whom he was so madly and violently in love.

81 But these treacherous reefs of mythology will be avoided by the principles of this Science, which will show that such fables in their beginnings were all true and severe and worthy of the founders of nations, and only later (when the long passage of years had obscured their meanings, and customs had changed from austere to dissolute, and because men to console their consciences wanted to sin with the authority of the gods) came to have the obscene meanings with which they have come down to us. As for the rough chronological tempests, they will be cleared up for us by the discovery of poetic characters, one of whom was Orpheus, considered as a theological poet, who through the fables, in their first meaning, first founded and then confirmed the humanity of Greece. This character stood out more clearly than ever in the heroic contests with the plebeians of the Greek cities. That was the age in which the theological poets distinguished themselves, as for example Orpheus himself, Linus, Musaeus, and Amphin. The last of these, with self-moving stones (i.e., the doltish plebeians) erected the walls of Thebes, which Cadmus had founded three hundred years before; just as Appius, grandson of the decemvir, about as long after the foundation of Rome, fortified the heroic state for the Romans by singing to the plebs the strength of the gods in the auspices, the knowledge of which was held by the patricians. From such heroic contests the heroic age got its name [661, 734].

XXIII

[Hercules, with whom the heroic time of Greece reaches its climax.]

82 The same difficulties recur for Hercules if we take him for a real man, the companion of Jason in the expedition to Colchis, and not, as we shall find him to be in respect of his labors, a heroic character of the founder of peoples [514].

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XXIV

[Sancuniates writes histories in vulgar letters. Year of the world 2800.]

83 Called also Sancuniathon and entitled “the historian of truth” (on the authority of Clement of Alexandria in his *Miscellanies* [i.e., by Porphyry *Against the Christians* as quoted by Eusibius *Preparation for the Gospel* 1:9 and 10:9]). He wrote the history of Phoenicia in vulgar characters, while the Egyptians and the Scythians, as we have seen, wrote in hieroglyphs, as the Chinese have been found to do down to our own days. The latter, like the Scythians and the Egyptians, boast a monstrous antiquity because in the darkness of their isolation, having no dealings with other nations, they had no true idea of time. And Sancuniates wrote in vulgar Phoenician characters at a time when vulgar letters had not yet come into use among the Greeks, as we have said above [66].

XXV

[Trojan war. Year of the world 2820.]

84 This war, as it is recounted by Homer, is thought by circumspect critics never to have taken place; and authors like Dictys of Crete and Dares of Phrygia, who as historians of their time gave prose accounts of it, are by these same critics relegated to the library of imposture.

XXVI

[Sesostris reigns in Thebes. Year of the world 2949.]

85 This king brought under his empire the three other dynasties of Egypt, and is evidently the king Ramses of whom the Egyptian priest tells Germanicus in Tacitus [44].

XXVII

[Greek colonies in Asia, in Sicily, in Italy. Year of the world 2949.]

86 This is one of the very few things in which we do not follow the authority of chronology. Constrained by an overpowering reason, we put the colonies brought by the Greeks into Italy and Sicily about a hundred years after the Trojan War, and thus three hundred years before the time at which the chronologists place them; that is, about the time where the chronologists place the wanderings of the heroes such as Menelaus, Aeneas, Antenor, Diomed, and Ulysses. Nor should this cause surprise when they [the chronologists] themselves vary as much as four hundred and sixty years
in dating Homer, the author nearest to these affairs of the Greeks [805]. [Our reason is that] in magnificence and delicacy Syracuse at the time of the Punic war had nothing to envy Athens itself, and luxury and splendor of customs reach the islands later than the continents. The Croton of Livy's time calls forth his compassion [23, 30.6] because of its small number of inhabitants, when it had once had a population of several million.

XXVIII

[Olympic games, first founded by Hercules, then suspended, and restored by Isiophilus. Year of the world 3323.]

87 Since it is found that the years were numbered by Hercules from harvest to harvest [3, 73], but from Isiophilus [i.e., Iphitus] on by the course of the sun through the signs of the zodiac, the certain [or historic] time of the Greeks [52] begins with Isiophilus.

XXIX

[Founding of Rome. Year of Rome 1.]

