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BARON DE MONTESQUIEU'S LIFE AND VISION

Charles-Louis de Secondat, Baron de la Brede and Montesquieu was born at the chateau of La Brede, near Bordeaux, on 18 January 1689. His ancestors were soldiers and magistrates and he himself trained to be a lawyer. He was educated at the College of the Oratorians near Paris from the age of 11 and at 16 returned to the University of Bordeaux to continue his study of law. In 1708, at age 19, he was admitted to the bar as an **avocat au Parlement**. Further studies in Paris, probably as a law clerk, between 1709-1713 took place before his father's death in 1713 (his mother had died in 1696). He married Jeanne Lartigue in 1715 and in 1716 his uncle died so he took the name Montesquieu formally and became **président a mortier** at Bordeaux. In 1721 his **Les Lettres Persanes** were published anonymously in Holland and were a great success; he became a member of various salons in Paris. In 1726 he sold his office of president in Bordeaux and in effect retired from legal life.

During the years 1728-1731 he travelled to Hungary, Italy, Austria, Germany and England, spending much the longest period in England. In 1734 **Les Considerations sur les causes de la grandeur des Romains et de leur decadences** was published in Holland. In 1735, aged 46, he explicitly began his work on **The Spirit of the Laws** which would fill the rest of his life. In 1748, some thirteen years later, the **Spirit** was published in Geneva, again anonymously. In 1752 the book was placed on the Catholic Church's Index of Forbidden Books. Montesquieu died in Paris on 10 February 1755, aged 66.

In considering the context of his work, one powerful influence was a tension between the estate-owning aristocrat and the world of commerce. Not only was his mother 'shrewd in business', but Montesquieu's upbringing on the edge of the great international port of Bordeaux gave him an acquaintance with the world of trade and manufacture. Bordeaux was 'unusually cosmopolitan because the wine trade brought a lot of foreign businessmen to the city.'¹ It was for Montesquieu what Glasgow was to be for Adam Smith, a potent reminder of a wider, international, world, and in both cases the orientation was towards the west - to the expanding wealth of the Americas. Althusser captures some of this when he writes that Montesquieu's breadth of vision, his attempt to write a work that took as its object 'the entire history of all the men who have ever lived', was related to a revolution in the knowledge of the world which was occurring as a result of explorations in the ages succeeding Columbus. Bordeaux was perfectly placed to receive news of these distant lands. 'It is the age of the discovery of the Earth, of the great explorations opening up to Europe the knowledge and the exploitation of the Indies East and West and of Africa. Travellers brought back in their coffers spices and gold, and in their memories the tales of customs and institutions which overthrew all the received truths.'² This had laid the foundations for Montaigne's great relativist speculations. Two centuries on, Montesquieu had even richer data to draw on, for the new knowledge of India and particularly China and Japan was beginning to flow in as the great trading networks expanded over the world.

¹Shklar, **Montesquieu**, 3

²Althusser, **Montesquieu**, 18-19

Not only did his position thrust a new knowledge upon him, but it brought home to him the power of commerce. We shall see that one of his major contributions was partly to overcome the normal aristocratic antipathy to business and production. His influence of his mother, of running the La Brede estate, and of commercial Bordeaux helped create that interest and insight. The tensions of his upbringing and background in Gascony were made all the stronger by his life's experience. One of the most important of these was the changing political and social world of France over his lifetime. Montesquieu was born and brought up in the shadow of Louis XIV, probably the greatest of the absolutist rulers in European history, who had reigned for seventy-two years from 1643 to 1715. Thus Montesquieu was already 26 when Louis died. Louis' avowed aim was to spread his rule over the whole of Europe. Thus Montesquieu saw the immense strength of the most powerful state of Europe all round him and he himself, as a judge who put people to the torture, was an instrument of that power. Parallel and equally obvious was the power of the Roman Catholic Church, with its inquisition and censor. That Montesquieu had to publish his three major works outside France, and two of them anonymously, is just one indication of the twin threats to liberty.

