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- The Spirit of Law - Book XXI. On laws in the relation they have to commerce, considered in the transformations it has seen in the world -

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[1]Carthage increased its might with its wealth, and then its wealth with its might. Mistress of the coasts of Africa washed by the Mediterranean, she extended along those of the ocean. Hanno by order of the senate of Carthage distributed thirty thousand Carthaginians from the Pillars of Hercules to Cerne, which is, he said, as far from the Pillars of Hercules as the Pillars of Hercules are from Carthage. That position is most remarkable : it reveals that Hanno limited his settlements to the twenty-fifth degree north latitude, in other words two or three degrees beyond the Canary Islands towards the south.

Hanno being in Cerne made another voyage, the object of which was to make discoveries farther to the south. He paid almost no heed to the continent. The distance of the coasts he followed was twenty-six days at sea, and he was obliged to return for want of provisions. It appears that the Carthaginians made no use of this enterprise of Hanno's. Scylax [2] says that the sea is not navigable beyond Cerne because it is shallow, and full of silt and sea weeds [3]; indeed there are many of them in that area. [4] The Carthaginian merchants mentioned by Scylax might encounter obstacles that Hanno, who had sixty ships of fifty oars each, had overcome. The difficulties are relative, and besides we must not confuse an enterprise meant to prove bravery and temerity with elements of ordinary conduct.

Hanno's relation is a fine specimen of antiquity : the same man who executed, wrote ; he puts no ostentation into his narratives. Great captains relate their acts with simplicity, because they are prouder of what they have done than of what they have said.

The facts are like the style. He does not indulge in the supernatural ; everything he says about the climate, the terrain, the morals, and the manners of the inhabitants corresponds to what we see today on that coast of Africa ; it seems to be the journal of one of our navigators.

Hanno observed from his fleet that a vast silence reigned on the continent in the daytime, that at night one heard the sounds of various musical instruments, and that fires could be seen everywhere, some larger and others smaller. Our relations confirm this : we find there that in the daytime these savages, to escape the heat of the sun, withdraw into the forests ; that at night they make great fires to hold the wild beasts at bay ; and that they passionately love the dance and musical instruments.

Hanno describes for us a volcano with all the phenomena that Vesuvius displays today ; and the story he tells of the two hirsute women who allowed themselves to be killed rather than go with the Carthaginians, and whose skins he had brought to Carthage, is not, as has been said, beyond belief.

This relation is all the more precious that it is a Punic relic, and it is because it is a Punic relic that it has been regarded as imaginary. For the Romans retained their hatred of the Carthaginians even after destroying them. But it was only the victory that determined whether one should say *foi punique* or *foi romaine*. [5]

Some moderns have followed this prejudice. [6] What has become, they say, of the cities Hanno describes to us, which even in the time of Pliny had left not the slightest trace ? The marvel would be if any did remain. Was it Corinth or Athens that Hanno was going to build on these coasts ? He left Carthaginian families in the sites he thought suitable for commerce ; and in haste he secured them against savage men and ferocious beasts. The calamities of the Carthaginians brought navigation to Africa to an end : those families had either to perish or to turn savage ; furthermore, were the ruins of those cities still to subsist, who would have gone to find them in the woods and swamps ? Yet we find in Scylax and Polybius that the Carthaginians had large settlements on these coasts. Such are the vestiges of Hanno's cities : there are no others, because there are no others of Carthage itself.

The Carthaginians were on the road to riches, and had they gone as far as the fourth degree north latitude and the

XXI.8 Carthage and Marseille

fifteenth of longitude, they would have discovered the Gold Coast ; they would have had a much more imposing commerce than what we carry on today when America seems to have devalued the wealth of all the other countries ; there they would have found treasures which the Romans could not carry off.

Very surprising things are said of the wealth of Spain ; if we are to believe Aristotle, [7] the Phoenicians who landed at Tartessus found so much silver there that their ships could not hold it, and they had their cheapest utensils made from that metal. The Carthaginians, as Diodorus [8] tells it, found so much gold and silver in the Pyrenees that they put some of it into their ships' anchors. We should place no faith in these popular stories ; here are some precise facts.

We see in a fragment of Polybius quoted by Strabo that the silver mines which were at the source of the Bætis, [9] where forty thousand men were employed, yielded to the Roman people twenty-five thousand dracmas per day [10] : that could come to about five million pounds per year at fifty francs to the mark. The mountains where these mines were located were called the Silver Mountains, [11] which shows that it was the Potosi of those times. Today the mines of Hanover have fewer than a quarter of the workers that were employed in those of Spain, and they yield more ; but the Romans having almost nothing but copper mines, and few silver mines, and the Greeks knowing only the moderately productive mines of Attica, they must have been very surprised at the abundance of those.

