# MONTESQUIEU'S POLITICAL ECONOMY
# COMMERCE, LIBERTY, AND RELIGION IN THE *SPIRIT OF LAWS*

By

Andrew Scott Bibby

A DISSERTATION

Submitted to
Michigan State University
in partial fulfillment of the requirements
For the degree of

DOCTOR OF PHILOSOPHY

Political Science

2011

ABSTRACT

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This study contributes to our understanding of the historical and intellectual roots of liberal republicanism by analyzing Montesquieu's writings on commerce in the fourth part of the *Spirit of Laws*. Today, no one doubts that Montesquieu helped to formulate the political doctrines that contributed to the development of liberal republicanism on both the European and American continents. Yet, questions remain about Montesquieu's political intentions. The view of Montesquieu as a worshipper of commercial modernity has been significantly eroded in recent decades. The view of Montesquieu as a "liberal," or as an advocate of the English political system, has also been challenged. While not ignoring these challenges, this dissertation advocates a return to the idea that England is the "polestar" of Montesquieu's political philosophy. Montesquieu wrote, in the words of Edmund Burke, to "hold out to the admiration of mankind, the Constitution of England." Such a reading is not new. What this study adds to the debate about Montesquieu's liberalism is, rather, a new window into Montesquieu's political thought. No study has connected Montesquieu's economic thought systematically with his moral and political thought. A failure to make this connection has led to significant interpretative errors. In the topic of commerce, or political economy, Montesquieu found an opportunity to say more than could be openly stated in other parts of the work. The following analysis of Montesquieu's economic writings provides substantial evidence for the view of Montesquieu as a liberal political writer whose purpose was to persuade his reader of the superiority of liberal commercial republicanism over traditional monarchy and classical republicanism.

## DEDICATION

To Julie, my wife.

## ACKNOWLEDGEMENTS

I would like to acknowledge, first and foremost, my teachers: Steven Kautz, Arthur Melzer, Jerry Weinberger, and William Allen. In my experience, the best teachers are capable not only of explaining the failings and shortcomings of the present moment—which today is so often assumed to be one of irreversible decay—but of stirring in their students a respect for the true achievements of modern times. In this sense, they follow the great Montesquieu, who, while admiring the ancient governments when "virtue was in full force" and where "things were done…that we no longer see and that astonish our small souls" (IV.4), nonetheless gives credit to "our modern times, to contemporary reasoning, to the religion of the present day, to our philosophy and to our mores" (X.3). Great teachers make it easier to be thankful, again, following, Montesquieu, to have been born in the government and the time in which one lives (Preface).

I must acknowledge three Montesquieu scholars, in particular, for their help in preparing this study. Randal Hendrickson, of Duke University, first introduced me to Montesquieu's genius and inspired a love of the work and wonder which is the *Spirit of Laws*. Randal's tough criticism stirred, inspired, and *provoked* much of the effort that went into the proposal and drafting of this study—the flaws of which are uniquely my own. Paul Rahe, of Hillsdale, was instrumental in the early stages, providing inspiration with the publication of his *Montesquieu and the Logic of Liberty* (2009) and also valuable feedback on the first two chapters. The fact that his assistance was volunteered on Christmas Eve day I take to be a testament to his care for the subject and for his students. I would like to also thank Diana Schaub, of Loyola University, who was willing to entertain an invitation to serve on the committee while in its last phase. There may be no better

defense of the value of reading Montesquieu than in the Preface to her *Erotic Liberalism* (1995). Montesquieu, she writes, is the "only thinker whose correction of the early moderns did not take the form of a dangerous radicalization." Continuing, with a paraphrase of one of her own teachers:

> Our prospects in our third century appear to depend on the possibility that our moral resources will incline to fortify themselves at the spirited wells of modernity. (xi–xii)

This study approaches the edge and offers a peek into those spirited wells.

Lastly, I would like to thank the Earhart Foundation, as well as the Symposium on Science, Reason, and Modern Democracy, for generous support in providing funding for research, travel, and completion of the dissertation.

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## Notes on Texts

All references to the *Persian Letters* are by letter number, referring to the text e.g., (*Persian Letters* #64). For translation and numbering, I refer to *Persian Letters: Oxford World Classics* by Margaret Mauldon and Andrew Kahn, trans. and eds. (Oxford: Oxford University Press, 2008).[1] For references and translations from Montesquieu's 1734 *Considerations on the Greatness and Decline of the Romans*, I refer to David Lowenthal's 1965 translation (Indianapolis: Hackett Publishing Company, 1965). Reference is to chapter, in capital roman numerals, and page e.g., (*Considerations* IX, 93).

References to the *Spirit of Laws* are by capital roman numerals to indicate the Book, and Arabic numerals to indicate the chapter, e.g., (XIX.27). For the most part, I refer to the 1989 translation by Anne M. Cohler, Basia Carolyn Miller, and Harold Samuel Stone, trans. and eds. (Cambridge: Cambridge University Press, 1989). In circumstances where the translation is crucial to the argument, I indicate alternative translations. On occasion, I will refer to other works in Montesquieu's corpus (many of which are not translated into English). The most widely used complete edition of Montesquieu's other works is *Œuvres completes de Montesquieu*, ed. Roger Caillois (Paris: Pléiade, 1949–1951). When referring to a work in the first volume I will simply use the year to indicate the volume. For example, a reference to Montesquieu's "Notes

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[1] This translation is based on the 1721 edition of the *Lettres Persanes*. For an explanation of the decision to rely on the 1721 version (rather than the 1754 version, also approved by Montesquieu), see Mauldon (2008, xxxi). For our purposes, the major practical difference relates to the *number* of letters in each edition. The 1721 edition contains 150 letters. The 1754 edition contains 11 "supplemental" letters in addition to Montesquieu's own "Some Reflections on the *Persian Letters*." This has created some confusion, since the 1758 (unauthorized) version *combines* all of the letters into one sequence (making 161 letters—a combination that Montesquieu did not himself authorize). To avoid confusion, I will use the original (1721) numbering.

Sur L'Angleterre" which appears in the first volume, published in 1949, will be cited as: (Montesquieu 1949, 875). A reference to Montesquieu's *Spirit of Laws*, which appears in the second volume, published in 1951, will be cited as: (Montesquieu 1951, 993).

## Introduction: The Question of Montesquieu's Politics

The purpose of this study is to contribute to our understanding of the historical roots and intellectual origins of liberal republicanism. Recent efforts at recovering Montesquieu's political thought have succeeded in giving us a clearer picture of the scope and importance of Montesquieu's contribution to the development of liberal political theory, especially, his contribution to the new "science of politics," which combines some of the "popular" features of the old republics, with the liberty, the balance of self-interested competing powers, and the unprecedented emphasis on commerce, comfort, and the pursuit of material gain that characterizes modern liberal democracy (see, e.g., Rahe 2009; Pangle 2010). No one seriously questions *that* Montesquieu helped formulate these liberal political doctrines. Nor is it controversial to suggest that Montesquieu's constitutional ideas powerfully influenced the character and trajectory of liberal democracy on both the European and American continents. Yet the surge—if it can be called that—of interest in Montesquieu's political thought has also revived old questions about Montesquieu's intentions (Carrithers 2001, 5; Kingston 2009). Scholars maintain serious doubts whether Montesquieu should be understood as belonging to the tribe of classical liberals, whose chief is the liberty-loving John Locke.

A classical republican reading of Montesquieu holds, for example, that Montesquieu is not a liberal, but a radical republican in disguise (e.g., Hulliung 1976; Nelson 2004). Others reject the notion that Montesquieu favored the English constitution, with its emphasis on liberty and commerce, arguing instead that Montesquieu's career was dedicated to "reinventing" monarchy so as to reconcile his French readers with monarchical liberty (e.g., Richter 1977; Mosher 2001; Spector 2004; Sonenscher 2007). Yet other readers insist that Montesquieu was less interested in transmitting a political teaching than in formulating a neutral science of

sociology. It is a mistake to read Montesquieu as a polemicist, they argue. Montesquieu's works are valuable precisely because they make no value judgments—it is not only a mistake, but a waste of time, to search Montesquieu's writings for evidence of his own political views, for his *judgment* on whether one kind of government is best, or one way of life should be preferred over any another (see esp. Durkheim 1966; Berlin 1980; contrast Pangle 1989, 309 fn. 9; and compare Hirschl 2009, 200).

This dissertation suggests that much of the disagreement about Montesquieu's politics is generated by a lack of clarity regarding the central and chief distinguishing feature of modernity, as Montesquieu understands it. In a word: commerce (III.3; XXI.4-5; Carrithers 2002). Achieving a sharper focus on this question, of Montesquieu's view of commerce, may not ultimately resolve the question of Montesquieu's politics. It may, however, allow us to eliminate one important source of the confusion that continues to cloud Montesquieu's political arguments in obscurity.

This study also maintains and provides additional evidence for the view that Montesquieu writes, in the words of Edmund Burke, to "hold out to the admiration of mankind, the Constitution of England."[2] Montesquieu defends the constitution of England—in theory and in practice—as superior to both the virtuous, frugal, and participatory form of republicanism characteristic of Greece and Rome; and the lively, luxurious, and honorable, but ultimately indefensible liberty that characterizes the French monarchy. Putting these two arguments together: the following is an effort at demystifying Montesquieu's judgment on modernity by

[2] Quoted in Rahe, *Montesquieu and the Logic of Liberty* (2009, vi; 261-262).

systematically outlining the political consequences of his writings on commerce, or what will be called Montesquieu's political economy.