88 But just as the clouds are dispersed by the sun, so all the magnifi-
cent opinions that have been held up to now concerning the beginnings of Rome and of all the other cities that have been capitals of famous nations, are dispersed by this golden passage of Varro (quoted by St. Augustine in his City of God [3.15]): that Rome under the kings, who reigned there for two hundred and fifty years, subdued more than twenty peoples and did not extend her empire more than twenty miles.

XXX

[Homer, who came at a time when vulgar letters had not yet been invented, and who never saw Egypt. Year of the world 3295, of Rome 55.]

89 Regarding this first light of Greece we have been left in the dark by Greek history in both its chief aspects, geography and chronology, for nothing certain has come down to us regarding either his fatherland or the age in which he lived. In our third book we shall find him quite different from what he has been thought up to now. But, whoever he was, he certainly never saw Egypt; for he says in the Odyssey [4.554] that the island on which now stands the pharos of Alexandria was as far from the mainland as an unloaded boat with a north wind in the poop could sail in an entire day. Nor did he see Phoenicia; for he says [O. 5.435f] that the island of Calypso, Ogygia, was so far away that Hermes, a god—and a winged god—could get there only with great difficulty, as if it were as far from Greece (where the gods reside on Mt. Olympus, as he himself sings in

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the Iliad) as America is from our world. So, if the Greeks in the times of Homer had had dealings with Egypt and Phoenicia, he would have lost credit in both his poems.

[Psammethicus opens Egypt, but only to the Ionian and Carian Greeks. Year of the world 3334.]

90 It is from the time of Psammethicus that Herodotus [2.1.51ff] begins to relate better ascertained facts about the Egyptians. This confirms our opinion that Homer did not see Egypt; and the many items of information that he narrates about Egypt and other countries of the world are either institutions and deeds within Greece itself, as we shall show in the Poetic Geography [741ff], or they are traditions, altered by the passage of a long time, of the Phoenicians, Egyptians, and Phrygians who had colonized among the Greeks; or they are tales of Phoenician travelers who traded on Greek shores long before the time of Homer.

XXXII

[Aesop, vulgar moral philosopher. Year of the world 3334.]

91 In the Poetic Logic [424] it will be found that Aesop was not an individual man in nature, but an imaginary type or poetical character of the socii or famuli of the heroes, who certainly came before the Seven Sages of Greece.

XXXIII

[Seven Sages of Greece: of whom one, Solon, institutes popular liberty in Athens; another, Thales the Milesian, gives a beginning to philosophy with physics. Year of the world 3406.]

92 Thales began with too simple a principle: water; perhaps because he had seen gourds grow on water.

XXXIV

[Pythagoras, of whom, according to Livy, not so much as the name can have been known at Rome during his lifetime. Year of the world 3468, of Rome 225.]

93 Livy [1.18.5] puts him in the time of Servius Tullius (so far was he from believing that Pythagoras had been the teacher of Numa in divinity!); and in these very times of Servius Tullius, almost two hundred years after Numa, he says that it was impossible, because of the barbarous character of inland Italy in that era, not merely for Pythagoras himself but even for his name to reach Rome from Croton, passing through so many peoples of varying languages and customs. It may thence be inferred how
quick and easy were the really long journeys of Pythagoras to visit the
disciples of Orpheus in Thrace, the magi in Persia, the Chaldeans in
Babylonia, the gymnosophists in India; then, on his return, the priests of
Egypt and, after-crossing Africa at its widest, the disciples of Atlas in
Mauretanian; then, crossing the sea, the Druids in Gaul. Thence he is
supposed to have returned to his fatherland, rich in what van Heurn calls
barbarian wisdom from those barbarous nations to which, long years be-
fore, Hercules the Theban, slaying monsters and tyrants, had gone on his
civilizing mission about the world; nations to whom the Greeks bragged,
a long time after, that they had taught culture, but not to such profit that
they did not remain barbarous. So sound and weighty is the successio-

