

# Montesquieu's Science of Politics

Essays on *The Spirit of Laws*

EDITED BY DAVID W. CARRITHERS, MICHAEL A.  
MOSHER, AND PAUL A. RAHE

ROWMAN & LITTLEFIELD PUBLISHERS, INC.  
*Lanham • Boulder • New York • Oxford*

## Chapter Five

---

### Despotism in *The Spirit of Laws*

Sharon Krause

The concept of despotism provides a key that opens *The Spirit of Laws* and illuminates the sometimes shadowy contours of Montesquieu's political philosophy. Despotism has been characterized as "the basis"<sup>1</sup> and "the cutting edge"<sup>2</sup> of Montesquieu's political theory, and as the unifying theme of his corpus as a whole.<sup>3</sup> It is the one phenomenon that is categorically disparaged in a work that otherwise resists categorical judgments,<sup>4</sup> so that while readers may disagree about which regime Montesquieu prefers,<sup>5</sup> there can be no doubt about which one he most despises.<sup>6</sup> Besides being one type of regime, with a particular institutional structure and motivating principle, despotism refers to the universal tendency of political power to overreach its bounds, a tendency that runs through governments of all types and that has roots in human nature itself.<sup>7</sup> Indeed, it is because "the soul has such a taste for dominating other souls" (XXVIII, 41) that anyone who has power is led to abuse it, continuing until he finds limits (XI, 4).<sup>8</sup> Despotism as a common tendency of politics and persons thus inspires Montesquieu's greatest contribution to liberalism, the separation of powers.

The concept of despotism also provides clues to Montesquieu's view of the ends of politics and the nature of the human good. His reluctance to specify directly a comprehensive conception of human nature, including human ends, is well known. He resists doing so partly because he believes that human diversity runs deep, as the influence of particular cultural traditions "can be so great that it changes, so to speak, the whole genius of human nature. This is the reason that man is so difficult to define."<sup>9</sup> In part, too, he is skeptical about the human capacity to know metaphysical essences,<sup>10</sup> and wary of the practical implications of perfectionism in politics.<sup>11</sup> Montesquieu largely accepts the early modern

view that the purpose of politics is political liberty understood as security, not the realization of a human *telos*. For him, liberty rests on the protection, not the perfection, of the individual.<sup>12</sup> Yet Montesquieu does not simply replace the ancient idea of a human *telos* with the modern idea of natural rights. Although he mentions natural rights occasionally in *The Spirit of Laws*, he remains as reluctant to prescribe universal standards of natural right as to dictate universal human ends. Without such a standard, however, Montesquieu's liberal philosophy as a whole is difficult to justify. Why is a constitution of separate powers better than the rule of an unlimited will, after all? What justifies the liberty that moderate government provides? Because he does not give a defense of universal natural rights or offer an explicit statement of human ends, Montesquieu has been faulted for failing to justify his preference for moderate government.<sup>13</sup> His description of the human condition under despotic government implicitly contains the needed justification, however. By showing us what despotism denies and debases in human beings, Montesquieu inspires us to think about the talents and the ambitions, the courage, the artistry, and the knowledge of which we are capable—even "those virtues that give greatness to the soul" (V, 12). The *summum malum* of despotism therefore functions as a negative model that contains positive implications for understanding human nature and human ends, and so suggests a justification for political liberty and for Montesquieu's political philosophy as a whole.

This chapter examines the meaning and the significance of despotism in *The Spirit of Laws*. Following a brief account of the background of the term, Montesquieu's treatment of the government of despotism is elaborated, including its nature, principle, limits, and corruptions. A tension between the nature of despotism and its principle sets the most forceful limit on despotic governments and causes their inevitable corruption. Additionally, Montesquieu's association between despotism and the empires of the East is considered in light of recent critiques of "Orientalism." Although Montesquieu uses the travel literature selectively and exaggerates the links between despotism and the governments of Asia, he is no advocate of European imperialism, the justification of which is thought to be a central purpose of "Orientalism." Ironically, Montesquieu's exaggeration of the specific connections between despotism and the East makes it possible for him to show that despotism poses a *universal* danger. Finally, the relationship between despotism and nature is examined, including nature understood as climate and physical terrain and nature understood as human nature. Although Montesquieu regards despotism as an assault on human nature, he also shows it to be the most natural form of government, not least because it expresses fundamental features of human nature. By illuminating the features of human nature that despotism expresses and those it denies, Montesquieu shows us why political liberty is worth pursuing, and so gives us reason to study the spirit of laws.

## Sources of "Despotism"

Montesquieu did not invent the term "despotism," but he systematized it and established the definition of despotism that came to predominate in the eighteenth century.<sup>14</sup> In doing so, he both drew on and departed from traditional interpretations of the word. The Greeks had applied the term *despotes* to the head of the household, despotic rule being the command of household slaves. As such, it was not itself a term of derision, as despotic rule could be legitimate if exercised over the class of persons regarded as "natural" slaves.<sup>15</sup> Aristotle did use the word derisively in his *Politics*, however, in describing the degenerate stage of each of the three regimes, including the rule of tyranny in the third book, that of the overbearing *demos* in the fourth book, and that of oligarchy in the fifth book. Each of these political degenerations was tied to the abandonment of law, as when "the multitude has authority and not the law."<sup>16</sup> Under such circumstances, the citizens, by nature free, were treated as though they were slaves because subjected to an unregulated ruling will.<sup>17</sup> Thus, despotic rule acquired a negative connotation when it was applied to the rule of free men rather than "natural" slaves. In this way, the legitimate place of the despot was limited to the private sphere.<sup>18</sup> The *political* despot for Aristotle was by nature disreputable, and a king ruling as a despot was considered a tyrant. Tyranny, which was spoken of in the political context more frequently than despotism, could be remedied by removing the tyrant because the malady was in him, not in the people or in the institutional structure of the regime. For although a tyrant ruling with despotic power might treat his subjects as slaves, they were not by nature slaves, and so were capable of resistance and could resume the role of citizens or subjects after the tyrant's expulsion.

Hobbes rejected the Aristotelian distinction between free persons and natural slaves on the grounds that "when all is reckoned together the difference between man and man is not so considerable as that one man can thereupon claim to himself any benefit to which another may not pretend as well as he."<sup>19</sup> The consequence of natural equality, however, was not so much to discredit the private rule of despots as to make the political despot reputable. All persons, being equal, were equally in need of the protection of an absolute sovereign, and despotic government was just one particular manifestation of this general form. What Hobbes called "despotical" government originated in conquest, but was legitimated by the covenant of obedience given by the vanquished to the victor.<sup>20</sup> The consent of the vanquished was in principle indistinguishable from the consent of the parties to a Commonwealth by Institution. Despotic rule was no different from the rule of a government "by Institution of the people assembled," because in both cases consent was driven by fear—in the one case the loser's fear of the winning army, in the other case the individual's fear of other persons. Both instances of consent were the products of a state of war, "which is

necessarily consequent . . . to the naturall Passions of men."<sup>21</sup> The only solution to the state of war was the establishment of a single sovereign sufficiently strong to make his subjects too afraid of him to be dangerous to each other. The fear of one another or of external enemies, which made individuals consent to be ruled, was replaced by fear of the king, which made them obedient. This fear required unlimited power for the sovereign, as any limitation on his power, including the limitations imposed by laws, would limit his capacity to terrify and so to protect his subjects. The fear engendered by the sovereign's unlimited power had an emancipatory effect on individuals because it produced tranquillity where there had been war, and so established security. "Despotically" rule, although absolute, was not fundamentally distinct from political rule in general, and not to be disdained. Hobbes thus made political despotism reputable and legitimate by detaching it from the idea of slavery, while preserving the older notion of rule not limited by laws, and introducing the element of fear.

In France, the term *despotique* came into use during the reign of Louis XIV, and was employed most often by his aristocratic opponents, with strongly negative connotations. Among the first to use the word were the pamphleteers of the Fronde (1648-53), an aristocratic uprising occasioned by the minister Mazarin's attacks on the claim of privileged bodies, especially the Parlements, to refuse obedience to the crown and to control royal administration at the local level.<sup>22</sup> The *frondeurs* accused Mazarin of attempting to make France into a *monarchie despotique*,<sup>23</sup> which they associated with both arbitrary rule and the servitude of subjects. This usage combined the idea of rule over slaves, derived from the Aristotelian definition, with Hobbes' idea of political absolutism. In 1689-90 the Huguenot publication, *Les soupirs de la France esclave, qui aspire après la liberté*, drew on the criticism of the earlier pamphleteers, faulting the king for "the oppression of the church, the parlements, the nobility, and the towns," and giving prominent place to the term "despotic power" (*pouvoir despotique*).<sup>24</sup> The anonymous author went further than his predecessors had gone, however, expanding the definition to include religious intolerance, the bureaucratic centralization of political authority, aggressive foreign policy, and mercantilist mismanagement of financial affairs.<sup>25</sup> Shortly thereafter the noun, *despotisme*, indicating a system of government, rather than a quality of personal rule, was given currency by Pierre Bayle in his *Réponse aux questions d'un provincial* (1704).<sup>26</sup> The new term was used widely in the final years of Louis XIV's reign by opponents of his absolute power, such as Fénelon, St. Simon, and Boulainvilliers, to indicate a political order characterized by the qualities enumerated in *Les soupirs*.<sup>27</sup> By the middle of the eighteenth century, then, the central features of the concept of despotism included the arbitrary rule of a single sovereign who was limited by neither law nor intermediary bodies, the political slavery of the ruled, the centralization of power, financial mismanagement, religious intolerance, and military aggressiveness.

Montesquieu systematically elaborated these features of despotism in *The Spirit of Laws*. In doing so, he established its meaning so definitively in the new public mind of the *lumières* that d'Alembert asked him to contribute an entry on despotism to *l'Encyclopédie*.<sup>28</sup> Montesquieu's concept of despotism preserves Aristotle's association between despotic rule and lawlessness, but makes lawlessness a quality of the political order as a whole rather than the ruler. He likewise draws on the Aristotelian link between despotic rule and slavery, but because he rejects the idea of natural slavery he regards all forms of despotic rule as illegitimate. Whereas for Aristotle despotic rule was called for by the presence of natural slaves, Montesquieu believes that despotism *creates* slaves where there should be none. And while Aristotle believed that tyranny could be remedied by removing the corrupt tyrant, for Montesquieu the correction of despotic rule is more complex because corruption permeates the system of despotism as a whole, its institutions and its subjects, as well as its ruler. To slavery and lawlessness, Montesquieu adds the Hobbesian principle of fear, a principle that earlier treatments of despotism in France had not emphasized. Montesquieu acknowledges the unifying and the tranquilizing force of fear, which for Hobbes legitimated its use, but he does not equate unity or tranquillity with liberty.<sup>29</sup> He rejects Hobbes' identification of liberty with power and shows not the emancipating effect of fear but its debasement of human beings and politics. Finally, Montesquieu transforms the polemics of the French pamphleteers into political philosophy. Seeking to explain rather than simply to accuse, he shows the causes and the consequences of despotism, illuminating its particular instances by means of his general principles.

### The Nature of Despotism

Montesquieu elaborates three types of government in Books II-VIII of *The Spirit of Laws*, distinguishing the "nature" of each government from its "principle."<sup>30</sup> The nature of a government is the particular institutional structure that "makes it what it is." The principle is the "human passions that make it move" (III, 1). The nature of republican government is that the people as a body, or a part of the people, have sovereign power. Monarchical government is that in which one alone governs by fixed and established laws. In despotic government, one rules alone, but by his will and caprices, rather than by law (II, 1). Montesquieu's typology of regimes distinguishes between forms of rule on the basis of the number of rulers and the presence or absence of fixed, established laws. By contrast, Aristotle had classified regimes on the basis of the number of rulers together with the presence or absence of virtue.<sup>31</sup> Montesquieu's standard of classification departs from that older one by replacing the virtue of the rulers with the legality of the system. He criticizes Aristotle's classification for making distinctions on the basis of "accidental things (*des choses d'accident*), such as the vir-

tues or vices of the prince" (XI, 9).<sup>32</sup> Virtues and vices are accidental in the sense of being contingent, and therefore not to be relied upon. Even when present, the virtue of a ruler does not predict the outcome of his rule as reliably as does the structure of the government. To predict how a monarch will rule, it is better to know the institutional channels through which power flows than to know the content of his character. The structure of the regime and the laws, not the character of rulers, is the most reliable basis for classification.

One implication of Montesquieu's revised typology is that good government is possible without the cultivation of virtue, or the perfection of the soul. This justifies removing the care of souls from the province of political authority, and so erecting a boundary between the public and the private spheres, a purpose that Montesquieu shares with earlier liberals such as Locke.<sup>33</sup> At the same time, by discounting the role of virtue, Montesquieu's typology suggests that immoderate government is not simply the product of vice. Despotism does not result from the presence of a particularly vicious ruler, but instead poses a more general threat. For if personal vice is not a precondition of despotic rule, then the pool of potential despots is much increased, even unlimited. It is not only the vicious, but *anyone*, Montesquieu says, who is led to abuse power when he has it. Anyone who has power will continue to expand it until he finds limits (XI, 4). Consequently, despotism cannot be dismissed easily as the specific corruption of a particular regime, but instead represents an entrenched possibility of politics. And if despotism is not produced by the vice of the ruler, then it may be possible for despotism to occur even in the regime of a benevolent prince. Thus, a monarch's public displays of benevolence would not be sufficient to distinguish him from a despot.