Arriving at a clear view of Montesquieu's attitude toward commerce is in fact quite difficult. Montesquieu's writings on commerce are complex, often ambiguous, and at times, clarifying these views will require delving into the historical record for context. Indeed, Montesquieu's economic writings are a puzzle in and of themselves, and they have generated a fair amount of disagreement, thus compounding the difficulty of sorting out Montesquieu's intentions. In 1973, Thomas Pangle provided a clear-cut interpretation that serves as a useful starting point. Montesquieu, in Pangle's view, believed that the English constitution *and* its commercial way of life was—and should be—the "polestar" in guiding political affairs (Pangle 1973; 1989, 160). Montesquieu preferred not only the English constitution over the old republics and European monarchies, but also the unromantic, commercial "spirit of England" over the "spirit of France" (244). Montesquieu's political philosophy, argued Pangle, is a "tract for the times" meant to persuade the reader of the superiority of England (305). The clarity of Pangle's 1973 commentary was perhaps its greatest virtue, but it was also, for many critics, the least persuasive aspect of his otherwise unmatched commentary.[3] The idea that Montesquieu was a partisan of the dry, gloomy, unheroic, unromantic, and unlikeable English has been challenged and slowly undermined over the years. The view of Montesquieu as a "worshipper" of commercial modernity has been eroded by a number of important revisions. It has been claimed, for example, that Montesquieu's deepest fear in the *Spirit of Laws* was not just monarchs, but "merchants," i.e., some kind of commercial despotism (e.g., Boesche 1990). Less radically, some

[3] Pangle's own reservations about Montesquieu's philosophy of liberalism are often ignored (e.g., Pangle 1989, 303-304).

have argued that Montesquieu was deeply ambivalent about commerce and commercial society (e.g., Keohane 1980; see also, Desserud 1999, 136-137). Today, there is a rich, and growing, selection of studies that continue to emphasize Montequieu's reservations about both the English constitution and commerce as a way of life (Baker 1990, 173-185; Cohler 1988, 5-6; Schaub 1995; Carrithers 2002, 8; Krause 2000, 231-265; but compare, for perspective, Rahe 2009, 98-108).

This study, while not ignoring these important revisions, advocates a return to the idea that commercial England should be considered the "polestar" in Montesquieu's political philosophy. England represents not only a superlative constitutional achievement for Montesquieu; it *also* represents the theoretical peak example of a commercial society (they are, as Montesquieu argues in the seventh chapter of Book 20, are "the people in the world who have best known how to take advantage of each of these three great things at the same time: religion, commerce, and liberty"; XX.7). To defend this view, though, it is necessary to retrace our steps, and return for a closer look at Montesquieu's writings on commerce.

This study is unique in at least two ways. First, it focuses narrowly on one idea or theme: the political significance of commerce in Montesquieu's *Spirit of Laws*.[4] There are six "Parts" and 31 Books in Montesquieu's *Spirit of Laws*. In the following chapters, we look closely only at Part 4 (Books 20–23) and Part 5 (Books 24–25). Even here, it is not possible to sufficiently

[4] The term commerce will be used broadly and interchangeably with "commercial society." It is true that Montesquieu himself distinguishes commerce specifically from other activities, such as manufacturing, finance, wealth, and luxury (III.3). But for the most part, he uses the term much more broadly to include not only economic activity, but life in a commercial society (e.g., XX.1-2). This includes the broader categories of the "commerce with women"(XIX.6) and what he calls "communication" between peoples: "the history of commerce is that of communication among peoples" (XXI.5).

explore all that Montesquieu has to say. In focusing so narrowly on commerce, however, we have the luxury of getting to know one part of the *Spirit of Laws* in depth, which in turn allows us to reraise the bigger political and philosophical questions about Montesquieu's political project.

Second, this study emphasizes the rhetorical sophistication and complex design of Part 4 of the *Spirit of Laws*. Montesquieu took no less care in writing about commerce than he did with any other controversial subject that might have attracted the attention or scrutiny of political or religious officials and censors. I go further and suggest that the fourth part of the *Spirit of Laws*, where we find the books on commerce, is a natural home for an extended critique of the French monarchy.[5] Montesquieu's worst enemies and critics were more likely to look elsewhere for the proof they needed to put the *Spirit of Laws* on the Index of Prohibited Books (which they did, on November 29, 1751).[6] It is at least possible that Montesquieu found—in the topic of commerce

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[5] Such a view might be controversial but it is certainly not new; it goes back to d'Alembert's persuasive testimony, shortly after Montesquieu's death. Montesquieu's *Spirit of Laws* was a book, argues d'Alembert, "destined for men who think, whose genius ought to supply the voluntary and reasoned omissions. For d'Alembert, the order of the *Spirit of Laws* "reigns in the details." Voluntary obscurity is not obscurity. Montesquieu had to present "important truths whose absolute and direct enunciation might wound without bearing any fruit" and this is why, according to d'Alembert, Montesquieu "had the prudence to envelop them, and by this innocent artifice, has veiled them from those to whom they would be harmful, without letting them be lost for the wise." See D'Alembert, *Ouevres completes* (1821, Volume III, 450-451); quoted in Pangle (1989, 11-12). For a powerful account of this idea, that Montesquieu's economic writings might be loaded with political content, see Hulliung, *Montesquieu and the Old Regime* (1976, 187): "So loaded with a covert liberal content are Montesquieu's economic means…that they surely compromise the end of power." Recently, this argument has been explored and extended with remarkable detail by Paul Rahe, *Montesquieu and the Logic of Liberty* (2009, 169).

[6] One Italian reader objects, in defense of the Scholastics, that the Scholastics should not be blamed for the unhappy effects on commerce of their teachings concerning usury; "this should be limited to bad scholastics," says Bottari (quoted in Shackleton 1961, 375).

or "political economy"—an opportunity to say more than could be openly stated in other parts of the work. Commerce is by its very nature revolutionary (XX.1; XI.5). Commerce is corrupting of "pure mores" and Montesquieu insists that it has a corrosive effect on traditional morality (XX.1-2). To embrace commerce and to defend commercial modernity, then, is to "turn one's back," in Paul Rahe's formulation, on "republican and Christian virtue alike" (2009, 176). Indeed, to remain consistent with his own warning to legislators, in Book 19, never to "shock the *esprit general*," it was necessary for Montesquieu to proceed with prudence and caution. It was necessary to emboss his writings on commerce with the wise reservations of a thoughtful philosopher who cares not only to avoid radicalizing a particular nation, at a particular time, but as he says, at the end of Book 11, to encourage individual readers how to think for themselves (XI.20).

**The Political Economy of the *Spirit of Laws***

This question—of Montesquieu's political intent—will occupy us for much of the following four chapters. At this early juncture, though, it is necessary to raise and confront an important objection. The fact is, most economic historians do not think much of Montesquieu's writings on commerce. In the few cases where economic historians do refer to Montesquieu, it is usually only in passing—or to explain his obscurity. Groenewegen (2002) argues, for example, that Montesquieu's economic writings were essentially rendered obsolete only a few decades after the publication of the *Spirit of Laws* in 1748. The reason is, quite simply, that Montesquieu's economic writings were subsumed in the deluge of writings on political economy at the end of the 18th century. It is not that Montesquieu's insights were entirely unimportant or

unoriginal; they were just bound to be surpassed.[7] Economics aims to be a progressive science. So it is no surprise, according to Groenewegen, that many of the economic policy issues that Montesquieu raised in the *Spirit of Laws* were solved—or deemed not to be puzzles—by "around 1760." On this common-sense account, then, there is no need to return to Montesquieu's economic thought. Even if Montesquieu does have a coherent economic theory built into the "design" of the *Spirit of Laws*, as this study asserts, there is likely nothing to be learned that may not be gleaned from superior works in the decades following—Adam Smith's *Wealth of Nations*, for example. So from an economic science point of view, Part 4 may prove to be deeply disappointing.[8]

Joseph Schumpeter, in his classic work, *History of Economic Analysis* (1954), provides an even less favorable judgment on this idea of Montesquieu "as economist."[9] The problem, for Schumpeter, is not merely that Montesquieu's economic thought was surpassed shortly after Montesquieu's death; it is that Montesquieu was first and foremost a "sociologist." Writing as he did, moreover, before the birth of the new science of economics, he could not have had the

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[7] Gronewegen (2002, 62-63). This argument might be compared profitably to Isaiah Berlin's 1955 essay entitled "Montesquieu," where a similar argument is suggested. According to Berlin, the "liberal aspects of [Montesquieu's] teaching" had "degenerated into commonplaces of liberal eloquence" by the middle of 1800's.

[8] "Many of the trade problems of the pre-1750 literature faded away," says Groenewegen. Notable examples are, in his words, "concern over the adequacy of the money supply and the balance of trade. Both were shown to be non-problems at least in the long run" (2002, 63).

[9] To be fair, Schumpeter mixes his criticism of Montesquieu *as* economist with great praise for the political parts of the work, referring to the book as a whole as "the profound work of Montesquieu" (1954, 137).

conceptual tools to build a coherent economic theory (1954; see also Larrère 2004). On this, Schumpeter agrees with Voltaire,[10] who, reflecting some bitterness even twenty years after Montesquieu's death, mocks the very idea of Montesquieu's political economy:

> Montesquieu had no knowledge of political principles concerning wealth, manufactories, finance and commerce. These principles had hardly been discovered yet … It would have been just as impossible for him to comment on the treatise on wealth by Smith as on the mathematical principles of Newton. (Voltaire 1777)

The following study makes no pretense to discover or recover an overlooked "economic theory" that economic historians may have missed.[11] It is meant, more simply, as a challenge to the view that Montesquieu's political science contains no argument or preference; or that if it does, it betrays a reactionary conservative's preference for the monarchy of his day. The above critiques have this in common: they are, in each case, a *response* to the prevailing and arguably popular view of Montesquieu *as* one of the most influential political economists of his time.[12]

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[10] Apparently, it was Voltaire's judgment that won the day in the 20th century. Althusser does Voltaire one better, though, arguing that Montesquieu's lack of knowledge of political economy led him to make fundamental errors in his politics too. According to Althusser, it was precisely because Montesquieu had "little knowledge of political economy" that he could not "comprehend the totality of society" (2007, 57).

