

MONTESQUIEU ON MODERATION, MONARCHY AND REFORM

Andrea Radasanu^{1,2}

Abstract: Montesquieu's respect for moderation is almost universally acknowledged, but not very well understood. In recent scholarship, his moderation has been interpreted as inclusive and pluralistic with a view to the range of regimes that are hospitable to liberty. This paper challenges this currently dominant interpretation of Montesquieu by revisiting his understanding of moderation. On reflection, he does not simply discourage radical change, he even provides advice as to when and how such change is to be enacted. French absolute monarchy requires fundamental change, not least because monarchy as such is not sufficiently accommodating to liberty. While the English commercial republic is better suited to liberty than French monarchy, there is no doubt that monarchy is more attractive than commercial republicanism. Montesquieu offers a profound and perhaps unsettling account of the possible incompatibility of honour, generosity and greatness of spirit, on the one hand, and safety and liberty, on the other.

I Introduction

Readers of Montesquieu are struck by his moderate spirit. It is a commonplace in Montesquieu scholarship to note his kinship with Aristotle. Both place great emphasis on the importance of the particulars of political life, and encourage piecemeal reform enacted by intelligent and informed statesmen.³ While it may be undeniable that Montesquieu encourages moderation, the end to which he wishes to employ this moderation has been a vexed question for his interpreters. In nineteenth-century France, Montesquieu served as an inspiration for post-revolutionary aristocratic liberalism, many of whose advocates insisted that liberty demands a social hierarchy that prevents the corruption of monarchy into despotism.⁴ Contemporary liberals, on the other hand, understate the role of social hierarchy in Montesquieu's defence of

¹ Political Science Department, Northern Illinois University, 408 Zulauf Hall, DeKalb, IL 60115, USA. Email: aradasanu@niu.edu

² I would like to thank Rebecca Kingston, Michael Mosher and Paul Rahe for their insightful comments and criticism on earlier drafts, which helped to shape the final version of this paper. All errors are, of course, my own.

³ David Carrithers, for example, writes that Montesquieu 'wished to resurrect an ancient concern for the importance of political prudence, for what Aristotle called *phronesis*'. D. Carrithers, 'Introduction: Montesquieu and the Spirit of Modernity', in *Montesquieu and the Spirit of Modernity*, ed. David W. Carrithers and Patrick Coleman (Oxford, 2002), p. 30, and also p. 16.

⁴ A. de Dijon, *French Political Thought from Montesquieu to Tocqueville: Liberty in a Levelled Society* (Cambridge and New York, 2008), pp. 40–9.

monarchy as a moderate form of government, and focus instead on his apparent flexibility with respect to the foundations of liberty.

Michael Mosher argues that Montesquieu's reticence to prescribe a uniform cure to the problem of political despotism and his willingness to find solutions to this problem within the horizon of particular cultures and ways of life make him a post-Enlightenment champion of liberty and equality.⁵ Mosher is part of an influential wave of Montesquieu scholarship that understands the thinker to be a proponent of monarchy rather than commercial republicanism. Against Thomas Pangle, scholars like Mosher and Sharon Krause maintain that Montesquieu sought to reestablish monarchic liberty in France in ways consistent with the French political tradition.⁶ At the same time, both Mosher and Krause intimate that the old-fashioned version of honour that is articulated as the spring of monarchy must be modified if it is to adhere to Montesquieu's project of extending personal liberty to all.⁷ These two lines of reasoning are

⁵ Mosher argues that Montesquieu does not deserve the opprobrium recently heaped upon Enlightenment figures. Mosher's Montesquieu posits universal ideals only provisionally. Usbek, the protagonist of the *Persian Letters*, in particular, offers 'a better satire on the foibles of the cruel universalizing philosopher than anything contemporary postmodernists have written'. M. Mosher, 'The Judgmental Gaze of European Women: Gender, Sexuality, and the Critique of Republican Rule', *Political Theory*, 22 (1) (1994), p. 35. See also H.A. Ellis, 'Montesquieu's Modern Politics: *The Spirit of the Laws* and the Problem of Modern Monarchy in Old Regime France', *History of Political Thought*, X (4) (1989), pp. 690, 696.

⁶ Among recent interpreters who stress Montesquieu's affinity for modern monarchy are Keith Baker, David Carrithers, Annelien de Dijn, Jacob Levy, Céline Spector and Johnson Kent Wright. Both de Dijn and Wright provide brief but informative surveys of this trend in the literature. De Dijn, *French Political Thought*, p. 30, and J.K. Wright, 'A Rhetoric of Aristocratic Reaction? Nobility in *De l'esprit des lois*', in *The French Nobility in the Eighteenth Century: Reassessment and New Approaches*, ed. J.M. Smith (University Park PA, 2006), pp. 227–33. While most of these scholars focus on placing Montesquieu in historical context, with several commenting extensively on the use made of Montesquieu in eighteenth- and even nineteenth-century politics (e.g. de Dijn), Krause, Mosher and Catherine Larrère stand out for their efforts to demonstrate Montesquieu's continuing relevance for us. Larrère focuses her attention on his advocacy of cultural diversity and his pluralism with respect to regimes and ways of life that accommodate liberty (C. Larrère, *Actualité de Montesquieu* (Paris, 1999)). I focus on the arguments of Krause and Mosher because of their extensive treatments of honour, the spring of monarchy. They address — albeit differently — the question of the possibility of democratizing honour and the claim that Montesquieu's flexibility means we ought to consider him both a proponent of monarchy and a supporter of liberal democracy.

⁷ M. Mosher, 'Monarchy's Paradox: Honor in the Face of Sovereign Power', in *Montesquieu's Science of Politics: Essays on the Spirit of the Laws*, ed. D.W. Carrithers, M.A. Mosher and P. Rahe (Lanham, 2001), p. 213. S. Krause, *Liberalism with Honor* (Cambridge MA, 2002), p. 41.

in some tension with one another.⁸ Mosher's and Krause's respective arguments give us the opportunity to reconsider Montesquieu's commitment to monarchy on the one hand and to universal liberty on the other.

Both the nineteenth-century interpretation of Montesquieu's aristocratic liberalism and current attempts to benefit from his seemingly non-doctrinaire, expansive view of moderate government alert us to the importance of Montesquieu to liberal thought. He provides contemporary liberals with some hope for a paradigm that contextualizes liberty within particular histories and offers a nuanced account of liberty within various regimes. Furthermore, as post-revolutionary French interpreters and current theorists agree, to the extent that monarchy is a moderate government suited to the flourishing of liberty, it provides the hope that Montesquieu sets the stage for the ennoblement of liberty. If honour, the spring of monarchy, serves liberty in that it represents civil disobedience against despotism, perhaps it can serve as a motor for inspiring a noble support for liberty and personal dignity within modern liberal democracies.⁹

Montesquieu does indeed wish to comment on manifestations of liberty in different regimes, and also to contemplate the possibility of combining the personal freedom available in modern commercial republics and the nobility of spirit — the generosity and the beauty, particularly as exhibited by the nobility — prevalent in monarchy. I argue that, contrary to the now dominant interpretation of Montesquieu, he has limited expectations that these easily commingle. I wish to show that for Montesquieu monarchy is a defective regime from the point of view of liberty.

In order to do so, I begin by examining Montesquieu's advocacy of moderation. This is an appropriate subject with which to begin, as it is Montesquieu's famous emphasis on piecemeal reform that encourages the interpretation that he is advocating only fairly modest change in order to improve French absolute monarchy. While Montesquieu pays close attention to particular circumstances and even repeatedly praises the virtue of moderation in his private writings, close consideration of his presentation of moderation, as well as moderate reform and government, should lead us to reconsider the view that Montesquieu embodies the spirit of Aristotelian prudence in eighteenth-century France.¹⁰ I hope to show that Montesquieu's commitment to moderate

⁸ I want to note that it may be the case that, to some extent, the tension exists within the thought of Montesquieu himself as opposed to that of his interpreters. See especially Krause, *Liberalism with Honor*, p. 66.

⁹ This is in large part the premise of Krause's *Liberalism with Honor*. Céline Spector follows her in this in her book *Montesquieu, Pouvoirs, Richesses et Sociétés* (Paris, 2004), p. 142.

