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MONTESQUIEU

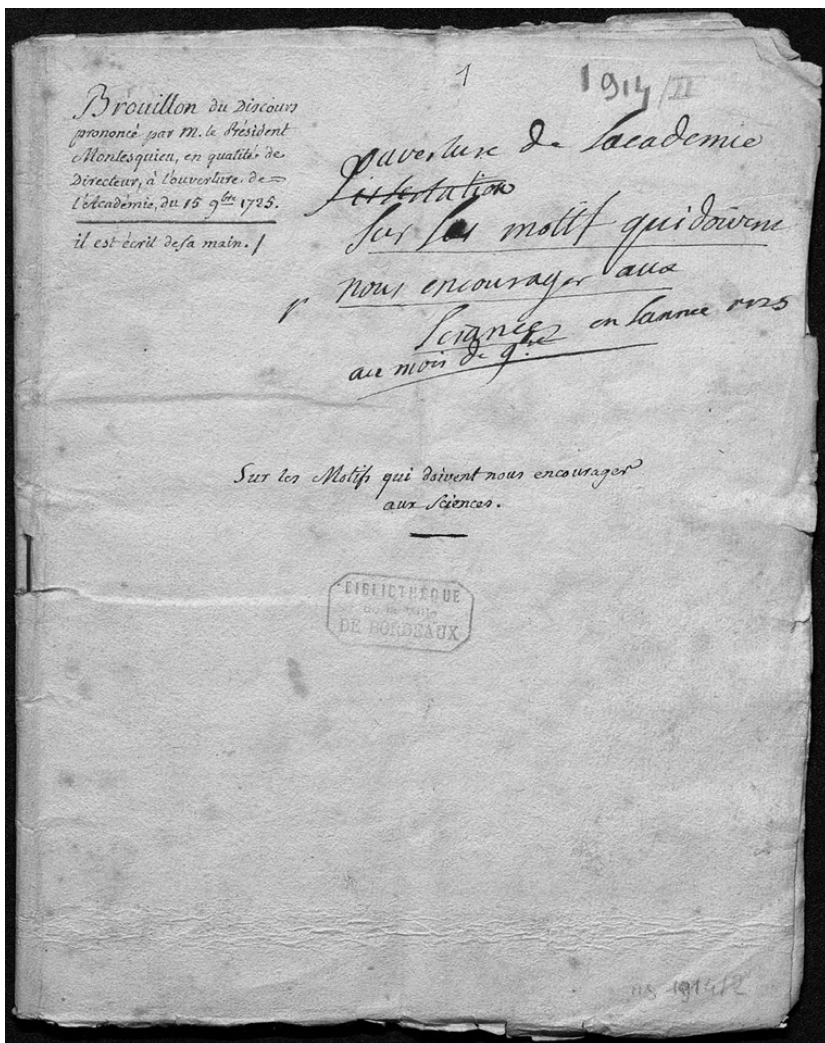
Discourses,
Dissertations,
and Dialogues
on Politics,
Science,
and Religion

MONTESQUIEU

A number of Montesquieu's lesser-known discourses, dissertations, and dialogues are made available to a wider audience, for the first time fully translated and annotated in English. The views they incorporate on politics, economics, science, and religion shed light on the overall development of his political and moral thought. They enable us better to understand not just Montesquieu's importance as a political philosopher studying forms of government, but also his stature as a moral philosopher seeking to remind us of our duties while injecting deeper moral concerns into politics and international relations. They reveal that Montesquieu's vision for the future was remarkably clear: more science and less superstition; greater understanding of our moral duties; enhanced concern for justice; increased emphasis on moral principles in the conduct of domestic and international politics; toleration of conflicting religious viewpoints; commerce over war, and liberty over despotism as the proper goals for mankind.

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Ouverture de l'academie

Sur les motif qui doivent nous encourager aux sciencie
en lannee 1725 au mois de 9^{bre}

Title in Montesquieu's hand of the manuscript of *On the Motives that Should Encourage Us Toward the Sciences* (Bibliothèque Municipale de Bordeaux, Ms. 1914). Other writing on the page is in the hand of François de Lamontaigne, secretary of the Bordeaux Academy where the discourse was delivered.

MONTESQUIEU

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Discourses, Dissertations, and Dialogues
on Politics, Science, and Religion

Edited and Translated by

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Abbreviations

<i>Catalogue</i>	<i>Catalogue de la bibliothèque de La Brède</i> and <i>Bibliothèque virtuelle Montesquieu</i> , ed. Catherine Volpilhac-Augier, 2016. Online: http://montesquieu.huma-num.fr/bibliotheque/introduction
Chardin	Jean Chardin, <i>Voyages de Monsieur le chevalier Chardin en Perse et autres lieux de l'Orient</i> , 10 vols. (Amsterdam: Delorme, 1711); <i>Catalogue</i> 2739. Online: www.achemenet.com/dotAsset/738b64dc-7dc9-4d4b-8a8c-9oadb6fd78ee.pdf
DM	<i>Dictionnaire Montesquieu</i> , ed. Catherine Volpilhac-Augier. Online: http://dictionnaire-montesquieu.ens-lyon.fr/en/home/
<i>Encyclopédie</i>	<i>Encyclopédie ou Dictionnaire raisonné des sciences, des arts et des métiers</i> , ed. Denis Diderot and Jean Le Rond D'Alembert, 17 vols. plus 11 vols. plates, 1751–1765. Online: https://encyclopedia.uchicago.edu/
(M)	Text preceding this sign is a note by Montesquieu.
<i>Mélanges inédits</i>	<i>Mélanges inédits de Montesquieu</i> , ed. Henri Barckhausen (Bordeaux: G. Gounouilhou and Paris: J. Rouam, 1892). Online: https://archive.org/details/melangesinditoo/page/n21
OC	Montesquieu, <i>Œuvres complètes</i> , critical edition in progress by the Société Montesquieu (Oxford: Voltaire Foundation, 1998–2008; Lyon and Paris: ENS Éditions and Classiques Garnier, 2010–).
<i>Pensées</i>	Montesquieu, <i>Mes pensées</i> . OC XIV–XV (in preparation). ¹

¹ There is a complete English translation by Henry C. Clark, entitled *My Thoughts* (Indianapolis: Liberty Fund, 2012). Online: <https://oll.libertyfund.org/titles/montesquieu-my-thoughts-mes-pensees-1720-2012>

List of Abbreviations

PL	Montesquieu, <i>Lettres persanes</i> . OC I (2004). ²
RM	<i>Revue Montesquieu</i> , ed. Catherine Volpilhac-Augier, 8 vols. (Lyon: Société Montesquieu and UMR Lire, 1997–2006). Online: http://montesquieu.ens-lyon.fr/spip.php?rubrique21
Romans	Montesquieu, <i>Considérations sur les causes de la grandeur des Romains et de leur décadence</i> , ed. Françoise Weil and Cecil Courtney. OC II (2000). ³
SL	Montesquieu, <i>De l'esprit des lois</i> . OC V–VI (in preparation). ⁴
Spicilège	Montesquieu, <i>Spicilège</i> , ed. Rolando Minuti and Salvatore Rotta. OC XIII (2002).
Trévoux	<i>Dictionnaire universel français et latin</i> , known as <i>Dictionnaire de Trévoux</i> (fourth edition, 6 vols., 1743).