[11] Keynes seems to be alone among experts in economic history, that is, in judging Montesquieu so highly. But Montesquieu barely merits a mention in some of the best surveys of economic history. See, for example, two classic works: Blanqui *History of Political Economy in Europe* (1882); Schumpeter *History of Economic Analysis* (1954).

[12] Voltaire admits as much, without giving credit to Montesquieu. Writing nearly 16 years after Montesquieu's *Spirit of Laws*, in 1764, Voltaire notes that "Around the year 1750, France, sated with poetry, tragedy, comedies, operas, novels, and adventure stories…at last started philosophizing about grain." Other writers and intellectuals were more specific and credited Montesquieu directly. Reflecting on the surge of interest in political economy upon the publication of Montesquieu's *Spirit of Laws*, one observer writes: "The period of the general shock that resolved scholars to apply themselves to political economy goes as far back as

Albert Hirschman, in 1977, was arguably the first scholar to study the political significance of Montesquieu's economic writings closely. He finds that Montesquieu's writings on commerce—far from being immaterial or insubstantial—had an enormous impact on the French and Scottish Enlightenment. They signaled, for Hirschman, a "watershed era" in the history of economic thought (Hirschman 1977, 60). More recently, Catherine Larrère has studied Montesquieu's writings on commerce with an emphasis on describing his legacy in the history of European political economy. Using quantitative research to support her findings, Larrère argues that it is possible to speak of a "Montesquieu effect" beyond France and Scotland, and in England, Germany, and Italy as well (Larrère 2001). [13] In 2007, Henry C. Clark published a thought-provoking book entitled *Compass of Society: Commerce and Absolutism in Old-regime France*, which he definitively shows Montesquieu to be a pivotal figure in the history of economic thought (which begins, in Clark's view, long before Adam Smith). Carefully surveying the discourse surrounding trade and commerce in the 17th and 18th century, Clark concludes that Montesquieu's impact has been radically underestimated by scholars. In Clark's words, "Montesquieu's discussion of commerce had more effect on the relevant public discourse than

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Monsieur de Montesquieu." An editor of a popular social pamphlet goes further, noting that Montesquieu's *Spirit of Laws* did more than just change the "intellectual fashion," as Voltaire had suggested. Rather, Montesquieu's writings on commerce, in his words, "effected a complete revolution in the national mind." There is also an anonymous letter in the *Journal de Commerce* that proceeds as follows: "We are indebted to M. de Montesquieu hardly less for the science of commerce than we are for philosophy and letters." For these references, and for a discussion of Montesquieu's impact on the history of political economy, see Larrère (2004) and Paul Cheney (2010, 52-55).

[13] In the period between 1660 and 1789, there were nearly 3000 books published on the topic of political economy (Meyssonnier 1989, in Larrère 2004). 2,263, or 79%, of these books were published after the *Spirit of Laws* appeared in print in 1748.

any other single work during this period, a fact that is coming to be better appreciated by recent scholarship" (Clark 2007, 114).[14]

It is more difficult to say precisely how Montesquieu's economic writings influenced events in America. There is the oft-repeated statistic that Montesquieu was the most quoted European political writer during the American Founding era (Lutz 1984, 192).[15] And it is commonly repeated that Montesquieu is mentioned favorably by name in the *Federalist Papers*. James Madison calls Montesquieu an "oracle" in *Federalist* No. 47. Hamilton calls Montesquieu a "great man" in *Federalist* No. 9 (and later, "the celebrated Montesquieu," in *Federalist* No. 78).[16] But did the Founders take note of his writings on commerce and political economy?

While an answer to this question would require a longer discussion, it is clear enough that Montesquieu's views on trade, commerce, manufacturing, finance, etc., were well known—to Hamilton and Jefferson in particular.[17] Hamilton makes a point, in the *Federalist* Papers, of having read the whole of Montesquieu. Thus, the public challenge is made in *Federalist* No. 9,

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[14] Montesquieu's impact on the "discourse" of commerce and republicanism has been well documented (see, e.g., Devletoglou 1963; Hirschman 1977, 70-113; Sher 1994; Cheney 2010, 52-53).

[15] Scholars have shown that approximately 60 percent of all references to Enlightenment thinkers during the late eighteenth century can be traced to Montesquieu, with the frequency of these citations increasing during the 1780s when the U.S. Constitution was formulated (Vile 2004, 495; Lutz 1984, 192).

[16] For a discussion of the framers' interpretation of Montesquieu in context, see William Allen (2000, 227-228).

[17] For more on Jefferson's reception of Montesquieu, see Carrithers, "Introduction: An Appreciation of the *Spirit of Laws*" (2001, 4-5).

for American readers not to make the mistake of reading Montesquieu selectively, or of taking particular arguments out of context. Following Montesquieu's advice in the Preface (to not "approve or condemn the book as a whole and not some few sentences"), Hamilton castigates his opponents for not relating, or comparing, Montesquieu's arguments in one part of the work with the "sentiments" of Montesquieu in "other parts" of the work (cf. Allen 1975). Of course, Hamilton was not speaking directly to the importance of the fourth part of the *Spirit of Laws*. But his challenge—to comprehend the work as a whole, including the books on commerce—was taken up seriously by Jefferson,[18] who in 1806 set to work in translating Claude Destutt de Tracy's *Commentaire sur l'esprit des lois de Montesquieu* (1806) into English.[19] It is worth noting here that Jefferson took Tracy's long analysis of the *Spirit of Laws* and retitled that work—after he had translated it—specifically to *highlight* the economic parts of the work. Jefferson retitled Tracy's commentary as, *A Treatise on Political Economy*. And while Jefferson clearly did not like everything that he found in the "other parts" of the *Spirit of Laws*, writing, for

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[18] Hamilton, of course, was not referring only or merely to Montesquieu's economic writings. The issue in question is the necessity of a "contracted territory for a republican government." Yet it serves as a good example of the problem of reading Montesquieu, and therefore the necessity of being "apprised" of Montesquieu's other sentiments in other parts of the work (*Federalist* 9).

[19] Part of the mystery of why Jefferson might find this work by Tracy valuable is explained in the introductory part, "The Author: To His Fellow Citizens of the United States," where Tracy notes that he is not "oblivious" to the paradoxes and "inconsistencies" and "political errors" of the work. It should be noted, also, that Jefferson was often highly critical of Montesquieu, and therefore unclear exactly what aspects of Montesquieu's economic writings he thought valuable. Jefferson writes, in a letter to Thomas Rudolph: "In political economy, I think Smith's *Wealth of Nations* the best book extant; in the science of government, Montesquieu's *Spirit of the Laws* is generally recommended. It contains, indeed, a great number of political truths; but also an equal number of heresies; so that the reader must be constantly on his guard." See Jefferson (1904 VIII, 31), quoted in Hendrickson (2007, 55).

example, in a letter to Thomas Rudolph that Montesquieu's thought "contains, indeed, a great number of political truths; but also an equal number of heresies; so that the reader must be constantly on his guard," this did not stop Jefferson from proclaiming his great enthusiasm for the work, as a whole, to his publisher: "The merit of this work, will, I hope, place it in the hands of every reader in our country."[20]

Aside from a few footnotes in Karl Marx's *Das Kapital* (1906 Volume I, 103 fn. 2; 149 fn. 1; 828 fn. 1), not much notice is taken of Montesquieu's economic writings until the middle of the 20th century, when John Maynard Keynes notes, in the Preface to the French edition of *The General Theory of Employment, Interest and Money* (1975), that Montesquieu was the greatest French economist and the "French equivalent" of Adam Smith. Addressing the French reading public, Keynes makes the following (now famous) remark:

> Montesquieu was the real French equivalent of Adam Smith. The greatest of your economists, head and shoulders above the physiocrats in penetration, clear-headedness, and good sense (which are the qualities an economist should have). (Keynes 1975)

Keynes may or may not have read Montesquieu closely, yet this comment (along with the pioneering works of Hirschman, Larrère, and Clark, mentioned above) has led to a number of promising investigations in the significance of Montesquieu's economic thought.[21]

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[20] For an overview of Jefferson's relation to Tracy and this work, see the forthcoming Liberty Fund edition, ed. Jennings (2011).

[21] These studies are valuable to anyone interested in the specifics of economic history, but they do not, in my view, capture the full political and cultural importance of Montesquieu's economic thought. Devletoglou (1963) has made an interesting investigation into the applicability of this remark, by Keynes. Grospelier (2005) has also made an effort to justify the accolade bestowed on Montesquieu by Kenyes. But see Larrère (2004), who is more skeptical, arguing that Keynes' remark is a result not of Keynes' reading Montesquieu closely, but rather, "Keynes reading Keynes" (2).

Unfortunately, recent attempts at recovering the significance of Montesquieu's economic thought have not penetrated beyond the narrow economic issues that Voltaire, Schumpeter, and Althusser treated as simple and unsophisticated. I argue that Montesquieu *may* have been the greatest French economist in the end.[22] Keynes may have been right, but for the wrong reasons.

**Overview of the Chapters**

To begin to uncover the outlines of Montesquieu's political economy, it is necessary to look closely at those books in the *Spirit of Laws* where the political and moral effects of commerce are most clear.[23]

Chapter 1 is an analysis of the first seven chapters of Book 20. These chapters (XX.1-7) form a logical grouping. They help explain, in turn, what Montesquieu views to be the "nature," the "causes" and the "effects" of commerce. The chapter has two main goals; first, to dispel of the notion that Montesquieu was a simple partisan of commercial England—a liberal propagandist who believed commerce to be a "grand panacea." The second goal is to lay out more clearly Montesquieu's appreciation of the virtues of the English polity. This is achieved by a close analysis of chapters 5-7, where we explore the strengths and weaknesses of the commercial republics of Holland and Marseilles, England's flawed predecessors. It is argued, in conclusion, that these chapters (XX.5-7) provide the positive goal, the bearing, so to speak, of Montesquieu's political economy.

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[22] The two most important (recent) exceptions are Paul Rahe (2009) and Thomas Pangle (2010). Randal Hendrickson (2007) has investigated the political aspect of Montesquieu's writings on commerce and has been helpful in pointing to areas for further investigation.