¹⁰ Montesquieu, *Pensées, le Spicilège*, ed. Louis Desgraves (Paris, 1991), ##213, 1387 and 1987. References to both *Pensées* and *Spicilège* throughout the paper are from

reforms has been somewhat misunderstood, and that, in important respects, it is possible to think of him as advocating radical reform.

Next, I turn to the question of Montesquieu's estimation of monarchy. As mentioned above, I want to demonstrate that monarchy is a fair-weather friend to liberty and therefore a moderate government in a very attenuated sense. These insights into the nature of monarchy will then be applied to the more practical consideration of Montesquieu's remedy for French absolutism. Here I attempt to demonstrate that Montesquieu understood French absolutism to require drastic improvements and therefore drastic changes — changes that were not mere continuations of the French monarchic tradition. Finally, I offer a few concluding comments regarding the question of whether Montesquieu harboured any hopes that French liberalism would be more noble and more beautiful than English liberalism, returning to the question raised in this introduction of the possibility of an ennobled liberalism.

II

Reconsidering Montesquieu on Moderation

Montesquieu argues that the spirit of the legislator ought to be one of moderation.¹¹ The political good, like the moral good, lies between two extremes. Not surprisingly, he attributes this insight to Aristotle. While the comparison between Aristotle and Montesquieu is compelling — and obviously encouraged by Montesquieu himself — we must note that his version of moderation is different from Aristotle's. In fact, there is even something misleading about the comparison as Montesquieu makes it in the chapter referred to just above. He is looking for the mean as it concerns the political good while Aristotle speaks of the mean in relation to virtue and especially moral virtue. This distinction between political and moral good that Montesquieu makes early in *The Spirit of the Laws* is foreign to Aristotle, in part because he is concerned with the best life for human beings and the ways in which political, moral and intellectual virtue fit together (or fail to do so) in order to determine what that life is.¹² Montesquieu insists that his legislator should be flexible and practical, and prepared to put up with bad and even immoral laws where change would not render real benefits. In other words, he encourages his legislator to

¹¹ Charles-Louis de Secondat, Baron de La Brède et de Montesquieu, *Oeuvres complètes de Montesquieu*, ed. Roger Caillois (Paris, 1949–51), Book XXIX, ch. 1. This is the edition consulted throughout. Future references to this work will be identified by *De l'esprit des lois* and by book and chapter, such as XXIX, 1. On the few occasions where translations are required, I have used the following: Montesquieu, *The Spirit of the Laws*, trans. Thomas Nugent (New York and London, 1949). Any changes will be noted.

¹² For an excellent account of Montesquieu's fundamentally modern rendering of political virtue and his rejection of the ancient question of the best regime, see Pierre Manent's *The City of Man* (Princeton, 1998), pp. 15 ff.

be prudent. Aristotle also recommends pragmatism in politics, and recognizes that political life usually falls far short of even conventional understandings of justice. Still, Aristotle judges regimes according to a teleological standard of human flourishing while Montesquieu means for his version of prudence to be more or less divorced from a consideration of the end of a political regime.¹³ In other words, the legislator ought not to concern himself so much with whether a regime tends towards perfection or a fine way of life for human beings but with effectual legislation.

A legislator ought to endeavour to understand the complex system of government and mores¹⁴ he wants to reform, and to ensure that he does not fail to do so as a result of his own prejudices and his ignorance about the way of life and history of a particular country. Important evidence that a legislator embodies the spirit of moderation is the absence of perfectionism. Laws that required the mass murder of innocents, laws that do not prohibit suicides and other laws that are sinful by the standards of Christianity or ghastly when held up to the new morality of humanity, must be understood in relation to the mores that gave rise to them — in their own context and according to their own logic rather than some external standard.¹⁵ Montesquieu is not here the father of sociology so much as he is adopting a certain kind of Machiavellianism. He takes to task Plato, Aristotle, Machiavelli, More and Harrington, claiming that all of them were driven by a combination of passion and prejudice when making a case for their political preferences.¹⁶ He implicitly denies that these political philosophers held political life to an objective standard of the good. It is unlikely that he has as little admiration for these men as he evinces here. Perhaps he is particularly harsh about his fellow philosophers in an effort to emphasize, alongside Machiavelli (who is here presented as besotted with Cesare Borgia), the futility of imaginary republics and the need to concentrate on politics and laws as they exist.

¹³ I am indebted to Rebecca Kingston for helping me to clarify this distinction between Aristotle and Montesquieu.

¹⁴ I am following Cohler *et al.* in their translation of *The Spirit of the Laws* (Cambridge, 1989, last printed 1997) by translating '*moeurs*' as 'mores'. Nugent uses more than one translation for the French word, among them 'manners' and 'customs'. Since 'manners' no longer has the breadth of meaning it did when Nugent translated *The Spirit of the Laws* in the eighteenth century, and customs seems too narrow as well, I have opted for 'mores'. This choice is not without its drawbacks, as the word does not convey the richness of the term in the original French. '*Moeurs*' captures the entire way of life of a given civilization — including (but not limited to) political, sexual, religious practices and beliefs. After 1549, '*moeurs*' has been used to describe the habits and particularities of animals and vegetables as well as peoples. The term, in other words, acquired a scientific and objective tone during early modernity in France, thus widening the gulf between 'mores' and 'morality' (*Le Robert Dictionnaire Historique de la Langue Française*, (Paris, 1998)).

¹⁵ Montesquieu, *De l'esprit des lois*, XXIX, 14 and 19.

¹⁶ *Ibid.*, XXIX, 19.

Just as legislators ought to be moderate about the ends of their reforms, so ought governments to ensure that their citizens or subjects feel that their life and property are secure. It is primarily this that speaks to the moderation of a government. It might be helpful to remember that moderation, which is one of the cardinal virtues for the ancients, makes an appearance in *The Spirit of the Laws* as a watered down version of political virtue in aristocracies. While aristocracy is the best regime for Aristotle (or maybe second best after the rule of the *pambasileus*), it is the worst form of government for Montesquieu, short of simple despotism. It shares in all of the difficulties of the republic as it demands the suppression of acquisitive and competitive passions, but does not have the same recourse to the power of virtue or love of country. Moderation is a less demanding and onerous version of virtue, but is consequently less conducive to inspiring public devotion.¹⁷ The ruling class is moderate when it withstands the temptation to bully the masses and to engage in oligarchic power struggles.¹⁸ Montesquieu in no way approves of this form of government and gives no indication that he believes it might amount to the rule of gentlemen.¹⁹ Immediately following the introduction of moderation as the spring of aristocracy, he mentions that in monarchy virtue and moderation are unnecessary; there, men's unleashed ambitions serve the nature of government rather than undermine it. Montesquieu works to undercut traditional notions of moderation that call to mind continence and the ordering of the passions for the sake of living a good life. He wants to reclaim moderation for modern political philosophy and must redefine it in order to achieve his end.

In fact, Montesquieu's much vaunted distaste for universal solutions to political problems and his insistence that legislators pay attention to particular circumstances when reforming laws and practices goes together with this new Machiavellian version of moderation. As outlined briefly above, he wants to encourage legislators to be realistic rather than moralistic when undertaking serious political and legal changes. Let us look at Montesquieu's most important statements regarding political reform: those that apply to France. In Book XIX of *The Spirit of the Laws*, prior to presenting his famous portrait of English mores of liberty, he cautions against changing the mores of a gay, cheerful and communicative country into ones that are pedantic and serious. A legislator ought to follow the spirit of a nation when it is not contrary to the principles of government, for we never act as well as we do when we follow

¹⁷ *Ibid.*, III, 4. David Carrithers offers a more mixed picture of Montesquieu's appraisal of aristocratic republics. Although he admits that aristocracies are on the whole worse than the English and French forms of government in Montesquieu's view, Carrithers argues that properly constituted aristocratic republics are not altogether repugnant to Montesquieu. See D.W. Carrithers, 'Not So Virtuous Republics: Montesquieu, Venice, and the Theory of Aristocratic Republicanism', *Journal of the History of Ideas*, 52 (2) (1991), pp. 245–68.

¹⁸ Montesquieu, *De l'esprit des lois*, V, 8.