In the War of Spanish Succession, a man called the Marquis of Rhodes, of whom it was said that he had ruined himself in gold mines and enriched himself in poorhouses, [12] proposed to the French court to open the mines of the Pyrenees. He cited the Tyrians, the Carthaginians and the Romans ; he was allowed to prospect : he searched, he dug everywhere ; he was still citing, and found nothing.

The Carthaginians, masters of the trade in gold and silver, wanted also to be masters of the trade in lead and tin ; these metals were hauled overland from the Gallic ports on the ocean to ports on the Mediterranean. The Carthaginians wanted to receive them first hand, and sent Himilco [13] to found settlements in the Cassiterides Islands, [14] which are believed to be the Scilly Islands.

These voyages from Bætica to England have caused some to think the Carthaginians possessed the compass, but it is clear that they followed the coasts : I want no further proof than what Himilco, who waited four months to go from the mouth of the Bætis to England, says ; not to mention that the famous story [15] of that Carthaginian pilot who, seeing a Roman vessel following him, ran aground so he would not show it the way to England, [16] shows that these vessels were very close to the coasts when they met up.

The Ancients could have made sea voyages that would give the impression they possessed the compass although they did not. If a pilot had strayed from the coasts, and during his voyage had a peaceful time when at night he had always had a polar star in sight, and in the daytime sunrise and sunset, it is clear that he could have guided himself as one does today with the compass ; but it would be a fortuitous case, and not a known way to sail.

We see in the treaty that ended the first Punic War that Carthage was principally concerned with preserving its domination of the sea, and Rome with protecting its domination of the land. Hanno, in the negotiation with the Romans, declared that he would not even allow them wash their hands in the seas of Sicily [17] they were not allowed to sail beyond the fair promontory [18]; they were forbidden [19] to traffic in Sicily, [20] in Sardinia, and in Africa except in Carthage : an exception that shows that it was not an advantageous commerce that was awaiting them there.

In the earliest times there were great wars between Carthage and Marseille over fishing. [21] After the peace, they carried on rival commerce of economy. Marseille was all the more jealous that, equaling her rival in industry, she had

XXI.8 Carthage and Marseille

become inferior to her in might : this is what explains her great fidelity to the Romans. The war which the Romans waged against the Carthaginians in Spain was a source of wealth for Marseille, which served as warehouse. The ruination of Carthage and Corinth further increased the glory of Marseille ; and were it not for the civil wars where one had to close one's eyes and make a choice, she would have been happy under the protection of the Romans, who were not at all jealous of her trade. [22]

[1] [In the edition of 1758, a prior paragraph (Annex 15) is inserted here.]

- [2] See his *Periplus*, the article on Carthage.
- [3] See Herodotus, in *Melpomene*, on the obstacles which Sataspes encountered.

[4] See the maps and relations in the first volume of *Voyages qui ont servi à l'établissement de la Compagnie des Indes*, part I, p. 201. These grasses so cover the surface of the water that it can scarcely be seen, and ships can pass through them only with a fresh wind.

[5] [I.e., to castigate egregiously bad faith.]

[6] Mr. Dodwel : see his dissertation on the periplus of Hanno [I.e., Henry Dodwell, Dissertation de Arriani Nearcho].

- [7] On Marvelous Things Heard.
- [8] Book VI.
- [9] [The river today called the Guadalquivir.]
- [<u>10</u>] Book III.
- [11] Mons Argentarius.
- [12] He had had some share in the direction.

[13] It seems from Pliny that this Himilcon was sent at the same time as Hanno, and about the same time as Agathocles ; there was a Hanno and a Himilcon, both Carthaginian chiefs. Mr. Dodwell conjectures that they are the same, all the more so that the republic was then flourishing. See his dissertation on the Periplus of Hanno.]

- [14] See Festus Avienus.
- [15] Strabo, toward the end of book III.
- [16] He was rewarded for it by the Carthaginian senate.
- [17] Livy, Supplementorum Livianorum, Decade II, book VI.
- [18] [Promontorium pulchrum, a name possibly designating Mount Pellegrino, at Palermo.]
- [19] Polybius, book III.
- [20] In the part subject to the Carthaginians.

[21] Carthaginensium quoque exercitus, cum bellum, captis piscatorum navibus, ortum esset, sæpe fuderunt, pacemque victis dederunt (Justinus, book XLIII, ch. v).

[22] [In the 1758 edition, a chapter (Annex 16) is inserted here.]