[23] A good deal of selection is necessary here, as will become clear as the chapters progress.

Chapter 2 is an examination of the remaining chapters of Book 20 (XX.8-23). These chapters also have a clear structural design. Here one finds a series of potent political arguments cloaked in the neutral language of economic science. It is argued that Montesquieu uses the subjects of trade, finance, commerce, and banking, to provide a compelling and powerful critique of monarchy. Montesquieu's preference for the English constitution comes into sharper view here, and so this section reveals an important dimension of his judgment on modernity. Underneath Montesquieu's intricate analysis of the advantages and disadvantages of banks, trading companies, ports, custom houses, and the minutiae of specific laws regulating business and commerce, we find a strong political subtext that culminates in Montesquieu's controversial defense of venality—a practice that Montesquieu is fully aware might lead to a radical transformation of the second estate.

If it is true—as argued in the first two chapters—that Montesquieu's writings on commerce contain important clues as to Montesquieu's view of England as a political polestar, on what grounds might Montesquieu defend the *commercial* part of the commercial republic? Chapter 3 is an extended analysis of Montesquieu's "history of commerce" in Book 21, where, it is argued, Montesquieu presents those grounds. Montesquieu's dramatic recreation of world economic history shows how commerce provided the historical conditions for the discovery of the "cure" for "Machiavellianism." But this triumphant discovery turns out to be bittersweet. Book 21 warns against the very forms of slavery that were condemned earlier in the *Spirit of Laws* in Book XV. In writing about the history of commerce with a view to both its promise and its perils, Montesquieu reveals not only the grounds for the superiority of commercial England, but also, the *means* by which commerce—in the future—may be justified and defended against its critics. Book 21 provides reasons to be vigilant, yet grateful, for the historical role that

commerce has played in providing countless would-be plunderers and tyrants with a real and effective interest in not being wicked.

The endorsement of commercial modernity in Part 4 of Montesquieu's *Spirit of Laws* is complicated, however, by one more maddening fact: Part 4 of the *Spirit of Laws* is followed by two more parts (Part 5 and Part 6). The broader relationship between these parts is not clear. Why does Montesquieu set Part 4, which deals with commerce, side by side with Part 5, which deals (generally speaking) with religion? Might it be that Montesquieu's aim is to show how commerce (Part 4) can conquer or triumph over religion (Part 5)? Or is his aim less radical: might commerce and religion ultimately go together? Or neither: is Montesquieu's interest primarily of a sociological character?

Chapter 4 is an attempt to sort out these competing positions and provide a refined interpretation of Montesquieu's attitude toward religion. In the first section, we look at Book 23 and show *why*, in Montesquieu's view, it is necessary, for the sake of political liberty, to change—and even radically transform or "attack"—monotheistic religion. There is little room to doubt that Montesquieu chooses commerce as the weapon of choice. Yet Montesquieu's battle plan against religious extremism contains—as part of the overall strategy—within it a moderating lesson. In the second section, we look at select passages from Books 24 and 25 to show why Montesquieu's aim is not, in fact, to destroy religion, but to tame its excesses. Here this study departs from previous "liberal" readings (e.g., Bartlett 2001; Pangle 2010), arguing instead that Montesquieu's comparative analysis of religion is meant to provide liberalism with the conceptual tools to support those practices and religious beliefs that in turn support liberty and commerce. Part 5 is meant to show how a commercial republic might harness the productive and creative energies of religious feeling, and so, to pave the way for a more productive and

dynamic liberalism. On the whole, Montesquieu treats religion as a destructive force that must be contained; but his analysis is distinct from other traditions of "religion taming" in that he thinks it possible for some nations, more or less than others, to reconcile the ends of religion with the ends of commerce and liberty. The chapter concludes by arguing that the goal of moderating extremists is best achieved through moderation, which Montesquieu's complicated analysis of religion is meant to provide.

**Limitations**

In the course of this study, much will have to be passed over. Even with this extremely narrow, thematic focus, it is not possible to do justice or to bring to light all that may be said on the topic. I do not treat, for example, Book 22 ("On laws in their relation to the use of money") or Book 23 ("On laws in relation to the number of inhabitants") with nearly as much detail or to the degree of specificity that they deserve. Also, there are many interesting and worthwhile topics related to the theme of commerce that are left out or ignored. More needs to be said, for example, about Montesquieu's critical (largely negative) assessment of the political economy of the old republics in the first part of the *Spirit of Laws* (see, e.g., II.2, III.3, IV.2-4, IV.6, IV.8, V.3-6, V.9, VI.1). Montesquieu's view on luxury is alluded to, but not systematically explained. I do not analyze Montesquieu's theory of taxation and finance in the second part of the *Spirit of Laws*, despite the vital connection between taxes and liberty ("There is nothing that wisdom and prudence should regulate more," says Montesquieu in Book 13; note also the title of Book 13: "On the relations that the levy of taxes and the size of public revenues have with liberty").[24]

[24] If the treatment of commerce is necessarily incomplete, it goes without saying that my analysis of the political complexity of Montesquieu's *Spirit of Laws* is, too. There are numerous

Most importantly, perhaps, this study does not address the broad significance and full import of "the condition of women" (VII), which, as other scholars have shown, plays an integral role both in Montesquieu's larger conception of "commerce," and in his philosophy of liberalism as a whole. These gaps are regrettable but necessary. Where possible, these shortcomings are mitigated by referring to superior works that treat these questions in more detail (on the last topic, see, esp. Schaub 1995; cf. Mosher 1994; 2007).

The payoff in focusing on one dimension of Montesquieu's thought is academic precision, but not merely academic. And while there is some value in reconstructing Montesquieu's political economy, for intellectual reasons, the value of this study cannot boil down to recovering some lost or forlorn economic theory. To be worth the effort, it must illuminate some part of our own world. Admittedly, it may seem an odd or inconvenient time to look to Montesquieu for help (who, after all, could not have foreseen the moral and social consequences of the commercial, industrial, and financial revolutions). Worse still, it may strike some as anachronistic, or even somehow perverse, to defend Montesquieu's "rosy" outlook on commerce—especially in light of our less than rosy economic times. But it must be seen whether our present situation is a necessary reflection of, or perhaps rather a distortion of what liberal republicanism is or can still be. To know whether we have lost our way requires an effort at recovering some sense of direction. To that end, the study begins at the midway point, the

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examples—too many to cite here—of opposing interpretations that view Montesquieu as a monarchist or reactionary aristocrat (e.g., Ford 1953; Althusser 2007). The literature on Montesquieu's republicanism, while not as voluminous, contains many thought-provoking claims about the "continuity" between Montesquieu and the ancients (e.g., Keohane 1972; Shackleton 1977; Velema 1997; Russo 2002; Nelson 2004; Chaimowicz 2008). There are also a number of important works that scrutinize, and help to reveal, Montesquieu's reinterpretation and transformation of the old republicanism into the new (see, e.g., Pangle 1989; Shklar 1990; Hendrickson 2007; Rahe 2009, esp. 280 fn. 40).

beginning of the fourth part of the *Spirit of Laws.* This is the appropriate beginning because it is here that we find the positive bearings of Montesquieu's political economy.

## Chapter 1: Commerce and Peoples

### The Promise of Commerce

Book 20 of Montesquieu's *Spirit of Laws* opens with two of the most famous, and compelling, arguments in defense of commerce.[25] In the first chapter of Book 20, Montesquieu highlights the "good things" that have resulted from the spread of commerce and trade in the realm of mores:

> Commerce cures destructive prejudices, and it is an almost general rule that everywhere there are gentle mores, there is commerce and that everywhere there is commerce, there are gentle mores.
>
> Therefore, one should not be surprised if our mores are less fierce than they were formerly. Commerce has spread knowledge of the mores of all nations everywhere; they have been compared to each other, and good things have resulted from this. (XX.1)

In the second chapter ("On the spirit of commerce"), Montesquieu highlights the most significant effect of commerce in the realm of international relations:

> The natural effect of commerce is to lead to peace. Two nations that trade with each other become reciprocally dependent; if one has an interest in buying, the other has an interest in selling, and all unions are founded on mutual needs. (XX.2)

For many scholars, these arguments are considered to be not only the most famous of Montesquieu's claims in the fourth part of the *Spirit of Laws*, but also, among the most influential arguments of the French Enlightenment. Albert Hirschman, in his *Passions and the Interests* (1977), shows that Montesquieu was the most powerful advocate of the idea that commerce "softens" or "polishes" mores. It was Montesquieu, more than any writer of the era,

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[25] Readers will notice that the explanation for gentleness in mores is directly related, in Montesquieu's view, to the transmission of knowledge. So to be accurate, there are three major arguments contained in these opening paragraphs, not two: commerce is the vehicle of knowledge, it softens mores, and leads to peace.

who gave life to the expression "*doux commerce*" (1997, 60). According to Hirschman (1977), this expression was important because it soon became a symbol, or rather a byword, of the Enlightenment worldview that nations could and should be divided between "advanced" and "backward," "developed–underdeveloped," "polished and barbarous," and so on (61). The novelty of Montesquieu's contribution to liberal thought was not, according to Hirschman, to be found in the third part of the *Spirit of Laws*, where Montesquieu outlines his justly celebrated theory of separation of powers. Montesquieu's breakthrough is found, rather, in the fourth part of the *Spirit of Laws*, where Montesquieu establishes the core connections between commerce and civilization. This, for Hirschman, was the true basis of Enlightenment optimism—of the hope that the world might be rescued from barbarism.