- 2 The only English print edition which uses the same letter numbering as the OC edition (i.e., that of the original edition of 1721) is *Persian Letters*, trans. Margaret Mauldon (Oxford: Oxford World Classics, 2008). A new translation of that same version by Philip Stewart is available on the website of the Société Montesquieu: <http://montesquieu.ens-lyon.fr/spip.php?rubrique245>
- 3 There is a complete published translation: *Considerations on the Causes of the Greatness of the Romans and their Decline*, trans. David Lowenthal (Indianapolis: Hackett, 1999).
- 4 There are two modern translations: Anne M. Cohler, Basia C. Miller, and Harold S. Stone (trans.), *The Spirit of the Laws* (Cambridge: Cambridge University Press, 1989) and Philip Stewart (trans.), *The Spirit of Law*, online: <http://montesquieu.ens-lyon.fr/spip.php?rubrique186>. With respect to the serious flaws of the contemporaneous English translation (1750), see Philip Stewart, "On the Nugent Translation of *L'Esprit des lois*," *History of Political Thought* 39(1) (2018), 83–106.

A General Note on the Texts

All translations of Montesquieu are our own and are based on the definitive texts established for the ongoing French edition of the complete works (see OC in the List of Abbreviations), used by permission of the Société Montesquieu. We also have sometimes benefited from the annotation supplied by the various editors for those volumes.

Few of the texts presented here were published during Montesquieu's lifetime; most remained in manuscript (some autograph and some recopied by secretaries) in the safekeeping of Montesquieu's son, Jean-Baptiste de Secondat (1716–1795), at La Brède or in Bordeaux. In 1818, Joseph Cyrille de Secondat, baron de Montesquieu (1748–1829), son of Montesquieu's daughter Denise, shipped a large number of manuscripts held at La Brède to Montesquieu's other grandson, Charles Louis de Montesquieu (1749–1824), son of Jean-Baptiste, who resided in England. A Catalogue of these manuscripts was made in which the various cartons are described, often repeating notations left on them by the author himself.⁵ Eight of the titles included in translation in this volume are identifiable among the manuscripts on that list. One, it is specified, *Reflections on Universal Monarchy in Europe*, is a printed book.⁶ The *Treatise on Duties* is described as *mis au net*, which means it is a clean copy, doubtless made by a secretary. The *Dialogue between Xanthippus and Xenocrates* and *Reflections on the Character of Certain Princes* are stated to be autographs; so is *Considerations on the Wealth of Spain*.

Six years later many of the papers which had been sent to England were burned,⁷ and in 1828 those that survived were recovered and brought back to

5 This document, labeled *Catalogue des manuscrits envoyés à mon cousin en Angleterre*, is reproduced in the André Masson edition of Montesquieu, *Œuvres complètes* (Paris: Nagel, 1950), III, 1575–1581.

6 A note attached, in Montesquieu's hand, asserts: "This was printed from a bad copy; I am having it reprinted from another according to the corrections I have made on it."

7 Prosper simply notes: "A part of these manuscripts were burned by my uncle, with very few exceptions."

La Brède by Joseph Cyrille's son Prosper de Secondat, baron de Montesquieu (1797–1871). He added his own summary of that shipment with, for the shorter works, descriptions so brief⁸ that they cannot serve for positive identification (for example a carton labeled: “Duties, laws, reputation”), and he conflated them with other papers which he said had been willed directly to him or he had found at La Brède or in Bordeaux. Many remained there into the twentieth century.

The problems this history raises for the history of the texts is best exemplified by the fate of the *Treatise on Duties*. The catalogue of 1818 describes what can only have been a rather well fleshed-out work, the chapters of which are specifically delineated: (1) duties in general; (2) on God; (3) on our duties toward men; (4) on justice; (5) on some philosophical principles; (6) on the Stoics' principles; (7) the habit of justice; (8) imitation of the previous chapter; (9) gross ambiguity of the word justice; (10) the duties of men; (11) on some examples of the violation of man's duties; (12) what we owe to the Christian religion, for having given us equity for all men; (13) on politics; (14) on the limited utility of politics. Exactly how much of this structure survived its return to La Brède in 1828 is impossible to determine; the most evident anomaly concerns items 13 and 14, which appear to have been detached to form *On Politics*, which we include as a separate text in our volume. Certain of their titles intersect with parts of the *Pensées*, as we shall indicate below, but this is not in itself surprising, since *Mes pensées* had been a sort of repository of items to be included, if possible, in other works. But often we can no longer tell whether such a dissection and recombination was performed by Montesquieu or by someone else.

More details on individual manuscripts are provided in the headers to the separate texts.

8 *Œuvres complètes de Montesquieu*, ed. André Masson, 3 vols. (Paris: Nagel, 1950–1955), III, 1581–1582.

Introduction

Few *philosophes* of the Enlightenment received such accolades as Charles Louis de Secondat, Baron de Montesquieu et de la Brède (1689–1755) following publication of his *Spirit of Law* (1748),¹ the product, he said, of twenty years' study. Charles de Brosses, noted author and magistrate in Dijon, was moved to say, "What a fine work! How many ideas, what fire, what precision [. . .], what new and luminous thoughts." Across the Channel David Hume proclaimed Montesquieu an "author of great genius, as well as extensive learning" and concluded he had produced "the best system of political knowledge that, perhaps, has ever been communicated to the world." Montesquieu's work, he predicted, would be regarded as "the wonder of all centuries." Edmund Burke was similarly awed and called Montesquieu "a genius not born in every country, or every time [. . .] with an herculean robustness of mind." Charles Bonnet in Geneva wrote Montesquieu to proclaim, "Newton discovered the laws of the material world. You, Monsieur, have discovered the laws of the intelligent world."² In Italy, Cesare Beccaria and Gaetano Filangieri singled out Montesquieu's views on crime and punishment for praise, and Scottish theorists Lord Kames, Adam Smith, Adam Ferguson, John Millar, and William Robertson were deeply influenced by Montesquieu's economic thought and by his discussion of stages of economic growth in particular. In Russia,

1 Montesquieu's title *De l'esprit des lois* is often given in English as *The Spirit of the Laws*, with a second definite article, though Thomas Nugent's translation published in 1750 and often reprinted was titled *The Spirit of Laws*. The translation cited in this volume with the abbreviation *SL* (see List of Abbreviations) is rather *The Spirit of Law*.