¹⁹ *Ibid.*, XI, 4.

the bent of our natural genius.²⁰ France's charms ought not to be changed into English dourness. This does not imply that France would not benefit from constitutional separation of powers. It only implies that whatever changes need to be made in France ought not to include a moralistic assessment of its so-called vices. Perhaps that is why Solon makes a cameo appearance in Book XIX, to remind the reader that a legislator ought to give a people the best laws it can bear.²¹

French sociability and communicativeness imply an openness to change. In a manner approximating the effects of commerce, France is willing to adopt the ways of other nations, reserving their chauvinism for inconsequential matters like fashion.²² Is Montesquieu inviting his countrymen to change French political arrangements in such a way as to better accommodate liberty? More generally, Montesquieu does not instruct legislators to be slaves to the spirit of the country they wish to reform, but to be aware of said spirit if only to manipulate it to their own ends. He informs the reader that men will accept every manner of tyranny as long as their most cherished prejudices and practices are untouched. When Augustus recalled the player Pylades, the rumblings against his changes in legislation ceased.²³

Later in the same book, Montesquieu reproaches Peter the Great for the harshness of his reforms: 'The law which obliged the Muscovites to cut off their beards and to shorten their clothes, and the rigor with which Peter I made them crop, even to their knees, the long cloaks of those who entered into cities, were instances of tyranny.'²⁴ But he does not say that Peter the Great ought to have left the original mores of the Russians intact. Rather, Montesquieu's quarrel with Peter is the method by which the latter changed the way of life of his people. Montesquieu writes that instead of changing their laws

²⁰ *Ibid.*, XIX, 5.

²¹ *Ibid.*, XIX, 21.

²² Montesquieu, *Oeuvres complètes de Montesquieu*, ed. Caillois, #100. Further references to the *Lettres persanes* will also list the letter number, as assigned by Montesquieu.

Mosher and I both take the communicativeness of the French to be important for Montesquieu, but we disagree about the nature of its significance. Mosher associates communicativeness with the cosmopolitan character of monarchy, and concludes that the easy manners and openness to strange things of the French demonstrate a 'communication ethics'. See M. Mosher, 'Free Trade, Free Speech, and Free Love: Monarchy from the Liberal Prospect in Mid-Eighteenth Century France', in *Monarchisms in the Age of Enlightenment*, ed. Hans Blom, John Christian Laursen and Luisa Simonutti (Toronto, 2007), p.110. I want to emphasize the fact that the urbanity of the French had provided them with no appreciation for their own liberty. While Montesquieu wants to make use of French tastes and sophistication for the sake of encouraging changes and improving French liberty, the urbanity itself had proven equally useful for Louis XIV's absolute despotism.

²³ Montesquieu, *De l'esprit des lois*, XIX, 3.

²⁴ *Ibid.*, XIX, 14.

and manners, Peter the Great should have introduced new ones. Because the climate in Russia allowed for the adoption of European mores, Peter ought to have permitted women at court and introduced them to the seductive ways of French life. Pleasure and vanity would have achieved his end better than the prohibition of accepted practices. This reminds us of Montesquieu's recipe for attacking religion: introduce the comforts of life and all that makes us forget religion rather than what might remind us of it.²⁵ To conform to the genius of the nation is not to say that changes ought to be avoided. In fact, Montesquieu shows us how easy it is to make tremendous changes if one understands the general temper of a people.

The discussion of Montesquieu's reformulation of moderation is not complete without an account of his notion of moderate government. There are two crucial components of moderate government for Montesquieu. In the first place, there must be a system of countervailing powers in place so that no one person or no one class can seize all power.²⁶ Secondly, moderate government is animated by springs that can be relaxed without danger: 'It supports itself by the laws, and by its own internal strength.'²⁷ Let us consider these in sequence.

Following Locke, Montesquieu relies on the separation of powers as the most potent bulwark against despotism. Without such institutional constraints, men inevitably seek to dominate one another: 'constant experience shows us that every man invested with power is apt to abuse it, and to carry his authority as far as it will go'.²⁸ It is in the context of Montesquieu praising monarchy that we are first introduced to the notion of power against power, and to the benefits of liberty and moderation. Monarchy is favourably compared to despotism, and Montesquieu muses about the rarity of moderate government. He writes that despite man's natural love of liberty, moderate government is uncommon due to the fact that the combination of several powers is necessary, a combination that is rarely produced by chance or by prudence.²⁹ When the Gothic government of the German conquerors sprang up, it was characterized by various loci of power (nobility, monarch and, subsequently, even the people), and the *parlements*, the all-important depository of laws. Thus, moderate government emerged.³⁰ French monarchy and the English constitutional monarchy share in the legacy of this Gothic government and both are clearly distinguished from despotism. Despite the fact that these two regimes share the same origin, eighteenth-century France was teetering on the verge of despotism. The French had ceased to care about their liberty sufficiently, while

²⁵ *Ibid.*, XXV, 12.

²⁶ *Ibid.*, V, 14 and XI, 4.

²⁷ *Ibid.*, III, 9.

²⁸ *Ibid.*, XI, 4.

²⁹ *Ibid.*, V, 14.

³⁰ *Ibid.*, XI, 8.

the English — their unpleasant disposition aside — guarded theirs jealously. I will argue in the following section that monarchy's institutional barriers to despotism are necessarily flimsy. If this claim is sound, then Montesquieu's flexibility with respect to regimes becomes questionable. We have to re-evaluate the prevalent opinion that Montesquieu is an early advocate of regime pluralism.

Turning now to the second prong of moderate government, the type of spring that animates a given regime, we are similarly tempted to conclude that all governments that rely on springs other than fear are moderate and good according to Montesquieu. As long as citizens or subjects feel free, especially to practice their mores, we ought not to discriminate against them. It seems that those springs that are based on man's natural disposition and desires give rise to moderate governments. Honour, the spring of monarchy, comes to light as a wonderful mechanism by which men pursue their own good while inadvertently doing what is good for the whole body politic: 'Honor sets all the parts of the body politic in motion, and by its very action connects them; thus each individual advances the public good, while he only thinks of promoting his own interest.'³¹ It shares this with the English way of life, where all passions are unleashed.³² Despotism, which relies on fear, requires passive obedience and stifles all of our own desires (or relies on heightening our desire to preserve ourselves, at the expense of all other desires).³³ The status of the ancient republic and its reliance on virtue is a vexed question. Although this type of government inspires much admiration and encourages great feats from individuals and states alike, many prominent interpreters of Montesquieu have convincingly concluded that there is something cruel about the self-renunciation required of the citizens of the ancient *polis* — not to mention the cruelty such citizens were inspired to inflict on other *poleis*.³⁴ Monarchy and English commercial republicanism rely on the passions of ambition, jealousy and the concerns individuals have for their own good; despotism and ancient republicanism, although very different from one another, both require self-renunciation. Let us recall that a moderate government can relax its springs whenever it pleases without resulting in its demise.³⁵ Moderate governments,

³¹ *Ibid.*, III, 7.

³² *Ibid.*, XIX, 29.

³³ *Ibid.*, III, 10.

³⁴ Manent, *The City of Man*, pp. 19–29; T.L. Pangle, *Montesquieu's Philosophy of Liberalism* (Chicago, 1973), pp. 72–106; P.A. Rahe, 'Forms of Government: Structure, Principle, Object, and Aim', in *Montesquieu's Science of Politics*, ed. Carrithers, Mosher and Rahe, pp. 73, 75, 76; B. Yack, *The Longing for Total Revolution: Philosophic Sources of Social Discontent from Rousseau to Marx and Nietzsche* (Princeton, 1986), p. 42. For a weighty dissenting opinion, see N.O. Keohane, *Philosophy and the State in France* (Princeton, 1980), pp. 418–19.

³⁵ Montesquieu, *De l'esprit des lois*, III, 9.

then, do not depend on repressing man's most basic passions and needs but make use of them.

In this respect, monarchy is undeniably moderate. But this is a far cry from Montesquieu praising honour on its own terms (he calls it false honour on a number of occasions). Domesticated or democratized honour, along the lines that Krause and Mosher argue Montesquieu preferred, is no longer monarchic honour; and he goes through some pains to demonstrate this. The fact that monarchy has glory as its particular end puts it at odds with the commercial, peaceful way of life that encourages people to guard their liberty without seeking to rob others of theirs. In the following section I attempt to establish the grounds for this contention.