94 - Need we go so far as to appeal here to the authority of Lactantius
[Divine Institutions 4.4], who firmly denies that Pythagoras was the disci-
ple of Isia? This authority is strongly supported by a passage in the
Jewish Antiquities [12.14] of Josephus the Jew, which proves that the
Hebrews in the times of Homer and Pythagoras lived unknown to their
nearest inland neighbors, to say nothing of remote nations overseas.
For when Ptolemy Philadelphus expressed surprise that no poet or historian
had ever made any mention of the Mosaic laws, Demetrius the Jew
answered that some who had attempted to tell the gentiles about them had
been mercilessly punished by God; Theopompos for example had lost his
mind and Theodectes his sight. Josephus himself [A. A. 1.12.50] freely ad-
mits their obscurity and gives these reasons for it. "Do we not live," he
says, "on the seashore, nor do we delight in trading or in having dealings
with foreignness for the sake of trade." Lactantius reflects that this custom
was a counsel of divine providence, so that the religion of the true God
might not be profaned by trafficking with gentiles. In this opinion Lactan-
tius is followed by Peter van der Kuhn in his De republica hebraeorum. It
is all confirmed by public confession of the Hebrews themselves, who, in
expulsion of the Septuagint, held a solemn fast each year on the eighth day
of Tobi, which is our December, because when it was finished there were
three days of darkness over all the world, according to the rabbinical books
referred to by Cassanbon (Exercitationes in Baronium), Buxtorf (Synagoga
judaeica) and Hottinger (Thesaurus philologicus). And because the Greciz-
ing Jews called Hellenists, among them Aristob, is said to have been
in charge of it, claimed divine authority for this translation, the Jews of
Jerusalem mortally hated them.
XXXVI

[Hesiod. Year of the world 3500.]

97 By the proofs we shall advance concerning the time when vulgar writing was introduced among the Greeks [460], we put Hesiod about the time of Herodotus or a little before. The chronologists with too much boldness put him thirty years before Homer, on whose period the authorities vary by as much as 460 years. Besides, Porphyrus (according to Suidas [in the article on Hesiod]) and Valerius Paternus [1,7,1] state that Hesiod preceded Hesiod by a great length of time. As for the tripod that Hesiod consecrated to Apollo on Helicon, with the inscription that he had surpassed Homer in song, although Varro accepts it (according to Anulius Gellius [3,11,3]), it is to be kept in the museum of imposts, for it is a hoax similar to those perpetrated in our day by the falsifiers of medals who seek by such deceit to reap a rich profit.

XXXVII

[Herodotus, Hippocrates. Year of the world 3500.]

98 Hippocrates is placed by the chronologists in the time of the Seven Sages of Greece. But, partly because his life is too much tinged with fable (he is said to be the son of Asclepius and grandson of Apollo), and partly because he is known to be the author of works written in prose with vulgar characters, he is here placed near the time of Herodotus, who likewise wrote prose with vulgar characters and wove his history almost entirely out of fables [101].

XXXVIII

[Idanthus, king of Scythia. Year of the world 3550.]

99 This king answered Darius the Great, who had threatened to make war on him, with five real words (which, as we shall later show, the first peoples must have used before they came to vocal words and finally to written ones). These real words were a frog, a mouse, a bird, a plough-share, and a bow for shooting arrows. Further on we shall show the natural and proper meaning of these objects [435]. It would be tedious to report what St. Cyril [i.e., Clement] of Alexandria relates of the council that Darius held to discuss the meaning of this reply, for the interpretations his counselors put upon it are obviously ridiculous. And this Idanthus was the king of those Scythians who surpassed the Egyptians in point of antiquity, and yet at that late epoch did not even know how to write with hieroglyphs! Idanthus must have been like one of the Chinese kings who, up to a few centuries ago shut off from the rest of the world, vainly boast an antiquity greater than that of the world, and, after so long a time, are still found writing with hieroglyphs, and, although on account of the great mildness of the climate they have lost most refined talents and make so many marvelously delicate things, do not yet know how to make shadows in painting, against which highlights can stand out; whence, since it has neither relief nor depth, their painting is most crude. And as for the statuettes of porcelain which come from there, they show the Chinese to be just as unskilled as the Egyptians were in casting; whence it may be inferred that the Egyptians were as unskilled in painting as the Chinese are now.