2 Charles de Brosses to Charles Loppin de Gemeaux, 24 Feb. 1749 (Yvonne Bezard, "Le Président de Brosses d'après une correspondance," *Revue d'Histoire Littéraire de la France* [1923], 349); David Hume, *An Enquiry Concerning the Principles of Morals* (London, 1751), p. 54; Edmund Burke, *An Appeal from the New to the Old Whigs* (3rd edition, London: J. Dodsley, 1791), pp. 139–140; Bonnet to Montesquieu, 14 Nov. 1753, to appear in Montesquieu, OC xxi.

Catherine the Great turned to Montesquieu's treatise on laws when she sought to revamp her country's legal code.

Reactions in France were similarly laudatory. By 1757 fifteen editions of *The Spirit of Law* had appeared, and that number climbed to twenty-eight by 1789.³ Voltaire termed *The Spirit of Law* "the code of reason and liberty." Montesquieu, he asserted, "reminds men that they are free; he shows mankind the rights it has lost in most of the world, he combats superstition, he inspires good morals."⁴ Rousseau termed Montesquieu "a glorious genius" and imbibed much inspiration from his discussions of republics.⁵ The brilliant mathematician and *encyclopédiste* Jean Le Rond D'Alembert awarded him "the finest title which a wise man can merit, that of legislator of nations."⁶ The physiocrat Victor Riqueti, marquis de Mirabeau, author of *L'Ami des hommes* (1756), found in *The Spirit of Law* a work deserving of "deep meditation," a work "where all the ideas on all the types of law are assembled, and of which we will never be more than feeble commentators."⁷ For the Swiss transplant to France Benjamin Constant, whose many works displayed Montesquieu's influence, the most apt compliment was to proclaim that "everything he said, even the smallest things, is verified daily."⁸

Montesquieu's merit was also recognized in America. "He was in his particular science what Bacon was in universal science," opined James Madison. "He lifted the veil from the venerable errors which enslaved opinion, and pointed the way to those luminous truths of which he had but a glimpse himself."⁹ And Madison strongly endorsed the need to separate legislative, executive, and judicial powers in order to avoid tyranny.¹⁰ Both Thomas Jefferson and John Adams compiled detailed notes while reading *The Spirit of Law*. Jefferson remarked that whereas *The Wealth of Nations* was the "best book extant," *The Spirit of Law* was the most "recommended" book "in

3 See Cecil Patrick Courtney, "L'Esprit des lois dans la perspective de l'histoire du livre (1748–1800)," in Michel Porret and Catherine Volpillac-Auger (eds.), *Le Temps de Montesquieu* (Geneva: Droz, 2002), pp. 65–96.

4 Voltaire, *L'ABC*, in *Philosophical Dictionary*, trans. Peter Gay (New York: Harcourt, Brace, 1962), p. 509.

5 Rousseau, *Social Contract*, Book III, [chapter 4](#).

6 Jean Le Rond D'Alembert, *Éloge de M. de Montesquieu* (1755), in *Encyclopédie*, v (1755), p. viii.

7 *L'Ami des hommes, ou traité de la population* (Avignon, 1758), 1, ch. vii, p. 153.

8 Benjamin Constant, *Œuvres*, ed. Alfred Roulin (Paris: Gallimard, 1957), p. 261.

9 Madison, "Spirit of Governments" (1792), in *Letters and Other Writings of James Madison* (New York: R. Worthington, 1884), 1v, p. 474.

10 *The Federalist* 47.

the science of government,”¹¹ and Adams learned from Montesquieu that a nation’s customs, traditions, and national character greatly affect its prospects for liberty. Alexander Hamilton welcomed Montesquieu’s views on the need for strong executive power, and to bolster confidence in the future of the newly created United States of America he quoted, in *Federalist* 9, Montesquieu’s discussion of how federal republics augment power and security.

The Spirit of Law was an instant classic. In the half-century after its publication anyone claiming expertise in matters of politics or economics needed to be conversant with its principal theses, including Montesquieu’s classificatory scheme of governments, identifying virtue as the driving force of republics, honor of monarchies, and fear of despotisms; the role of commerce in contributing to national wealth while simultaneously fostering peace; and his contention that the laws each nation devises for itself reflect the complex interaction of both physical and moral causes that produce a unique general spirit (*esprit général*), making it unlikely that a political regime ideally suited to a particular country can be transported to another.

Montesquieu’s vision for the future, as is evident in the texts translated for this volume, was remarkably clear and prescient: more science and less superstition; greater understanding of our duties as humans; enhanced concern for justice in both public and private affairs; more fairness in criminal trials; moderation in punishments; increased emphasis on moral principles in the conduct of domestic and international politics; toleration of conflicting religious viewpoints; commerce not war, and liberty not despotism as the proper goals for mankind. Far from teaching “whatever is, is right,” as has sometimes been alleged, Montesquieu’s writings epitomize the concerns of an enlightened moralist, economist, and political scientist to reform existing abuses. It is no wonder, then, that the lines of his influence have radiated far and wide down to the present day.

Given Montesquieu’s stature, it is surprising that very few of his shorter discourses, dissertations, and dialogues have been translated into English. It is the purpose of this volume to remedy this situation and the purpose of this Introduction to suggest what can be learned from these works. In order to stress thematic linkages, the twenty-one texts translated for this volume have been arranged under the seven headings described below.

11 Jefferson to Thomas Mann Randolph, 30 May 1790, in *The Writings of Thomas Jefferson*, 20 vols. (Washington: Thomas Jefferson Memorial Association, 1907), VII, p. 31.