III

The Failings of Monarchy

In the *Persian Letters* Montesquieu writes that monarchies are always in a state of tension such that it is not even clear that there is such a thing as monarchy.³⁶ The problem with monarchy is that it is inherently unstable, and always teetering on the brink of despotism. Of course it is also the case that commercial republics are eventually prone to corruption, but such corruption is more likely to take the form of too much power in the hands of the people rather than of the king, and corruption takes far longer to come about as a result of the institutional controls in place. In monarchy, one might think that honour gives the nobility the motor by which to balance the power of the monarch; but the role of honour in curbing the behaviour of the prince turns out not to be sufficiently reliable.

Honour is the spring of monarchy and works to inspire the nobility to perform great deeds for their king.³⁷ Although honour ostensibly reigns 'like a monarch . . . over the prince and people', on closer inspection, it is not clear whether honour really does reign over the king.³⁸ In Montesquieu's presentation it seems that honour is primarily the domain of the nobles. He writes that the laws under monarchy, which are relative to the principle of honour, must 'support the nobility, in respect to whom honor may be, in some measure, deemed both child and parent'.³⁹ It is the honour of the nobility that must be maintained and nurtured in a monarchy. Montesquieu's focus is on the prerogatives of the nobility rather than the honour of the monarch.

The monarch's relationship to honour must be different from the relationship of the nobles to honour. The monarch is the source of honour in a monarchy. At one point Montesquieu even goes so far as to say that the greatness of

³⁶ Montesquieu, *Lettres persanes*, #102.

³⁷ Montesquieu, *De l'esprit des lois*, II, 4.

³⁸ *Ibid.*, III, 10.

³⁹ *Ibid.*, V, 9.

the nobles is a borrowed greatness and the further away they are from the centre of the greatness (the monarch), the more diminished is this greatness.⁴⁰ Montesquieu encourages the monarch to be magnanimous rather than honourable.⁴¹ He argues that the monarch's safety (and hence his advantage relative to a despot) lies in his ability to be loved and to be viewed as the source of all good things in the kingdom. The two most important displays of honour Montesquieu recounts are occasioned by the dishonourable behaviour of the king, thus quietly pointing to the problem of monarchy as such. Crillon refuses to assassinate the Duke of Guise on the order of Henry III, and the Viscount of Orte refuses to massacre the Huguenots on the order of Charles IX.

If the monarch is not subject to honour, then what distinguishes him from a despot? Early in his treatment of monarchy and honour, Montesquieu makes the following statement regarding the difference between this regime and despotism:

Though the manner of obeying be different in these two kinds of government, the power is the same. On which side soever the monarch turns, he inclines the scale, and is obeyed. The whole difference is, that in monarchy the prince receives instruction, at the same time that his ministers have greater abilities, and are more versed in public affairs, than the ministers of a despotic government.⁴²

This is a puzzling statement as it follows the assertion, already quoted above, that power in monarchical states is limited by honour which reigns like a monarch over the prince and the people. Furthermore, Montesquieu has already made it clear that enlightenment is in short supply in the courts of kings.⁴³ If we are tempted to dismiss the above statement, Montesquieu encourages us to consider it once again when the mores of the monarch emerge as an important consideration in whether monarchy functions well or poorly. Montesquieu writes:

The mores of a prince contribute as much as the laws themselves to liberty; like these he may transform men into brutes, and brutes into men. If he prefers free and generous spirits, he will have subjects; if he likes base, dastardly souls, he will have slaves. Would he know the great art of ruling, let him call honor and virtue to attend his person; and let him encourage personal merit.⁴⁴

⁴⁰ *Ibid.*, IV, 2.

⁴¹ *Ibid.*, XII, 22–6.

⁴² *Ibid.*, III, 10.

⁴³ *Ibid.*, II, 4; III, 5.

⁴⁴ *Ibid.*, XII, 27. I altered the translation to say 'mores' rather than 'manners'. See note 14, above, for a discussion of the difficulties of translating '*moeurs*'.

This statement makes it clear that power rests with the king and that his will determines whether or not the people will be secure and allowed to pursue their individual ambitions.

It is not a question of the monarch having honour but of allowing honour to be close to him. Neither the nobles nor the law is a match for the desire and will of the king. Mosher recognizes that Montesquieu's theory of sovereignty at its core does not vary from Hobbes's: he notes, as I have done, that all powers in monarchy are subordinate to the monarch.⁴⁵ He, however, maintains that this does not imply that monarchy fails to provide sufficient controls against the power of the prince. Mosher suggests that because it is in the interest of the prince to share in power, he will do so more or less reliably.⁴⁶ In support of Mosher's claim, Montesquieu does declare (against what he had written in *Persian letter* 102) that monarchies are stable in part because the prince tends to adhere to the mores of honour and to the established laws.⁴⁷ But it cannot be denied that Montesquieu's praise of monarchy is undermined by the subtle but persistent observation that, despite the beauty, glory and liberty available in monarchy, all power is ultimately in the hands of the prince. This is something we cannot ignore given Montesquieu's insistence that in moderate governments there ought to be more than one source of power such that one power is strong enough to check another.⁴⁸

Further, English government is shown to succeed where monarchy ultimately fails. Because in the English system power is split between the legislative body (the people and the nobles) and the executive body (the monarch), the power of the monarch is truly checked. Montesquieu offers the following description of the monarch in a constitutionally divided state: 'The sovereign is here in the same case with a private person; and against the ordinary maxims of prudence is frequently obliged to give his confidence to those who have most offended him, and to disgrace the men who have best served him: he does that by necessity which other princes do by choice.'⁴⁹ It turns out that

⁴⁵ Mosher, 'Monarchy's Paradox', p. 175. De Dijn and Halévi make similar observations. See De Dijn, *French Political Thought*, p. 24; and Ran Halévi, 'The Illusion of "Honor": Nobility and Monarchical Construction in the Eighteenth Century', in *Tocqueville and Beyond: Essays on the Old Regime in Honor of David D. Bien*, ed. R.M. Schwartz and R.A. Schneider (Newark NJ, 2003), pp. 77–8.

⁴⁶ Mosher, 'Monarchy's Paradox', pp. 176–7, 181.

⁴⁷ Montesquieu, *De l'esprit des lois*, V, 11.

⁴⁸ *Ibid.*, XI, 4. Consider also that Montesquieu and Hobbes agree on more than the unity of sovereignty in monarchy. Hobbes, like Montesquieu, argues that although the sovereign does not have a duty to the people (as he remains outside the social contract in the state of nature), it is in his interest to rule well: 'The riches, power, and honor of a monarch arise only from the riches, strength and reputation of his subjects.' Hobbes, *Leviathan* (Indianapolis/Cambridge, 1994), p. 120 (ch. 19, section 4).

⁴⁹ Montesquieu, *De l'esprit des lois*, XIX, 27.

Aristotle was not wrong to think that monarchy depends on accidental things like the virtues and vices of the prince.⁵⁰ The trick is to avoid depending on the virtue of kings by devising a system of government where the institutions make it very difficult for any one party to gain the definitive upper hand.

Let us now turn our attention more closely to the nature of honour as the spring of monarchy. As Krause notes, by the sixteenth century the boundaries between the nobility of the sword and the nobility of the robe had been transgressed, and Montesquieu was clearly aware of this.⁵¹ But rather than muddle the distinction between the two kinds of nobility, as Krause claims he does, he doggedly identifies honour with the warrior mentality of the feudal nobility.⁵² Against the interpretation of Montesquieu as aiming to democratize honour, he explicitly says: 'All of these privileges must be peculiar to the nobility, and incommunicable to the people, unless we intend to act contrary to the principle of government, and to diminish the power of the nobles together with that of the people.'⁵³ Montesquieu's prior statement that honour is the 'prejudice of every person and rank' may seem to encourage us to consider the ways in which everyone in monarchy partakes of honour.⁵⁴ This inclusive description of honour in monarchy speaks to the fact that ambition (a central component of honour) knows no class boundary, not even in monarchy. But the ubiquity of ambition and the desire to distinguish oneself go together with the demand for preferences and distinctions and are inimical to equality.⁵⁵ The people do not fare badly in monarchy, but this is primarily because there is something of a natural alliance between the monarch and the people against the nobility. Montesquieu advises that a monarch ought to be pleased with the affections of even his lowest subjects because they too are men.⁵⁶ We must recall that in

⁵⁰ *Ibid.*, XI, 9.

⁵¹ Krause, *Liberalism with Honor*, p. 40.