100 To these Scythians belongs Anacharsis [i.e., Abaris], author of the Scythian oracles, as Zoroaster was of the Chaldean. They must first have been oracles of soothsayers, which, later, by the conceit of scholars [127], were turned into oracles of philosophers. From the Hyperboreans of Scythia (either this one or another born anciently within Greece itself) there came to Greece the two most famous oracles of the gentiles, the Delphic and the Dodonian; so Herodotus believed [4,33], and after him Pindar [Olympian 3,288; Pythian 10,30] and Pherecines [as quoted in a scholium on the first Pindar passage], who are followed by Cicero in his On the Nature of the Gods [3,25,57]. This may explain why Anacharsis was proclaimed a famous author of oracles and numbered among the most ancient soothsaying gods, as we shall see in the Poetic Geography [745]. Meanwhile, to show how learned Scythia was in esoteric wisdom, let it suffice that the Scythians would stick a knife in the ground and adore it as a god, in order to justify the killings they were about to perform. From this wild religion emerged all the civil and moral virtues narrated by Diodorus Siculus, Justin, Pliny; and lauded to the skies by Horace. Thence Abaris [i.e., Anacharsis], wishing to order Scythia by the laws of Greece, was killed by Cadziades his brother. Such was his profit from the ‘barbarian philosophy’ of van Heurn that he did not discern by himself the laws needed to bring a barbarian people to a humane civilization, but had to learn them from the Greeks! For the very same thing is true of the Greeks in relation to the Scythians which we have said of them a while ago [50] in relation to the Egyptians: that by their vanity in giving to their knowledge high-sounding origins of foreign antiquity, they truly deserved the reproach they represented the Egyptian priest as giving to Solon (as related by Critias in the first or second Alcibiades of Plato [i.e., in his Timaeus 22B]): namely that the Greeks had always been children. And so it must be said that by
this conceit the Greeks, in relation both to the Scythians and to the Egyptians, lost as much in real merit as they gained in vain glory.

XXXIX

[Peloponnesian war. Thucydides, who writes that up to his father's day the Greeks knew nothing of their own antiquities, therefore set himself to write of this war. Year of the world 3530.]

101 Thucydides was a young man at the time when Herodotus, who might have been his father, was already old. He lived in the most glorious time of Greece, which was that of the Peloponnesian war, and since he was a contemporary of this struggle he wrote its history in order to write of true things. By him it was said [1.1.2; 1.20] that down to his father's time, which was also that of Herodotus, the Greeks knew nothing of their own antiquities. What then can we think of the things they wrote of the barbarians? And we know of ancient barbarian history only what they tell us. And what must we think of the antiquities of the Romans, up to the time of the Carthaginian wars, in view of the fact that until then they had been concerned only with agriculture and military affairs, when Thucydides establishes this truth about his own Greeks, who so promptly came forth as philosophers? Unless, perhaps, we are willing to say that the Romans had had a particular privilege from God.

XL

[Socrates originates rational moral philosophy. Plato furnishes in metaphysics. Athens is resplendent with all the arts of the most cultivated humanity. Law of the Twelve Tables. Year of the world 3573, of Rome 339.]

102 At this time there is brought from Athens to Rome the Law of the Twelve Tables, just as uncivil, rude, inhuman, cruel, and savage as it is shown to be in our Principles of Universal Law [Op. 2.564–586].

XLI

[Xenophon, carrying the Greek arms into the heart of Persia, is the first to learn of Persian institutions with any certainty. Year of the world 3585, of Rome 333.]

103 Thus St. Jerome observes in his Commentary on Daniel [5.1]. Just as the Greeks had begun under Pausanias to learn Egyptian institutions by way of commerce (so that Herodotus's more certain accounts of them start from that time [90]), so now, from Xenophon on, they began through the exigencies of war to have more certain acquaintance with those of the Persians. Even Aristotle, who accompanied Alexander the Great into Persia, writes [7] that before that time the Greeks had but told

fables about them, as we have indicated in this Chronological Table. In this way the Greeks began to have certain report of foreign institutions.

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XLI

[Publilian Law. Year of the world 3598, of Rome 416.]

104 This law was promulgated in the 416th year of Rome, and contains a most important point of Roman history, for by this law the Roman commonwealth declared that its constitution had been changed from aristocratic to popular. That is why Publilius Philo, who was its author, was called the "people's dictator." This has not been remarked because the language of the law has not been properly understood. We shall later make evident that this was the fact [662ff]. Here it will suffice to give a hypothetical idea of it [415].