The Uses of Science

Part I of the volume consists of two essays, *On the Motives that Should Encourage Us toward the Sciences* (1725) and *Essay on the Causes that Can Affect Minds and Characters* (1736–1738). The first of these, read to the recently founded Bordeaux Academy of Sciences, Literature, and the Arts in November 1725, advocates accelerating the pace of scientific inquiry to build on the progress made in astronomy, physics, and physiology by such luminaries of the preceding two centuries as Copernicus, Kepler, Galileo, Gassendi, Descartes, Boerhaave, Boyle, and Newton. In addition to stressing the lasting intellectual pleasures of pursuing science and the practical benefits of science to mankind, Montesquieu emphasizes the important role of scientific learning in combating superstition. Had there been a Descartes in Mexico or Peru, he asserts, the natives of the New World would not have mistaken the Spanish invaders for their own gods returning to earth; rather they would have realized that they were merely men of very different appearance subject to the same laws of mortality as everyone else, and this realization would have enabled them to mount effective resistance.

The *Essay on the Causes that Can Affect Minds and Characters* (1736–1738) reveals the depth of Montesquieu's interest in science and in physiology in particular. At the Collège de Juilly, near Paris, which he attended from 1700 until 1705 (see Chronology at end of volume), the main areas of study were Latin and Roman history, but the natural sciences were by no means neglected, and Montesquieu would eventually become an active amateur scientist. After leaving Juilly and spending three years studying law at the University of Bordeaux, followed by four years' residence in Paris to gain practical experience in the law, he returned home to southwestern France in 1713, after his father's death, to take up new responsibilities as head of family and owner of the family château at La Brède. Nearby Bordeaux provided a favorable environment for nurturing his interest in science.

In April 1716 he was voted a member of the Bordeaux Academy, and the following September he established a prize for anatomical research. He soon became an enthusiastic participant in the Academy's activities and was elected its director for 1718, a post to which he was re-elected three more times. As director, he both summarized the views of others and offered his own on such subjects as the causes of echoes, the functioning of the renal glands, the reasons for the transparency of certain bodies, and the weight of matter, and during these years he purchased microscopes to examine the papillae on the tongue of a sheep in order to observe the effects of heat and

cold on nerve endings. In 1721 he read a paper to the Academy entitled *Essay on Observations on Natural History* summarizing experiments he had conducted, assisted by his secretary abbé Bottereau-Duval, on both animal and plant species.

In his *Essay on the Causes* Montesquieu demonstrates a firm grasp of the physiological science of his day. The dominant theory, entrenched since the time of Galen (130–200 CE) and reflected in the writings of René Descartes (1596–1650), was that the body's nervous system consists of hollow nerve tubes carrying invisible “animal spirits” (*esprits animaux*) which are directed by the brain to the muscles to produce movement. These same animal spirits, when flowing in the opposite direction and pressing against the fibers of the brain, were thought to convey sense impressions and affect the passions. Like Descartes, Montesquieu viewed the body as a machine, and he concluded that it is the precise array and condition of our body's parts that affects the acuity of our brains and the nature of our emotions. When brain fibers become too thick, stupidity results; when they are too flexible, mental weakness ensues. And if the animal spirits are too abundant the result will be “inconstancy, eccentricity, [and] capriciousness” (p. 35).¹² Montesquieu explains why some persons are more affected by music than others and how certain chemicals, such as “a concoction of hemp,” can produce “agreeable thoughts” and “intense pleasures” followed by “total dejection and a state approaching lethargy.” He also analyzes why those who drink wine need increasing quantities to experience the same effects (p. 43).

The *Essay on the Causes* is important beyond the window it provides into the depth of Montesquieu's interest in physiology and brain functions. Here, the overall purpose was to explain that there are both physical causes (*causes physiques*) and moral causes (*causes morales*) affecting human behavior, with moral causes predominating. The cumulative effect of these influences produces a nation's general character, or spirit. He was convinced that climate and topography have a strong effect on human behavior – indeed the texts on the effect of climate in Book XIV of *The Spirit of Law* were originally part of the *Essay on the Causes* – but he believed moral causes exert greater influence than physical causes. The general spirit of the ancient Romans, for example, was ferocity, as is evident in their love of gladiatorial

12 Aware that he was treading a materialist path, Montesquieu later explained (*Pensées* 2035) that physicians and moralists have different views of the passions. Physicians emphasize the body's machinery, whereas moralists consider man rather as a spirit. “But man is equally composed of the two substances,” he concludes, “each of which, by an ebb and flow, dominates and is dominated.”

shows. Roman brutality, however, was not the result of climate or geography but was rather nurtured by such moral causes as their love of the glory attained through conquest and the power allotted to fathers to discipline both children and slaves. The text of the *Essay* dispels any notion that Montesquieu was a climatological determinist, a conclusion some have wrongly reached after a too-hasty reading of Book XIV of *The Spirit of Law*.

The Romans

Part II of this volume is comprised of three essays assessing aspects of Roman politics, philosophy, and religion. Relying on Cicero's *On Divination* as his guide, Montesquieu explains in his *Dissertation on Roman Politics in Religion* (1716) that the Roman republic was designed by Romulus and the early kings of Rome as a theocracy. The goal of Roman paganism was "to inspire fear of the gods in a people who feared nothing, and to make use of that fear to lead them in any way they wished." Since the magistrates could control the omens, "they had a sure way of turning the people away from a war that would have been disastrous, or of making them undertake one that might have been useful. The soothsayers who followed the armies, and who were rather the interpreters of the generals than of the gods, inspired confidence in the soldiers" (p. 64). Montesquieu emphasizes that the Roman augurs were not a separate caste of priests but were instead state officials subservient to the senate; their reading of omens was designed to assist Roman consuls in achieving state goals (p. 64). As a result, their influence was benign, unlike that of the religious priesthood in Egypt that formed a "disorderly, restless, and enterprising" caste provoking discord and civil wars (p. 69). The *Dissertation* reflects Montesquieu's familiarity with Machiavelli's analysis of Roman paganism in his *Discourses on Livy* (1518 or 1519; published 1532) and presages the strikingly utilitarian approach to religion in Book XXIV of *The Spirit of Law*, a viewpoint that was censured by both Jesuit and Jansenist critics, prompting him to compose his *Defense of The Spirit of Law* (1750; this volume, pp. 224–263).

Montesquieu's *Discourse on Cicero* (c. 1717) is so panegyric that he later decided it should be revised to include a more balanced account of Cicero's character, though no revision was ever made. Montesquieu expresses unstinting admiration for Cicero both as a statesman and as a philosopher, remarking that there is no other ancient he would rather have resembled and praising Cicero's *De officiis* (*Treatise on Duties*) for teaching us "what is honorable and beneficial, what we owe to society, what we owe to ourselves,

and what we should do as heads of families or as citizens” (p. 74). Cicero emerges from the *Discourse* as the paragon of political virtue bravely opposing the threats posed to Roman liberty not only by Caesar and Marc Antony but also by Verres, Clodius, and Catiline. Moreover, Montesquieu lauds Cicero for teaching the need for virtuous conduct without indulging in preachy moralizing (pp. 74–75). Later, when he composes *On Politics* (1725) and *Reflections on the Character of Certain Princes and on Certain Events in their Life* (c. 1731–1733), he will adopt a similarly indirect approach to teaching morality. Rather than sermonizing, he will choose to demonstrate, through concrete historical examples, that duplicitous princes fare no better than princes whose conduct is moral.

