

## “Montesquieu and the Logic of Liberty”

Paul A. Rahe  
Charles O. Lee and Louise K. Lee Chair in the Western Heritage  
Hillsdale College

William F. Buckley Jr. Program  
Yale University  
March 12-14, 2018

### Introduction

It is a misfortune that Charles-Louis de Secondat, baron de La Brède et de Montesquieu needs an introduction. But things are as they are, and the following should suffice.

This French aristocrat bestrode the second half of the eighteenth century like a colossus. Every major work that he ushered into print quickly found a wide audience. By 1800, his *Persian Letters*, which first appeared in 1721, had been published in ninety-three editions and had been translated into English, Dutch, German, Polish, and Russian – while his *Considerations on the Causes of the Greatness of the Romans and their Decline*, which was first published in 1734, had appeared in sixty-two editions and had been translated into English, Italian, Dutch, Swedish, Polish, Russian, and Greek.

Neither of these bore comparison with Montesquieu’s *Spirit of the Laws*. This last work was in a self-evident way serious, and enormous it was as well. One purchased it expecting instruction and not diversion – diverting though it might be. And yet, from the moment of its release in the fall of 1748, it sold like hotcakes. By the end of the century, it had been published in one hundred twenty-eight editions, and it had been translated into English, Italian, German, Latin, Danish, Dutch, Polish, and Russian. To this one can add that, in the period stretching from 1748 to 1800, these three books were published together in editions of Montesquieu’s complete works no fewer than thirty-six times.

*The Spirit of the Laws* was a publishing phenomenon, and it was much, much more. As the eventful second half of the eighteenth century began, Montesquieu’s great work became the political Bible of learned men and would-be statesmen everywhere in Europe, and beyond. In Britain, it shaped the thinking of Edmund Burke, Edward Gibbon, William Blackstone, Adam Smith, Adam Ferguson, John Robertson, John Millar, Lord Kames, and Dugald Stewart among others. In France, it was the starting point for Jean-Jacques Rousseau and all subsequent political thinkers. In Italy, it had a profound effect on Cesare Beccaria; and, in Germany, it was fundamental for Georg Wilhelm Friedrich Hegel.

In North America, Montesquieu reigned supreme. In the period stretching from 1762 to 1800, no one was as often cited in the political tracts and newspapers as he was. Moreover, when his name was mentioned, there was nearly always a generous epithet attached. Letters written in 1763 to

newspapers in Boston spoke of him as “a great writer,” as “this great writer,” and as “the great Montesquieu.” They termed him “the admired writer” and “the very justly celebrated author of *The Spirit of the Laws*.” They called him the “penetrating Montesquieu.” Two years later, in a pamphlet published in Newport, Rhode Island, Martin Howard dubbed him “the admired Secondat.” As John Dickinson readily acknowledged in his *Letters from a Farmer in Pennsylvania*, the French *philosophe* was “a very learned author.” Dickinson’s colleagues in the Continental Congress agreed. In an address to the inhabitants of Quebec which he drafted, they spoke of the Frenchman as “an illustrious author of your nation” and termed him “the immortal Montesquieu.” His is, they explained, “a name which all Europe reveres,” for he is a “truly great man,” a renowned “advocate of freedom and humanity.”

Similarly, for Carter Braxton, writing in 1776, the author of *The Spirit of Laws* was “the learned Montesquieu.” A contributor to the *Massachusetts Spy* that same year called him “the judicious MONTESQUIEU” and termed him “a great *authority*.” He was, as both James Madison and Alexander Hamilton took occasion to remark in *The Federalist*, “the celebrated Montesquieu.” As such, he was an authority for Federalists and Anti-Federalists alike. He could even be described as an “oracle.”

Of course, those who cited Montesquieu generally did so for rhetorical effect, but a great many appear to have studied him with care as well. In 1763, T. Q. and J., though rival correspondents to the Boston press, agreed on one thing: that a proper interpretation of *The Spirit of Laws* was the key to understanding whether multiple office-holding by members of the legislature was a threat to liberty in Massachusetts. When Benjamin Rush argued against slavery in a pamphlet penned a decade later, he displayed a detailed knowledge of Montesquieu’s great work. When Worcestriensis wrote to the *Massachusetts Spy* in September, 1776 to oppose religious persecution and yet advocate public support for a religious establishment, he did so as well. The same can be said for the anonymous South Carolinian who published his *Rudiments of Law and Government Deduced from the Law of Nature* in 1783. Even those who found it necessary to disagree with Montesquieu took it for granted that *The Spirit of Laws* was the appropriate starting point for reflection on the political question under consideration. On such occasions, even when his name passes unmentioned, one can often detect his presence. No one did more to shape American thinking with respect to the constitution of liberty in modern times.

For Montesquieu’s pre-eminence, there was an obvious reason. His *Spirit of Laws*, which first appeared in English two years after its publication in French, is arguably the greatest work in constitutional prudence penned in modern times, and almost instantly it was recognized as such. In 1749, David Hume informed its author that his book would be “the wonder of the centuries.” Two years later, in his *Enquiry Concerning the Principles of Morals*, he alerted the public to the fact that Montesquieu was “an author of great genius, as well as extensive learning,” and he described *The Spirit of Laws* as “the best system of political knowledge that, perhaps, has ever yet been communicated to the world.” In 1750, in his correspondence, Horace Walpole described that work as “the best book that ever was written.” Seven years later, in his *Abridgment of English History*, Edmund Burke hailed its author as “the greatest genius, which has enlightened this age.” Not since Aristotle composed *The Politics* had anyone so thoroughly surveyed the variety of polities to be found in the known world, examined the conditions under which they thrived, and pondered their virtues, vices, and propensities.

Required Text

All our assigned readings are found in Montesquieu, *The Spirit of the Laws*, ed. and tr. Anne Cohler, Basia Miller, and Harold Stone (Cambridge: Cambridge University Press, 1989).

Course Schedule

	<b>10 am to 12 noon</b>	<b>1:30 pm to 3:30 pm</b>
<b>Monday, March 12</b>	Political Typology I. Readings: Montesquieu, <i>The Spirit of the Laws</i> , I.i.2-3, ii-v (cited by Part, Book, and Chapter).	Political Typology II. Readings: Montesquieu, <i>The Spirit of the Laws</i> , I.vi.1-3, 5, 8-9, 17, 21; vii-viii.
<b>Tuesday, March 13</b>	Liberty and the English Polity: Montesquieu, <i>The Spirit of the Laws</i> , II.ix.1-3; x.6, 9, 12; xi.1-9, 11, 13, 18 (pp. 179, 182-84), 19-20; xii-xiii.	Climate, Geography, Mores, Manners, and Polity: Readings: Montesquieu, <i>The Spirit of the Laws</i> , III.xiv; xv.1-9, 13, 18-19; xvi.1-2, 6, 8-12,15; xvii; xviii.1-9, 11, 14-18, 30; xix.1-9, 11-12, 14-27
<b>Wednesday, March 14</b>	Commerce: Montesquieu, <i>The Spirit of the Laws</i> , II.ix.1-3; x; III.xix.27; IV.xx, xxi.1-7, 10-15, 17-23.	Religion: Montesquieu, <i>The Spirit of the Laws</i> , V.xxiv-xxv, xxvi.1-8,VI.xxix.19