105 This law and the subsequent Petelian Law [115], which is of equal importance, were left in obscurity by failure to define the three words "people," "kingdom," and "liberty" [666]. Because of these words it has been commonly but erroneously believed that the Roman people from the time of Romulus had been composed of citizens both noble and plebeian, that the Roman kingdom had been monarchical, and that the liberty instituted by Brutus had been a popular liberty. And these undefined words have led into error all the critics, historians, political theorists, and jurists, because no present commonwealth could give them any idea of the heroic ones, which were of a most severely aristocratic form and therefore entirely different from those of our time.

106 In an asylum opened in the clearing [564], Romulus founded Rome on the clients, or protectorships, under which the fathers of families kept as day laborers in the fields those who had fled to this asylum [561]. These refugees had no privilege of citizenship and thus no share of civil liberty. Since they had taken refuge with the fathers to save their lives, the fathers protected their natural liberty by setting them separately to the cultivation of their several fields. The public domain of the Roman territory must have been made up of these fields, just as Romulus constituted the senate from the fathers themselves.

107 Later, Servius Tullius granted the workers bonitary ownership [266] of the fields that were the property of the fathers and imposed the census [tax] upon them. They were to do their own cultivating under the burden of the census, and with the obligation of serving the fathers in war at their own expense; as in fact the plebeians did serve the patricians under what has hitherto been mistaken for popular liberty. This law of Servius Tullius was the first agrarian law of the world [199], and it set up the
census as the basic institution of the heroic commonwealths, that is to say of the most ancient aristocracies of all the nations [420, 619ff].

108 Subsequently, Junius Brutus, casting out the Tarquins, restored the Roman commonwealth to its original form; and by instituting the consuls—as it were, an annual pair of aristocratic kings (as Cicero calls them in his Laws [3.2.4]) in place of one king for life—he re-established the liberty of the patricians as against their tyrants, not the liberty of the people as against the patricians [662ff]. But, since the plebeians did not keep faith with the plebeians under the agrarian law of Servius Tullius, the plebs brought about the creation of the plebeian tribunes and had them accepted under oath by the nobility. The tribunes were to protect for the people that degree of natural liberty represented by bonitary ownership of the fields. Thus, when the plebeians were wanting to secure civil ownership from the nobles, the plebeian tribunes drove Marcius Coriolanus from Rome because he had said that the plebeians should go and till the soil; that is, since they were not content with the agrarian law of Servius but wanted a fuller and stronger one, they should be reduced again to the day laborers they had been under Romulus. Otherwise—if this was not his intent—was it not proud folly for the plebs to disdain agriculture, since we know that even the patricians deemed it honorable work? And would so slight a pretext have occasioned so cruel a war? For Marcius, to avenge his exile, would have brought about the ruin of Rome had it not been for the piteous tears of his mother and his wife which turned him aside from his impious enterprise.

109 In consequence of all this, the nobles proceeding to take back the fields from the plebs after they had converted them, and the latter having no civil action for laying claim to them, the plebeian tribunes now demanded the Law of the Twelve Tables (by which, as is demonstrated in the Principles of Universal Law [Op, 2.57ff], no other affair than this was settled [421]). By this law the nobles conceded to the plebs the quinary ownership of the fields [266]. This civil ownership is permitted to foreigners by the natural law of the gentes. And this was the second agrarian law of the ancient nations [107].

110 Now when the plebeians saw [on the one hand] that they could not transmit the fields intestate to their kin, because they had no direct heirs, agnates, or gentiles [84] (to which relations legitimate succession was then confined), since their marriages were not solemnized; and [on the other hand] that they could not even dispose of their fields by testament because they did not have the rights of citizens; they demanded for themselves the connubium of the nobles; that is, the right to solemnized marriages (for this is the meaning of connubium). Now the most solemn part of the marriage service was taking the auspices, which only the nobles could do [488, 490]. These auspices, moreover, were the great source of all Roman law, private and public. So, then, the institution of marriage was extended by the fathers to the plebeians. But since marriage is, by the definition of the jurisconsult Modestinus [D. 23.2.1], “the sharing of every divine and human right” (omnibus divini et humani iure communicat), and since citizenship itself is sought else, the fathers thereby gave the plebeians the privilege of citizenship [598]. Then, in the course of human desires, the plebeians went on to secure from the fathers the communication of all those institutions of private law which depended upon the auspices: as paternal power, direct heirs, agnates, and gentiles [B4], and, in consequence of these, the further institutions of legitimate succession, the making of testaments, and guardianship [1035]. Then they claimed those institutions of public law which depended likewise upon the auspices, securing the communication first of the imperium, by the opening to them of the consulship, and finally of the science of the laws, by the opening to them of priesthood and pontificate.