Thus he grew up in the hierarchical, all-encompassing, world of the **ancien regime** where politics and religion were joined and control was paramount. And then, to provide the shock of contrast, of another possibility, two things happened. The first was the death of Louis XIV which liberated France. The change is well described by Sorel, and Saint-Simon whom he quotes. 'Louis XIV had just departed. His declining years resembled a gloomy and majestic sunset. Contemporaries did not stop to admire the twilight of a great reign; they were glad to be set free. No one regretted the king; he had too strictly imposed on all Frenchmen "that dependence which subjected all." "The provinces," says Saint-Simon, "rallying from despair at their ruin and annihilation, breathed free and trembled for joy. The higher courts and the whole magisterial caste had been reduced to insignificance by edicts and appeals; now the former hoped to make a figure, the latter to be exempt from royal intermeddling. The people, ruined, crushed, and desperate, thanked Heaven with scandalous openness for a deliverance touching the reality of which their eagerness admitted no doubts.'"³ There followed a period of relative freedom, excitement and openness. Montesquieu was exhilarated and the **Lettres Persanes** published six years later were a product of this more liberal and open world. Yet it was, within France, only a relative liberation. Those very letters had to be published in Holland and the French censor never formally allowed their entry to France. The power of the Catholic Church was little diminished. France was still a modified **ancien regime**. Montesquieu could read about alternative, more open, systems and his interest in early Greek and particularly Roman civilization gave him models. Yet what he needed in order to prove that an alternative, open, world was indeed possible, was a large scale living example. This example was provided by his visit to England.

Montesquieu arrived in England on 23rd October 1729. He stayed for nearly two years and closely studied the political and social system. When he arrived, he wrote, 'I am here in a country which hardly resembles the rest of Europe.'⁴ The English were a 'free people', as opposed to other nations 'this nation is passionately fond of liberty', 'every individual is independent', 'with regard to religion, as in this state every subject has a free will, and must consequently be...conducted by the light of his own mind...by

³Sorel, **Montesquieu**, 30

⁴Tocqueville, **Ancien**, 89

which means the number of sects is increased.⁵ Summarizing the interconnections he suggested that the English have 'progressed the farthest of all peoples of the world in three important things: in piety, in commerce, and in freedom.'⁶

Montesquieu himself summarized his debt to the various countries which he visited; Germany was made to travel in, Italy to sojourn in, France to live in, and England to think in.⁷ As Collins puts it in his useful description of Montesquieu's visit to England, the trip 'transformed the author of the **Persian Letters** and of the **Temple de Gnide** into the author of the **Considerations sur la Grandeur et Decadence des Romains** and of the **Esprit des Lois**. The study of our constitution, of our politics, of our laws, of our temper and idiosyncrasies, of our social system, of our customs, manners, and habits, furnished him with material which was indispensable to the production of his great work.'⁸

Montesquieu found many faults with England which are revealed in the few scraps that remain from his time there. For instance, in relation to religion, he thought the English had gone too far. "'There is," he writes in his **Notes**, "no religion in England; in the Houses of Parliament prayers are never attended by more than four or five members, except on great occasions. If one speaks of religion, every one laughs." The very phrase "an article of faith" provokes ridicule.' Referring to the committee which had recently been appointed to inquire into the state of religion, he says that it was regarded with contempt. In France he himself passed as having too little religion, in England as having too much; and yet, he grimly adds, "there is no nation that has more need of religion than the English, for those who are not afraid to hang themselves ought to be afraid of being damned."⁹ Likewise, he found it a very lonely, isolated, place, the people cold and unfriendly. 'When I am in France I make friends with everyone; in England I make friends with no one.'¹⁰

Yet it was an excellent place to think in, or even, as a kind of living model, to think with. He could use this experience and his many discussions and reading to construct an alternative to the **ancien regime**. Here was something old, continuous, yet very new. A powerful, commercial, tolerant nation that challenged all his own assumptions. It provided the actual, worked, example of a system that could stand up against despotism. He realized its weaknesses, but he also saw its growing strength, both as a

⁵Montesquieu, **Spirit**, I, 307, 309, 308, 312

⁶Quoted in Weber, **Protestant**, 45

⁷Cited in Collins, **Montesquieu**, 178

⁸Collins, **Montesquieu**, 178

⁹Collins, **Montesquieu**, 143; Montesquieu made a distinction between 'piety' and 'religion', which alone explains his apparently contradictory statements.