For Montesquieu's contemporaries, his typology also raised a question as to the status of France. France was ruled by "one alone," but since the typology includes two regimes in which a prince rules alone, one was forced to consider whether the French monarch ruled by law or merely by capricious will. Throughout *The Spirit of Laws*, Montesquieu explicitly associates France with monarchical government, but implicitly he calls to mind the resemblances between French monarchy and despotism. Ironically, by distinguishing monarchy from despotism Montesquieu makes us think about them together, and for the Frenchmen of his day this inevitably meant thinking about them together in relation to France.<sup>34</sup> The fact that Montesquieu's typology invites this association explains in part why Voltaire objected so strongly to it. Voltaire, a defender of royal absolutism, regarded despotism not as a separate regime, but as a corrupt form of absolute monarchy because for him it was not unlimited rule that was dangerous but *unenlightened* rule.<sup>35</sup> The ideal government would not limit power but rationalize it. Accordingly, the proper standard for distinguishing a monarch from a tyrant was reason rather than law. Because he rejected external limitations on sovereign power, Voltaire also opposed the claims of the nobility

to mediate the crown's authority. And he considered Montesquieu's suggestive associations between despotism and the French crown incendiary and responsible for stirring up a rebellious spirit among the Parlements.<sup>36</sup> Thus the typology of regimes presented in Book II introduces legality as a new standard for distinguishing forms of rule, implies that despotism poses a general threat to all regimes, and raises questions about the potentially despotic character of monarchy in France.

After defining the nature of the three regimes, Montesquieu discusses the laws relative to each one. Not surprisingly, the description of the laws relative to the nature of despotic states is brief, since despotism is the regime that by definition lacks fixed, established laws.<sup>37</sup> There is one "fundamental law" (*une loi fondamentale*) in this state, however, which is that the one who exercises power has it exercised by another (II, 5). The establishment of a vizir is a fundamental law because despots naturally abandon the public business, preferring instead the business of their private pleasures. The unlimited political power of a despot makes everything that is desirable available for his personal use, and the plethora of pleasures that results proves distracting. If he is to devote himself to his pleasures, the despot must put someone else in charge of governing. And it must be one person, because if the public business were entrusted to several different persons, disputes would arise between them and he would be called back to administration. Thus the despot is compelled by the power of his passions to appoint a deputy. The inevitability of the establishment of a vizir results from the equally predictable effects of the unlimited pursuit of sensual and material pleasures. The "fundamental law" of despotic government is fundamental in the sense of being irresistible, even necessary.

It differs in this respect from the fundamental laws of republics and monarchies. In republican government, for instance, the laws establishing the right to vote are fundamental because they constitute the regime as a republic, and as a particular type of republic depending on what portion of the population is accorded the vote. These laws result from the choices of legislators (II, 2). Similarly, a fundamental law of monarchy is the balance of power established between the intermediary bodies and the crown (II, 4), a balance that is in no way inevitable but rather represents "a masterpiece of legislation that circumstance rarely produces and that prudence rarely is permitted to produce" (V, 14). The fundamental laws of republics and monarchies are the products of human art and deliberation. But despots, being "intoxicated with pleasures," act mainly on impulse rather than deliberation or art (II, 5). There the fundamental law is fundamental in the sense of being unavoidable. It calls to mind the "invariable" laws of the physical world, of which Montesquieu speaks in Book I, and which he distinguishes from the civil and political laws found in the "intelligent world" (I, 1). That is, the fundamental law of despotism resembles the general laws of motion that govern

the material world more closely than the laws by which human beings govern themselves. In this sense, it expresses the necessity that permeates despotic governments, rather than the art and deliberation that shape moderate regimes.<sup>38</sup> Thus, in moving from the fundamental laws of republican and monarchical regimes to the fundamental law of despotism in Book II, Montesquieu effects subtle shifts in the meaning of both "fundamental" and "law."

### The Principle of Despotism

The "principle" of despotic government, or the human passion that sets it in motion, is fear. The despot's subjects fear him because he can destroy them instantly (III, 9), while *he* fears his army (V, 14) and the loss of his pleasures.<sup>39</sup> The fear that permeates despotism arises naturally, even automatically, from threats and chastisements (III, 5). For while fear may be a rational response to the raised arm of the despotic prince, there is more impulse in it than deliberation. Fear has no need of education because it is so well supported by instinct, and consequently education "is in some fashion null" in despotism (IV, 3). Education is not only unnecessary, but potentially dangerous, since an education in ideas would "elevate the heart," which could bring down the despot (IV, 3). The spread of knowledge is dangerous to a despot because it could dispel his subjects' fear. The extreme obedience that the despot requires rests on the ignorance of his subjects (III, 3). The subjects, who are "timid, ignorant, and worn down" (V, 14), aim only for the most meager existence. Too insecure to think of living well, they have mere living as their sole purpose. And without education, their actions lack principled ends, such as honor, virtue, even liberty itself. Thus, fear produces the other main motive that operates in despotism, a desire for the satisfaction of material needs, or "the conveniences of life" (V, 17-18; XV, 1).<sup>40</sup>

Fear not only arises automatically in despotism, but also has automatic effects. Fear compels compliance, so that "the prince's will, once known, must have its effect as infallibly as a ball thrown against another ball must have its effect" (III, 10). Hobbes was correct to count fear as "the passion to be reckoned on,"<sup>41</sup> for it imposes pressures on human actions that make them predictable, in contrast to the uncertainties that result from deliberation and choice. As against Hobbes, however, who regarded the predictability of human behavior as a precondition of the "science of natural justice" that established individual security and thus liberty,<sup>42</sup> Montesquieu associates perfectly predictable behavior with the mechanistic responses of beasts and the forced compliance of slaves.<sup>43</sup> Thus, the despot rules his subjects as though instructing a beast (V, 14), for in despotism "the portion of men, like that of beasts, is instinct, obedience, and chastisement" (III, 10). There, too, "men are all slaves" (III, 8), which means that they are the property of the despot, and so the instruments of his will (XV, 1). As a result, "almost no one has a will of his own" (VI, 1). Human behavior under

despotism consists in responding to the will of another, rather than in deliberate, intentional action, which is why this society operates as a series of "infallible" reactions. Even the despot is not free, since no one is a tyrant without at the same time being a slave (IV, 3). The despot is a slave to his appetites, reacting "infallibly" to his impulses and his own caprice.<sup>44</sup> If he is slavish like his subjects, he is also something of a beast. His portion, like theirs, is mainly instinct not reason. "The idea of despotism," Montesquieu says, is illustrated by "the savages" of Louisiana: "when they wish to have some fruit, they cut down the tree to the base and gather the fruit. This is despotic government" (V, 13). The immediacy of instinctual appetites calls for immediate solutions and prohibits the mediation of reason, which in this case might have resulted in a plan for cultivating the fruit, thus ensuring a future supply, perhaps even increasing it, rather than eradicating its source.

In part, too, the mechanistic quality of the despot's own actions results from the absence of an opposition. Without opposition, "he does not have to deliberate, to doubt, or to reason; he has only to want" (IV, 3). Montesquieu means for us to notice the difference between *wanting*, which is an impulse, and *choosing*, which implies deliberation, doubt and reason. Because a despot has no opponents, there is no one to demand a reason for his actions and therefore no reason for him to have a reason. But without deliberating about an action, without being able to provide a reason for it, distinguishing a choice from an unchosen impulse proves difficult. Ironically, the despot's perfect power of choice undermines his capacity for intentional, self-initiated action.<sup>45</sup> The "tempering, modification, accommodation, terms, equivalents, negotiations, remonstrances" (III, 10) that result from a strong opposition mediate the will of the sovereign in moderate governments, and by doing so they force the sovereign's will to be more reasoned and deliberate, and therefore more free, than is the case under despotism. The mediation of an opposition interrupts the infallible operations of despotic government because it interrupts the prince's unreflective responses to his appetites. Without an opposition, the despot as much as his subjects lacks deliberate intention, even a will of his own. When Montesquieu describes despotism as a system in which "man is a *creature* that *obeys* a creature that *wants*," he means to convey that everyone is part beast and part slave there (III, 10; emphasis added). Indeed, the despot's *wants* reflect an obedience to his creaturely needs that is as extreme as the obedience that he compels in his subjects.<sup>46</sup>

The simple structure of despotic government, which lacks the complexity that results from a differentiated social order and a constitution of balanced powers, is reflected in the simplicity of civil laws (VI, 1). As all subjects are slaves under despotic rule, everyone is equal. No differences exist in rank, origin, and condition that would require variations or exceptions in the laws. Moreover, because the prince is master of the estates of all his subjects, no private property exists, and therefore few if any laws are needed to regulate the

ownership of land. The same is true for commerce. Since all commodities belong to the despot, the many laws that regulate commerce in moderate regimes are rendered useless. Nor are marriages regulated by civil laws since they are "contracted with female slaves" who have no legal standing.<sup>47</sup> In principle, civil laws operate at the intersection of the public and private spheres. They regulate and protect by public authority the private enterprises of individuals, such as landholding, trade, marriage, associational activities, and contractual obligations. The dearth of civil laws under despotic government points to the ambiguities that permeate the categories of public and private there.<sup>48</sup> On the one hand, in the absence of private property one is tempted to conclude that everything is public. From the standpoint of the individual subject, this surely is the case, as neither one's goods nor even one's person are one's possession, and no activities or opinions are protected from government intrusion. Everything is a part of a common estate. Yet the common estate is the personal holding of a single individual. Consequently, while there is no private sphere from the standpoint of the subject, neither is there a public sphere. Indeed, *everything* is private in despotism. Everything is the private property of the despot. All is contained within the private sphere of his personal, if extensive, household. Thus, "the preserving of the state is only the preserving of the prince, or rather of the palace in which he is enclosed" (V, 14). There are no real interactions between public and private of the sort that civil laws are established to regulate, because the separation between public and private has collapsed, and the simplicity of the civil laws reflects this fact.

The prince's personal privatization of the public sphere not only simplifies the civil laws but actually depoliticizes the state. No politics is possible there, since politics presupposes the existence of public matters, along with the opposing views of these matters that sustain public deliberation.<sup>49</sup> Since everything in the state is the personal property of the prince, all matters are by definition his private affairs, and thus subject only to his prerogative. With nothing held in common, no one besides the prince has a legitimate claim to an opposing opinion, or to any opinion. But without multiple opinions about common matters, the tempering, modification, accommodation, and remonstrances that facilitate deliberation are impossible. Thus, "politics with its springs and laws here should be very limited," for "everything comes down to reconciling political and civil government with domestic government, the officers of the state with those of the seraglio" (V, 14). It is true that the prince's household is full of intrigue and petty rivalries. But these rivalries are not strictly political because they do not represent contests of principle or opinion. They are simply squabbles over the comforts of life, the only motive that operates in despotic countries besides fear.

Montesquieu conveys the loss under despotism of the animation that marks politics with a reference to Charles XII of Sweden, who, on receiving word of resistance in the Senate of Sweden while he was out of the country, wrote that

he would send one of his boots to command it. The boot, Montesquieu says, would have governed like a despotic king (V, 14). Despotic authority is inanimate, like a boot, because it lacks the *animus* of politics—both the animating spirit of reason that sparks deliberation and the courageous opposition, even animosity, that sustains it. But in despotism everyone—the prince as much as his subjects—lacks the animating forces of reason and courage, and consequently, "less is communicated" there (XIX, 12). Montesquieu's criticism of the inanimate, apolitical quality of life under despotic government does not rest on a glorification of political participation, however.<sup>50</sup> It is true that the principle of divided power requires political participation by different groups within society, but for Montesquieu participation is only a means to liberty, not the definition of liberty or an end in itself.<sup>51</sup> The purpose of participation is not so much to deliver the good of self-government to each group as to prevent any one of them from endangering the personal security of members of the other groups, for, he says, "I do not attach much value to the delights of furious disputation about affairs of state to the endless repetition of *liberty* and the privilege of hating half of one's fellow-creatures."<sup>52</sup> Similarly, he prefers modern representative government to the direct democracies of antiquity in which the people had immediate power (XIX, 27). If disputation about the affairs of state is not the end of politics, however, it is a crucial component of politics and a check on despotic authority. Thus in free governments, while it does not matter whether individuals reason well or badly, it is crucial that they reason; whereas in a despotic government, any reasoning at all runs counter to the principle of the government (XIX, 27). Reason gives rise to deliberation, which engenders the principled clashes between opposing viewpoints that animate political life. By suppressing the reason and the courage that animate politics, despotism depoliticizes the state.