111 In this way the tribunes of the plebs, by performing the function for which they were created, that of protecting the natural liberty of the plebeians, were gradually led to secure for them the whole range of civil liberty as well. And the census instituted by Servius Tullius—with the subsequent provision that payment should no longer be made to the nobles privately but to the public treasury, so that the treasury might supply to the plebeians the expenses of war—developed naturally from basic institution of aristocratic liberty into basic institution of popular liberty. Further on we shall see the way in which this came about [420, 619ff].

112 By steady steps, the tribunes also progressed in the power of making laws. For the Horatian and Hortensian laws could not grant to the plebs that their plebsicites should be binding upon all the people except in these two particular emergencies. In the first, the plebs had withdrawn to the Aventine in the 394th year of Rome, at which time, as we state here by way of hypothesis and shall later show as a fact, the plebeians were not yet citizens [383-508]. In the second, they withdrew to the Janiculum in the 567th year of Rome, at which time the plebs were still struggling with the nobility for the sharing of the consulship. But on the basis of the two aforesaid laws, the plebs finally reached the point where they could make universal laws [binding on the nobles as well as on themselves]. This gave rise to great agitations and revolts at Rome, so that it became necessary to make Pubilius Philo dictator, an office never created save in times of
greatest danger to the commonwealth, such as this was. For it had fallen
into such great disorder as to nourish within itself two supreme legislative
powers without any distinction of time, scope, or territory, with the result
that the commonwealth was on the verge of ruin. Wherefore Philo, to cure
the ills of the state, ordained that whatever the plebs enacted by plebeian
assemblies by tribunes (comitia tributa) "should be binding on all the
Quirites" (omnes quirites teneret); that is, should be binding on all
the people in the assembly by hundreds (comitia centuriata) in which "all
the Quirites" (omnes quirites) met [624f]. For the Romans called them-
soever Quirites only in public assembly, and Quiris in the singular is never
found in common Latin speech.) By this formula Philo meant to signify
that laws could not be enacted contrary to the plebeian citizens. Now the plebs
had already been made in all respects equal to the nobles by laws to which
the latter had agreed. By this most recent move, to which the nobles could
offer no opposition without bringing the commonwealth to ruin, the plebs
had become superior to the nobles, for without ratification by the senate
the plebs could enact general laws for all the people. The Roman common-
wealth had thus naturally become one of popular liberty. Philo accordingly
proclaimed it such by this law, and hence was called the people's dictator.

113 In conformity with this change in its nature, he gave the com-
monwealth two ordinances, which are contained in the other two sections
of the Pubilian Law. Authorization by the senate had hitherto been
ratification by the lords. That is, what the people first decided had after-
ward to be ratified by the fathers (deinde patres fieren autores) [944].
Thus the electing of consuls and the enacting of laws, as actions taken in
the first instance by the people, were but public testimonials of merit and
public demands of right. But this dictator ordained that authorization
should thenceforth be given by the fathers to the people, now free and
sovereign, prior to the deliberations of the assembly (in incertum comitio-
rum eventum) [945]; thus making the people lord of the Roman imper-
ium, and the fathers their guardians. If the people wished to enact laws,
they were to do so according to the formula presented to them by the
senate. If not, they could exercise their sovereign choice and "antiquate"
the [proposed] laws; that is, declare they wanted no innovation [945]. Thus
all future acts of the senate concerning public affairs would be either
instructions given by it to the people or commissions given to it by the
people. Finally there remained the census, for, since the treasury had
hitherto been the property of the nobles, only nobles had been made
censors of it. Since, however, by this law the treasury became the property
of the people as a whole, Philo ordered, in the third place, that the

censorship, the only magistracy in which the plebs had as yet no share,
should also be extended to them.