The *Dialogue between Sulla and Eucrates* (1724) was judged so important by Montesquieu’s contemporaries that, beginning with the 1748 edition of his *Considerations on [...] the Romans* (1734), it was included in eighteenth-century editions of that work as a companion piece to the longer work. It is not hard to understand Montesquieu’s fascination with the career of Lucius Cornelius Sulla (138–78 BCE). Few figures in Roman history were so controversial as this Roman general and dictator, who twice marched armies into Rome to overpower political enemies, thereby setting a precedent Julius Caesar would follow. Once Sulla had been plucked from obscurity in 107 BCE by Gaius Marius (157–86 BCE), who appointed him second in command during the war against king Jugurtha of Numidia, the two ambitious men became life-long competitors for dominance in Rome. The tangled tale of their conflict is too complex to review here; suffice it to say that Sulla finally outmaneuvered Marius and managed to have himself elected Roman dictator in 82 BCE, which enabled him to mark his political enemies for death by posting his dreaded proscription lists.

In the *Dialogue* Montesquieu has Sulla contend that none of his brutal actions was a crime since his goal had been the worthy one of restoring Roman liberty by annulling the veto power of the Roman tribunes and by restoring the senate’s prerogative to approve legislation before it could be voted on in the popular assembly (p. 80). By the end of the dialogue, however, it is Sulla’s interlocutor, Eucrates, who has delivered the most telling blows. Eucrates tells Sulla that he has shown how deadly heroism can be, even when based on principle. “For one man to be above humanity,” he scolds Sulla, “all the others pay too dear a price” (p. 82). And Eucrates berates Sulla for marking out a path toward tyranny that others would surely follow (pp. 79, 84).

Reflections on National Character

Both Montesquieu's *Notes on England* (1729–1731) and his *Reflections on the Inhabitants of Rome* (1732) display the keen interest in national character evident in *Persian Letters* (1721), where he had juxtaposed the mores and politics of Christian France with the customs and government of Muslim Persia. The *Notes on England* are remnants of the more extensive travel notes he compiled while residing in England between 1729 and 1731. They reveal that at the same time he was composing the idealized portrait of the English constitution that became Book XI, [chapter 6](#) of *The Spirit of Law* he was aware of shortcomings plaguing the English political system. He observes that there was widespread political corruption and remarks that “the English are no longer worthy of their freedom” because “[t]hey sell it to the king; and were the king to give it back to them they would sell it back to him again.” Money, rather than honor and virtue, is what the English most prize (pp. 89–90).

Montesquieu witnessed first hand the division into warring political parties that threatened the political liberty for which the English were famous. After attending a debate in the House of Commons in January 1730 where he heard the English king, George II, called a “tyrant” and “usurper” scheming to raise a standing army in peacetime (p. 90), he remarked that the English king and queen are subject to much stronger criticism than any French king would tolerate. He concludes, however, that this was a sign of the English genius for checking power, which had made England “at present the freest country in the world.” Neither the House of Commons nor the king wields unlimited and dangerous power because neither possesses both legislative and executive authority (p. 94).

Montesquieu finds much to admire about English politics and culture, including strong support for freedom of the press. The people of England, he remarks, are allowed to write what in other countries one can only think (p. 89). He sums up English national character by wryly observing that what the typical Englishman wants most is “a good dinner, a prostitute, and comfort.” If denied these things, he may resort to thievery or even commit suicide (p. 88). Montesquieu was aware that many travelers to England had found the English unfriendly; his own view was that it is best to take people as they are and accept the great diversity of character and lifestyle one encounters from place to place. “[W]hen I visit a country,” he writes, “I do not examine whether there are good laws, but whether the ones they have are enforced, for there are good laws everywhere” (p. 90).

In *Reflections on the Inhabitants of Rome* (1732) Montesquieu explores several causes, some physical and others moral, for the striking contrasts between ancient and modern Romans. The ancient Romans, he observes, were much more robust and needed less sleep, even following gluttonous consumption of food. They consumed five meals a day, whereas modern Romans consume only one (p. 95). To explain the difference he emphasizes, as he had in his *Essay on the Causes*, the effect of the air one breathes on human behavior and notes that air quality had greatly deteriorated since ancient times. He also observes that Romans no longer take baths prior to eating or use emetics to increase appetite. And he points to moral causes at work in modern times very different from those that formerly shaped Roman character. Political life in the ancient Roman republic had been agitated; fierce politicking had formed the backdrop to daily life. Modern Rome, by way of contrast, is “the most tranquil city in the world” (p. 96).

Politics and Morality

The texts in Part IV of the volume reveal Montesquieu’s moral idealism and life-long concern with ethics. He was clearly a moral theorist as well as a political philosopher. In his essay entitled *In Praise of Sincerity* (c. 1717) he stresses the importance of providing moral guidance to one’s friends by speaking to them sincerely, that is, with complete candor regarding their shortcomings. Blunt talk can be reformatory of character, and when we do not summon the courage to speak the truth to our friends, choosing instead to purposefully ignore their flaws, truth becomes buried “under maxims of false civility” (p. 100). And yet, too often, our friends flatter our vices instead of becoming our tutors in virtue. Montesquieu also emphasizes how crucial it is to speak truth to power since those who flatter princes “plunge their state into an abyss of disasters” (p. 103).

Another text displaying Montesquieu’s prowess as a moral philosopher is the partially reconstituted *Treatise on Duties* (1725) whose contents we know from a summary prepared by Montesquieu’s friend Jean-Jacques Bel, published in the March 1726 edition of the *Bibliothèque Française* (this volume, pp. 106–109), from the still extant two final chapters entitled *On Politics* (this volume) and from lengthy fragments preserved in Montesquieu’s notebooks (*Mes pensées*, also this volume). Inspired by Cicero’s *De officiis*, and also drawing insights from Samuel Pufendorf’s *On the Duties of Man and Citizen* (1673), Montesquieu stresses the importance of duties rather than rights, laying the ground for his later assertion, in his preface to *The Spirit of Law*,

that he would be “the happiest of mortals” if after reading his work “everyone had new reasons for loving his duties, his prince, his homeland, and his laws.”