The apolitical character of despotism recalls Aristotle's concept of despotic rule because of its association with the non-political sphere of the household. Aristotle considered despotic rule tyrannical when imported from the household into politics because he thought it ill-suited to the nature of politics. But Montesquieu's despot forces a fit between his manner of ruling and the nature of the political sphere. It is not just that he rules in the public sphere *as though* he were still in the household, as Aristotle's tyrant did. Instead, Montesquieu's despot transforms the public sphere into a household and the populace into slaves in order to accommodate his masterly rule, as when Louis XIV eroded the intermediary bodies of the French monarchy. The transformation of the public sphere permeates society at every level. For example, the arbitrary, lawless character of despotic rule runs through the entire regime because "where law is only the will of the prince, although the prince may be wise, how could a magistrate follow a will that he does not know? He must follow his own" (V, 16). The lawless rule of will is ubiquitous in despotism because no local authority can



supply a principled standard of rule that is missing at the top. Every mayor and magistrate inevitably becomes a petty tyrant. Similarly, where property is insecure, trade dominated by the prince, and offices dispensed at his discretion rather than sold or inherited, important men "will be driven to a thousand misdeeds because they will believe that they possess nothing except the gold or silver that they can steal or hide" (V, 14). Therefore embezzlement is natural in despotic states (V, 15). And if a prince declares himself owner of all the land and heir to all his subjects, no one has an incentive to make repairs or improvements on his holdings, or to take up industry and the cultivation of land (V, 14). Consequently, the prince's subjects come to resemble him in being lazy (II, 5)<sup>53</sup> and are satisfied simply with "subsistence and life" (XV, 1). Whereas the despotic rule of Aristotle's tyrant is ill-fitted to the nature of political life, Montesquieu's despot makes political life conform to the nature of his unlimited rule. His transformation of society results in a system and a population ill-equipped for the deliberation and the disputation that animate politics and that make the public sphere political.

### Constraining Despotic Rule

Despite the absence of fixed and fundamental laws independent of the prince's will, one thing that sometimes can counter his will is religion. Thus, "one will abandon one's father, even kill him, if the prince orders it, but one will not drink any wine even if the prince wants it and orders it. The laws of religion are of a higher precept, because they are imposed on the head of the prince as well as those of his subjects" (III, 10). The laws of religion can provide grounds for resisting the will of despots. Religion also can be a source of intimidation to the prince (II, 4). Indeed, even if it were useless for subjects to have religion, "it would not be useless for princes to have one and to whiten with foam the only rein that they who fear no human laws can have" (XXIV, 2). Thus, religion can constrain despots both from below and from above. On the one hand, laws of religion can give a despot's subjects reason to disobey him. When his commands violate the laws of religion, his subjects have legitimate grounds, and a powerful motive, to resist him. The piety of the populace can be an obstacle to the boundless power of the prince, which like the sea "seems to want to cover all the earth" (II, 4). At the same time, by positing an authority more powerful and more ferocious than himself, religion gives the prince something to fear, and therefore a motive to restrain himself in the exercise of his will. His subjects' piety constrains him from below and the threat of divine vengeance constrains him from above.

Commerce provides another potential limit on despotic authority. The establishment of commerce requires the establishment of exchange, and exchange, which provides the means of transferring silver from one country to another,

"constrains despotic states" (XXII, 14). The exchange sets limits on the authority of kings (and "theologians," too) by putting commerce, "in some fashion, out of their power" (XXI, 20). Commerce is an extrapolitical source of power that can check the abuse of political power and "limit great assertions of authority, or at least the success of great assertions of authority" (XXII, 13). In this sense, Montesquieu regards commerce as an auxiliary of constitutional safeguards (especially the institutional balance of powers), functioning as a bulwark against despotism.<sup>54</sup> Commerce also incites and rewards the ambitious, with the result that commercial men are more "daring" than others (XX, 4). The daring that commerce inspires counteracts the debilitating fear inspired by the despotic regime. It gives rise to pride and confidence, which are dangerous for despots because "any people capable of esteeming themselves very much would be in a position to cause revolutions" (III, 9). More generally, commerce animates society, stirring up the rivalries and the personal ambitions that support politics. For whereas "the laws that order each man to remain in his profession and to pass it down to his children are and can be useful only in despotic states, where no one can or ought to have a rivalry" (XX, 22),<sup>55</sup> commercial societies encourage rivalries by equalizing opportunities, or providing a relative equality of opportunity. And "the political world," Montesquieu says, "is sustained by the inner desire and restlessness that each one has for leaving the place where he has been put."<sup>56</sup> Besides establishing countervailing sites of authority, then, commerce engenders daring and ambition, which animate the public and counteract the deadening effect of fear and the passivity of a populace that could be ruled by a despot's boot.

If commerce and religion *can* set limits on a despot's power, however, they do not always do so. On the one hand, commerce is difficult to establish and sustain under despotic government. Never knowing when his commodities might be confiscated or the currency devalued, a merchant lives from day to day, too insecure to take the risks required to make a commercial enterprise succeed (V, 15). Indeed, in despotic states, Montesquieu says, one works more to preserve than to acquire (XX, 4). And as lending is risky, usury is "naturalized," which makes financing large-scale enterprises difficult. Consequently, one cannot engage in much commerce under despotic government (V, 15). Moreover, although commerce establishes independent sites of influence, which can provide resources for contesting encroaching political power, the influence produced by commerce also can be used to support despotic authority. After all, it never has been difficult to find merchants and financiers willing to collaborate with despotic regimes for the sake of filling their pockets. Then, too, commerce can be forcefully co-opted by despots. This explains why Montesquieu so strongly opposed the policies of John Law, who had promoted the idea of a national public bank to be financed by commercial enterprises but overseen by the monarch. In Montesquieu's view, such a system would appropriate the resources



of commerce that should be used to check the power of the sovereign and turn them instead to his aggrandizement. In addition, the excessive currency manipulation central to the system undermined the potential power of commerce as a check on the crown by depriving individual citizens of what one scholar calls a "gauge with which to make rational determinations of value on their own and thereby prevent[ing] them from resisting the designs of the state."<sup>57</sup> For this reason, Montesquieu refers to Law as "one of the greatest promoters of despotism ever seen in Europe"<sup>58</sup> (II, 4).

Besides being difficult to establish under despotic government, and vulnerable to co-optation, the power of commerce to check despotism is further limited by the effect it has on individual motivations. Commerce keeps individuals occupied and satisfies their desires. This has the potential benefit of preventing what one commentator describes as "an unnaturally powerful fixation with political power,"<sup>59</sup> but in the extreme it can cause individuals to prefer their profits, or their comforts, to their liberties. For example, if restrictions on his political liberties did not threaten his commercial activities, would the ambitious merchant stand up to a despot to defend them? Montesquieu expresses some doubts, remarking in his "Notes on England" that "the English do not deserve their liberty" because they "sell it to the king."<sup>60</sup> Similarly, he tells us that England "has always made its political interests give way to the interests of its commerce" (XX, 7). Indeed, "many" Englishmen willingly abandon the one nation in the world whose constitution has liberty for its direct purpose in order to "search for abundance," and they do so "even in countries of servitude" (XIX, 27). The motive of material interest that commerce supplies does not contain a principled standard for preferring political liberty to personal profit, and thus may be an insufficient spring for resisting despotic power. In fact, it may be perfectly consistent with despotism, since in despotism individuals act, if not from fear, then in anticipation of the comforts of life, as we have seen. In a commercial society, where the motive of material interest predominates, subjects may be gratified into submission by a despot who successfully supplies their needs even while denying their liberties. For this reason, some have seen in Montesquieu's remarks on commerce "a new despotism . . . founded not on fear but on gratification."<sup>61</sup> So while commerce has the potential to check despots, it also may support despotism.

Religion, too, may as easily enhance despotic power as constrain it.<sup>62</sup> If the despot can succeed in putting himself at the head of his people's religion, he can use their religious piety to his own advantage. Under such conditions, religion is "a fear added to fear," and "it is from religion that the people derive, in part, the astonishing respect they have for their prince" (V, 14). Moreover, religion tends to make individuals heedless of worldly perils and disdainful of worldly goods.<sup>63</sup> Faith, like fear, may give rise to passivity, which partly explains Montesquieu's mistrust of the contemplative life that religion promotes (XXIV, 10).

Religion "makes us hope for a state that we believe in, not a state that we feel or that we know" (XXIV, 19), and the promise of heavenly rewards can make the abuse of political power easier to abide, which is why the effectual truth of the city of God too often supports this-worldly despotism.<sup>64</sup> By contrast, what one feels and knows in this world keeps one interested in politics, and inspires vigilance in resisting the abuse of power. And while the other-worldly orientation of religious faith may seem to contradict the mechanistic materialism of despotic government, their effects are similarly fatalistic. The fatalism of religion,<sup>65</sup> according to which every outcome is the result of a single omnipotent will, parallels the fatalism that permeates despotism, in which everything happens in response to the will of the sovereign, a resonance that is enhanced by the blind fatality that Montesquieu associates with the despot's slavish pursuit of pleasures and his subjects' unreflective grasping for gratification. So religion, like commerce, may limit a despot's power, but cannot be relied upon to do so.

Nor does Montesquieu regard reason as a dependable barrier to despotism. He is more skeptical than some other Enlightenment thinkers, such as Voltaire, about the power of individual reason to limit the exercise of political power. It is true that *The Spirit of Laws* aims to enlighten us on political matters by disclosing to us the fruits of Montesquieu's reasoning, and by engaging our reason. And Montesquieu believes that political power cannot be limited without reason, since a constitution of separate powers is the product of reason, even a "masterpiece" of reason, as we have seen. Yet in his view the proper role of reason is to clarify the most effective external constraints, or mechanisms, for limiting power. Reason cannot replace these mechanisms, as Voltaire thought it should do, because reason works better as a guide for great legislators than as a check on individual action. When reason is left alone to check individual actions, as it was for Voltaire's enlightened despot, the overwhelming tendency, according to Montesquieu, is for enlightenment to lose out to despotism.<sup>66</sup> Human reason is easily swayed by the human will, and so our reasonings can be difficult to distinguish from our rationalizations.<sup>67</sup> Even the reasoning of philosophers is not immune to the influence of will, but may be colored by "passions and prejudices," as in the case of Aristotle, "who wanted to satisfy sometimes his jealousy of Plato, sometimes his passion for Alexander," or Plato, who "was indignant at the tyranny of the people of Athens," or Machiavelli, who "was full of his idol, Duke Valentino" (XXIX, 19). Reason on its own is as contingent as virtue, and like virtue has need of limits (XI, 4). The rule of reason without limits on reason, as in enlightened despotism, turns out to be just another form of tyranny, not the solution to it. Whether the rule of reason takes the form of Plato's philosopher-king, or the *phronesis* of Aristotle's "best man," or the "natural reason" of Hobbes' sovereign, or even the "communicative rationality" of today's deliberative democracy, for Montesquieu it never can be, on its own, a reliable limit on political power.

Besides being vulnerable to the will, reason, like religious faith, has a tendency to become too "contemplative." The contemplative reason of philosophy is as much a problem for politics as religious contemplation, and for the same reason. The "speculative sciences," Montesquieu says, "render men savage (*sauvages*)" (IV, 8). Contemporary usage of the term *sauvage* carried the meaning of ferocious (*féroce*), as well as uncultivated and shy (*farouche*). *Sauvage* meant something asocial.<sup>68</sup> Too much speculation causes individuals to "turn their backs on everything that pertains to this world" (XXIV, 11). The problem with turning one's back on this world is that the limitation of political power requires constant vigilance.<sup>69</sup> Power continually seeks to augment itself and a people that is not continuously on guard against encroaching power surely will be overwhelmed by it (XI, 4). Reason as "detachment" thus may support despotism, rather than check it (XXIV, 11), and consequently the excess of reason is not always desirable (XI, 6). Too much reason, or reason of a speculative sort, makes human beings heedless of the pressures that bear on them in the material world and delivers them too easily into the hands of despots.

### The Corruption of Despotic Regimes

Neither commerce nor religion nor reason itself constitutes a reliable limit on despotic authority. Once despotism has been established, it seems, one can only wait for its inevitable decline. The decline of despotic governments is inevitable because unlike other regimes, which are corrupted by particular violations of their principles, despotism is corrupted by its own nature (VIII, 10). It is self-destructive. One reason is that in states where there are no established laws, the inheritance of dominion cannot be fixed. Fixed laws of succession cannot be reconciled with the despot's inclination to identify his person with his state. If the state is the prince then it cannot outlive him, but must dissolve on his death, and thus despotic governments have a natural life span of a single generation. And without fixed laws of succession, rivalries among potential successors constantly disrupt the state during its short life, compounding its instability, and giving it additional reason for a faster dissolution than other states (V, 14). In addition, because the despot can make his subjects fear him only through the threat of force, despots are dependent on their armies. Yet the military force that sustains the despot's state is dangerous to his person, for the stronger his army becomes the more easily it can destroy him. This presents a paradox, since the despot's person and the despot's state are conceived to be the same thing, and consequently despotic governments prove to be unsustainable over an extended period. The fact that any particular despotic government is in principle unsustainable over time, however, does not mean that despotism in general is likely to disappear. When one despot falls because of his army, a new one rises in his place. Despotism in general is persistent because while "a free nation can have a

liberator, a subjugated nation can have only another oppressor" (XIX, 27). Consequently, the destruction of any one despotic regime typically is followed by the establishment of another. Still, the dependence of despots on their armies constitutes a weakness that makes particular despotic governments unstable and short-lived.