¹⁰Collins, **Montesquieu**, 138

practice and an ideal. As Collins puts it, 'It was here that he saw illustrated, as it were in epitome and with all the emphasis of glaring contrast, the virtues, the vices, the potentialities of good, the potentialities of evil, inherent in monarchy, in aristocracy, in the power of the people. It was here that he perceived and understood what liberty meant, intellectually, morally, politically, socially. He saw it in its ugliness, he saw it in its beauty.'¹¹ England was a place to think in, so both there and when he returned to France with this model before him, 'Patiently, soberly, without prejudice, without heat, he investigated, analysed, sifted, balanced; and on the conclusions that he drew were founded most of the generalisations which have made him immortal.'¹² 'It was in England that the ideas to be developed in both these masterpieces [**Considerations** and **Spirit of the Laws**] took a definite form, in England that they found stimulus and inspiration, from England that they drew nutriment.'¹³

Montesquieu had now the two experiences that seem to be necessary for deep analysis of the foundations of a civilization. On the one hand there is the personal knowledge of a rapid and dramatic change within one's own country and environment: this was provided by the pre and post Louis XIV world. The second was the shock of placing one's own society and its assumptions against those of another - in this case **ancien regime** France against the strangely different England.

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In attempting to understand himself, to understand a changing France, to make sense of the broad topics which he wished to study, Montesquieu had to come to terms with a number of theoretical problems which have continued to face the social sciences. The central problem concerns the nature of cause and effect, within which we can include single and multiple causation, general and particular causes and the nature of change through time. This was an area that he found so important, yet difficult, that among his unpublished archives is an **Essai sur les causes**, which was written 'to clarify one of his most difficult problems, that of the relationship between physical and moral causes.'¹⁴

It seems that Montesquieu, like any true historian faced with the evidence, was ambivalent and contradictory on the question of chance and necessity. On the one hand he recognized that apparently accidental and random small events could have immense consequences and change the course of history. Thus in his **Pensees** he wrote 'all these great movements only happened because of some unplanned, unforeseen action. Lucrecia's death caused Tarquin's fall. Brutus's act of executing his sons established liberty. Seeing Virginia slain by her father caused the fall of the Ten.'¹⁵ These are small,

¹¹Collins, **Montesquieu**, 178

¹²Collins, **Montesquieu**, 178-9

¹³Collins, **Montesquieu**, 181; for a more recent and detailed account of his English visit, see Shackleton, **Montesquieu**, Ch.vi.

¹⁴Shackleton, **Montesquieu**, 231

¹⁵Quoted in Conroy, **Montesquieu**, 126

personal, almost accidental events, yet 'From the public's unsuspected and therefore unpredictable reaction flows a new social order.'¹⁶

On the other hand, he is much better known for his view that history is mainly governed by general causes, in which individual humans are just epiphenomena. One example also occurs in his **Pensees**. He distinguishes between the general causes which were bound to lead to a Reformation, and the accident of Martin Luther. 'Martin Luther is credited with the Reformation. But it had to happen. If it had not been Luther, it would have been someone else. The arts and sciences coming from Greece had already opened eyes to abuses. Such a cause had to produce some effect. A proof of this: the councils of Constance and Basel had introduced a kind of reformation.'¹⁷ In a similar way he wrote, 'It was not the affair of Pultowa that ruined Charles. Had he not been destroyed at that place, he would have been in another. The casualties of fortune are easily repaired; but who can be guarded against events that incessantly arise from the nature of things?'¹⁸ A more famous example comes in his account of the rise and decline of the Roman Empire. 'It is not chance that rules the world. Ask the Romans, who had a continuous sequence of successes when they were guided by a certain plan, and an uninterrupted sequence of reverses when they followed another. There are general causes, moral and physical, which act in every monarchy, elevating it, maintaining it, or hurling it to the ground. All accidents are controlled by these causes. And if the chance of one battle - that is, a particular cause - has brought a state to ruin, some general cause made it necessary for that state to perish from a single battle. In a word, the main trend draws with it all particular accidents.'¹⁹

Towards the end of this passage he almost brings the two together. A single battle may topple a state, it is the proximate cause, but it only acts in this way as a result of deeper background causes. His whole discussion of this matter, as Shackleton shows, was related to the work of contemporaries, in particular Vico and Doria. In fact the first half of the passage above is directly inspired by **La Vita civile** by Doria.²⁰ As Shackleton says, this is not to disparage Montesquieu who carried into history 'the distinction between the First Cause and occasional causes.'²¹