Following Cicero’s lead, Montesquieu explains that we have duties to God, family, country, our fellow human beings, and ourselves. Our duties stemming from our ontological condition as human beings have a higher priority than our duties associated with being a citizen of a particular country. Hence we should prioritize our obligations to mankind ahead of our more parochial attachments. Our highest duty, just as the ancient Stoic philosophers had taught, is not owed to ourselves, to our family, or even to our country, but rather to humankind as a whole (p. 107). Although love of country “can do honor to an entire nation,” Montesquieu writes, it too often grows extreme and becomes “the source of the greatest crimes,” as the examples of Roman and Spanish excesses in conquest reveal. “Civic spirit,” he pronounces, “is not seeing one’s own country devour all the others” (p. 126).

Montesquieu expresses the conviction that cultivating virtue is essential to human flourishing and should be “the constant object of our pursuits” (p. 116).¹³ Yet, regrettably, virtue “has almost always been allowed to go unrewarded.” Too often we are ruled by “a base self-interest which is properly nothing more than the animal instinct of all men” (p. 113). The most “felicitous” country, he notes, would be the one where “ranks, positions, and pardons were granted only for virtue, [and] intrigues and shady means were unknown” (p. 132). In reviewing the history of French morals and manners, Montesquieu at times channels the elder Cato, so distressed is he over moral decline in France, which he traces back to the reign of Francis I in the sixteenth century (p. 128). Ever-increasing levels of moral laxness, he laments, had been accompanied by a loss of stabilizing respect for parents and for those of high rank (pp. 129–130).

In several fragments of the *Treatise on Duties* preserved in *Mes pensées* Montesquieu asserts, just as he will later emphasize in Book 1, [chapter 1](#) of *The Spirit of Law*, that there are absolutes of justice traceable to nature and applicable to all societies. Justice, he contends, ranks as the highest virtue and is “not dependent on human laws” (p. 107). Justice is a “general relation” whereas other virtues, such as friendship, love of country, and compassion, involve only “particular relations”; moreover “any virtue that destroys this

13 *Virtue*, an important word in Montesquieu’s vocabulary, is strongly conditioned by its Latin connotations of manhood, courage, and valor. *Trévoux* defines the word first in terms of strength and vigor and secondarily in “moral” terms such as uprightness, probity, disposition to do good, and so on. Montesquieu later clarified his intent in *The Spirit of Law* by saying that his man of virtue was “not the righteous man of Christianity” but one imbued with “political virtue” such as love of country (*SL*, preface to the 1758 edition).

general relation is not a virtue" (p. 110). Thus Hobbes was wrong to believe that justice "is nothing more than what the laws of empires command or forbid" (p. 122).

Some of the most impassioned lines in the *Treatise on Duties* are those attacking the atheistic propositions of Thomas Hobbes and Baruch Spinoza.¹⁴ Whatever his eventual views on the Christian God – a much debated topic – Montesquieu asserts that God "must fill all our desires and occupy all our thoughts." "[W]e owe everything to God," he proclaims, and he ridicules Spinoza as "a great genius" who "has promised me that I shall die like an insect," as if there were no immortal soul (pp. 107, 121). It is God, not blind fate, that created us and all of creation, as he will again assert in the [first chapter](#) of *The Spirit of Law* (p. 121).

On Consideration and Reputation (1725) is a brief essay influenced by Madame de Lambert (1647–1733) and her circle, who gathered weekly in her Paris apartments to discuss moral and political subjects. Here Montesquieu dwells on our eagerness to gain the esteem of our friends. We crave being "well considered" even more than we desire birth, wealth, positions, and honors," and yet, regrettably, this causes us to neglect the virtues of "probity, good faith, modesty" – traits that are undervalued by our friends. In order to gain attention in the immediate present, we too often "utter a witticism that will dishonor us tomorrow" (p. 134). Reputation, Montesquieu asserts, is something altogether different from the consideration we seek from our friends; reputation is gained by means of accomplishments known to the general public and confers less happiness than consideration because those who enjoy it take it for granted until it is lost. And reputation is difficult to sustain because most people believe they can best display intelligence by deflating the reputations of the great (pp. 134, 135).

In his *Discourse on the Equity that Must Determine Judgments and the Execution of Laws* (1725), read at the opening session of the parlement of Bordeaux in 1725, Montesquieu asserts that the "essential virtue" for a magistrate is "justice, a quality without which he is but a monster in society" (p. 139). Should a judge become aware of his incapacity to rule justly, he should resign his post. Moreover, since judges are "always dealing with unfortunate persons," they must be "attentive to their slightest concerns" (p. 142). Montesquieu dares to criticize his fellow magistrates and other officials of the parlement for failing to exemplify justice in all their public and private

¹⁴ The nearly uniformly held opinion was that Spinoza's pantheistic equation of God with nature and his denial of Creation was tantamount to atheism, no matter how often he spoke of God in his works.

affairs, and he ends the *Discourse* with a stirring encomium on the young king Louis XV, expressing hope and optimism that he will rule justly and wisely. May the new king seek, Montesquieu asserts, to “cultivate in peace virtues which are not less royal than the military ones” and understand that he does not need war to achieve greatness (p. 144).

Two other treatises revealing Montesquieu’s prowess as a moral philosopher are set in ancient times. In his *Dialogue between Xanthippus and Xenocrates* (1727) he faults the Romans for their ruthless treatment of defeated foes. The hero of the dialogue is the Spartan mercenary Xanthippus, who came to the aid of the Carthaginians in 255 BCE after they had lost an epic battle with the Romans near Tunis. Montesquieu suggests that the Romans should have negotiated peace after defeating the Carthaginians, but instead they offered terms so harsh they were certain to be rejected. The result was that Carthage fought on, and with the assistance of Xanthippus defeated the Romans in several battles during what is now called the First Punic War. The duty we owe to our fellow human beings emerges as one of the key themes in this dialogue. Xanthippus responds to Xenocrates’ praise of his selfless valor by remarking it is duty that “binds me to all humans,” adding that, like other Spartans, he had been taught by the legendary lawgiver Lycurgus to watch over the interests of all humans (p. 148).