Another problem that despots face is a natural devaluation in the currency of fear. Severe penalties suit despotic governments (VI, 9), but over time penalties must become more and more severe to achieve the same effects. Subjects who are "accustomed to be checked only by a cruel penalty" eventually force the regime to "become more cruel than itself," as "souls that are everywhere overawed and made more atrocious can be guided only by a greater atrocity" (VI, 13). The problem is that penalties that are so atrocious as to be thoroughly terrifying are difficult to execute. Montesquieu reports that the Japanese are known to hide the crimes of their fellows, for example, because the punishments would cause so much bloodshed (VI, 13). With penalties that "impose terror upon men's spirits" no one can be found to accuse or condemn (VI, 14). But the result of crimes going unpunished is a rising disdain on the part of the people for the authority that prosecutes, which is the despot himself. Thus, the need to preserve the mechanism of fear through increasingly severe penalties ultimately undoes the mechanism of fear, replacing it with the unruly sentiment of disdain.

Yet another cause of the corruption of despotic states is that they tend toward expansion by military means. The despot's unlimited desire expresses itself in foreign policy as much as in domestic affairs. The result is an unwieldy empire, prone to fragmentation from within. Subjects who are faithful because punishment is at hand, Montesquieu points out, tend not to remain faithful when the threat of punishment is distant (IX, 6). The expansion of states also exposes new sides from which they can be taken, and thus large states are difficult to defend at the borders. And since much of the territory has been annexed through conquest, little of it will be of personal concern to the despot, much less to his subjects. Consequently, despotic governments tend to "provide for their security" by "separat[ing] and hold[ing] themselves, so to speak, apart. They sacrifice a part of the country, ravage the frontiers, and leave them deserted" (IX, 4). In other words, they defend themselves by dissolving themselves. Thus, the size of despotic states also contributes to their dissolution.

When Montesquieu speaks of the "corruption" of despotism he means something different from what is entailed by the "corruption" of monarchies and republics. Corruption in relation to despotic government simply means disintegration. In relation to monarchies and republics, however, the corruption of the regime also refers to a violation of what *ought to be*. What Montesquieu calls the "nature" of the government in these cases implies a standard of right and even carries moral weight. When a democratic people gives its vote for silver (VIII, 2), for example, or a monarch removes the privileges of the intermediary

bodies (VIII, 6), one can say that a *wrong* has been committed. Such actions constitute violations of the fundamental laws of these regimes. Moreover, when democratic citizens sell their votes and monarchs attack the intermediary bodies, particular forms of human excellence are eroded—deliberation in the one case, moderation in the other. The same cannot be said of despotism. Its corruption is its destruction and nothing more. There is no violation of what ought to be because in despotism no standard of right exists that would give meaning to *ought*. There the fundamental law expresses what is unavoidable, not what ought to be. Force replaces right, and so *ought* gives way to *is* and *must*. And there is no human excellence that is particular to despotism, in which both the ruler and the ruled exist merely as the instruments of their own and others' fears and appetites. Despotic rule rests on the debasement of human beings and the erosion of human excellence. Therefore in the context of despotism, the term "corruption" loses all moral significance. It no longer implies a violation of what ought to be but refers simply to the collapse of the government, a shift that parallels the shift in the meaning of fundamental law under despotic government.

Much as deliberation and choice have little to do with the fundamental law of despotism, so human art can do little to prevent the corruption of despotic governments. The corruption of despotism is so unavoidable, in fact, that no purely despotic government can endure.<sup>70</sup> Despotic government "maintains itself only when circumstances . . . force it to follow some order and to endure some rule. These things force its nature without changing it; its ferocity remains; it is, for some time, tamed" (VIII, 10).<sup>71</sup> China is the example most often cited in this regard, but virtually every other despotic regime that Montesquieu mentions departs in some way from the type, as he acknowledges.<sup>72</sup> The despot is impotent when it comes to preserving his regime because he is so artless and lacking in the capacity for reason and deliberation. By contrast, the art of legislators in republics and monarchies can have significant effects in preserving the regime, in restraining each one's tendency to depart from its nature and principle, a tendency that affects every regime. Legislators have greater influence in monarchies and republics because the fundamental laws of these regimes are the products of human art, unlike despotism, where the fundamental law stems from necessity.

The despot's inability to arrest the decline of his regime reveals a fundamental tension between the nature of despotism and its principle. The nature of despotism, which is the rule of will, runs counter to the principle of despotism, which is fear and the anxious appetites that accompany it. The despot's fear of his army and the loss of his pleasures disables his will, much as his subjects' fear of him deprives them of any will of their own. And his concupiscence is all instinct and reaction, a slavish obedience to his appetites, rather than a willful assertion of his intention. The mechanistic materialism resulting from the principles of fear and appetite suggests a loss of will at the foundation of despotism. The despot as much as his subjects acts as he *must*, not

The despot as much as his subjects acts as he *must*, not as he chooses. So while the nature of the regime implies the despot's absolute choice, its principle implies his necessity. The regime of despotism proves to be incoherent, and this becomes a powerful argument against despotism, one that is meant to be more persuasive to despots and potential despots than moral exhortation ever could be. Montesquieu offers a way of criticizing the one regime that does not recognize any *ought* by showing that even by the one standard that despotism does recognize—the rule of will—despotic governments are bound to fail, because the rule of will cannot be maintained in the absence of limits on will. And the incoherence at the heart of despotism has personal as well as political implications, since it suggests that for individuals as much as for governments there is more liberty to be found in living within principled limits than in living without them.

### Montesquieu Orientalist?

Montesquieu draws a special connection between despotic government and the empires of the East where, he says, "despotism is . . . naturalized" (*naturalisé*) (V, 14). Throughout *The Spirit of Laws*, the large empires of the East, such as Persia, Turkey, India, and China, provide illustrations for his theory of despotic government. In these countries, he maintains, the climate, terrain, religion, and mores all support the unlimited rule of one. The association between despotism and the Orient precedes Montesquieu. Aristotle had remarked on the despotic kingships that existed among "some of the barbarians," particularly in Asia.<sup>73</sup> Despotism predominated in Asia, he thought, "because barbarians are more slavish in their character than Greeks (those in Asia being more so than those in Europe) [and] they put up with a master's rule without making any difficulties."<sup>74</sup> Aristotle's associations between Asia and the slavish subjects of despotism survived into the modern period, illustrated, as one commentator has noted, in sixteenth-century maps depicting the continent of Asia as a horse, "ill-defined but ungainly, and of course being the servant of man."<sup>75</sup> Montesquieu's treatment of despotism drew on these conventional associations and increased their force in the public mind. For this reason, he has been faulted for contributing to the "Orientalist" standpoint that some believe came to justify Europe's imperialist policies throughout Asia and Africa in the nineteenth century, and that even today is thought to contribute to Western disregard for non-Western persons.<sup>76</sup>

Montesquieu's portrait of Eastern countries may seem to exemplify the prejudicial standpoint associated with "Orientalism," not least because of his departures from the empirical evidence. His portrait of despotism relies heavily upon the newly available travel reports that had emerged early in the eighteenth century. References to this literature abound in his footnotes to *The Spirit of Laws* and even take center stage from time to time, as in Book XVII, chapter 3,

"On the climate of Asia," which opens with long quotations from the collected *Recueil de voyages au nord* and Father Jean-Baptiste Du Halde's *Description de l'empire de la Chine*. Montesquieu's use of the travel literature has been carefully scrutinized.<sup>77</sup> There is broad consensus among interpreters that he used it when and how it suited him, emphasizing reports from travelers that supported his theory of despotism while not infrequently ignoring those that did not.<sup>78</sup> Although he classified Persia as a despotism, for example, in fact the Koran provided a fundamental law that could set limits on the will of the sultan. In addition, the shah's military officials, as well as lawyers, merchants, and artisans operated as limited intermediary bodies, not unlike the corporate orders of monarchical France. And while direct challenges to the sultan's authority might elicit extraordinarily severe penalties, most crimes among the people themselves were tried in accordance with clearly defined procedures and penalized according to established rules.<sup>79</sup> Similarly, fear was noticeably absent from most of the travel reports from China, or mixed with other motives.<sup>80</sup> Because of such discrepancies Montesquieu's portrait of China was criticized by François Quesnay as early as the mid-1760s, and his portrait of Persia was attacked by Abraham-Hyacinthe Anquetil-Duperron in 1778.<sup>81</sup>

Some have interpreted Montesquieu's selective use of the travel literature as an effort to force a fit between his typology of regimes and the empirical data presented by European travelers to Asia.<sup>82</sup> Yet Montesquieu's typology of governments is not meant to be absolute. England, for example, does not fit easily into the typology, since it constitutes something of a hybrid between a monarchy and a republic strengthened by commerce. The important role that the English constitution plays in *The Spirit of Laws* suggests that regimes that depart from his typology do not represent a fundamental threat to his political philosophy as a whole. Even China, which Montesquieu describes as "a despotic state the principle of which is fear," (VIII, 21) also represents "a case of a republic or a monarchy" with respect to the moderation of its civil and criminal laws (VI, 9, note 25). Because perfect despotism is impossible, actual despotic governments always are impure, the power of the despot being limited in some way, if only (as in China) by external forces (VIII, 10). Such fortuitous limits make particular despotic governments possible even as they render them impure from the standpoint of the typology. Thus Montesquieu's selective use of the travel literature cannot be explained by a supposed desire to preserve the strict integrity of his typology of regimes.

A more plausible explanation for the distortions that exist is that Montesquieu means to correct what he regards as existing distortions in contemporary French treatments of the Orient. Many notable men and women of Montesquieu's day were favorably impressed by reports of Persia, for example, which had gained a stature by the middle of the eighteenth century that could not be ignored, either culturally or politically.<sup>83</sup> China, too, enjoyed a growing reputa-

tion for wisdom and prosperity.<sup>84</sup> Voltaire in particular had praised the government of China as ideal.<sup>85</sup> He admired the absolutism of Chinese rule and recommended it as a model for European monarchs.<sup>86</sup> His admiration fueled the public fascination with the empires of the East, with their mystery and exoticism, which already was being nourished by the travel literature and by new French translations of Asian folk tales and fables, such as *The Thousand and One Nights*. Montesquieu regarded the popular fascination with Asian absolutism as dangerous, and his *Persian Letters* exploited this fascination for the purpose of correcting it. In *The Spirit of Laws*, he presents a more sober, scientific argument against the faddish romanticizing of the East, and more generally against the romanticizing of absolutism. There is thus a polemical element to Montesquieu's selective use of the travel literature insofar as part of his purpose is to counter such French polemicists of the *thèse royale* as Voltaire.<sup>87</sup> Diderot, who shared Montesquieu's anti-absolutist sentiments, later pursued the same purpose, treating China as a despotism so that he could prevent enemies of liberty from using China as a model for French government.<sup>88</sup> Thus, one reason that Montesquieu distorts the travel reports is that he means to counter the distortions of those who romanticized absolute government in general and who admired China, Persia, and other Eastern regimes as instances of it. He exaggerates the despotic features of these regimes to counter the romanticized accounts of them advanced by others.<sup>89</sup>

Montesquieu's selective use of the travel literature aims not only to correct popular misconceptions of the East, but also to illustrate universal aspects of despotic rule. His purpose is to identify political developments that Europeans should be wary of at home. Given this purpose, there would be little value in specifying the various contingencies that mitigate the actual practice of despotism in different Asian countries. Europeans would not learn how to prevent despotism by examining all the particular ways that Asian governments depart from despotism, and so Montesquieu largely leaves them out, highlighting instead the Asian practices that exemplify despotic government. One should not conclude, however, that Montesquieu's picture of Oriental despotism is purely imaginary. On the contrary, he clearly believes it to be based on the facts of the matter, even if it does not include all the details.<sup>90</sup> Details complicate the picture, which can be a good thing if it advances understanding of a particular government. But the details also can obscure from view the significant features of the general *form* of the government. So Montesquieu proceeds much as contemporary political scientists do when they "model" interactions between select variables by systematically excluding the effects of other complicating factors, or details. Like them, Montesquieu is "more attentive to the order of things than to the things themselves" (XIX, 1).<sup>91</sup> Besides its polemical purpose, then, Montesquieu's selective use of the travel literature has a didactic end. And the governments of Asia serve his didactic purpose well, since the actual and metaphorical

distance between East and West makes the East a safe foil for his indirect critique of despotism nearer to home.<sup>92</sup>

Preserving this distance is crucial to his project, because only by doing so can he risk the deeper, broader critique that he intends. One part of the critique is to show the despotic tendencies of the French monarchy. This is not to say that Montesquieu regards France as an example of a full-blown despotism, either under Louis XIV or later. France is not despotic, in Montesquieu's view, but like every monarchy it tends in that direction (VIII, 17). Montesquieu mentions Cardinal Richelieu in this regard, minister to Louis XIII.<sup>93</sup> Richelieu, Montesquieu says, "wants one to avoid, in monarchies, the spines of the assemblies, which form difficulties at every point. Even if this man did not have despotism in his heart, he had it in his head" (V, 10).<sup>94</sup> Later, Louis XIV too fully identified the state with his own person, as a despot will do, "relating everything to himself uniquely, reduc[ing] the state to its capital, the capital to the court, and the court to his person alone" (VIII, 6).<sup>95</sup> One can see in this passage Montesquieu's methodical use of the Orient to buffer his criticism of more local concerns. The chapter containing the veiled critique of *le roi soleil* is entitled, "On the corruption of the principle of monarchy" and opens by noting that monarchies approach despotism when the prerogatives of the established bodies or the privileges of the towns gradually are removed. Montesquieu illustrates the point with a reference to the Chinese dynasties of Tsin and Sui, in which the monarch attempted to govern without any intermediaries. Having deflected attention away from the French monarchy with this reference to the government of China, Montesquieu returns to speaking of monarchy in general terms in the following paragraph, warning against the destruction of the intermediary bodies that ruins monarchical government, and for which Louis XIV had been so much criticized by others. Here as elsewhere in *The Spirit of Laws*, Oriental despotism serves as a device for carefully introducing a criticism of France.