⁵² Bertrand Binoche recognizes Montesquieu's anachronistic focus on military honour, noting that in eighteenth-century France the distinction between the military and judicial nobilities was normally treated as an administrative or functional one. He concludes that Montesquieu highlights the distinction between the nobility of the robe and the nobility of the sword for the purpose of encouraging the reader to see them as complementary rather than competitive. B. Binoche, *Introduction à De l'esprit des lois de Montesquieu* (Paris, 1998), pp. 123, 126. The goal of treating the two orders of the nobility as complementary seems ill served by resuscitating the older connotations, which had assumed some competition between the two.

⁵³ Montesquieu, *De l'esprit des lois*, V, 9.

⁵⁴ *Ibid.*, III, 6.

⁵⁵ *Ibid.*, III, 7. See also V, 4: 'In monarchies and despotic governments, nobody aims at equality; this does not so much as enter their thoughts; they all aspire to superiority. People of the lowest condition desire to emerge from their obscurity, only to lord it over their fellow-subjects.'

⁵⁶ *Ibid.*, XII, 27–8.

aristocracies where the nobility rules without a monarch, the dignity of the people is very precarious.⁵⁷

Although honour cannot exist in countries without fixed laws, honour is not simply law-abiding.⁵⁸ Honour is unyielding in its demands and naturally subject to whims.⁵⁹ While honour is the impetus for noble resistance against dishonourable commands issued by a monarch, it is also the source of the point of honour, a practice Montesquieu loathed. We cannot forget that the resistance of Crillon and Orte had largely given way to the obsequiousness of courtiers and that honour had become almost synonymous with the point of honour. This practice refuses to yield to justice, reason or law. French law attempted to put an end to it, but proved unsuccessful because men cared more about being worthy of living than about dying on the scaffold.⁶⁰ The resistance that honour offers can be high-minded and noble, but it is just as easily mobilized in the service of pride and in opposition to justice. Krause argues that honour, in distinction to virtue, is free of potential zealotry and is not prone to extremism.⁶¹ But honour insists on being obeyed and is subject to whims rather than laws; the point of honour is a certain kind of extremism.

This extremism suggests that honour does not promote and is somewhat inhospitable to gentle mores. It is striking that Montesquieu associates honour with war and glory in war. For the nobility, honour prescribes nothing more than serving the prince in war. War is the preferred profession of the nobility 'because its dangers, its success, and even its miscarriages are the road to grandeur'.⁶² Honour goes together with glory, and both are essentially war-mongering. Again, this seems to be problematic with respect to Montesquieu's larger project of instituting liberty, security and peace. This problem is brought into relief when we compare the status of war in monarchies generally to the English attitude towards war. Englishmen are serious about defending their island, but have no interest in conquering foreign countries for the sake of glory; expansion is appealing to them only for the sake of generating wealth through commerce. In England military men are regarded as belonging to a profession that is useful but dangerous.⁶³ Honour and glory are noble and beautiful and result in awesome acts. Perhaps we might say that honour puts too little stock in one's mere life, and therefore values peace and security too little if at all.⁶⁴

⁵⁷ *Ibid.*, V, 8.

⁵⁸ *Ibid.*, III, 8.

⁵⁹ *Ibid.*, III, 10.

⁶⁰ Montesquieu, *Lettres persanes*, #90.

⁶¹ Krause, *Liberalism with Honor*, p. 62.

⁶² Montesquieu, *De l'esprit des lois*, IV, 2.

⁶³ *Ibid.*, XIX, 27.

⁶⁴ This argument is at odds with the interpretation of honour as a middle ground between republican virtue and English individualism. Spector, for example, argues that

This brings us to the question of how hospitable monarchy is to commerce. This is a significant question, because for Montesquieu gentle mores depend a great deal on commerce. Where there are gentle mores one almost always finds that commerce flourishes.⁶⁵ This is not to say that commerce is unequivocally positive for Montesquieu. Indeed, he emphasizes that with the advent of commerce the possibility for generosity is greatly diminished. As always, Montesquieu does not hesitate to show us that progress is not without its disadvantages, but that such disadvantages must be accepted out of necessity or because a worthwhile end is achieved.⁶⁶ Commerce, whatever its drawbacks, seems indispensable for spreading agreeable manners and curing destructive prejudices; while others might attribute the spread of civilized and peaceful mores to Christianity, Montesquieu gives the lion's share of credit to commerce.

Monarchy, unlike despotism, nurtures a certain kind of commerce. But whereas modern republics give rise to commerce of economy, monarchies spawn commerce of luxury.⁶⁷ Commerce of economy, most developed in England, is fuelled by industriousness and frugality, and is ultimately based on the desire for security. The economy of luxury, on the other hand, is based largely on the vanity of women. In Paris, when a woman wants a particular outfit for some occasion, 'from that moment on it becomes imperative that fifty tradesmen do not stop to sleep and have no leisure to drink or eat'.⁶⁸ When she commands, she is obeyed more promptly than the king, because

honour provides an aid to liberty and allows for the development of one's talents without the pitfalls of atomization (coeval with English self-interest rightly understood) and without the repressive governmental interference that is necessary to enforce civic virtue in republics. See Spector, *Montesquieu, Pouvoirs*, p. 142. See also K.M. Baker, *Inventing the French Revolution: Essays on the French Political Culture in the Eighteenth Century* (Cambridge, 1990), p. 177. I mean to point out that honour is not simply Montesquieu's solution to the perennial problem of squaring the circle between private and public interest. Honour itself is prone to great excesses. This seems to be the meaning of Montesquieu's insistence that war and glory are intrinsic to monarchy.

I do not mean to deny the merits of Spector's observation that self-interest rightly understood is not a sufficient basis for political life in Montesquieu's estimation. I would question, however, her conclusion that England's well-being depends on mere calculations of self-interest. Must we not consider the prodigious English love of liberty? Is their drive to be successful merchants only a matter of self-interest, or does not Montesquieu recognize that the mercantile spirit partakes of a sort of demand for justice or reciprocity? Successful merchants demand receiving what they are owed, and pay what they owe in turn. This is not a generous spirit, but it is at least one that allows for fearsome defence of one's own, including one's own liberties and freedom from the imposition of foreign laws.

⁶⁵ Montesquieu, *De l'esprit des lois*, XX, 1.

⁶⁶ *Ibid.*, XX, 2.

⁶⁷ *Ibid.*, XX, 4.

⁶⁸ Montesquieu, *Lettres persanes*, #106. All translations of the *Persian Letters* are my own. See also, *De l'esprit des lois*, XIX, 8.

interest is the greatest monarch on earth. He goes on to say that '[t]his ardor for work, this passion to become wealthy, is passed on from station to station, from tradesmen to the *grande*s'.⁶⁹ No one wants to see his neighbour more prosperous than he is and will work himself to the bone in order to avoid being outdone. As mentioned above in a different context, Montesquieu instructs the reader not to be put off by the frivolousness of the French, and to appreciate the benefits of their vivacity and vanity. In this case, the vanity of all is fuelled by the vanity of women and leads to feverish industriousness.

Yet, commerce of luxury turns out to be vastly inferior to commerce of economy.⁷⁰ As Montesquieu does on many occasions, he praises monarchy for its mores and institutions only to more quietly alert the reader to its profound deficiencies. It is not entirely true that despotism is inhospitable to commerce; the commerce of luxury is not coeval with moderate governments, as it can flourish in despotism.⁷¹ Only truly free countries enjoy commerce: the freer the constitution and the more secure the life and liberty of the citizens, the better commerce can flourish. Montesquieu writes: 'Great enterprises . . . in commerce are not for monarchical, but for republican, governments'.⁷² In monarchies, merchants are not respected, property is not as sure as in republics, and the concern with small and seemingly insignificant bits of commerce that naturally lead to great commercial enterprises is denigrated.

It is especially noteworthy that property is not as secure in monarchy as it is in modern republics. Montesquieu supplies a poignant vignette demonstrating this problem with his portrayal of the life of the tax collector in France. The tax collector's position and wealth are uncertain due to the caprices and

⁶⁹ Montesquieu, *Lettres persanes*, #106.

⁷⁰ According to Michael Sonenscher, Montesquieu shows 'that the combination of a single sovereign and a number of subordinate, dependent, and intermediate powers served to make territorial monarchies more suited to industry and trade than trading republics themselves'. M. Sonenscher, *Before the Deluge* (Princeton and Oxford, 2007), p. 167. This seems to apply to monarchies once they have adopted some meaningful changes, a central one is a prohibition against the nobility participating in commerce. Despite the provocative and interesting argument Sonenscher makes, he does not sufficiently address the grave economic problems of French monarchy in Montesquieu's view. It is not even clear that Montesquieu's suggestion that the nobility should not be commercial is intended to solve the economic problems of France.