Montesquieu's doctrine of *doux commerce* had a powerful hold on readers for a second reason. If the great promise, in the first case, was that commerce could civilize human beings on an individual level, why should this not work on the international level, among nations? Here also, scholars grant Montesquieu his rightful place as the forefather of this powerful idea. Eric Gartzke (2007), for example, has argued that Montesquieu is chiefly responsible for inspiring one of the two major intellectual traditions, one of "two paths," leading up to what we now know as the "liberal peace hypothesis." One tradition, starting with Rousseau, emphasizes the pacifying constraints of democracy and republican institutions. This tradition was extended and developed by Abbe de Saint-Pierre, Bentham, and Kant. The other tradition, beginning with Montesquieu, focuses on economic freedom and market interdependence as the most solid foundation for a liberal peace. This argument was developed and popularized by Adam Smith and Thomas Paine, who agreed, essentially, on this idea that markets could "abominate" war and, in Paine's words, "diminish the spirit, both of patriotism and military defense" (Gartzke 2007,

170).[26] Montesquieu, Gartzke concludes, was the real source of Cobden's conclusion that trade was a "grand panacea." And he was the inspiration for Mill's conclusion, in 1902, that commerce was in fact in the process of "rendering war obsolete."

Hirschman and Gartzke are probably right to emphasize Montesquieu's twofold influence, both in popularizing the dichotomy between civilization–barbarism, and in making intelligible for the first time the connection between trade and international peace. Yet, many readers of the *Spirit of Laws* remain unconvinced, especially of the idea that Montesquieu should be read as an unwavering defender of the commercial liberalism represented by England in Book 19 of the *Spirit of Laws.*[27] For one, both claims in these opening chapters are suspiciously simple. Surely an author capable of such sophistication, subtlety, and complex argument would be aware that these arguments are, to put it simply, too "clean."[28] And moreover, do these arguments not betray a kind of unthinking naiveté about the effects of commerce, which, on Montesquieu's own grounds, are not always good (e.g., *Persian Letters* #88; #98; *Spirit of Laws* V.17–18; XIX.27; *Pensées* 1041), which raises a number of questions and doubts. Indeed, the first argument (that commerce softens mores) has a conventional, even "prosaic" quality to it, as Pierre Manent has noted (1998, 36). More importantly, this softening of mores also comes at a

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[26] Michael Doyle (2004) points out that Montesquieu was one of the most important early proponents of the second doctrine. Doyle gives Montesquieu credit for this argument, but he also denies to Montesquieu any level of sophistication or insight. He argues that Montesquieu focused too narrowly on a "single feature" of economic liberalism, that is, "trade." Doyle also criticizes Montesquieu for failing to critically examine the arguments he was advancing in favor of a "liberal peace."

[27] A good example, although by no means representative, is Roger Boesche (1990). For opposing examples, at the other extreme, compare Rosow (1984) and Manicas (1981).

[28] See Carrese (2004) for an example of Montesquieu's sophistication as a writer and thinker.

steep price—in "manners," in the moral fabric of society, and in the high arts and "taste." Montesquieu seems to gloss over these tradeoffs, and this continues to bother scholars who are rightly sensitive to them. The second argument (that commerce leads to peace) has just the opposite difficulty. In light of the horrors of 20th century warfare, this argument seems over-bold, even utopian. Could Montesquieu have really believed that commerce was a "grand panacea"? Is it even technically correct to attribute to him the innocent view that commerce would render war obsolete? Thomas Pangle, arguably one of the greatest proponents of Montesquieu's philosophy of liberalism, is sharply critical of Montesquieu on these grounds. Montesquieu's claim that commerce would lead to peace represents a "failure" to see ahead to the "full effects of weapons technology and commercial imperialism" (1989, 211).[29]

It should come as no surprise that scholars do not devote a great deal of analytical scrutiny to the fourth part (Book 20–23) of the *Spirit of Laws*.[30] With a few notable exceptions, most commentators treat Book 20 in a highly selective manner. [31] Humanities scholars generally

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[29] Others are more blunt; Montesquieu was just plain wrong, in hindsight. Two world wars, economic upheaval, and the rise of a bipolar world eventually dissolved the optimism for a "capitalist peace." As Gartzke (2007) explains, scholars turned away from the "liberal peace" hypothesis during the Cold War and began to focus their attention on more realistic problems and strategies, such as balancing and deterrence (170).

[30] Carrithers has noted the lack of scholarship on Montesquieu's economic thought as a whole (2001, 370). Since 1950, only a handful of studies have been devoted to it, including Devletoglou (1964, 1-25; 1961), M. Garrigou-Lagrange (1956), and Cotta (1957).

[31] Hirschman notes that Book 20 has been neglected (1997, 71), but gives it only a passing reference in *The Passions and the Interests* (73).

do not linger on the narrow economic issues, for reasons we will explore.[32] Economic historians, on the other hand, generally avoid a discussion of the politics of Book 20. When Book 20 is discussed, it is generally assumed, as in one scholar's estimate, that Book 20 is of interest only because it contains a "long analysis of the basic advantages of free trade" (Devletoglou 1963, 15).[33]

In the following two chapters, I will argue that the political economy of Book 20 requires more attention. Book 20 of the *Spirit of Laws* is much richer than the sum of the two famous chapters with which it opens. It is organized, as we will see, into four distinct "groupings" that reveal interesting and complex political and rhetorical dimensions to the famous, but simple, opening chapters.

**The Effects of Commerce (XX.1–XX.3)**

From the beginning, it is clear that Montesquieu had no intention of claiming, as Cobden did, that commerce is a "grand panacea." The first signal of his skepticism is seen in the disclaimer with which he opens the book:

> The following would require more extensive treatment, but the nature of this work does not permit it. (XX.1)

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[32] Some notable exceptions include Devletoglou (1969), Hulliung (1976), Larrère (2001), Spector (2004; 2006), Rahe (2009) and Cheney (2010).

[33] Two broad conclusions are made: either that Montesquieu had a coherent economic theory that was influential in the development of classical liberalism, or that his economic theory is merely a series of ad hoc economic policies that reflect unoriginal and common sense opinions of his own time (Devletoglou 1963).

The disclaimer is a warning that his maxims, which follow, are not to be treated as philosophic dogma, much less scientific proofs. Montesquieu underscores the difficulty of capturing the economic subject matter of Book 20 in a scientific theory by comparing it to a torrential river: [34]

> I should like to glide on a tranquil river, I am dragged along by a torrent (XX.1).

With these two caveats, Montesquieu distances himself from the revolutionary Enlightenment. Commerce is by no means a wholly benign force that Montesquieu expects will transport humankind serenely out of barbarism into a civilized utopia.[35]

Montesquieu's language also indicates caution. First, he notes that it is "an *almost* general rule" (*c'est presque une règle générale*) that commerce and gentle mores go together. Second, and more importantly, Montesquieu notes that commerce wields its most powerful effect on "mores" (*moeurs*). Mores are deeper than manners, as was explained in Book 19: "The difference between mores and manners is that the first are more concerned with internal, and the latter external, conduct" (XIX.16). Commerce, in other words, works to make the *internal*

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[34] Montesquieu uses this image twice elsewhere; once to describe a central difficulty with republics when they are at rest ("a republic must dread something…the more secure these states are, the more, as with tranquil waters, they are subject to corruption"); and a second time, in Book Eight where he notes, suggestively, that all rivers "run together" into despotism (VIII.17).

[35] Often missed in cursory accounts of Montesquieu's views on commerce are the tradeoffs. The price for curing destructive prejudices, Montesquieu notes, is the ruin of ancient moral and political virtue; above all, the Platonic emphasis on courage (XX.1). One of the penalties for progress in international trade and mutual economic interdependence is a corrosion of "hospitality" (which he equates suggestively with Aristotelian magnanimity, XX.2). But the most telling caveat is Montesquieu's remark about Holland, which is an example of a country that is "affected only by the spirit of commerce" (XX.2, emphasis added). Here, there is a "traffic in all human activities and all moral virtues; the smallest things, those required by humanity, are done or given for money" (XX.2). Jefferson knew Montesquieu and may be echoing this passage when he writes, "Money, not morality, is the principle commerce of civilized nations."

*conduct* or inner morality of a people gentler or less fierce (XX.1). This leaves open the possibility that commerce will have no effect, or even a pernicious effect, on "manners" (see, e.g., XX.2l, where Montesquieu notes the decline of hospitality in civilized nations). More importantly still, this leaves open the possibility that commerce will *not* transform nations that are not in fact dominated by "mores" to begin with (see XIX.4, "What the general spirit is"). The fact that commerce works in a targeted fashion, on mores, is an important caveat because it means that the effects of commerce may not be universalized without a serious consideration of the makeup of a particular "spirit" of a nation. Some nations, like Sparta and Rome, are dominated *particularly* by mores (XIX.4). Others, like China and Japan, are dominated by manners and laws (XIX.4). Still other nations are dominated by nature and climate (Montesquieu calls these "savage" nations, XIX.4). And so, if commerce is to be truly effective as a "cure" for what Montesquieu calls "destructive prejudices," it may be only in those nations where mores are in fact dominant—indeed, severe.[36] But then the opposite holds as well. If commerce works particularly well on the "internal conduct" of the citizens, the effects of commerce will *not* be as noticeable, or curative, in nations where the spirit is dominated by manners, laws, climate, and so on. This subtlety was prepared in Book 19 and is too often overlooked when commentators criticize Montesquieu for being too optimistic in Book 20. Here is the important paragraph from Book 19:

> Many things govern men: climate, religion, laws, the maxims of the government, examples of past things, mores, and manners; a general spirit is formed as a result.
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> To the extent that, in each nation, one of these causes acts more forcefully, the others yield to it. Nature and climate almost alone dominate savages; manners govern the Chinese;

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[36] Montesquieu uses the word "mores" eight times in this short paragraph (XIX.4).