Montesquieu's use of the Orient to illuminate and warn of despotism has even wider implications, however. Commentators have also seen in his remarks on despotism implicit criticism of the Christian Church.<sup>96</sup> Christianity, like despotism, is characterized by the absolute rule of One who is not bound by any external limits, together with the fear and perfect obedience of His subjects. It is true that Christianity emphasizes "the felicity of the other life" (XXIV, 3) as much as the fear of divine vengeance, but even the promise of future rewards carries with it the threat of future punishments. Consequently, Christian piety is inextricably tied to fear. The Christian God has his vizir in the pope and his eunuchs in the priests.<sup>97</sup> He rules absently, much as the despot described in Book V, chapter 12, who is hidden from his subjects. The Christian faithful, like despotic subjects, remain in ignorance of their Master's condition, but "are such that they need only a name to govern them." The awesome displays of symbolism in Christian churches in this respect are not unlike the boot of Charles XII,

sent to command the senate of Sweden in his place. Similarly, the Christian faithful are conceived of as God's servants. They are most virtuous when, like the subjects of despotic government, they have no will of their own, but rather seek to serve the will of God. There are parallels between Christianity and Islam, the religion that supports Persian and Turkish despotism.<sup>98</sup> Christianity "leads us to spiritual ideas" (XXIV, 19), much as "Mohammedans become speculative by habit" (XXIV, 11). In both cases, the contemplative life produces passivity, and its "detachment" makes tolerable the abuse of political power. And the religious fatalism that is based on "the dogma of a rigid destiny" (XXIV, 11) parallels the blind fatality of despotic government, as we have seen, in which everything happens with invariable effects in response to a single will. The use of Islam and despotic Asian governments to suggest the despotic features of Christianity protects Montesquieu much the way it makes possible his critique of the French monarchy. Beyond that, it suggests that Montesquieu's view of despotism ultimately transgresses the boundary between East and West. Christianity, after all, was Eastern in its origins but has played its defining role in the West. The implication is that despotism permeates, or threatens to permeate, the West as well as the East. The East/West divide is drawn by Montesquieu, and emphasized, only to be elided. In fact, the emphatic contrast between them is precisely what makes possible the elision, because by accusing the East Montesquieu disarms the despots and would-be despots of the West, and warns *us* without offending *them*.

Another example of how Montesquieu's treatment of despotism transcends the putative "Orientalist" standpoint is his discussion of the "despotism of all" that is one form of corruption in republican government.<sup>99</sup> The despotism of all arises "when the people strip the senate, the magistrates, and the judges of their functions" (VIII, 6) and reduce their representative government to direct democracy. In doing so, they remove the institutional obstacles that mediate the ruling will. Republican government is vulnerable to the unlimited rule of will, albeit a collective will rather than a solitary one, because the nature of republican government does not include the rule of fixed, established laws sustained by the presence of intermediary bodies. The despotism of all parallels the despotism of one that results from a monarch's destruction of the mediate channels through which power flows. Montesquieu alludes to it briefly when he criticizes the English parliament for having "taken away all the intermediate powers that formed their monarchy," and warns that because of having eradicated the intermediary bodies the English "have good reason to preserve [their] liberty; if they should come to lose it, they would be one of the most enslaved peoples on earth" (II, 4). For the same reason he characterizes England as having "the form of an absolute government," which refers to the absence of intermediary bodies, "over the foundation of a free government," which means a legal separation of powers (XIX, 27). The threat of a despotism of all, which lurks behind the con-

stitutional balance of powers that Montesquieu so much admired in England, explains in part why one commentator has seen in Montesquieu's account of England a "concern about unlimited democracy," while another argues that Montesquieu regarded England as "precariously close to despotism."<sup>100</sup>

The despotism of all that potentially threatens England differs somewhat from despotism in the republics of antiquity, which has been characterized by one scholar as a "despotism of virtue."<sup>101</sup> What Montesquieu calls "political virtue," the principle of republican government, is "self-renunciation," the "sacrifice of one's dearest interests" for the sake of the common good (III, 5). It requires a complete identification of the individual with the collective and even requires the individual to prefer the collective, since citizens may be expected to show that they love the state more than themselves by sacrificing themselves in battle to defend the homeland. In this respect, republican virtue resembles Bosuet's description of the loyal subject under absolute monarchy who "will love the king even more than his own life."<sup>102</sup> Because republican virtue also resembles Christian obedience, Montesquieu illustrates political virtue by describing the self-sacrifice of Christian monks (V, 2). Political virtue is a form of obedience in which one's particular self is made to obey the general "self" of the political community, and the good republican displays an obedience as perfect as that of a despot's subjects. And while fear is less visible among republican citizens than among the subjects of despotic government, virtue is not inconsistent with fear in the same way that it is incompatible with honor, the principle of monarchy. The compatibility of virtue and fear explains why Montesquieu says only that virtue "is not necessary to" despotic government, whereas honor "would be dangerous" to it (III, 9). Virtue is not necessary to despotism, but could be present in a despotic government. By contrast, honor could not be present in despotism because the ambition and the courage it entails could not be "endured" (*souffert*) by a despot (III, 8).<sup>103</sup> In fact, during the French Revolution the Jacobins actually did unite virtue and fear under the direction of Robespierre, who regarded virtue without terror as impotent.<sup>104</sup> The Jacobins brought together other aspects of despotism, as well, such as the destruction of intermediary bodies, a scorn for the rule of law, and a centralized, bureaucratic authority.<sup>105</sup>

We have seen that although Montesquieu associates despotism with the empires of the East, and even exaggerates this association, the reach of despotic authority and the dangers of despotic rule extend well beyond that region. In this sense, Montesquieu is not a true "Orientalist," even if "Orientalist" conclusions could be drawn from his analysis. For him the Orient is not Europe's "Other" so much as Europe's mirror. Because Montesquieu means for us to see ourselves in Oriental despots and their subjects his treatment of Eastern despotism cannot rightly provide the justification for European imperialism in Asia that is thought to be so central to what is called the "Orientalist" project. Of course, his treat-

ment of Asia could be misappropriated and put to the putative "Orientalist" use of "dominating, restructuring, and having authority over the Orient," and it may well have been misappropriated in this way by some.<sup>106</sup> But there is an irony in such misuse. Instead of confirming that Montesquieu believed the East a deserving subject of Western imperialism, the "Orientalist" position inadvertently confirms the real point that Montesquieu meant to convey, which is that the tendency toward despotism is universal.<sup>107</sup> Imperialism, after all, is a fundamental feature of despotic government as Montesquieu presents it, and the imperialist impulse attributed to the "Orientalist" is a despotic one. Far from being an "Orientalist," Montesquieu's treatment of despotism shows him to be the first critic of "Orientalism." He used the Orient to prudently express and to make vivid the meaning and the consequences of despotic government, to enlighten us about how despotism haunts every regime and how it has roots in the natural world around us and in the human nature within us.

### Despotism and Nature

Montesquieu's contention that despotism is related to the natural conditions of climate and physical terrain has proven to be one of the most controversial aspects of his theory. Throughout *The Spirit of Laws* he maintains that despotism arises more naturally in hot climates (V, 15; XIV, 3; XIV, 10; XVII, 2-3). In part, he says, the torrid weather enervates the populace, making persons less vigorous, both in their actions and in their reasoning. In part, too, the difficulty of manual labor in hot climates makes the possession of slaves seem desirable to anyone who can afford it, thus producing a higher prevalence of slavery, which supports the political slavery of despotism. Additionally, the physical terrain of Asia, characterized by "greater plains," facilitates the creation of expansive empires, which then require a despotic authority to maintain them. In contrast, the terrain of Europe is characterized by natural divisions that "form several states of modest expanse," suitably sized for moderate rule (XVII, 6). At times Montesquieu seems to attribute a determinism to these material conditions, as when he concludes from the description of Asian terrain that "therefore power always should be despotic in Asia" (*la puissance doit donc être toujours despotique*) (XVII, 6). The notion of natural determinism calls to mind the inevitability of the despot's appointment of a vizir, which is an unavoidable consequence of his unlimited pursuit of pleasure. The idea that despotic government arises on the basis of a natural necessity, rather than human art, is consistent with the idea that the "fundamental law" of the despotic state is necessitous, rather than the product of deliberation and choice, and that its corruption is inevitable.

Determinism runs counter to the spirit of Montesquieu's political philosophy, however. Human agency cannot be depicted along the lines that the Newtonian laws of physics predict the motions of material bodies. Instead of being



determined, Montesquieu says, "man . . . must guide himself" (*il faut qu'il se conduise*) (I, 1). He rejects efforts to explain human action in terms of the laws of causality that govern the material world:

A great genius [Spinoza] has promised me that I will die like an insect. He is looking to flatter me with the idea that I am only a modification of matter. He employs a geometrical order and some reasons that are said to be very strong, and that I have found very obscure, to elevate my soul (*l'âme*) to the dignity of my body, and, in place of the immense space that my spirit (*l'esprit*) embraces, he gives me to my material body alone and to a space of four or five feet in the universe.<sup>108</sup>

Human actions cannot be explained on the basis of the same causal relations that determine the flights of "insects," because human beings, Montesquieu says, possess *l'âme* and *l'esprit*. It is because of *l'âme* and *l'esprit* that "the intelligent world . . . does not follow its laws as consistently as the physical world follows its laws." Although "particular intelligent beings are limited by their nature and are consequently subject to error" (I, 1), the indeterminacy of human behavior does not result from errors alone. For even if human beings were perfectly rational, their actions would not be perfectly predictable, since "it is in their nature to act by themselves" (I, 1). Because we have reason, our actions cannot be strictly subject to the same mechanistic materialism that determines the motions of physical bodies. Montesquieu calls the effort to subsume human behavior under a mechanistic-materialist framework an attempt "to destroy liberty in me" (*détruire en moi la liberté*).<sup>109</sup> Similarly, the moderate government in which powers are combined and put in a position to resist one another is not natural, as we have seen, but a masterpiece of legislation that chance rarely produces. Indeed, the philosophical insights presented in *The Spirit of Laws* would be useless if political societies were merely the products of natural necessity. Thus, the suggestion of a natural determinism at the foundation of despotic government is inconsistent with the indeterminacy of "the intelligent world."

By emphasizing the material causes of despotism, then, Montesquieu may seem to have abandoned his convictions about the indeterminacy of the intelligent world and about the power of human reason to produce masterpieces of legislation. Yet the mechanistic quality of despotism is itself the product of human choice. In particular, it results from the choice to relinquish the power and responsibility of deliberative reason. It is the choice to be guided—whether by one's appetites or by a sovereign master—rather than to guide oneself. Montesquieu affirms that man must guide himself while at the same time asserting that it is human nature to forget this fact. For "man is a flexible being . . . equally capable of knowing his own nature when it is shown to him, and of losing even the feeling of it when it is hidden from him"—or when he hides it from himself

(Preface). The failure to establish institutional limits on political power produces a situation in which nature overwhelms art and necessity undercuts choice. The result is the mechanistic materialism of despotism, in which the power of material causes is much increased, both in the form of climate and physical terrain, and in the form of the natural impulses of appetite and fear.