Paul Rahe's work on Montesquieu's *Considerations on the Causes of the Greatness of the Romans and Their Decline* ought to be consulted here. He brings to light the context in which Montesquieu wrote, particularly the French monarchy's dire financial situation. He points out that commerce is the purview of the English, while bankrupting wars is that of French monarchy. See P. Rahe, 'The Book that Never Was: Montesquieu's *Considerations on the Romans* in Historical Context', *History of Political Thought*, XXVI (1) (2005), p. 87.

⁷¹ Montesquieu, *De l'esprit des lois*, XXI, 6.

⁷² *Ibid.*, XX, 4.

snobbery of the king and his nobility.⁷³ Partly with this consideration in mind, Montesquieu writes that princes ought not to engage in commerce; the prince's involvement in business affairs translates into monopoly and favouritism, making it so that most of the people do not benefit from commercial activity.⁷⁴

To these significant qualifications about monarchic commerce, let us add another reflection. The uninhibited vanity of women in France is somehow related to the fact that French monarchy is veering dangerously close to despotism. I have previously noted that Montesquieu seems to encourage French vanity fuelled by female frivolity; women's love of pleasure and their refined tastes are bound up with the genius of the French nation. Yet in the context of eighteenth-century centralized monarchy — a monarchy well on its way to despotism — this vanity is part of the problem rather than the solution. Women are at the centre of court life; successful courtiers subject themselves to the whim of powerful women.⁷⁵ The dark side of the empire of female vanity is the effeminacy and slavishness of the nobility.⁷⁶ If the unleashed vanity of women is good for commerce, the rule of women and the mores of gallantry also seem to propel France further into despotism. I will take up this subject below, and consider in more depth the peculiar character of Montesquieu's praise of female vanity.

IV

Solving the Problem of Monarchy and French Absolutism

Montesquieu's explicit quarrel is with the French monarchy of his day: the monarchy of the regency and following, which had more in common with Eastern despotism than with its legacy of liberty originating in the German woods. But the cure for the ills of orientalized monarchy is not ultimately a restoration of old-fashioned monarchy, nor a revamped version of monarchy that is more egalitarian and geared towards peace. The changes Montesquieu

⁷³ Montesquieu, *Lettres persanes*, #98.

⁷⁴ Montesquieu, *De l'esprit des lois*, XX, 19–20.

⁷⁵ Montesquieu, *Lettres persanes*, #107.

⁷⁶ This stance is directly opposed to that of Mosher. He writes: 'Since the rebellion of Roxanne in Montesquieu's novel *Persian Letters* (1721), the heroic and also libidinous woman choosing a society of lovers over familial isolation had been his preferred figure of the politically free society.' Mosher, 'Free Trade, Free Speech, and Free Love', p. 110. As indicated above, the *Persian Letters* itself contains some evidence that the freedom of women is not the decisive issue determining whether or not there is meaningful liberty in a polity. Montesquieu's *Pensées* contains even more pointed suggestions of the same, most significantly *Pensées* 1062 and 1254. In both of these excerpts, Montesquieu details the ill effects of the ascendancy of women at court. The gynecocracy at court assures that important posts are filled with worthless men; it has banished generosity, candour, nobility of soul and other high dispositions and sentiments from government.

proposes with respect to the monarchy amount to a radical reinterpretation of it and to the undermining of the springs of true monarchy.

The claim that Montesquieu's notions of moderation were themselves radical comes up against counter-claims that he was a proponent of constitutional monarchy, or even a reactionary.⁷⁷ More recently, as noted, many have argued that modern monarchy was his preferred form of government. From the outset it is important not to conflate Montesquieu's intent and the way in which his work was appropriated.

The least persuasive of the theses is that Montesquieu was a reactionary, wishing to return to a bygone era of feudal monarchy prior to the changes that took place over two centuries or so of increasing absolutism. The evidence brought forth to substantiate this thesis is the fact that in eighteenth-century debates about the proper relationship between the nobility and commerce Montesquieu was understood to be a champion of the old economic order because he advised that it is against the spirit of monarchy for the nobility to engage in commerce.⁷⁸ But the more significant aspect of Montesquieu's view is that he sanctions the practice of ennoblement, a practice that had been common for well over a century and one that undermined the spirit of the nobility as defined by Montesquieu himself.⁷⁹ William Doyle writes that Montesquieu was alone in the eighteenth century to sanction venality, which was widely reviled but no less a persistent fact of life because of its bad reputation. Unlike reactionaries such as Belesbat and Fénélon, Montesquieu did not suggest the

⁷⁷ Carcassone's interpretation of Montesquieu as a liberal constitutionalist is still the classical exposition of this thesis, while Franklin Ford offers an argument for Montesquieu as a proponent of aristocratic reaction. As mentioned in note 6, above, Johnson Kent Wright provides a fine survey of the literature on Montesquieu's place in eighteenth-century thought. See Wright, 'A Rhetoric of Aristocratic Reaction', pp. 227–34.

⁷⁸ Montesquieu, *De l'esprit des lois*, XX, 21. See also de Dijn, *French Political Thought*, p. 33.

⁷⁹ Gail Bossenga argues that Montesquieu does not support venality indiscriminately. She points to his statement that tax farmers should not be eligible for ennoblement, because that would sully honour and nobility in such a way as to make the distinction between social stations meaningless. See G. Bossenga, 'Status, Corps, and Monarchy: Roots of Modern Citizenship in the Old Regime', in *Tocqueville and Beyond*, ed. Schwartz and Schneider, p. 139. Montesquieu's attitude toward tax collectors to which Bossenga refers (*De l'esprit des lois*, XIII, 20) ought to be compared to letter 98 of the *Persian Letters*. There, he argues that lackeys, such as tax collectors, ought to be treated with respect for it is they who replenish the upper classes when these spend themselves in war. Further, Montesquieu acknowledges that the general practice of ennoblement involves the 'bartering for money the price of virtue' (*De l'esprit des lois*, XX, 22). One wonders if the objection he states with respect to the ennoblement of tax farmers is for the sake of maintaining the nobility, or if preserving some modicum of gentility in the nobility is for the sake of motivating merchants to succeed so as to want to join the nobility.

suppression of the *intendants*, nor did he reject Colbertian mercantilism in favour of an agricultural economy.⁸⁰

Those who suggest that Montesquieu was an advocate of constitutionalism (or institutional checks and balances) maintain more fidelity to Montesquieu and his intent than those who label him a reactionary. The question becomes whether his constitutionalism should be understood as a change in line with the tradition of French monarchy or, more radically, as an attempt to change in a more thorough-going way the rationale for legitimate government in France. Ran Halévi has argued persuasively that Montesquieu helped bring into public discourse the rationale of the monarch's power and the importance of checking said power for the sake of staving off despotism.⁸¹

This brings us to the significance of the *parlements*. Much is made of Montesquieu's support of this institution and his hopes that it would serve as a bulwark against despotism in its role as the depository of laws. The judges themselves cited Montesquieu in support of their duty to uphold the fundamental laws of the land.⁸² Mosher argues that this effect was intentional and that Montesquieu's primary practical suggestion for the reform of French monarchy was that the *parlements* regain their previous influence — and even that they gain in influence, perhaps beginning to see themselves more as rep-

⁸⁰ W. Doyle, 'Was There an Aristocratic Reaction in Pre-Revolutionary France?', *Past and Present*, 57 (November 1972), pp. 104–5. Also, W. Doyle, *The Old Regime and the French Revolution* (Chicago, 1987), *in toto*.