¹⁶Conroy, **Montesquieu**, 126

¹⁷Conroy, **Montesquieu**, 127

¹⁸Montesquieu, **Spirit**, I, 142

¹⁹Montesquieu, **Considerations**, 169

²⁰Shackleton, **Montesquieu**, 168

²¹Shackleton, **Montesquieu**, 169; there are other particularly interesting discussions of Montesquieu's theories of causation in Sorel, **Montesquieu**, 205-7 and Durkheim, **Montesquieu**, 44-47

Montesquieu's ultimate aim was to understand the cause or causes of things; why some societies suffered from despotism, why northern Europe was growing richer, why the world's population seemed to have declined and why the Roman Empire had collapsed. Like all historians, his views changed over time, and he swung from being an almost naive geographical and climatic determinist, as Collingwood thought him to be²², to being an almost idealist thinker who believed that moral and intellectual causes swayed history. His thought is a bundle of contradictions.²³

If we look at all of his work, we see that he ends up with a balanced approach to causation. The 'spirit of the laws' as constituted by a number of inter-acting causes, physical and moral, is well summarized in a passage from Montesquieu quoted by Sorel. The spirit of a people's law 'must have relations to the physical characteristics of a country, to the climate, - frigid, torrid, or temperate, - to the nature of the land, its situation, its extent, to the people's mode of life;...they must have relations to the degree of liberty that the constitution can admit of; to the religion of the inhabitants, their inclinations, their wealth, their number, their commerce, their morals, their manners. Finally, they have relations one to another, to their origin, to the aim of the legislator, to the order of things under which they were established. They must be considered from all these points of view, and I undertake so to consider them in this work. I shall examine all these relations; together they form what I have called the **Spirit of the Laws**.'²⁴ This is an excellent brief outline for the social sciences and it does not show any kind of naive physical or moral determinism. In seeking such a balance, Montesquieu was a true ancestor of Durkheim, Weber and twentieth century anthropology, even if, in practice, his book, written in fits and starts, occasionally, falls away from this balanced view.

Montesquieu's attitude towards time and progress is complex and this is reflected in an apparent disagreement among those who have commented on his theories. On the one hand a number of authors have argued that he had little sense of historical change and cumulative progress. For example, J.B.Bury in his study of **The Idea of Progress** states that 'Montesquieu was not among the apostles of the idea of Progress. It never secured any hold upon his mind.' He finds this odd, for 'he had grown up in the same intellectual climate in which that idea was produced.' Yet he failed to grasp it. 'Whatever be the value of the idea of Progress, we may agree with Comte that, if Montesquieu had grasped it, he would have produced a more striking work.'²⁵ Richter writes that 'Montesquieu did not believe in the theory of progress; his philosophy of history has been described as "pessimism in moderation".'²⁶ Likewise Shklar states that 'He did not believe in cumulative progress, and his sense of the most recent past was one of

²²Collingwood, **Idea of History**, 79,97,200

²³ Shackleton, **Montesquieu**, ch.xiv and Sorel, **Montesquieu**, 139-40 are particularly illuminating accounts of his theory of climate and causation.

²⁴Sorel, **Montesquieu**, 89

²⁵Bury, **Progress**, 145,148

²⁶Richter, **Montesquieu**, 105

radical discontinuity rather than continuous development. It seemed to him that the expansion of Europe after the discovery of America had made it so wealthy and powerful that it was wholly unlike anything that had ever existed in the past.²⁷

On the other hand Shackleton, his noted biographer and commentator, argues that Montesquieu did have a sense of progressive time. In an article first published in 1949, Shackleton makes a detailed study of the **esprit general** as a central organizing concept in Montesquieu's thought. He concludes that this 'gives the lie...to those who deny to Montesquieu any evolutionary sense and shows that he has a clear and straightforward theory of progress.'²⁸ In his later biography of Montesquieu Shackleton takes up the theme again. He shows that while Montesquieu's theory is 'more tentative and more empirical' than Turgot's, 'he has enunciated, not less than Turgot, a theory of progress...'²⁹ This is the progress which human kind has made from a world ruled by physical causes, to one governed by moral and legal forces.

The two views of Montesquieu in fact reflect two strands in his thought. He both believed that societies and mankind evolved, changed, grew more complex, altered, just as a tree grows and branches. But he also refused to believe that moral progress, happiness, security, freedom and all the valuable things in life necessarily increased. As he looked at the collapse of Rome, at the repeated invasions of the Mongols, at the cruelties and despotism he thought ruled much of the world, at the short duration of open societies, he felt no great confidence in the future. His was an interesting and exactly balanced mixture of a cyclical and linear view. He lived at the cusp of the times, just at the point when the world seemed about to escape from that nightmare of the **ancien regime** which he dreaded. Montesquieu stands exactly on the bridge between the **ancien regime** and something entirely unpredictable and surprising. His greatness lies in the fact that in his ambivalent reflections on his times he sensed, often only implicitly, what was just below the horizon.