The idea that despotism results from an abdication of human art also explains how despotism can be both more natural than the other regimes and more undestructive of human nature. Despotism is more natural insofar as nature (understood as climate and terrain, as well as material instincts) has more immediate effects there than in the other types of government. Despotism "leaps to view" because "only passions are needed to establish it," not art. And since no art is required, everyone is "good enough" for despotism (V, 14), which makes it natural in the further sense of being common, for while "it would seem that human nature would constantly rise up against despotic government . . . most peoples are subject to [it]" (V, 14). Thus, in reading historical examples of despotism, Montesquieu says, "we feel with a kind of sadness the ills of human nature" (VI, 9). The fact that despotic tendencies are fundamental to human nature explains why it has eternally been observed that any man who has power is led to abuse it (XI, 4). It also explains why Montesquieu does not regard despotism as the result of vicious character. Anyone could become a despot if given unlimited power because the seed of despotism is in human nature, which is common, not in a particular form of vice. It is true that despots have "many faults" (V, 14). They are, for example, "lazy, ignorant, and voluptuous." But a despot becomes lazy, ignorant, and voluptuous because his "five senses tell him incessantly that he is everything and that others are nothing" (II, 5). His faults arise from the interaction between his situation of unlimited power and common aspects of human nature; they do not presuppose any special flaws.

Montesquieu also characterizes despotism as a violation of human nature, and in this sense it is *unnatural*. Despotism, he says, "causes appalling ills to human nature" (II, 4), "insults human nature" (VIII, 21), and causes it to suffer (VIII, 8). We have seen some of the ways in which despotism undermines the human capacities for deliberation and ambition, reducing individuals to "beasts" and "slaves" who merely react to the given rather than acting deliberately and with purpose. And the insecurity that despotism engenders hinders the development of commerce and other arts, such as industry and the cultivation of land. Beyond that, Montesquieu points out that despotism erodes the attachments and obligations that contribute to elevating human lives above mere life, such as "respect for a father, tenderness for one's children and women, [and] laws of honor . . ." (III, 10). The possibility of acting on principle, rather than on the basis of unreflective wants and fears, is out of the question. By showing what despotism denies in human beings, Montesquieu indicates indirectly the qualities he most values in human beings. Ambition, deliberation, knowledge, social attachments,



obligations, and principled action are features of the "human nature" that despotism assaults. They are aspects of what Montesquieu calls the "greatness" (*grandeur*) of "soul" (*l'âme*) that moderate government makes possible (V, 12). It is these qualities, or possibilities, that are lost under despotic government, where the "soul . . . constantly is constrained to be debased" (XV, 13).<sup>110</sup>

These qualities do not amount to a substantive conception of the human good, it is true. For example, Montesquieu suggests that living ambitiously is better than living passively, but he does not specify the ends of ambition, and therefore leaves open its substantive content. Similarly, Montesquieu clearly believes that it is better to act on the basis of principles, rather than simply to react to impulse or external pressure, as do beasts and slaves, but he does not specify the content of the principles that should direct human action. Montesquieu has good reasons to resist presenting the perceived essentials of human nature as a justificatory standard for his liberal theory of government. He well knew that such standards could be co-opted to justify less liberal regimes, much as ancient virtue had been appropriated and adapted by the Christian Church and used to solidify what he took to be its oppressive power. Beyond that, Montesquieu's own treatment of human nature shows it to be an unreliable standard. The fact that despotism is in some respects natural to human beings, that the despotic tendency is a fundamental feature of human nature, suggests that nature is not in itself a fully reliable guide for politics or an indisputable source of moral and political standards.<sup>111</sup> As a result, human nature understood in the fullest sense as the collection of characteristic possibilities, or ends, that distinguish human beings from other creatures has only a ghostly presence in *The Spirit of Laws*. It haunts the perimeters of the argument, surfacing briefly from time to time (as in V, 12), but never taking definitive shape. Yet it is crucial to Montesquieu's liberal project as a whole because without the standard it provides, liberty itself is difficult to justify. And only on the basis of such a standard does Montesquieu's uncharacteristically universal disparagement of despotism make sense.

So despotism is closer to nature than either republican or monarchical government because it involves less art. Despotic government gives immediate expression to some common features of human nature, including the instinctual drives for pleasure, gratification, and domination. And the lack of art involved in establishing despotic governments contributes to the strength that nature wields within them. Yet even though despotism is in some respects the most natural of the three types of regime, it also results in the greatest shocks to human nature. And by showing how despotism violates human nature Montesquieu provides indirectly the closest thing to a universal standard of right that exists in *The Spirit of Laws*.

## Conclusion

Montesquieu's idea of despotism as a total system of government, rather than just a quality of personal rule, is a crucial component of classificatory schemes in political science even today.<sup>112</sup> His innovative articulation of the concept of despotic government emphasizes the interaction between political institutions and human motivation and its impact on the exercise of political power. There are ambiguities inherent in such an interactive model of causality, but they reflect the real ambiguities that characterize the collective lives of beings who are so constituted that they must "guide" themselves but frequently "forget" themselves. Our reason gives us the ability to act, rather than simply to react, and so to be our own causes. But our instincts and impulses continually respond to external causes, which have their own independent effects on our actions. In despotic governments the unlimited power that marks the nature of despotism interacts with the fear and the instinct for gratification that characterize its principle. Predictability, simplicity, and a loss of political animation result. Religion and commerce may set limits on despotic rule, but cannot be relied upon to do so. Ultimately, despotic governments are limited only by their inevitable declines, which result from the incoherence of rule on the basis of unlimited will. This incoherence can be seen in the tension between the nature of despotism and its principle. The fears and appetites of the despot and his subjects transform the rule of will into mechanistic necessity. The necessity implicit in the principle of despotism contradicts the unlimited will in its nature.

Montesquieu's explicit identification of despotism with the empires of the East conceals his implicit warning about the dangers of despotic rule in the West. His treatment of despotism is said to have been appropriated by others with the "Orientalist" purpose of disparaging the people and governments of Asia so as to legitimate European imperialism there, but this is not Montesquieu's own purpose. For him such an aim would be self-refuting, as the imperialist impulse is itself despotic. In the end, what makes Montesquieu's concept of despotism so powerful is that he shows how common the despotic tendency is in human societies and in human beings as individuals. He shows us that the tendency to abuse power is universal and cannot be written off as the vice of particular persons or regimes. Without accusing us, he makes us aware of this tendency even within ourselves, and aware of our responsibility to limit it by establishing liberal constitutional governments. The universal threat of despotism therefore provides a negative justification for Montesquieu's liberal theory of government. It also contains implicitly a positive justification for liberty, as the government of despotism indirectly illuminates what is best in human beings and so worth protecting by means of moderate government. Even as it shows us the ills of human nature, despotism makes us think of the "grandeur" of the human soul, and so reminds us of the reasons for studying the spirit of laws.

## Notes

A version of this chapter was presented at the 1999 Annual Meeting of the American Political Science Association and I thank Sankar Muther for his incisive commentary in that forum. David Carrithers and Paul Rahe also provided extensive and illuminating suggestions on earlier drafts. The chapter was completed with the assistance of a John M. Olin Foundation Faculty Fellowship and the generous support of Wesleyan University in administering that grant.

1. Muriel Dodds, *Les Récits de voyages: Sources de L'Esprit des Lois de Montesquieu* (Paris: Librairie Ancienne Honoré Champion, 1929), 149.
2. Melvin Richter, "Montesquieu's Comparative Analysis of Europe and Asia: Intended and Unintended Consequences," in *L'Europe de Montesquieu*, Alberto Postigliola and Marie Grazia Bottaro Paulumbo, eds. (Napoli: Liguori Editore, 1995), 347.
3. Diana J. Schaub, *Erotic Liberalism: Women and Revolution in Montesquieu's Persian Letters* (Lanham, Md.: Rowman and Littlefield, 1995), 19.
4. Robert Shackleton, "Les mots 'despote' et 'despotisme,'" in *Essays on Montesquieu and on the Enlightenment*, David Gilson and Martin Smith, eds. (Oxford: Voltaire Foundation, 1988), 483; Shackleton, *Montesquieu: A Critical Biography* (Oxford: Oxford University Press, 1961), 269; and Albert Sorel, *Montesquieu*, Melville B. Anderson and Edward Playfair Anderson, trans. (Chicago: A. C. McClurg & Co., 1888), 104.
5. There is a reasonable debate between those who regard Montesquieu as favoring republicanism and those who see him as a defender of monarchy. Mark Hulliung defends the former position in his *Montesquieu and the Old Regime* (Berkeley: University of California Press, 1976). Representatives of the latter position include Marc Duconseil, *Machiavel et Montesquieu: recherche sur un principe d'autorité* (Paris: Les Éditions Denoël, 1943), 169; Jean Ehrard, *Politique de Montesquieu* (Paris: Armand Colin, 1965), 35; Emile Faguet, *La politique comparée de Montesquieu, Rousseau et Voltaire* (Paris: Société française d'Imprimerie et de Librairie, 1902), 46f; and see the chapters in this volume by David Carrithers, C. P. Courtney, and Michael Mosher.
6. Françoise Weil, "Montesquieu et le despotisme," in *Actes du congrès Montesquieu réuni à Bordeaux du 23 au 26 mai 1955* (Bordeaux: Imprimeries Delmas, 1956), 191. On the same point, see Tzvetan Todorov, *On Human Diversity*, Catherine Porter, trans. (Cambridge, Mass.: Harvard University Press, 1993), 362 f.
7. Alain Grosrichard, *Structure du sérail: La fiction du despotisme asiatique dans l'occident classique* (Paris: Éditions du seuil, 1979), 59f. On the same point, see Anne M. Cohler, *Montesquieu's Comparative Politics and the Spirit of American Constitutionalism* (Lawrence, Kansas: University of Kansas Press, 1988), 71.
8. These and other bracketed citations refer to Charles-Louis de Secondat baron de La Brède et de Montesquieu, *The Spirit of Laws* in his *Œuvres complètes de Montes-*

quieu, Roger Caillois, ed., 2 vols. (Paris: Pléiade, 1949-51), II 225-995. Roman numerals indicate the book number and Arabic numerals indicate the chapter number. Translations are my own although I have consulted previous translations in my work, including those of Anne Cohler, Basia Miller, and Harold Stone (Cambridge: Cambridge University Press, 1989) and Thomas Nugent (New York: Hafner, 1949). Henceforth references to *The Spirit of Laws* will be inserted parenthetically in the text, with Roman numerals indicating the book and Arabic numerals indicating the chapter.

9. See *Pensée* 579 (1622), in Pléiade, I, 1075. See Schaub, *Erotic Liberalism*, 94. Manent agrees that "human nature itself remains undetermined or underdetermined" in *The Spirit of Laws*. See his *La cité de l'homme* (Paris: Fayard, 1994), 110. That Montesquieu resisted the idea of a single, absolute standard of right based on a universal conception of human nature still is the most widely accepted interpretation of his view, and the one best supported by the evidence that his words provide. See, for example, Georges Benrekassa, *Montesquieu: La liberté et l'histoire* (Paris: Librairie générale française, 1987), 175; Simone Goyard-Fabre, *La philosophie du droit de Montesquieu* (Paris: Librairie C. Klincksieck, 1973), p. 54; Robert Alun Jones, "Ambivalent Cartesians: Durkheim, Montesquieu and Method," *American Journal of Sociology* 100, no. 1 (July, 1994): 13, 29f; Emile Durkheim, *Montesquieu and Rousseau: Forerunners of Sociology*, Ralph Manheim, trans. (Ann Arbor: University of Michigan Press, 1966); Phillip Knee, "La question de l'appartenance: Montesquieu, Rousseau et la révolution française," *The Canadian Journal of Political Science* 22, no. 2 (June, 1989): 285-311; Michael Mosher, "The Particulars of a Universal Politics: Hegel's Adaptation of Montesquieu's Typology," *American Political Science Review* 78, no. 1 (March, 1984): 178-188; Shackleton, *Montesquieu*, 250ff; Cohler, *Montesquieu's Comparative Politics*, 48; and Ehrard, *Politique de Montesquieu*, 10f. Notable exceptions to that interpretation are Mark Waddicor, who characterizes Montesquieu as a natural law theorist in *Montesquieu and the Philosophy of Natural Law* (The Hague: Martinus Nijhoff, 1970), and Cecil Courtney in chapter 1 of this volume.

10. Montesquieu criticized ancient philosophy in his *Pensées* for not seeing that "[t]he terms beautiful, good, noble, great, perfect are attributes of objects which are relative to the beings who consider them" (*Pensée* 2062 [410], Pléiade, I, 1537). By that he did not mean to deny the possibility of metaphysical truths, but rather to assert their limits. Thus "when one says that there is not at all an absolute quality, that does not mean that there is nothing at all but that . . . our spirit cannot determine them" (*Pensée* 2063 [1154], in Pléiade, I, 1537).

11. Politics should not be in the business of perfecting souls, Montesquieu says, because "perfection does not concern the universal in men or things," *Spirit of Laws*, XXIV, 7.