Historians such as Furet, Halévi and Lucas all point out that the practice of ennoblement had changed the spirit of nobility drastically. This change occurred primarily as a result of the fact that the newly ennobled class was very much dependent on the support of the king in a way the nobility had not been under feudalism. Halévi writes as follows: 'The spirit of sacrifice had deserted many of its [nobility's] members, politics had no cure for its dormant passions, prejudices had been soliciting other things than honor and privileges, other satisfaction than that of the moderation of the prince, and finally, many gentlemen, for want of glorious actions, had been contenting themselves more modestly, so to speak, by practicing useful professions and by marrying their daughters to well-to-do commoners.' Halévi, 'The Illusion of "Honor"', p. 79. See also F. Furet, *Interpreting the French Revolution* (Cambridge, 1981), p. 103; C. Lucas, 'Nobles, Bourgeois and the Origins of the French Revolution', *Past and Present*, 60 (August 1973), p. 94; J.M. Smith, *Nobility Reimagined: The Patriotic Nation in Eighteenth Century France* (Ithaca, 2005), p. 105; D. Bien, 'Aristocratie', in *Dictionnaire critique de la Révolution française*, ed. F. Furet and M. Ozouf (Paris, 1988), pp. 639–52.

⁸¹ R. Halévi, 'Moderation as a Source of Political Radicalism: From Old Regime to the French Revolution', talk given at Harvard University (6 December 1996) and University of Toronto (9 December 1996), p. 15. While it is true that the king was generally expected to adhere to certain general principles and respect the legal tradition of France, before the eighteenth century his power 'remained absolute in the sense that no human agency could restrict its application'. J.H. Shennan, 'The Political Role of the *Parlement* of Paris, 1715–23', *The Historical Journal*, 8 (2) (1965), p. 180.

⁸² Doyle, *The Old Regime*, p. 158.

representatives than as judges.⁸³ If it were true that Montesquieu harboured such hopes for the *parlements*, this would mean that he did want to subvert the undivided sovereignty of the monarch and change the form of government into something more like the English constitution — after all, he never mentions the Estates General.⁸⁴

As an aside, it is not at all easy to determine Montesquieu's hopes for the *parlements*. Again, we must distinguish between his intention and the manner in which his teachings were interpreted. He clearly believes that the *parlements* were crucial to the success of French monarchy prior to its corruption. In the *Persian Letters*, however, Montesquieu considers them defunct relics: 'These great bodies followed the path of human things: they gave way to time, which destroys everything; to the corruption of mores which has weakened everything; and to absolute authority, which has razed everything.'⁸⁵ This is after the *parlements* showed some life by overturning Louis XIV's will to help bring about the regency of the Duke of Orléans. It is certainly the case that the courts took on renewed political significance in the eighteenth century (although their role in the pre-revolutionary era is a mixed bag of resisting absolute monarchy and reactionary postures in the face of attempts to reform the system of privileges); and it is possible that Montesquieu changed his mind about their viability between the *Persian Letters* and *The Spirit of the Laws*. But what role did he think they ought to have in the context of France as a constitutional monarchy? He notes both the great influence of the courts and the fact that they are ultimately at the mercy of the prince.⁸⁶ If it is correct to note that the fundamental problem with monarchy is that too much depends on the will and the virtue of the prince, then the *parlements* do not solve the problem.⁸⁷ With the corruption of honour, it is not likely that the revitalization of the courts would offer a sufficient solution. Montesquieu argues that monarchy depends on the haughty spirit of the nobility much more than on the *parlements* to stave off despotism.⁸⁸

Mosher and Krause might respond to this line of reasoning by arguing that it is precisely because French mores had become vain and ceased to be honourable that Montesquieu encourages a new respect for honour, if in a different context than feudal monarchy. But Montesquieu does not suggest measures that would strengthen honour, the spring of monarchy. As noted, he

⁸³ Mosher, 'Monarchy's Paradox', pp. 191, 197.

⁸⁴ Halévi, 'The Illusion of "Honor"', pp. 81–2.

⁸⁵ Montesquieu, *Lettres Persanes*, #92. See also Hulliung who argues that Montesquieu erroneously believed that the courts were in decline. M. Hulliung, *Montesquieu and the Old Regime* (Berkeley, 1976), p. 53.

⁸⁶ Montesquieu, *Spicilège*, #618.

⁸⁷ Montesquieu, *Pensées*, #1227.

⁸⁸ Montesquieu, *De l'esprit de lois*, II, 4. See also de Dijn, *French Political Thought*, p. 22.

advises that the proper way to conduct commercial activities in monarchies is to prohibit the nobility from engaging in commerce but to allow the bourgeoisie to buy its way into the nobility.⁸⁹ Montesquieu encourages the nobility to welcome merchants into their midst, and to appreciate the service that they provide French society — even the most reviled of them, like tax collectors, ought to be appreciated for their usefulness.⁹⁰ While the purpose of this programme of buying one's way into the nobility is nominally to help preserve the nobility, one wonders whether 'it will not be the bourgeoisie which will eventually give the tone to the aristocracy rather than the other way around'.⁹¹ Despite his explicitly stated intent to protect the aristocratic spirit of France, it seems likely that what would result from this policy is a more mercenary upper stratum of society. I wonder if Montesquieu was not aware of this consequence, however much he might regret the loss of a high-spirited nobility that cares deeply for its liberty and honour.⁹²

Montesquieu makes a point of complimenting the excessive vanity of the French, their obsession with frivolous love affairs and their general lack of seriousness. He makes no major effort to restore French monarchy to its former glory — the former glory he identifies as the very soul of monarchy. It is true that honour, even on its best day, is little more than vanity in Montesquieu's estimation; but Crillon, the Viscount of Orte and their ilk are attracted to glory, largeness of spirit and military greatness.⁹³ Also, they

⁸⁹ Montesquieu, *De l'esprit de lois*, XX, 22. Again, we note that this was not a radical proposal but one in line with the status quo. For at least a century, families had been buying their way into the nobility, eagerly giving up their trade as soon as it was financially sensible. The nobility in the eighteenth century was entirely different from what it had been at the height of the feudal era. The many changes that had occurred altered the 'nobility over a long period of time from being the expression of certain hereditary virtues to being the crude expression of great wealth and powerful connections'. Lucas, 'Nobles, Bourgeois and the Origins of the French Revolution', p. 99. See also p. 92.

⁹⁰ See note 79, above.

⁹¹ Pangle, *Montesquieu's Philosophy of Liberalism*, p. 302.

⁹² See Montesquieu, *Pensées*, ##760, 761, 810 and 1276.

⁹³ Montesquieu, *De l'esprit des lois*, IV, 2. Here, I mean to say that as favourable as Montesquieu's presentation of honour can be, it still emerges — overall — as a species of vanity. Krause puts the problem well. She writes that at times Montesquieu's honour seems similar to Aristotle's magnanimity while at other times 'it appears to be nothing more than having someone to look down on'. S. Krause, 'The Politics of Distinction and Disobedience: Honor and the Defense of Liberty in Montesquieu', *Polity* XXXI (3) (1999), p. 471. The difference between Aristotle's magnanimous man and Montesquieu's parody of him is that the former aspires to be self-sufficient while the latter aspires to *seem* self-sufficient. Montesquieu's somewhat negative treatment of honour is not unlike his critique of virtue in republics. Both aim at something high and both succeed in inspiring great feats and expansive souls. That said, Montesquieu denies that they seek true virtue or true honour, or that it is possible to do so. Remember his important statement that all governments have the same ends, whatever their pretensions may be, and

exhibit the spirit of generous resistance, which serves the monarchy and the monarch even as it resists particular manifestations of the monarch's will.

The species of vanity that pervades the description of French life in the *Persian Letters* is not identical to the honour or vanity that first arose in the forests of Germany and sustained monarchy proper, that is, feudal monarchy. For instance, the so-called 'gallantry' of the German predecessors used to be the desire to save at all costs a 'virtuous and beautiful lady in distress'. Men sought to please women because they were deemed 'the best judges of some of those things which constitute personal merit'.⁹⁴ Montesquieu labels gallantry what most people would identify as chivalry.⁹⁵ The women who are the serious objects of chivalry cannot be the frivolous women of dubious moral character that prevailed in Montesquieu's France and that he describes in the *Persian Letters*. In this work, he describes the questionable virtue of women, the farce that marriage had become and the absence of all seriousness in regard to relations between men and women.⁹⁶ As mentioned above, Montesquieu does nothing to encourage a more serious attitude towards female virtue; rather, he celebrates the usefulness of female vanity, despite the darker side of this gynocracy mentioned above. Certainly women seem to rule men in Montesquieu's France, but the kind of attachment that prevailed was one based on the pleasure of the senses, which he describes as fickle and fleeting. No great devotion can be inspired by the attractive but vicious women of late French monarchy.