In *Lysimachus* (1751) Montesquieu recounts the story of Callisthenes of Olynthus (c. 360–327 BCE), grandnephew of Aristotle and chronicler of Alexander the Great’s Asian expedition. Unlike others in Alexander’s retinue, Callisthenes refused to bow down before Alexander in the Persian manner after Alexander proclaimed himself divine and began to dress like a Persian. In Montesquieu’s version of the tale, an angry Alexander cuts off Callisthenes’ feet, nose, and ears and imprisons him in an iron cage (p. 152). Subsequently, Callisthenes is befriended by Lysimachus (c. 360–281 BCE), one of Alexander’s generals and bodyguards. When Lysimachus marvels that he could endure such harsh punishment, Callisthenes responds that he has little regard for living “an easy and sensuous life” since he greatly prizes virtue, strength, and courage. He recounts a dream in which Lysimachus becomes a king and rules justly. After learning of these friendly conversations, Alexander casts Lysimachus into an arena with a lion; against all odds, Lysimachus survives by ripping the lion’s tongue from its mouth, an act of courage so impressive that Alexander forgives him for befriending Callisthenes. Montesquieu ends the saga by having Lysimachus become king of Asia, ruling with Callisthenes as his counselor (p. 154).

Statecraft

Part v of the volume contains five essays exploring the politics and practice of statecraft. In *Letters from Xenocrates to Pheres* (1724), Montesquieu assesses the character of Alcmenes, a stand-in for Philip, Duke of Orléans, who served as regent of France from 1715 until Louis XV came of age in 1723. Xenocrates praises Alcmenes for ruling with an ease of command that made people eager to obey and love him and for displaying a preference for clemency over vengeance (p. 156). He also remarks that, although Alcmenes lacks principles, he has a good heart, and while prone to making mistakes, knows how to remedy them quickly. Too often, however, Alcmenes tries to correct things best left alone,¹⁵ and he errs in valuing men of talent rather than virtue, the result being that “he is wholly unaware of the infinite distance that exists between the honest and the wicked man, and all the different degrees between these two extremes” (p. 156).

Major events occurred during Philip’s regency, and Montesquieu includes in Xenocrates’ letters criticism of him for accepting disastrous advice to establish a national bank and a mercantile company with monopoly powers (p. 158). He is referring to the schemes of the Scotsman John Law who brought the already insolvent French state to the brink of ruin. The sale of shares in Law’s Mississippi company, as Montesquieu had previously explained in *Persian Letters* 138, created an insatiable desire for wealth and caused the French to seek to suddenly acquire riches not through hard work but by ruining the prince and state and one’s fellow citizens. Law’s “System” caused widespread bankruptcy when prices of Mississippi stock plummeted, and the whole debacle proved so disastrous that, as Montesquieu has Rica explain in *Persian Letter* 132, Law’s policies turned the state inside out the way a secondhand clothes dealer turns a coat.¹⁶ The letters end with Xenocrates asserting that the new king replacing the deceased Alcmenes (i.e., Louis XV whose coming of age in 1723 ended the regency) “likes to do good, to correct evil, and finally truth pleases him.” Only good princes, he observes, can bestow a “calm of the spirit,” “security,” and “inner peace” as well as “riches and abundance” on their subjects (p. 160).

15 Cf. *SL*, Preface: “In a time of ignorance no one has any doubt, even while doing the greatest harm; in an enlightened time, we tremble even while doing the finest of deeds. We realize the former abuses, and see how to correct them; but in addition we see the abuses of the correction itself. We leave the harm alone if we fear the worst; we leave the good alone if we are unsure about what is better.”

16 This numbering follows the 1721 edition. In the revised 1758 edition letter 132 is number 138 and letter 138 is number 146.

In *On Politics* (1725), which originally formed the concluding chapters of the *Treatise on Duties* (1725), Montesquieu counsels princes to employ strategies at once straightforward and moral rather than resorting to the ruthless tactics Machiavelli recommended in *The Prince* (1516), though some, including Bacon, Spinoza, Diderot, and Rousseau, chose to read that work as a warning rather than an approval of the ruthlessness of princes.¹⁷ Rather than attacking the doctrine of reason of state on abstract moral grounds, Montesquieu explains how actual historical events demonstrate the futility of immoral statecraft. He identifies two reasons why princes modeling their conduct on Machiavelli's prince are not likely to succeed. First, no prince can foresee the precipices along his path since "[m]ost effects occur via such circuitous paths or depend on causes so imperceptible and remote that they defy prediction" (p. 161). Moreover, every prince will be constrained by a "tone," or general spirit of the times, that may assist him in governing but often will not (p. 165). Montesquieu concludes that princes are foolish if they think they can subdue Fortune by resorting to immorality. Thus, *On Politics* is a veritable *anti-Machiavel*, a plea for simple, straightforward, and honest statecraft that does not violate fundamental principles of justice.¹⁸

Montesquieu's *Reflections on Universal Monarchy in Europe* (1734) reinforces his conviction of the need to inject morality into international relations, a central theme in his writing from his youth to maturity. Passing in review the behavior of many modern princes, he sees heads of state just as addicted to the pursuit of glory as Roman generals had been. Very little, he concludes, had been learned from what he regarded as the lessons of Roman history: expansion does not pay, empire is not sustainable, and conquest in unjust wars violates what should be regarded as binding international law based on respect for the rights of other peoples. Nations, he observes, are now roughly equivalent in size and power, making success in war much more difficult than in ancient times. Yet each state maintains "an inordinate number of

17 We know from *Spicilège* 529 (OC XIII, 468) that Montesquieu was familiar with the argument of William Cleland (1674–1741), whom he met in England, that "Machiavelli spoke of princes only as Samuel did, without approbation. He was a great republican." (The allusion to the prophet Samuel is apparently to his objections to kingship in 1 Kings [1 Samuel], chapters VIII and IX.)

18 Cf. *SL* XXIX, 19, where Montesquieu berates Machiavelli for praising the tactics of the ruthless *condottiero* and son of Pope Alexander VI, Cesare Borgia (1475–1507), and *SL* XXI, 20, where he remarks: "We have begun to be cured of Machiavellianism and will continue to be so every day. There must be more moderation in councils. [...] It is fortunate for men to be in a situation where, while their passions inspire in them the thought of being wicked, it is nevertheless not in their interest to be so."

troops,” as if “threatened with extermination.” Such is the “malady of our times” (pp. 185–186).¹⁹

Modern nations should understand, Montesquieu counsels, that warfare no longer bestows the same benefits as in Roman times. Standing armies and modern wars are so expensive that they take states to the brink of bankruptcy. Moreover, a balance of power in modern times makes lasting superiority unachievable. All European states are of roughly equivalent size and are similarly committed to the “spirit of liberty”; besides, any new military tactic will be duplicated quickly by other heads of state (p. 174). Montesquieu expresses the fervent hope that new standards of international law, influenced by Christian principles, will lead to the introduction of more humane rules of warfare (p. 171).²⁰ Montesquieu had originally planned to publish *Reflections on Universal Monarchy* along with his history of Rome; but realizing at the last moment that few readers, including government censors, would fail to see that the essay targeted the war-mongering of Louis XIV, he withdrew the work after only one copy of the book had been printed.