12. There is broad consensus among interpreters as to Montesquieu's liberal conception of liberty. Keohane, for example, notes that while he "greatly admired the extraordi-

nary virtue and patriotism that made self-government possible, he did not greatly admire self-government *per se*," because "the exercise of political responsibility is not itself, for Montesquieu, a part of the good life." See Nannerl O. Keohane, *Philosophy and the State in France* (Princeton: Princeton University Press, 1980), 418. See also her "Virtuous Republics and Glorious Monarchies: Two Models in Montesquieu's Political Thought," *Political Studies* 20, no. 4 (December, 1972): 392. For further discussion of Montesquieu's liberal conception of liberty, see David W. Carrithers, "Montesquieu's Philosophy of Punishment," *History of Political Thought* 19, no. 2 (summer, 1998): esp. 221-6; Norman Hampson, *Will and Circumstance: Montesquieu, Rousseau and the French Revolution* (London: Duckworth, 1983), 10; Franklin Ford, *Robe and Sword: The Regrouping of the French Aristocracy after Louis XIV* (Cambridge, Mass.: Harvard University Press, 1953), 20; and Knee, "La question," 303.

13. John Plamenatz, *Man and Society* (New York: McGraw-Hill, 1963), I, 274.

14. On this point, see Grosrichard, *Structure du sérail*, esp. 8-11; Lucette Valensi, *The Birth of the Despot: Venice and the Sublime Port*, Arthur Denner, trans. (Ithaca: Cornell University Press, 1993), 2-3; Roger Boesche, "Fearing Monarchs and Merchants: Montesquieu's Two Theories of Despotism," *Western Political Science Quarterly* 43, no. 4 (December, 1990): 741; Robert Koebner, "Despot and Despotism: Vicissitudes of a Political Term" in *Journal of the Warburg and Courtauld Institutes* (London: Warburg Institute, 1951), vol. 14, nos. 1 and 2, 302; Bertrand Binoche, *Introduction à De l'esprit des lois de Montesquieu* (Paris: Presses universitaires de France, 1998), 208-13; and Shackleton, "Les mots 'despote' et 'despotisme,'" 483.

15. See Schaub, *Erotic Liberalism*, 20. For further discussion of Aristotle's idea of despotic rule, see Grosrichard, *Structure du sérail*, 11-25.

16. Aristotle, *Politics*, Carnes Lord, trans. (Chicago: University of Chicago Press, 1984), 1292a4.

17. Koebner, "Despot and Despotism," 277.

18. Schaub, *Erotic Liberalism*, 20.

19. Thomas Hobbes, *Leviathan*, Edwin Curley, ed. (Indianapolis: Hackett, 1994), Part I, chapter 13, paragraph 1.

20. Hobbes, *Leviathan*, II, 20, 11-14.

21. Hobbes, *Leviathan*, II, 17, 1.

22. Koebner, "Despot and Despotism," 293. For a thorough treatment of the Fronde and the events leading up to it see Geoffrey Treasure, *Mazarin: The Crisis of Absolutism in France* (London: Routledge, 1995), esp. 103-229.

23. Harold Ellis, *Boulainvilliers and the French Monarchy* (Ithaca: Cornell University Press, 1988), 38. See also Koebner, "Despot and Despotism," 293ff; and Boesche, "Fearing Monarchs and Merchants," 741.

24. Koebner, "Despot and Despotism," 298.

25. Koebner, "Despot and Despotism," 299; and Richter, "Montesquieu's Comparative Analysis," 334f.

26. See Binoche, 224; Franco Venturi, "Oriental Despotism," *Journal of the History of Ideas* 24, no. 1 (January-March, 1963): 134; and Koebner, "Despot and Despotism," 300f.

27. Koebner, "Despot and Despotism," 301; and Shackleton, "Les mots 'despote' et 'despotisme,'" 482f.

28. Montesquieu declined. See Weil, "Montesquieu et le despotisme," 191.

29. "Although the principle of despotic government is fear, its end is tranquillity; but this is not at all a peace, it is the silence of those towns that the enemy is poised to occupy" (*Spirit of Laws*, V.14). Berlin remarks that, according to Montesquieu, "only those societies are free that are in a state of agitation . . . and unstable." Isaiah Berlin, "Montesquieu," in *Against the Current* (New York: Viking, 1980), 158. On the same point, see Judith Shklar, *Montesquieu* (Oxford: Oxford University Press, 1987), 59; David W. Carrithers, "Introduction" in *The Spirit of Law, a Compendium of the First English Edition* . . . , David W. Carrithers, ed. (Berkeley: University of California Press, 1977), 15; Cohler, *Montesquieu's Comparative Politics*, 83; and Keohane, *Philosophy and the State in France*, 398.

30. Montesquieu actually enumerates four types of government, insofar as he notes that a republic can be either democratic or aristocratic. He classifies them together because in both cases the people (whether the whole or a part) are sovereign (*Laws*, II, 2). See chapter 2, above.

31. *Politics*, 1289a28-33. For accounts of how Montesquieu's idea of despotism differs from tyranny in Plato and Aristotle, see Badreddine Kassem, *Décadence et absolutisme dans l'œuvre de Montesquieu* (Paris: Librairie Minard, 1960), 107; Thomas Pangle, *Montesquieu's Philosophy of Liberalism* (Chicago: University of Chicago Press, 1973), 70; Koebner, "Despot and Despotism," 291, 299; Richter, "Montesquieu's Comparative Analysis," 333; and Schaub, *Erotic Liberalism*, 23.

32. For a discussion of Montesquieu's criticism of Aristotle in this respect, see Pangle, *Montesquieu's Philosophy*, 70.

33. For a discussion of Montesquieu's appreciation of the importance of the private sphere, see Carrithers, "Montesquieu's Philosophy of Punishment," esp. 221-35.

34. Thus Richter notes in "Montesquieu's Comparative Analysis" that "more than anyone else, it was Montesquieu who, by reclassifying political regimes, makes it possible to call the French monarchy despotic and the king a despot" (331). Levin also remarks on the significance of Montesquieu's treatment of despotism as a separate type of regime, comparing it to ancient classifications. See Lawrence M. Levin, *The Political Doctrine of Montesquieu's Esprit des Lois: Its Classical Background* (New York: Columbia University Press, 1936), 62.

35. See Koebner, "Despot and Despotism," 275; and Weil, "Montesquieu et le despotisme," 191.

36. On this point, see Venturi, "Oriental Despotism," *Journal of the History of Ideas* 24, no. 1 (Jan.-Mar. 1963), 135; Weil, "Montesquieu et le despotisme," 191; and Koebner, "Despot and Despotism," 275. For a rich account of Voltaire's position in the battle between the *thèse royale* and the *thèse nobilaire*, see Peter Gay, *Voltaire's Politics: The Poet as Realist* (Princeton: Princeton University Press, 1959).

37. Weil notes that it seems strange for Montesquieu to speak of fundamental law in a regime that by its nature lacks fixed, established laws. See her "Montesquieu et le despotisme," 198f.

38. On the fatalism that pervades despotic government, see Paul Vernière, *Montesquieu et L'Esprit des lois ou la raison impure* (Paris: Société d'Édition d'Enseignement supérieur, 1977), 179, 184f; Kassem, *Décadence et absolutisme*, 127; and Shackleton, "Asia as Seen by the French Enlightenment," in *Essays on Montesquieu and on the Enlightenment*, 232.

39. Boesche points out that every despot is a slave to the providers of his pleasure, and afraid of their leaving. See his "Fearing Monarchs and Merchants," 744. Todorov also notes the despot's fear in *On Human Diversity*, 362. For a comparison between the fears of Montesquieu's despot and the fears of Plato's tyrant, see David Spitz, *Essays in the Liberal Idea of Freedom* (Tucson: University of Arizona Press, 1964), esp. 24f.

40. Boesche presents the two motives of fear and gratification as in conflict with one another, thus understating the connections between them.

41. Hobbes, *Leviathan*, I, 14, 31.

42. Hobbes, *Leviathan*, II, 31, 41.

43. Simone Goyard-Fabre notes that Montesquieu rejects the mechanistic materialism of Hobbes. See her *Montesquieu adversaire de Hobbes* (Paris: Lettres modernes, 1980), 16. Binoche also notes the mechanistic qualities of despotic government, 227-30.

44. Kassem emphasizes that the despot is all appetite. See his *Décadence et absolutisme*, 93. Althusser, too, remarks on the absence of reason under despotism. See his *Politics and History* (London: Verso, 1982), 76.

45. For an account of the ways in which the perfect power of choice undermines the capacity for intentional, self-initiated action, see Charles Taylor's interesting discussion of how "radical choice . . . fades into non-choice" in "What is Human Agency?" in his *Human Agency and Language* (Cambridge, England: Cambridge University Press, 1985), esp. 28-35.

46. Montesquieu's conviction that the unlimited power of despots prevents them from transcending the particular standpoint of their desires contradicts the standard view of absolutists, such as Bossuet, who believed that a king who had everything would have nothing more to desire and therefore would rule in a disinterested fashion. See Keohane, *Philosophy and the State in Modern France*, 275f.

47. For accounts of the standing and significance of women in relation to despotic government, see Schaub, *Erotic Liberalism*; Mosher, "The Judgmental Gaze of European Women: Gender, Sexuality and the Critique of Republican Rule," *Political Theory* 22, no. 1 (February, 1994): 25-44; Boesche, "Fearing Monarchs and Merchants," 749; and Vernière, *Montesquieu et la raison impure*, 182.

48. On the absence of a public/private divide in despotism, see Ellis, *Boulainvilliers and the French Monarchy*, 38f.

49. Richter also notes the absence of politics in despotism, in "Montesquieu's Comparative Analysis," 338.

50. For references to liberty as security, see *Laws*, XI, 6; XII, 5; XII, 12; XII, 23; XIII, 7; and XIX, 6.

51. On this point, see Henry J. Merry, *Montesquieu's System of Natural Government* (W. Lafayette, Ind.: Purdue Research Foundation, 1970), xiii; Gabriel Loirette, "Montesquieu et le problème, en France, du bon gouvernement," in *Actes du congrès*, 225; Faguet, *La politique comparée*, 15; and Ehrard, *Politique de Montesquieu*, 38.

52. Montesquieu, *Cahiers*, II, 209, cited in Hampson, *Will and Circumstance*, 10, n. 30.

53. Boesche points out that in despotic governments, the character of subjects mirrors the character of the ruler. See his "Fearing Monarchs and Merchants," 749. On the same point, see David Young, "Montesquieu's View of Despotism and His Use of Travel Literature," *Review of Politics* 40, no. 3 (1978): 397.

54. For a discussion of the role of commerce in limiting despotism in Montesquieu, see Albert O. Hirschman, *The Passions and the Interests* (Princeton: Princeton University Press, 1977), 78.

55. See also *Laws*, III, 8.

56. Montesquieu, *Pensée* 69 (5), in *Pléiade*, I, 993.

57. Thomas E. Kaiser, "Money, Despotism, and Public Opinion in Early Eighteenth-Century France: John Law and the Debate on Royal Credit," *Journal of Modern History* 63 (March, 1991): 22.

58. See also *Laws*, XX, 10 for Montesquieu's description of Law's system.

59. Richard Myers, "Christianity and Politics in Montesquieu's *Greatness and Decline of the Romans*," *Interpretation* 17, no. 2 (winter, 1989-90): 233.

60. Montesquieu, "Notes on England," in *Pléiade*, I, 880.

61. For a description of this aspect of despotism, see Boesche, "Fearing Monarchs and Merchants," esp. 743-59. Although Boesche illuminates an important aspect of despotism that has been too much neglected, he errs in attributing to Montesquieu a nostalgia for ancient virtue, claiming that Montesquieu longed for the greatness of the past (757). For further discussion of the significance of the desire for the comforts of life as a motivation in despotism, see also Young, "Montesquieu's View of Despotism," 398.

62. Young, in "Montesquieu's View of Despotism," also notes that religion can both reinforce and limit a despot's power, 399.

63. Recall the emphasis on the zealotry of the Christian monks and republican citizens in *Spirit of Laws*, V, 2. See also Montesquieu, *Considerations on the Causes of the Greatness of the Romans and their Decline* in Pléiade, II, chap. 11: "It was a dominating love of the homeland which, leaving behind the ordinary rules of crimes and virtues, listened only to itself and saw neither citizen nor friend nor benefactor nor father: virtue seemed to forget itself in order to surpass itself, and, an action that one formerly could not approve because of its atrocity was made to be admired as divine."

64. As Augustine had suggested when he remarked that "as for this mortal life, which ends after a few days' course, what does it matter under whose rule a man lives, being so soon to die." Augustine, *City of God*, Henry Bettenson, trans. (New York: Penguin, 1984), Book V, chap. 17, 205.

65. At least the Christian and Muslim religions with which Montesquieu mainly is concerned.

66. Shklar, *Montesquieu*, 33. See also Todorov, *On Human Diversity*, 365. In this respect, Montesquieu's skepticism about the power of reason to limit political power contrasts equally with the views of royal absolutists such as Voltaire and the later Jacobins, such as Robespierre, who believed that public reason could be a guarantor of liberty. On Robespierre's faith in reason, see Keith Michael Baker, *The Old Regime and the French Revolution* (Chicago: University of Chicago Press, 1987), 370. The similarities between the despotism of one and the democratic despotism of many is discussed later in this chapter.

67. Mosher remarks in "The Judgmental Gaze of European Women" (at 28) that "Montesquieu was only too aware, before Foucault, before Nietzsche, before Rousseau, how the theoretical impulse itself may mask despotic desire."