Montesquieu wished to understand the whole of world history and the whole of his current world. The **Spirit of the Laws** 'has for its object the laws, customs, and various usages of all peoples.'³⁰ In order to do this he developed a series of methods which laid the basis for the social and historical sciences. One of these was his comparative methodology, which aimed to compare not only the different parts of Europe, but Europe with the Islamic societies of the Middle East and even Europe with China and Japan. In attempting this huge comparison, Montesquieu was fortunate for it was just at the time that a massive influx of new information about other civilizations began to arrive in Europe. The greatest account of Japanese civilization in a foreign language, Engelbert Kaempfer's **History of Japan**, was published in three volumes in 1727 and Du Halde's **Empire of China**, an encyclopaedic

²⁷Shklar, **Montesquieu**, 50; Fletcher, **Montesquieu**, 73 and Durkheim, **Montesquieu**, 57-9 argue similarly that Montesquieu had no sense of progressive time.

²⁸Shackleton, **Essays**, 37

²⁹Shackleton, **Montesquieu**, 319

³⁰Complete Works, quoted in Richter, 'Montesquieu', 472

compilation of early missionary accounts of China, published in 1735. Montesquieu also used the collections of accounts of early trade missions to China. The **Spirit of the Laws** is thus notable in that it is the first great comparative survey of world civilizations. Montaigne had attempted something similar one and a half centuries earlier, also writing from near the port of Bordeaux. But Montaigne's sources on the Far East were exiguous. The Chinese dimension was intellectually important for Montesquieu because it made it possible to see the whole of Europe as a system or civilization with an innate dynamism in contrast to the stasis which had apparently overtaken China.

Durkheim believed that Montesquieu's implicit use of the comparative method was a central feature of his work.³¹ Richter suggests that Montesquieu was somewhat more explicitly aware of what he was doing, citing him to suggest that 'Comparison, the single most valuable capacity of the human mind, is particularly useful when applied to human collectivities.'³² Thus he believes that Montesquieu 'made comparison the central problem of political sociology and thus directed the forms of inquiry away from Europe to all the societies known, however imperfectly, to man.'³³ This is a task which is fundamental to anthropology as well. It also has the effect of putting one's own society into doubt: 'Montesquieu argued that we can understand political and social phenomena only when we can stipulate some arrangement alternative to that in question.'³⁴

Yet in order to compare across societies one has to engage in a form of classificatory activity which is both difficult and unusual. This led Montesquieu into a second methodological innovation. He is widely credited with introducing 'ideal type' analysis, that is the setting up of simplified models against which reality can be tested, benchmarks so to speak. For instance he set up such models of the three forms of political organization, republics, monarchies and despotism. This had been foreshadowed by Aristotle and Machiavelli and others, but Montesquieu took the analysis much further by showing not only the forms, but also by analysing the socio-geographical conditions within which each of them occurred. He is well aware that actual cases do not correspond to the ideal-type, thus there are frequent references to the fact that England as a place may not conform to the 'ideal-type' England he has created, and likewise Chinese despotism in practice is not like Chinese despotism in its theoretical construction. Each European nation had deviated from his ideal-type picture of monarchy. What the ideal types did, however, was to allow Montesquieu, and later Weber and others, to engage in fruitful comparative research.³⁵

Although he did not believe in teleological evolution or inevitable progress towards a predestined goal, Montesquieu was both interested and well versed in history. There are several strands to his work

³¹Durkheim, **Montesquieu**, 50-1

³²Richter 'Montesquieu', 472

³³ Richter, 'Montesquieu', 475

³⁴Richter, **Montesquieu**, 73

³⁵ The importance of his achievement is again well summarized by Durkheim, **Montesquieu**, 62.

which are historical and two can be mentioned here. One is his historical interest in Roman civilization, shown both in his **Considerations** and in a number of chapters of **Spirit**. Although his treatment of Rome has been criticized, what Roman history allowed Montesquieu to do was to watch the process of historical change over a long period, to see the whole of a civilization's growth, greatness and decay and to analyse the reasons for the latter. The central message was that all civilizations contain within themselves the seeds of their own destruction. Rome collapsed through internal corruption, and particularly because the balance of power at the centre became skewed. A model of how this had happened and would happen to all successful Empires was of great use to Montesquieu.