Reflections on the Character of Certain Princes and on Certain Events in their Lives (c. 1731–1733), originally conceived as part of a larger work, never completed, tentatively entitled *The Prince* or *The Princes*, chronicles the exploits of various secular and ecclesiastical rulers active during the fifteenth through the seventeenth centuries. Its overall teaching is the need for morality in politics, particularly on the part of those wielding power. Employing Plutarch’s method of parallel lives, Montesquieu points out the strengths and weaknesses of assorted leaders, while emphasizing the role general causes play in shaping history and reducing the influence of princes, no matter how clever or devious they may be. “There are circumstances,” he explains, “where men of the least ability can govern well enough; there are others where the greatest minds are taken aback; the art of ruling is sometimes the easiest art in the world, and sometimes the most difficult” (p. 194). Often, the failures of princes to achieve their goals result from overly

19 Cf. *SL* XIII, 17: “A new disease has spread through Europe; it has seized upon our princes and made them maintain an inordinate number of troops. It redoubles in strength, and it necessarily becomes contagious. For as soon as one state increases what it calls its troops, the others suddenly increase theirs, so nothing is gained thereby except their common ruin. Each monarch keeps ready all the armies he would have if his peoples were in danger of extermination, and this state of all against all is called peace.”

20 Cf. *SL* X, 2: “The right of war therefore derives from necessity and strict justice. If those who direct the conscience or the counsels of princes do not limit themselves to that, all is lost; and when they base themselves on arbitrary principles of glory, advantage, or utility, rivers of blood will inundate the earth.”

complex and devious conduct. Some princes succeed, however, owing to sheer genius. Montesquieu compares the success of Cromwell, whose genius, he believes, was on a par with Caesar's, with the hapless Duke of Mayenne (1554–1611), who went from mistake to mistake during the French Wars of Religion, owing to constant miscalculations (pp. 193–194). Similarly, both Philip II (1527–1598) of Spain and Louis XI (1423–1483) of France are written off as failures. Each acted duplicitously without good result and made mistakes that could have been avoided: Philip unwisely chose to simultaneously attack France, England, and the Low Countries, and Louis XI foolishly walked into a trap and became the prisoner of Charles, Duke of Burgundy (1433–1477; pp. 163–164).

In his *Memorandum on the Silence to Impose on the Constitution* (1754), Montesquieu offers Louis XIV advice on how best to deal with the crisis created by the persistence of Jansenism in France. Originating in the views of Cornelius Jansen (1585–1638) as outlined in his *Augustinus* (1640), Jansenism was an austere Catholic movement represented to the public by the abbey of Port Royal and a number of prominent figures attached to it, including Antoine Arnauld, Pierre Nicole, Jean Racine, and Blaise Pascal. Essentially the court and the Jesuits were aligned against the Jansenists and the parlements, but to the king what was most intolerable was the very existence of such a deep division within the Church at a time when his priority was to suppress Protestantism and thereby unite the kingdom in a single faith. Louis XIV had prevailed upon pope Clement XI to issue the bull *Unigenitus* (1713), which declared numerous Jansenist propositions²¹ either heretical or false, but the promulgation of the bull only spawned a further battle over whether it was law in France, and if so, how it could or should be enforced. The quarrel festered for decades.

In the early 1750s, Christophe de Beaumont, the stern archbishop of Paris, instructed the priests in his diocese to refuse last rites to anyone who had not confessed to a pro-*Unigenitus* priest. The Parlement of Paris, after reacting to protect the rights of all believers, was sternly reproached by Louis XV for meddling in purely spiritual affairs and sent into exile in April 1753. In June, Montesquieu, known to all by this time as the author of *The Spirit of Law*, was among those called to a royal audience to discuss the situation, and he may have been invited to submit his proposal that the king impose silence on the doctrinal disputes that had set Jesuits and Jansenists against one another.

21 As represented in Pasquier Quesnel's *Le Nouveau Testament en français avec des réflexions morale* of 1692.

Though it is not known whether the king ever read it, a royal declaration to the same effect was issued in September 1754.²²

Montesquieu recommended, in sum, that the bull continue to be recognized, but at the same time that it should be ignored. Priests should be forbidden to inquire of parishioners whether they were Jansenists, who in turn should not identify themselves as such. Convinced that such a religious debate could not be settled, insofar as it is in the nature of doctrinal controversies to be irresolvable, “the salvation of the state” required the king to impose silence on all and adopt a policy of “outward” rather than “inner” toleration of unorthodox convictions (pp. 201–202). Montesquieu makes no declaration in his *Memorandum* of religious freedom as a natural right, but instead treats toleration as a practical necessity. He links toleration to the king’s foremost political responsibilities, and his central point is that laws must conform not to religious but to political principle.²³

Economics and Fiscal Policy

In 1715 the regent Philip, Duke of Orléans, issued an open invitation to his French subjects to offer plans for resolving the calamitous debt problem, which the wars of Louis XIV had bequeathed to France. Montesquieu responded with his *Memorandum on the Debts of State* (1715). Rather than recommending a state bankruptcy, as Saint-Simon and others suggested, Montesquieu proposed a gradual reduction of the debt by means of a partial repudiation. Every purchaser of the annuities which the crown had offered for sale since 1522 would lose a portion of his investment; similarly, those who owned a venal office, or were royal employees, would be subjected to a reduction in the amount of interest, wages, or salary received. The core principle of Montesquieu’s debt-curbing proposal involved shared sacrifice. The greater the proportion of one’s overall wealth invested in the crown’s debt, the less the reduction would be, since such individuals would have few other investments (pp. 207–208).

Montesquieu was so confident that his debt reduction plan would succeed that he predicted the crown would be able to reduce taxes: what would be required was an exchange of depreciated annuities on which the king would no

22 Previous decrees of silence had been issued in 1717, 1719, 1730, and 1752.

23 Cf. *SL* xxvi, 9: “The laws of perfection drawn from religion have as their object more the goodness of the man who observes them than of the society in which they are observed; civil laws, on the contrary, have as their object more the moral goodness of men in general than of individuals. ¶Thus, however respectable the thoughts that arise directly from religion, they should not always serve as the principle of civil laws, because these have a different principle, which is the general welfare of society.”