68. See R. Richelet, ed., *Dictionnaire françois* (Geneva: Jean Herman Widerhold, 1680), 350; and Montesquieu, *The Spirit of the Laws*, Anne M. Cohler, et al., eds. and trans., IV, 8, editor's note j, 41.

69. Albeit not, as we shall see, constant participation.

70. On this point, see Grosrichard, *Structure du sérail*, 47; Cohler, *Montesquieu's Comparative Politics*, 71-3; Weil, "Montesquieu et le despotisme," 201; Melvin Richter, *The Political Theory of Montesquieu* (Cambridge: Cambridge University Press, 1977), 83; and Kassem, *Décadence et absolutisme*, 247.

71. It is true that Montesquieu mentions "the genius of the people" as one of the "circumstances" that may preserve a despotic regime. Yet the examples he gives in this regard do not indicate much in the way of reason or deliberation. The genius of the Chinese people in limiting despotic power is illustrated by the "great fertility" of the women, which leads to large populations, the tendency of the peasants in search of scarce food to form bands of robbers multiplying into large armies, and their "tireless" labor, which re-

sults from a lack of productive land. In other words, the "genius" of the Chinese people is itself forced, the product of biological contingencies and material necessities, not deliberation and choice. And Montesquieu acknowledges as much, saying that "causes drawn for the most part from the physical conditions of the climate have been able to force the moral causes in this country, and to give rise to some sorts of miracles" (*Spirit of Laws*, VIII, 21).

72. See, for example, *Spirit of Laws*, XXV, 8: "The king of Persia is head of the religion, but the Koran rules the religion; the emperor of China is the sovereign pontiff, but there are books, which are in the hands of everyone, and to which he himself should conform. In vain did an emperor wish to abolish them; they triumphed over tyranny."

73. Aristotle, *Politics*, 1285a17.

74. Aristotle, *Politics*, 1285a19-21. On Aristotle's associations between despotism and Asia, see Koebner, "Despot and Despotism," 277f; Richter, "Montesquieu's Comparative Analysis," 337f; Venturi, "Oriental Despotism," 133; and Schaub, *Erotic Liberalism*, 20f.

75. Shackleton, "Asia as seen by the French Enlightenment," 231. Valensi also provides a particularly interesting account of the "forefathers" of Montesquieu's idea of oriental despotism, noting the use of the term as early as 1637 by a Venetian ambassador to Constantinople. See Valensi, *The Birth of the Despot*, 2-4.

76. Edward Said, *Orientalism* (New York: Pantheon, 1978), 119. On Said's rendering, "Orientalism" is characterized as a Western effort to give intellectual legitimacy to Western domination of the Orient (at 3). Said maintains that the Orient is the "cultural contestant" of Europe, "one of its deepest and most recurring images of the Other," and for that reason has helped to define Europe (or the West) as its contrasting image (at 1f). "Orientalist" authors use Asia as a counterpoint to clarify the particular ideas of European politics and society that they wish to promote. The portrait of Europe's "Other" is based as much on European projections of its fears and aspirations as on actual Oriental peoples, politics, and cultures, however (at 2). Consequently, it may portray qualities that are not actually present, and obscure from view aspects of Asian politics and society that should be appreciated. At the same time, by attributing a host of negative characteristics to Asians and characterizing their political systems as corrupt and inept, "Orientalist" authors are thought to provide a justification for those who wish to dominate the Orient culturally, economically, and politically. Said's analysis has been debated by scholars but that debate is beyond the scope of this study. For present purposes it is enough to note the disagreement, since the truth or falsehood of Said's thesis is immaterial to the argument advanced here.

77. For more extensive analysis of Montesquieu's use of travel literature, see Ali Behdad, "The Eroticized Orient: Images of the Harem in Montesquieu and His Precursors," *Stanford French Review* 13, no. 2-3 (fall-winter, 1989): 110f; Dodds, *Les récits des voyages*, esp. 139, 147, 150; Young, "Montesquieu's View of Despotism," 394f;

Goyard-Fabre, *La philosophie du droit de Montesquieu*, 148; Kassem, *Décadence et absolutisme*, 120, 133.

78. See, for example, Elie Carcassonne, "La Chine dans *L'esprit des lois*," in *Revue d'histoire littéraire de la France* (Paris: Librairie Armand Colin, 1924), 198-205; Richter, *The Political Theory of Montesquieu*, 72; Shackleton, "Asia as seen by the French Enlightenment," 239; Weil, "Montesquieu et le despotisme," 193; Sorel, *Montesquieu*, 104; Vernière, *Montesquieu et la raison impure*, 186-88; Young, "Montesquieu's View of Despotism," 401; and Jonathan Spence, *The Chan's Great Continent: China in Western Minds* (New York: Norton, 1998).

79. For a discussion of the various limits on Persian despotism see Young, "Montesquieu's View of Despotism," 401f.

80. Carcassonne, "La Chine," 202. Other discrepancies between travel reports of China and Montesquieu's idea of despotic government are noted by Kassem, *Décadence et absolutisme*, 130; Dodds, *Les récits de voyages*, 149f; and Shackleton, "Asia as Seen by the French Enlightenment," 239.

81. Richter, "Montesquieu's Comparative Analysis," 340; Venturi, "Oriental Despotism," 137.

82. Kassem, *Décadence et absolutisme*, 111.

83. Young, "Montesquieu's View of Despotism," 394; Richter, "Montesquieu's Comparative Analysis," 338f.

84. Carcassonne, "La Chine," 194.

85. For discussion of Voltaire's approval of China, see Spence, *The Chan's Great Continent*, esp. 95f; Kassem, *Décadence et absolutisme*, 142; and Richter, "Montesquieu's Comparative Analysis," 339. Grosrichard provides an interesting account of the disagreement between Voltaire and Montesquieu over China and its connection to their different positions in the contemporary French constitutional debates. See his *Structure du sérail*, esp. 40-45. On Voltaire's objections to Montesquieu's definition of despotism, see Binoche, 237-8.

86. Richter, "Montesquieu's Comparative Analysis," 338.

87. Young, "Montesquieu's View of Despotism," 404.

88. Richter, "Montesquieu's Comparative Analysis," 345.

89. Those who romanticized Eastern absolutism were not limited to the defenders of the *thèse royale*, but also included Christian missionaries, who themselves authored many of the travelogues. Montesquieu calls into the question the reliability of the missionaries' judgments of China in *Spirit of Laws*, VIII, 21, saying, "Could it not be that the missionaries were deceived by an appearance of order; that they were struck by this continuous exercise of the will of one alone by which they themselves are governed, and which they love so much to find in the courts of the kings of India?" For additional discussion of Montesquieu's treatment of China, see Spence, *The Chan's Great Continent*, esp. 87-95.

90. Montesquieu states his methodological approach to "details" in the Preface to *Spirit of Laws*: "The more one will reflect on the details the more one will feel the certainty of the principles. The details themselves, I have not given them all; for who could say everything without a fatal boredom?"

91. See Kassem, *Décadence et absolutisme*, 135.

92. In his *Pensées*, Montesquieu complains about "the censors whom princes have established, who direct all pens." *Pensées* 1456 (1525), Pléiade, I, 1342. Indeed, he says, "since the discovery of the printing press, there is no longer any true history. The princes used not to be attentive, and the police did not concern themselves about [books]. Today, all books are submitted to the inquisition of this police, which has established rules of discretion. To violate them is an offense. One has learned from this that princes are offended by what one says about them. In other times, they did not concern themselves with it; one then spoke the truth." (*Pensée* 1455 [1462], in Pléiade, I, 1342). Thus Montesquieu clearly indicates that he wrote with censors in mind. He had good reason to worry about offending the king and the Church, as much because he wanted his book to be read as out of fear for his safety. Still, safety was a concern. There is evidence that friends advised him not to publish *The Spirit of Laws*, fearing repercussions (George Saintsbury, *French Literature and its Masters* [New York: Alfred A. Knopf, 1946], 88). When he did publish it in 1748, Voltaire had already been incarcerated, and Diderot would be imprisoned the following year at Vincennes. See Solange Fricaud, "Pour qui est écrit *L'esprit des lois*?" in *Analyses & réflexions sur Montesquieu* (Paris: Edition Marketing, 1987), 181. Montesquieu took the precaution of publishing his book anonymously, and in Geneva rather than France, but even so, he was reprimanded by the Sorbonne for his "disparagement" of the crown, and the book was placed on the *Index* of works proscribed by the Church. For a listing of passages censured by the religious authorities in France, see Carrithers, ed., *The Spirit of Laws*, Appendix I, 466-67. Today we expect and reward transparency in writing, and are suspicious of anything else, but Montesquieu neither expected transparency nor expected to be rewarded for it, as he himself tells us, and he wrote accordingly.

93. See Young, "Montesquieu's View of Despotism," 404f.

94. This remark illustrates the fact that despotism is not the result of a vicious soul, or "heart," but rather can be the objective even of those who lack a despotic heart. It also points to the inadequacy of reason as a limit on despotism, since Montesquieu associates Richelieu's despotic tendency with his "head," the seat of reason.

95. Shackleton agrees that this remark is directed against Louis XIV. See his *Montesquieu*, 272.

96. For example, Schaub, *Erotic Liberalism*, 23, 63.

97. Schaub, *Erotic Liberalism*, 72.

98. On this point, Schaub notes that in *Persian Letters* 35, Usbek says of France that "everywhere I see Mohammedanism, though I cannot find Mohammed." See her *Erotic*

*Liberalism*, 71. On the parallels between Christianity and Islam, see also Young, "Montesquieu's View of Despotism," 403; and Mosher, "The Judgmental Gaze," 28.

99. Binoche points out that what Montesquieu calls the "despotism of all" should be understood as an analogy to despotism proper, rather than being taken literally, since Montesquieu defines despotism, strictly speaking, as the rule of one not many (at 205).

100. Merry, *Montesquieu's System*, 313; Baker, *The Old Regime*, 178. For additional discussion of the potential for despotism in England, see C. A. Sainte-Beuve, *Portraits of the Eighteenth Century*, Katharine P. Wormeley, trans. (New York: G.P. Putnam's Sons, 1905), 132; Sharon Krause, "The Spirit of Separate Powers in Montesquieu," *The Review of Politics* 62, no. 2 (spring 2000), 231-65; and consider the argument advanced in chapter 2 of this volume.

101. Schaub, *Erotic Liberalism*, 19.

102. Cited in F. J. C. Hearnshaw, *The Social and Political Ideas of Some Great French Thinkers of the Age of Enlightenment* (New York: Barnes and Noble, 1931), 61.

103. For further discussion of honor as a source of resistance to potentially despotic authority, see Mosher, "The Judgmental Gaze," 38-40 as well as Chapter 4 in this volume; and Sharon Krause, "The Politics of Distinction and Disobedience: Honor and the Defense of Liberty in Montesquieu," *Polity* 31, no. 3 (spring 1999): 469-99.

104. Baker, *The Old Regime*, 374. On same point see Knee, "La question," 305 and chapter 3 of this volume. For a rich account of the Jacobin cult of Graeco-Roman antiquity and its debt to Mably, see Johnson Kent Wright, *A Classical Republican in Eighteenth-Century France: The Political Thought of Mably* (Stanford: Stanford University Press, 1997).

105. For more extended discussion of the despotic features of Jacobinism, see François Furet, "Révolution française et tradition jacobine," in *The French Revolution and the Creation of Modern Political Culture*, Keith Baker, Colin Lucas, François Furet, and Mona Ozouf, eds., vol. II, *The Political Culture of the French Revolution*, Colin Lucas, ed. (Oxford: Pergamon, 1988), esp. 332-34.

106. Said, *Orientalism*, 3. For a fine treatment of the complex relationship between Montesquieu's intentions in associating despotism with Asia and the unintended consequences of that association, see Richter, "Montesquieu's Comparative Analysis."

107. Along these lines, Todorov argues (at 377) that Montesquieu sees despotism as a translation on the social level of features that characterize every human being.

108. Montesquieu, *Pensée* 615 (1266), in *Pléiade*, I, 1138.

109. Montesquieu, *Pensée* 615 (1266), in *Pléiade*, I, 1138.

110. Weil in "Montesquieu et le despotisme" notes that despotism destroys talents (201f). On the same point, see Kassem, *Décadence et absolutisme*, 20, 92.

111. Mosher in "The Judgmental Gaze" (at 31) notes that this fact should make one "regard with skepticism the claim that [Montesquieu] is an ordinary natural law thinker."

112. See, for example, Juan Linz, "Totalitarian and Authoritarian Regimes," in *Handbook of Political Science*, Fred Greenstein and Nelson Polsby, eds. (Reading, Mass.: Addison-Wesley, 1975), III, 191-357; Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norman, Okla.: University of Oklahoma Press, 1991), esp. chap. 1-4; Guillermo O'Donnell and Philippe Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies* (Baltimore: Johns Hopkins University Press, 1986), esp. 3-72; and Giuseppe DiPalma, *To Craft Democracies: An Essay on Democratic Transitions* (Berkeley: University of California Press, 1990), esp. chap. 1.