His second interest was in the origins of modern France, which took him into many years of work on the historical sources for the Dark Ages. He wrote at length on the early foundations of liberty in the customs of the peoples who swept across Europe at the collapse of Roman civilization, and then traced the early stages of the evolution of feudalism in Europe. His curiosity 'attracted him towards those mysterious forests whence issued along with the Germans, his alleged ancestors, the elements of political liberty.' This research was lengthy and laborious. 'His toil was severe, his investigations slow and painful. "I seem," he remarked, "all at sea, and in a shoreless sea. All these cold, dry, tasteless, and difficult writings must be read, must be devoured..."'³⁶ But it was true historical research and certainly imbued with an idea of difference and change over time. It was not all on one flat, a-synchronous, level, plain.

A third important part of his vision is what we might term a 'structural' or 'relational' approach to history and society. In the **Persian Letters**, Montesquieu foreshadowed a structural definition of his central concept, **laws**, when he wrote 'Justice is a true relation existing between two things; a relation which is always the same, whoever contemplates it, whether it be God, or an angel, or lastly, man himself.'³⁷ Thus justice does not lie in a thing, but in a relation between things: perhaps this is why 'choses' (the French for 'thing') comes up so much in his conversation. He was talking of those 'relations of relations' which is at the heart of structural thinking. The very first sentence of **The Spirit of the Laws**, the key definition, which has puzzled and often upset so many readers, proclaims this same structural approach. 'Laws, in their most general signification, are the necessary relations arising from the nature of things. In this sense all beings have their laws: the Deity His laws, the material world its laws, the intelligences superior to man their laws, the beasts their laws, man his laws.'³⁸ Notice here that 'relations' cover all aspects of life. Everything is relational. In case the reader has not grasped the point, he re-iterates two paragraphs on that 'laws are the relations subsisting between it and different beings, and the relations of these to one another.'³⁹ 'It' in this case is the intelligence or reasoning power of human beings.

As Sorel noted, this is a very general, almost mathematical, concept. Montesquieu 'rightly intimates that

³⁶Sorel, **Montesquieu**, 155

³⁷Montesquieu, **Persian Letters**, no. 84

³⁸Montesquieu, **Spirit**, I, 1

³⁹Montesquieu, **Spirit**, I, 1

this definition is very wide. It is so wide that it eludes analysis and reaches out toward infinity. It is an algebraic formula, applying to all real quantities and expressing none of them exactly. It is rigorously true of mathematical and natural laws; its application to political and civil laws is only remote and rather indistinct.⁴⁰ As Durkheim noted, 'he informs the reader that he intends to deal with social science in an almost mathematical way.'⁴¹

It greatly puzzled many, especially lawyers, that Montesquieu should start with such an unusual, novel and abstract definition. If, however, we consider the later development of structural thinking, particularly in the French tradition through Durkheim and Mauss, De Saussure and Levi-Strauss, we can see what Montesquieu was doing. He was able to see the relations between power, wealth and belief, or politics, economics and religion, in a way which was hitherto impossible. This ability to connect or relate the hitherto unconnected is well put by Fletcher. 'The supreme value of the method is that it permits the observer to see particular historical data in an entirely new setting, and hence to perceive relationships between things which, through their separation in time or space, must otherwise have remained unrelated. By applying the method over a sufficiently wide area of experience, and comparing similar "relationships" in whatever time or place each to each, the general "spirit" governing them all can be revealed.'⁴² Montesquieu's concept of social structures, of a kind of machine in which there are relations of parts to each other and to the whole, also feeds into the functionalism and structural-functionalism which came to dominate the social sciences between the 1880s and 1940s. This is noted by Shklar when she writes that for him 'Society is a system of norms which are related to each other and can be understood historically and as functioning to maintain the social whole.'⁴³ This is straight early twentieth century functionalism.⁴⁴