> laws tyrannize Japan; in former times mores set the tone in Lacedaemonia; in Rome it was set by the maxims of government and the ancient mores. (XIX.4)

From this, a simple but important insight: perhaps it is more important, in Montesquieu's view, to understand commerce not as a cure-all, but as a curative engineered for a *specific* kind of morality, a specific mode of "inner conduct." In the opening chapter of Book 20, Montesquieu indicates what this may be, but he does not define it fully. He names this morality rather ambiguously, using terms which seem to be interchangeable: "destructive prejudices," "pure mores," and "barbarous mores" (XX.1).[37]

What class of mores could be destructive, pure, and barbarous all at the same time?[38] Here it is necessary to consider Montesquieu's usage of the term *moeurs* carefully.[39] We know, as above, that the term mores does not refer to "manners," but rather to the "internal conduct" of the citizen. We know, furthermore, that Montesquieu does not mean "sexual mores" when the word is used in the context of Book 20 (see, e.g., XII.4, where mores are defined in this way: Montesquieu defines crimes against the "mores" as the "violation of public or individual continence, that is, of the police concerning how one should enjoy the pleasures associated with the use of one's senses and with corporal union"). More likely, Montesquieu means classical republican mores, or virtue. We are put in mind of Sparta, for example, a republic that is given

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[37] For a discussion of this passage, see Manent (1998, 36-38) and Hendrickson (2007, 235). Hendrickson writes: "notice the rhetorical drift. In two sentences, pure mores are confounded with 'barbarous mores.' To corrupt pure mores is to polish barbarous ones. It depends on how one looks at it: Plato sees purity; we, thanks to Montesquieu, see barbarity. Montesquieu helps us to prefer ourselves and our judgment to Plato and his" (235).

[38] For more on this question, see Rahe (2009, 55-56), and Schaub (1999).

[39] For a useful beginning at sorting this out, see Richter (1977, 170).

by Montesquieu specifically as *the* example of a nation wholly dominated by mores (Rome is another example, but its mores are diluted, so to speak, by the "maxims of government," XIX.4). And yet, this does not clear up the question adequately. How could "pure mores" be "destructive" at the same time (XX.1)?

From Book Four, we know that *honor*—the principle of traditional monarchies—is one of these mores that *can* be harmful or destructive (IV.2 fn. 2; see also Krause 1999). But it is not always so. Indeed, honor is a *principle* of monarchical government, which is to say, a *preserving* passion (as defined in Book Three, the principle is that which preserves government, that which makes it act, III.1). So while it is easy to understand how honor might be harmful in individual cases, it is not at all clear how honor could fit this description—as a "pure more" that is also a "destructive prejudice." Again, we are led to believe that Montesquieu must mean virtue. The same problem arises, however. Virtue may be a "renunciation of oneself, which is always a painful thing" (IV.5), but virtue is precisely the thing that maintains and preserves the popular state (III.3; IV.5; V.1; VIII.2). It remains a mystery as to how commerce might work to cure *both* pure mores *and* destructive prejudices at the same time.[40]

To resolve this difficulty, it is necessary to look briefly at Part Two of the *Spirit of Laws*, where it becomes clear that the only class of mores that are simultaneously destructive prejudices are those associated with superstition and religion. In Book Ten, for example, Montesquieu criticizes the Spanish for passing on to the Mexicans a religion full of "raging superstition." This religion, Montesquieu concludes, is a bad replacement even for the Mexican religion, which he

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[40] As Montesquieu explains in Book Eight, it is the principles that "pull everything along": "once the principles of the government are corrupted, the best laws become bad and turn against the state" (VIII.11).

says is full of "harmful prejudices" (X.4).[41] More evidence that Montesquieu views religion, generally speaking, as a destructive prejudice is found in Book 12. Here, he connects "harmful prejudices" with "religious opinion" directly and unambiguously (XII.29). In Book 15, the word "prejudice" is used as a substitute for Christianity, which is said to be opposed to "knowledge" and "reason" (XV.3). But the clearest indication that Montesquieu means to point to religion as a "destructive prejudice" appears in Book 18, where he describes religious superstition, in plain words, as the most "dangerous" "of all other prejudices" (XVIII.18). When Montesquieu uses the word "destructive" in Book 20, therefore, we must conclude that it is with this category of prejudices in mind. Commerce is said to cure "destructive prejudices" *and* pure mores, at the same time, only or especially in nations where the mores of religion are dominant. This does not mean that commerce is not effective in taming the "fierce" mores of the ancient republics. But throughout the *Spirit of Laws,* Montesquieu makes it quite clear that commerce works most powerfully against religious prejudice. To drive this point home, we recall Montesquieu's description of the English in Book 19. They are an example of a people who have managed to be "freed from destructive prejudices" (XIX.27). This last remark puts his meaning beyond any doubt. Why are the English freed from destructive prejudices? This is a nation, Montesquieu notes, who are led by "enlightenment" and where the majority is "indifferent" to religion in general (XIX.27).[42]

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[41] See also XXIV.4, where Montesquieu argues that religion is "destructive" in the same way.

[42] The relationship between religion and commerce is discussed in more detail in the fourth chapter of this dissertation.

It is should be clear now why, in Montesquieu's view, there can be no science of commerce and economics. The "natural" effects of commerce are not universal laws which can be confidently applied to human affairs with cast-iron certainty. The premise of the argument is more subtle. It might be more accurate to conclude, at this stage, that commerce is correlated strongly and positively with the intensity of superstition and religion. In plainer terms still, commerce is most effective as a softener in places where religious feeling is authentic and deep reaching. But because it does not soften manners, and because it does not work in places where other forces rule men (e.g., XIX.4), its effects are necessarily contingent on circumstances. Looking at the effects more systematically, as above, allows us to see why Montesquieu would be skeptical at the notion that commerce might work its magic, so to speak, in places where religion yields to the influence of other more earthly and material ends. One is reminded especially of China and Japan, who are provided by Montesquieu as the contrasting examples to Sparta and Rome (XIX.16). In Japan, harsh laws, not mores, govern men. In China, "manners," and laws, not religion and mores, govern the people. In both China and Japan, superstition about the gods, while not entirely absent, takes a backseat, whereas in Rome and Sparta, the gods are foremost (e.g., VIII.13). This leave open the difficult question: will commerce have a humanizing, softening effect in cultures where "pure mores" do not exist, or have never taken root? What effect on the human soul is commerce likely to have in cultures where climate, laws, manners, and so on dominate instead of "mores"?

The answer points to Montesquieu's sobering judgment. In Book 19, in a chapter entitled "Explanation of a paradox about the Chinese" (XIX.20), it was argued that commerce is not likely to penetrate, let alone produce "good things," in a place like China. Commerce, rather, has a paradoxical effect there. It neither softens *nor* "polishes." What it does do, Montesquieu

suggests, is exacerbate what he calls an "unthinkable avidity for gain." This is because the laws and climate work together in a unique combination to produce a very difficult, precarious, and material existence for the people. In such a place and under such conditions, the good effects of commerce may be canceled out. On the one hand, the climate has hardened the people (not a bad thing in itself). But the laws, Montesquieu argues, have also created a politically and socially servile population. This combination of intense materialism with political servitude tends to negate any of the beneficial effects that commerce might have, since every motive is directed at material gain and survival, but no structural or political incentives are in place to pursue this material end through honest or decent means. As Montesquieu explains, the seller has no incentive to carry on an honest business, since there is no guarantee that he might keep what he earns. A consumer, on the other hand, is advised to carry his own scale because each merchant has three of his own: "a heavy one for buying, a light one for selling, and an accurate one for those who are on their guard." This unfortunate situation makes it almost impossible to imagine how commerce might help significantly, without serious political reform. The Chinese culture, Montesquieu notes sharply, is entirely "directed by rites." And yet, they are "the most unscrupulous people on earth," and commerce fails to "inspire in them the good faith natural to it" (XIX.20).

In sum, the first two chapters give rise to two somewhat contradictory conclusions. On the bright side, commerce may soften barbarous mores and cure destructive prejudices in cultures where religious superstition has a tight grip. On the downside, the idea that simple reforms in market relations will humanize the globe and usher in an era of peaceful international

relations is rather dreamy and unrealistic—and on Montesquieu's own grounds.[43] The example of China is meant to remind us that economic liberalization, to say the least, is only one path to what we now call the "liberal peace." The spread of liberal principles may require much more than commercial enlightenment, much more than the spread of the instinctive love of peaceful gain; in short, much more than commerce alone can deliver.[44]

**The Causes of Commerce (XX.4–7)**

It would be a mistake, however, to conclude that these important caveats indicate Montesquieu's deeper, underlying hostility to liberal commercialism. Despite the above complexities, it is not true that underneath Montesquieu's liberal exterior, and behind his faith in commercial progress, Montesquieu is somehow anti-modern or reactionary. His cautious

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[43] See Hulliung (1976, 207) for a discussion of Montesquieu's skepticism.

[44] The same qualification may be applied to the second claim, in chapter two, that commerce leads to peace. Hamilton, for example, famously rejects Montesquieu's claim as an empirical fraud:

> Has commerce hitherto done anything more than change the objects of war? Is not the love of wealth as domineering and enterprising a passion as that of power or glory? Have there not been as many wars founded upon commercial motives since that has become the prevailing system of nations, as were before occasioned by the cupidity of territory or domination? Has not the spirit of commerce, in many instances, administered new incentives to the appetite, both for the one and for the other? (*Federalist* No. 6)

With space, we could show that Montesquieu was by no means ignorant of Hamilton's well-founded suspicions. Early on in Book One, he hints, for example, that the state of war is a result of the increasing number of motives for human beings to attack each other (I.2). We find out that commerce is in fact one of these motives, especially for conquest (XXI.8). And Montesquieu's concrete analysis of various trading states suggests there is nothing inviolable about this so called law. There were, he notes, "great wars between Carthage and Marseilles concerning the fishery" (XXI.11). England and Holland, his two favorite trading states, went to war over the navigation acts (XX.8).

relativism, in other words, should not be taken for proof that Montesquieu doubted the merits and perhaps even the superiority of commercial liberalism as expressed in the idealized model of the British constitution. Montesquieu's preference for the commercial republic is "buried" even in this part dedicated to commerce (Hendrickson 2007, 293). The argument builds more slowly and requires some care to untangle. It builds, and retracts, and moves forward again with a deliberate aim. To go deeper into the effects of commerce, and to be able to evaluate those effects more predictably, we also must know something about the causes of commerce. *If* commerce is to work its cure, we must have some idea of the particular conditions in which it might do what it promises to do best.