114 If we read further into the history of Rome in the light of this
hypothesis, we shall find by a thousand tests that it gives support and
consistency to all the things therein narrated that have hitherto lacked a
common foundation and a proper and particular connection among them-
se. Because the three aforesaid words [105] were undefined; wherefore
this hypothesis should be received as true. However, if we consider well,
this is not so much a hypothesis as a truth meditated in idea which later
will be authoritatively shown to be the fact [415]. And—granted Livy's
generalization [1.8.5] that the asylum was "an old counsel of founders of
cities" (veteri urbis conditum consilium), as Romulus founded the city
of Rome within the asylum opened in the clearing [17]—this hypothesis
gives us also the history of all the other cities of the world in times we have
so far despairs of knowing. This then is an instance of an ideal eternal
history traversed in time by the histories of all nations [349, 393].

XLIII

[Petelian Law. Year of the world 366, of Rome 419.]

115 This second law, "on slavery for debt" (de nexus), was enacted in
the year of Rome 419 (and thus three years after the Pubilian Law) by
the consuls Caius Poetelius and Lucius Papirius Magillanus. It contains
another point of the greatest importance in [the history of] Roman institu-
tions, for by this law the plebeians were released from the feudal liability
of becoming vassals of the nobles on account of debts, for which the
nobles used to compel the plebeians to work for them, often for life, in
their private prisons [612]. But the senate retained the sovereign dominion
it had over the lands of the Roman imperium, though the imperium itself
had already passed to the people. And under the provisions of the senatus
consultum which was called ultimum, of last resort, the senate kept this
power for itself by force of arms as long as the Roman commonwealth
remained free. Thus whenever the people intended to dispose of these
lands by the agrarian laws of the Gracchi, the senate armed the consuls,
who proscribed as rebels and executed the plebeian tribunes who had been
the authors of these laws. This great effect can be brought about only
under a system of sovereign fiefs subject to a higher sovereignty [1065f].
This system is confirmed by a passage in one of Cicero's Catilinas [1.1.3]
where he affirms that Tiberius Gracchus by his agrarian law was destroy-

the constitution of the commonwealth, and had hence been rightfully put
to death by Publius Scipio Nasica on the ground set forth in the formula
by which the consul armed the people against the authors of the aforesaid law: "Whoever is for the safety of the commonwealth, let him follow the consul" (Qui respublicam salutem velit consulam sequatur) [Cicero, Tusculan Disputations 4.23.51].

The reason for this war was the maltreatment accorded by the Tarentines to the Roman ships which landed on their coasts, and likewise to the Roman ambassadors. Their excuse, as phrased by Florus (1.13(18).5), was that "they did not know who the Romans were or whence they came" (qui essent aut unde venirent ignorabant). So well acquainted were the first peoples, even when they were not separated by water and were not far apart by land!

[Second Carthaginian war, with which Livy begins the certain history of Rome, though he professes to be ignorant of three important circumstances. Year of the world 3849, of Rome 551.]

Livy professed to write the history of Rome with more certainty from the period of the second Carthaginian war, and promised to describe the most memorable of all wars fought by the Romans [21.1.1; cf.6.1.3]. And because of its incomparable greatness the chronicles he writes of it should have the greater certainty that belongs to things of greater fame. Yet he did not know, and openly admits he did not know, three most important circumstances [21.15.38]. The first, in whose consulship Hannibal, after the capture of Saguntum, had started on his march from Spain to Italy. The second, over which Alps he had come, the Cottian or the Pennine. And the third, what strength he had with him. On this last matter there was in the ancient annals such a wide diversity of opinion that some had written 6,000 cavalry and 20,000 infantry, others 20,000 cavalry and 80,000 infantry.

[Conclusion]

It can be seen from our discussion in these Notes that all that has come down to us from the ancient gentile nations for the times covered by this Table is most uncertain. So that in all this we have entered as it were into a no man's land where the rule of law obtains that "the [first] occupant acquires title" (occupanti conceduntur). We trust therefore that we shall offend no man's right if we often reason differently and at times in