Most of those who have studied his writings, including the unpublished notebooks and his library, agree that like all scientists he mixed induction and deduction. An example is given by Shackleton. 'The development of Montesquieu's thoughts in relation to climate shows itself as being clearly inductive. Starting with an examination of the specific problem of Roman air, enlarging his ideas by reading, by observation, and by experiment, he arrives in the end at his general theory of climatic influence.'⁴⁵ This is fairly characteristic, yet it conceals a deductive phase, as Fletcher notes. 'It is true that he usually starts

⁴⁰ Sorel, *Montesquieu*, 86-7

⁴¹ Durkheim, *Montesquieu*, 51

⁴² Fletcher, *Montesquieu*, 74

⁴³ Shklar, *Montesquieu*, 101

⁴⁴ The best account of how Montesquieu founded modern functionalism and structuralism is in Durkheim, *Montesquieu*, 56-7, 63.

⁴⁵ Shackleton, *Montesquieu*, 309-10

from particular "facts" and then extracts from them a general principle. By a sufficiently vast correlation of such "facts" and of the particular principles which emerge from them, he is enabled by his inductive process to reach those very broad generalisations which he calls the "principles" of the leading types of government. But thereafter the method becomes deductive. "When I have discovered my principles" he says in his Preface, "all that I am searching for comes to me." And again: "I propose my principles, and I look to see if the particular cases fit with them."⁴⁶ Montesquieu was even more explicit elsewhere; 'You do not invent a system after having read history; but you begin with the system and then you seek the proof. There are so many facts in a long history, people have thought so differently, the beginnings are usually so obscure that you always find enough to support all kinds of reactions.'⁴⁷

Durkheim echoes Montesquieu's own assessment. Montesquieu 'does not begin by marshalling all the facts relevant to the subject, by setting them forth so that they can be examined and evaluated objectively. For the most part, he attempts by pure deduction to prove the idea he has already formed. He shows that it is implicit in the nature or, if you will, in the **essence** of man, society, trade, religion, in short, in the definition of the things in question. Only then does he set forth the facts which in his opinion confirm his hypothesis.'⁴⁸ Thus 'If we examine Montesquieu's own demonstrations, it is easy to see that they are essentially deductive. True, he usually substantiates his conclusions by observation, but this entire part of his argumentation is very weak. The facts he borrows from history are set forth briefly and summarily, and he goes to little pains to establish their veracity, even when they are controversial.'⁴⁹ Thus in brief, Montesquieu 'instead of using deduction to interpret what has been proved by experiment, he uses experiment to illustrate the conclusions of deduction.'⁵⁰

Montesquieu's vast canvas, his attempt to cover the whole of the world and the whole of human history, and to connect all the different aspects of life, as well as his primarily deductive method, led to many inaccuracies and sins of omission and commission which commentators have pointed to. For instance Shackleton summarizes some of the criticism of his accuracy and historical methods in relation to Roman history.⁵¹ Sorel wrote that 'As Montesquieu had failed to have recourse to archaeology and textual criticism in his study of primitive Rome, so now, in like manner, he failed to utilize anthropology in his study of primitive society. Why could he not have read Buffon? The "Seventh Epoch of Nature"

⁴⁶Fletcher, **Montesquieu**, 72; my translation.

⁴⁷Pensees, quoted in Conroy, **Montesquieu**, 131

⁴⁸Durkheim, **Montesquieu**, 52

⁴⁹Durkheim, **Montesquieu**, 52

⁵⁰Durkheim, **Montesquieu**, 53; see also for Durkheim's criticisms, **ibid**, 54.

⁵¹Shackleton, **Montesquieu**, 158

would have explained primitive humanity and the origin of customs to him in a very simple way.⁵²

He could be accused of finding what he wanted to find. An example is in his treatment of East Asia. His account of Japan, almost exclusively stressing the harshness of Japanese law and punishment, gives a distorted picture of that civilization.⁵³ He has read Kaempfer's great three-volume work on Japan, and yet abstracts only what is relevant to his argument. His treatment of China is particularly interesting. As Richter points out, Montesquieu was the first to make the new discoveries in China, particularly Du Halde's compilations, available to a wider audience and his depiction was enormously influential. Yet it is distorted towards a picture of absolutist despotism.⁵⁴

In fact, as a number of writers have pointed out, Montesquieu was very puzzled by what he read about China and confused by the contrary depictions they gave.⁵⁵ Thus his account is somewhat contradictory, trying to make sense of conflicting images of a despotic and a benign government, of a nation ruled by fear or by kindness.⁵⁶ In his writing we can hear Montesquieu arguing aloud with himself. Should he modify his model of Asiatic despotism, originally based on the model provided by Machiavelli and others of the Ottoman Empire, or reject the data from some of his Chinese sources? In the end the model wins, though it is a little modified. This is, as in all of his accounts, both his strength and his weakness. Without the over-simplification we would not have his amazing insights into the structural causes for the decline of Rome, the roots of feudal systems in Europe, and the essence of English political institutions. But in all of these, as in his treatment of the Orient, we must guard against the distortions of a powerful mind fitting data to a pre-conceived framework.