Chapter four is the beginning of this deeper examination of the causes of commerce. The title of the chapter, "On commerce in the various governments," summarizes what we have been hinting at in a roundabout way. It suggests quite simply that there is more than one type of commerce, and that some types of commerce are more appropriate to particular constitutions. Montesquieu writes:

> In government by one alone, it is ordinarily founded on luxury, and though it is also founded on real needs, its principal object is to procure for the nation engaging in it all that serves its arrogance, its delights, and its fancies. In government by many, it is more often founded on economy. (XX.4)

Here Montesquieu introduces an important analytic distinction, between "luxurious commerce" and what he calls "economic commerce."[45] Economic commerce refers primarily to the activity

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[45] For helpful overviews of this distinction, with general and overlapping interpretations, see Rosow (1984), Larrère (2001), Clark (2007, 117), Hendrickson (2007, 240), Rahe (2009, 188-90, 228), Pangle (2010, 100). It is possible, although speculative on my part, that Montesquieu found this distinction originally in Cicero. Coyer refers directly to the phrase, which he finds in Cicero, "the commerce of economy" (in Clark 2003, 420). We know that Montesquieu had read Cicero

of merchants and is therefore sometimes called "merchant capitalism" by economic historians (Taylor 1964). For Montesquieu, the commerce of economy is based heavily on making marginal profits through interstate trade. It is based, in his words, on the "practice of gaining little and even of gaining less than any other nation and of being compensated only by gaining continually" (XX.4). The commerce of luxury, on the other hand, is based on "arrogance," "delights," and the "fancies" (usually of the court). In Pangle's summation, the commerce of luxury is roused by and reinforces "the desires aroused by vanity" (2010, 100). While this distinction is interesting in itself, and while much more could be said about the difference between economic commerce and luxury commerce, our purpose here is to highlight how this plays out in the larger political argument that is unfolding. The extent to which Montesquieu's economic distinction serves a political purpose is often neglected in the literature, as Catherine Larrère (2001) has noted:

> What is remarkable is that the distinction between the two forms of commerce is not really an economic one. In both forms, "everything is exchanged," as [Montesquieu] remarked in one of his *Pensées*. The difference relates to the ends sought in the two forms of commerce. For nations engaged in economical commerce…commerce itself is the object, and the success of such commerce depends on the ceaseless repetition of the same commercial operations, for it is "founded on the practice of gaining little" in each exchange (XX.4). The commerce of luxury, however, is a means to other ends. (347)

What Larrère's essay reveals is the critical significance of the political question underlying the contest between the two types of commerce. They have different ends. One is commerce itself (one might say, moderate economic growth). The other is the glory, delight, and vanity of the

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closely, and indeed, he refers to Cicero in the chapter in which this distinction is introduced (see XX.4).

rulers (luxury and opulence). The difficult question suddenly arises as to which economic ends are more or less appropriate for the modern state devoted to liberty, defined as security (or "the opinion one has of one's security, XII.2). A further complication arises. Now the old distinction between republics and monarchies (which have been put on the backburner after Part One) resurfaces in the *Spirit of Laws*. The question of which form—republic or monarchy—is more conducive to modern liberty is now quite significant again, in light of the new choice between two types of commerce. The constitutional question now comes back with a vengeance. Are republics in fact superior to monarchies in securing liberty given this new tension, this new choice, between "merchant capitalism" which relies on a new frugality, a new set of virtues, for the sake of solid economic growth and "court capitalism," and the commerce of luxury, which relies more on the wild, unconstrained desires of a few who only see "great objects"?

For now, it is enough to note that this contest—between republics and monarchies—will play out in the background in important ways. The purpose of this chapter will be to describe this contest and to uncover the political intricacies of Montesquieu's economic policies. Politics and human psychology will resonate in every topic, from the appropriate limits on tariffs and duties in popular governments (XX.7), to the desirability of banks and trading companies in monarchies (XX.10), all the way down to seemingly neutral legal questions arising from "ordinary civil contracts" and the appropriate kinds of penalties for civil debts in different political situations (XX.8–XX.15).

The fourth chapter of Book 20 is critical because it illustrates how this contest plays out in terms of human psychology. The basic question here is whether certain character traits might be necessary *if* the choice is to be made in favor of economic commerce over a more luxurious form. Montesquieu elaborates on three of these conditions. First, the people must be able to

practice what Daniel Bell later called "delayed gratification": in Montesquieu's words, they must be capable of "gaining little and even of gaining less than any other nation." In short, they must be capable of self-restraint, and moderation. This in turn requires a particular social climate, where work is valued, where frugality is a virtue, and where moderate spending is self-imposed. It also requires a certain deficiency of natural wealth and fertile soil, since this is one of the obvious sources of the "great objects" of luxury which tend to overwhelm the discipline required to make small continual gains. Second, a flourishing economic commerce requires a particular type of "daring," or ambition, which Montesquieu says is "not to be found in monarchies" (XX.4). Economic commerce is risky (see, e.g., chapter six, "Some effects of a great navigation"). Therefore, there must be certain cultural conditions in which the individual trader is willing to risk his money, time, and effort. In short, the man of commercial daring[46] must be relatively free, or unobstructed in his hopes to improve his "position," to move up in the world.[47] Implicit in this condition is the idea of social mobility, a topic which will become increasingly important as the chapters progress. The third and final character trait here is trust. Montesquieu makes it very clear that economic commerce requires a high degree of confidence in the laws, institutions, and even fellow citizens and leaders. It is "one's belief that one's prosperity is more certain in these states [that] makes one undertake everything, and because one believes that what

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[46] Jean-Baptiste Say would later give a name to this type, in 1800. He calls him, for the first time, an "entrepreneur."

[47] Montesquieu notes a second reason why this type of person may exist only in republics. Traders who become "great" necessarily get mixed up with the "public business," but public business is "suspect" to the merchants in monarchies. This leads Montesquieu to conclude: "Therefore, great commercial enterprises are not for monarchies, but for the government of the many" (XX.4).

one has acquired is secure," writes Montesquieu. "One dares to expose it in order to acquire more; only the means for acquisition are at risk; now, men expect much of their fortune" (XX.4). From Book Eight, we know that this quality, of mutual trust and stable expectations, is a quality more often found in popular states. For Montesquieu, it is a good bet that this trust will diminish in proportion to the size and extent of the state (see VIII.16, "Qualities distinctive of a republic").

At this point, we have seen that the psychological conditions of economic commerce are themselves dependent on the political situation. The qualities of moderation, risk-taking, and mutual trust and confidence are qualities which only flourish in popular states, leading to a tentative hypothesis. Republics are superior to monarchies because only they can generate the kind of citizens who will create long-term, stable, predictable economic growth. Three immediate problems arise, however. First, it is not clear *why* the old-fashioned commerce of economy is desirable in itself—why the *end* of commerce itself is more desirable than luxury and national glory. That waits to be seen. Second, it is not clear from Montesquieu's presentation how important the distinction between economic commerce and luxurious commerce is, practically speaking. In his words, "one commerce leads to another."[48] Might this mean that the distinction is bound to break down anyway? Does this not imply that there is in fact only one type of commerce, one end, to which all others eventually lead—toward court capitalism and luxury? A final question arises in connection to these two problems. If economic commerce tends to luxurious commerce, and if human beings naturally drift in the direction of luxury and pleasure, to what extent are the character traits, these psychological causes we have been discussing, desirable (let alone achievable) in themselves? Is the commerce of economy natural

[48] We will see that this distinction breaks down in the case of England.

or good for human beings? So far, Montesquieu has only proved that these character traits—moderation, a good work ethic, ambition, a willingness to take risks, a respect for order and law etc.—are *necessary*. But are they natural, rooted in the soul?

**Commerce and Human Nature**

There is surprising disagreement in the literature on this very question. On the one hand, there are scholars who believe that there is enough evidence in the *Spirit of Laws* to answer Yes—Montesquieu did in fact believe that economic commerce was "natural" to man, rooted in the soul, and he set out to defend the idea that commerce was the "most adequate response to the needs of human nature" (Pangle, 1989, 214; see Hendrickson 2007, 236 for an important qualification). Thomas Pangle has written extensively on this question, and looks to Book One, in particular, as proof (204–205). From Book One, we can see that Montesquieu did in fact defend a view of human nature that leans toward a more Lockean, and acquisitive, understanding of the true ends of man. For example, Montesquieu explicitly rejects Hobbes' assertion that man's first desire is the domination and subjugation of other men, that is, above commercial and material pleasures (I.2). Man may be fearful, and self-interested, but this does not prevent him from realizing his need for others. And he has at least two unselfish natural bonds—compassion, or "humanity," and sex, which "unites men and tends to bring peace and security" (Pangle 1989, 205). In Pangle's view, this is enough to show that the germ of economic man is there, from the start. And while it is true that Montesquieu feels the need to "adorn" the books on commerce with a kind of poetry (since there is something ugly about commerce in comparison to Greek culture) this does not mean that Montesquieu doubted that commerce was *worth* adorning, for this very reason: it's rooted in the soul and is a natural way of life. If Montesquieu seems cagey, or if he does not come out unequivocally in favor of commercial society, this is because

Montesquieu knew that the subject matter—the commitment to commerce—was "at odds with traditional morality" (202). Montesquieu's deeper position, from Pangle's reading, is unequivocal: "the commercial regime is the only one which allows man's natural humanity to fully assert itself" (205).