In fact, for all of the differences between France and England — the drabness of England and the vivaciousness of France — do they not resemble one another in the fact that both peoples experience strong passions, but strong passions that are changeable and inspire no great commitments or actions?⁹⁷ Montesquieu seems to take advantage of the gentleness of French mores, of the corrupt sense of honour that no longer properly sustains the spirit of monarchy, and attempts to combine it somehow with the spirit of liberty — which that end is self-preservation (*De l'esprit des lois*, XI, 5). See also Pangle's treatment of this problem in *Montesquieu's Philosophy of Liberalism*, p. 67.

⁹⁴ Montesquieu, *De l'esprit des lois*, XXVIII, 22.

⁹⁵ In French, the word *galanterie* (and related forms of the word) has always had the sense of enjoying oneself and, by the mid-sixteen hundreds, tended to be used exclusively in relation to pleasing women — especially for the sake of conquering them. It has never had moral connotations of the kind *chevalerie* had. In fact, *galanterie* came into use only in the early 1500s. *Chevalerie* was barely used by the time Montesquieu was writing; it had been replaced by another version from Italian, *chevaleresque*, which did have a moral sense meaning generous and disinterested (*Le Robert Dictionnaire Historique*).

⁹⁶ Montesquieu, *Lettres persanes*, #53 and 110.

⁹⁷ In England, all the passions are free (he lists hatred, envy, jealousy and the ardour for distinguishing oneself), which seems to result in fleeting and fickle passions rather than enduring and persistent ones. The only passion the English are truly taken with is their 'prodigious' love of liberty. Montesquieu, *De l'esprit des lois*, XIX, 27.

he unearths from a historical treatment of French monarchy and determines to be the true basis of French monarchy and French mores. Perhaps what results is a strong, rich commercial bourgeoisie (with pretensions to nobility), a weaker monarch, an appreciation of the finer things and a sense of historical grandeur from what remains of the nobility.

V

Conclusion: Montesquieu's Intent

Montesquieu seems to present monarchy favourably, as a species of moderate government, but he provides much evidence to the contrary. What could be the purpose of this seeming contradiction? Perhaps Montesquieu wanted to suggest that radical change is in order while flattering the existing conservative sentiments in favour of monarchy. Furthermore, he makes it clear that changes in government are successful and conduce to a free state only when the people accept these changes. When the treasured mores of the people seem to be unthreatened by apparently mild changes — or when transformation is presented as the recuperation of lost mores — then change will probably be effective and beneficial. In other words, there was a prudential reason to proclaim loudly the merits of monarchy and suggest quietly that it is inimical to the new modes and orders of gentle commercial mores.

It is not entirely clear, however, how French vanity — the watered down version of honour that prevailed in eighteenth-century France — would be reinvigorated.⁹⁸ Originally, French liberty depended on the savage and war-like mores of the German invaders. What followed was the mixed legacy of Christianity, which compromised the freedom-loving mores of the French, but also provided an argument for universal justice and gentle mores. Christianity could not make good on its promise to provide these, but post-Christian commerce would, in Montesquieu's view. French liberty in this new, post-Christian, post-feudal era would have to rest on something entirely different.⁹⁹ The liberty of the English seems to be guaranteed by their constitutional anxiety, their narrow understanding of their own good, and the commerce of

⁹⁸ Halévi astutely observes that Montesquieu 'designated the nobility as the constitution's privileged protagonist, but he did so according to what the nobility no longer was'. Halévi, 'The Illusion of "Honor"', pp. 82–3.

⁹⁹ Montesquieu claims that there has been great progress through history, and that modern human beings know the virtue of humanity (X, 3). The reason for progress in mores is a complicated historical tale told primarily through the latter books of *The Spirit of the Laws* (XXVIII–XXXI). The Church, particularly under Saint Louis, had a hand in moderating the cruelty of the Germanic warrior mores, and extending legal protection to the people (XXVIII, 29, 38). But Montesquieu also makes it clear that Christianity was not simply an agent of gentle mores. Rather, to the extent that it moderated the cruelty of the monarchs and the nobility, it did so by inspiring fear of punishment in the afterlife (III, 10; XXXI, 2). This was no solution from the point of view of liberty, not least because Montesquieu had an unfavourable view of the politics of pious Christians. Louis

economy that so suits their disposition. Furthermore, the English can be spared some concern with military virtue because they inhabit an island. France, the great presence in continental Europe, must maintain a certain military virtue, it would seem. Without love of liberty, and without the luxury of easily defensible borders, it becomes somewhat difficult to know in what way Montesquieu thought the French might recover their love of freedom while maintaining gentle mores and adequately attending to their military requirements.

Perhaps Montesquieu aims simply to provide the theoretical groundwork for change in France, without knowing the precise outcome of these suggestions. He demonstrates the gulf between monarchy, which he stubbornly identifies with the feudal order, and true separation of powers as well as gentle mores. He invokes the shared German history with England. He pokes fun at the overly vain and slavish French men, without suggesting that all vanity and all gallantry be abolished. He suggests man's most reasonable passions should incline him to desire peace and security. Lastly, he signals his approval of the practice of buying one's way into the nobility, a practice made possible by the success of the upwardly mobile bourgeoisie. He seems to hope that these elements together, if persuasive, will provoke certain changes that will undermine absolute monarchy — and monarchy as such.

The spirit of the commercial bourgeoisie would determine the future of France. This, it seems, was Montesquieu's position. While most recent interpreters seem to agree with this assessment, the question remains regarding Montesquieu's rationale for emphasizing the old-fashioned grandeur of the nobility, and pointing to it as the core of monarchy. Even Thomas Pangle, who does not concur with Mosher and Krause that Montesquieu wanted only moderate reforms of traditional monarchy, argues that he hoped for a regime that respected commercial interests but was nobler and more pleasant than England.¹⁰⁰ According to this interpretation, Montesquieu hoped that it was possible to combine the diversity, liveliness, grandeur and enjoyment of monarchy with the security and liberty of the new and improved science of politics. Pangle argues that this desire is the result of a delusion or misunderstanding. Does not Montesquieu's political programme, aimed at making life secure, 'eventually threaten to create a way of life no longer lovely or enjoyable enough to be seen as worth securing?'¹⁰¹

It seems that Montesquieu concedes that politics aimed at liberty and security comes at the significant cost of greatness, beauty and capacious souls. He is aware that his modern political principles threaten to dwarf man's

the Pious serves as his chief example of the foibles and bad judgment of Christian princes (XXXI, 20). In short, German liberty and Christian justice and gentleness pointed to good political goals, but neither fully delivered on their respective aims.

¹⁰⁰ Pangle, *Montesquieu's Philosophy of Liberalism*, p. 304.

¹⁰¹ *Ibid.*, pp. 303–4.

aspirations and great ambitions. Montesquieu indicates that even when monarchy was at its best and honour was in full bloom, it was a false kind of honour.¹⁰² This, as discussed above, casts a shadow over monarchy and its spring, but it also provokes the question of what constitutes real honour. One wonders if in the final analysis there is any political system, ancient or modern, in which 'real honour' is found. Although ancient republics give rise to actions that would astonish modern souls, and monarchy to men capable of great and noble deeds, real human fulfilment, glory and honour may not be attained through political life. Great and powerful passions that fuel profound sentiments and convictions are inimical to the gentle mores necessary for security and liberty. Montesquieu implies that he is privy to real honour — and perhaps true human fulfilment and happiness. Whatever this may consist in, he appears to argue that politics has no part in it — or to the extent that it mirrors the real thing, it comes at too high a cost.

For Mosher, Montesquieu represents the possibility of a non-doctrinaire liberalism, one that offers us a much richer account of political possibilities than Lockean or Kantian liberalisms. Krause, on the other hand, hopes that Montesquieu might lead us to consider the desirability of an ennobled liberalism. Montesquieu's political philosophy does not bear out these hopes. Modern liberal politics, centred on commerce and security, does involve the homogenization of mores and a diminution of human possibilities. Yet Montesquieu gives the reader access in speech to the most ambitious governments with the most exalted goals known to us through history. Perhaps he hopes that some readers will follow him in thinking through the range of human possibilities as they have manifested themselves historically, even while denying that the actualization of these possibilities through action is warranted or justified.

Andrea Radasanu

NORTHERN ILLINOIS UNIVERSITY

¹⁰² Montesquieu, *De l'esprit des lois*, III, 5.