The danger becomes particularly great as the immense scope of his undertaking reveals itself and tiredness, growing blindness and more and more data overwhelm him. 'In my view, my work grows in proportion to my diminishing strength. I have however, eighteen nearly finished books and eight which need arranging. If I was not mad about it, I would not write a single line. But what sorrows me is to see the beautiful things which I could do if I had eyes.'⁵⁷ Montesquieu questioned his own wisdom in taking on the task. 'I have laboured for twenty years on this work, and I no longer know if I have been bold

⁵²Sorel, **Montesquieu**, 84-5

⁵³Montesquieu, **Spirit**, I, 85, 196, 233-4; II, 35

⁵⁴Richter, **Montesquieu**, 84

⁵⁵See Shackleton, **Essays**, 231ff; M. Hülling, **Montesquieu**, 100ff

⁵⁶Important passages occur in Montesquieu, **Spirit**, I, 369; I, 297; I, 304 and especially **Spirit**, I, 122-5.

⁵⁷ Montesquieu to President Barbon, 2 Feb., 1742, translated from Starobonski, **Montesquieu**, 159

or if I have been rash, if I had been overwhelmed by the size of my subject or if I had been sustained by its majesty.⁵⁸

Montesquieu himself, quoted by Sorel, perceived the difficulty of an ever-expanding project and of growing weariness. 'So long as he worked upon the earlier books he was all joy and ardour. "My great work is going forward with giant strides," he wrote in 1744 to the Abbe Guasco. Then was the time when "all he sought came to him of itself." But little by little masses of facts accumulated at the outlets and blocked them up. He forces the facts. "Everything yields to my principles," he wrote toward the last; but he does not see "particular cases smoothly conforming to them," as formerly. He makes an effort, canvasses the texts, arrays analogies, heaps up, but he no longer welds together. He settles himself doggedly to the task; he grows fatigued. "I am reaching an advanced age; and because of the vastness of the undertaking the work recedes," he wrote in 1745; and in 1747, "My work grows dull...I am overcome by weariness." The concluding books on feudalism exhaust him. "This will make three hours' reading; but I assure you that the labor it has cost me has whitened my hair." "This work has almost killed me," he wrote, after revising the final proofs, "I am going to rest; I shall labour no more."⁵⁹

In a moving unpublished passage he contemplated the end of his work and his life:

I had conceived the design of giving a much extended and deeper treatment in certain areas of this work; and have become incapable of it. My reading has weakened my eyes, and it seems to me that what remains to me of light is just the dawn of the day when they will close forever.

I am nearly touching the moment when I must begin and end, the moment which unveils and steals everything, the moment mixed with bitterness and joy, the moment when I will lose my very weaknesses.

Why do I still occupy myself with some trivial writings? I search for immortality, and it is within myself. Expand, my soul! Precipitate yourself into immensity! Return to the great Being!...

In the deplorable state in which I find myself it has not been possible for me to give this work its final touches, and I would have burned it a thousand times, if I had not thought it good to render oneself useful to men up to one's very last breath...

Immortal God! the human species is your most worthy work. To love it, is to love you, and, in finishing my life, I devote this love to you.⁶⁰

So what did his mighty labours, the fruits of intense concentration by a first-rate intellect over a period of over thirty years produce? His mind moved across the data then available for most of the world's civilizations and the whole wealth of human history in order to seek the underlying spirit of the laws, the answer to the riddle of man's nature, past and future.

⁵⁸ Montesquieu, 'Dossier on Esprit', translated from Starobonski, **Montesquieu**, 160; Sorel, **Montesquieu**, 92, describes the danger of the ageing philosopher desperately trying to finish the great work.

⁵⁹Sorel, **Montesquieu**, 52-3

⁶⁰ Montesquieu, 'Dossier on Laws', translated from Starobonski, **Montesquieu**, 182