Pierre Manent has explored this question as well in his *La cité de l'homme* (1998, 36–50; 86–99). He concludes the opposite. In Manent's view, Montesquieu neither provides evidence for, nor believes himself, that man is commercial "by nature" (1998, 39; 45). It is true that commerce is "basically the only thing that softens mores as a general rule" (37), but there is no evidence, argues Manent, that the activity of human beings and the formation of commercial cities have their origins in a positive choice, made "either by the individual or the group" (40). As opposed to Pangle, who focuses on man's natural needs, Manent focuses on the question of choice. Because there is no real choice involved in the purely economic life, and since the non-human things (climate, nature, history, etc.) force economic man into being (so to speak), it makes little sense to "seek in the human soul the positive mainspring of this activity" (39). And while it is true, concedes Manent, that Montesquieu gives a "favorable account" of the natural *effects* of commerce, this in no way demonstrates that commerce has natural origins. Commerce, rather, is a *reaction* to non-human forces (40). The people of Marseilles, for example, are said to live in a "necessary retreat" in the "midst of a stormy sea." They had to live by commerce, they were forced to live on the islands and shoals. This is proof, for Manent, that commerce in its broadest sense is simply a necessary means, in his words, "to a necessary end, a necessary escape." Which is Montesquieu's view? Is commerce the only truly rational activity of social man, and the most adequate response to human needs—as Pangle's reading would suggest? Or does Manent's challenge make this reading superfluous? After all, if Manent is right, there is no

need to give a rigorous answer about the "natural" or human order, since "the question of human order is no longer raised in these terms" (46). Montesquieu does not need to show that the commercial virtues are rooted in a "positive mainspring" somewhere in the human soul because the soul itself is subject to history, to the "interpretation of the present moment."

Manent's analysis of this question is profound and illuminating, but I would like to focus on the way he poses the problem.[49] Manent is undoubtedly right in at least one important respect. Montesquieu does not show *precisely* how the origins of commercial civilization are connected to the fundamental, unchanging nature of man. Montesquieu does indeed emphasize the violence, the hunger, and severity of nature at the very genesis of commercial civilization. Chapter five, especially, seems to betray Montesquieu's own conviction that commerce is merely a reaction. And yet, Manent's argument is incomplete, and there are a number of important passages which are overlooked. To be specific, Manent does not account for the *progression* of the chapters, from harsh origins in chapter five, to less harsh, and more fully human types of commercial civilization in chapters six and seven (341–343). We will see that these three chapters are a trio. They present three accounts, not one, of the origins of commercial society. These accounts are also an ascent. Economic commerce begins as a mere response to the barrenness of nature in places like Marseilles (chapter five). But it then evolves, transforms, and is elevated, as a respectable substitute for human ambition among the Dutch gamblers and whale hunters (chapter six). Finally, it becomes tempered and integrated with political and religious liberty in a rationalized account of England (chapter seven). Looking at these chapters more closely will show that Montesquieu did not abandon the question of the naturalness of commerce

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[49] I cannot agree with his conclusion, for reasons which will be made clear below.

entirely. These chapters provide small, but vital, clues as to why commerce may be defended as more than a necessary escape from violence, harassment, severity, and the discomfort of being alive.

**The Spirit of Commerce in Marseilles, Holland, and England**

After having outlined the effects of commerce, Montesquieu turns, in the fifth chapter of Book 20, to an outline of the causes. As stated above, chapters five, six, and seven form a trio that should be read together. The first thing to notice, however, is the link between these chapters and chapter four (XX.4). Chapter five does not address the causes of the commerce of luxury introduced in chapter four.[50] Instead, it focuses exclusively on the commerce of economy; in particular, the psychological causes and conditions of economic commerce. Notice, also, that these chapters are connected intimately to Montesquieu's mysterious comment, made in Book Five, chapter six, in which he claims that the "spirit of commerce" brings with it "*en train*" the spirit of "frugality, economy, moderation, work, wisdom, tranquility, order, and rule" (V.6). In other words, Montesquieu's focus is on the commerce of economy and its origins. The question of luxury is left behind. More generally still, these chapters are linked by their attention to human psychology. They have an aesthetic quality, not unlike a series of portraits on a theme, that bring to life for us the similarities and differences of three great commercial nations: Marseilles, Holland, and England.

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[50] As I explain in the third chapter ("The History of Commerce"), this is because the "causes" of the commerce of luxury are both lost in time, and, in an important sense, more "natural" than the commerce of economy, which occurs only under very rare circumstances.

We begin with Montesquieu's description of the people of Marseilles, in chapter five. They are portrayed here as the very prototype and essence of a people who engage in "economic commerce":

> Marseilles, a necessary retreat in the midst of a stormy sea, Marseilles, where all the winds, the shoals, and the coastline order ships to put in, was frequented by sea-faring people. The barrenness of its territory made its citizens decide on economic commerce. (XX.5)

At first glance, the opening of this chapter looks and *sounds* like a kind of paean to a commercial people. As Hendrickson (2007) has observed, this passage has a unique rhythm—a poetic style—that is mirrored almost precisely in Book 21, chapter seven, where Montesquieu speaks of Athens and its "projects for glory" (227). Could this be Montesquieu's way of indicating the similarity, perhaps even the ultimate superiority, of modern Marseilles over its ancient analogue? The poetic quality to the passage does indeed remind us of Athens, as Hendrickson demonstrates well. But it betrays—I would argue emphasizes—a particular *mood* that is, in itself, an indication of the *problem* of Marseilles as a model of a commercial republic. The mood is dark and somber. Marseilles is gritty and barren. Here is a people "forced" to choose a way of life because of the "barrenness" of the land, and the violence of the seas. In the next paragraph, Montesquieu repeats the same lyrical pattern of the opening paragraph. We observe the same poetic repetition and musical use of meter. But the style of the passage is meant to complement the content of the passage, which is full of utterly bleak imagery:

> It has been seen everywhere that violence and harassment have brought forth economic commerce among men who are constrained to hide in marshes, on islands, on the shoals, and even among dangerous reefs. (XX.5)

The question I believe Montesquieu would like us to ask is this: why should such bleakness be deserving of such poetry? To answer this, it is necessary to review Montesquieu's other descriptions of Marseilles in the *Spirit of Laws*. The first mention of Marseilles is in Book Seven,

which is, ironically perhaps, a book that focuses on luxury (the full title is "Consequences of the different principles of the three governments in relation to sumptuary laws, luxury, and the condition of women"). Here, it is not quite clear why Marseilles is worthy of great praise, even elegiac poetry. Marseilles, he says, was the "wisest of the republics of her time" (VII.15). But it was wise in a rather narrow sense: "dowries could not exceed one hundred ecus in silver and five in clothing" (VII.15 fn. 37). In Book Eight, it becomes more clear why Montesquieu thinks Marseilles is worthy of great admiration. Here, Montesquieu emphasizes its peaceful nature and praises Marseilles for its political neutrality in foreign policy: "The republic of Marseilles never underwent great shifts from lowliness to greatness; thus, it always governed itself with wisdom; thus, it preserved its principles" (VIII.4). The next important passage appears in Book 11, where Montesquieu highlights a unique and in some ways, alarming, aspect of Marseilles' constitution. In the fifth chapter, we discover that the *object* of Marseilles' government is not glory, like Athens, or liberty, like England, but commerce itself (XI.5).[51] From this sketch of these three passages, we can conclude that Montesquieu admires three things about Marseilles: its frugality, its prudent neutrality in foreign policy, and its dedication to slow and steady economic growth; i.e., the commerce of economy. All three passages also have this in common: the people of Marseilles are eminently apolitical. Their virtues arise strictly out of their commercial activity. But this fact highlights a problem that is not fully uncovered until Book 20, chapter five. The people are "wise" not in the philosophic sense, but rather in an economic sense. The people are virtuous, yet their virtue does not originate in a choice to be virtuous. They are "forced" to be

[51] Some commentators have noted that Marseilles is either a prototype for modern England (Carrithers, Mosher, & Rahe 2001, 348-349) or an awkward combination of republican virtue mixed with selfish commerce (Pangle 1989, 105-106). In either case, we can conclude that Marseilles is a problematic exemplar of a people who engage in economic commerce.

moderate, frugal, and so on. Here is a free commercial people who are free and peaceful *because* they are commercial, not commercial because they are peaceful and free (compare XIX.27: England "made comfortable by peace and liberty" was "inclined to become commercial"). So Marseilles is beautiful, and deserving of poetry, not because it should or must be imitated—but because it is simply a beautiful oddity that serves as a reminder of what human beings can achieve and are capable of under extreme conditions.

To make this point more clear it is necessary to sift out more clearly that which is worthy of the poetry in chapter five, and the cold facts. Later in the *Spirit of Laws*, for example, Montesquieu indicates that Marseilles was something of an accident. Its "glory," he notes, consists not in any great achievement, but because it merely *avoided* being conquered by Rome (XX1.11; XX1.13).[52] Thereafter, when Montesquieu raises the topic of Marseilles for the last time, he gives this people a rather frugal burial—nothing like the epitaph he will give to England in chapter seven. True, Marseilles was never wholly conquered from outside forces. It died a more subtle death, and was forgotten by history when it was ruined by civil wars that had an arbitrary character, in which "one had blindly to choose a party" (XX.11). Marseilles, one could say, is a beautiful portrait of commerce that should be hung in a gallery next to the other commercial republics. But it has a gaping hole which Montesquieu, the careful painter, points to only indirectly. Marseilles has no constitution, no organizing political principle. To go one step further, Marseilles is a commercial republic without the republic.

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[52] This is not to say that Marseilles is powerless. Caesar had noted its effect on the Gauls, whose warrior mores were "spoiled" by its proximity to this trading state (XX.1, fn. 2).

We can now see why this people are worthy of a poetic meter, but unworthy, in Montesquieu's view, of a substantive elegy, at least not the kind he gives to England two chapters later. Let us revisit Montesquieu's praise of Marseilles in this light:

> They had to be hardworking in order to replace that which nature refused them; just in order to live among the barbarian nations that were to make their prosperity; moderate, in order for their government always to be tranquil; finally, of frugal mores, in order to live always by a commerce that they would the more surely preserve the less it was advantageous to them. (XX.5)

In this passage, we see the very heart of Manent's (1998) critique of commerce. It turns out that this commercial morality that seemed so praiseworthy in Book Five has a dubious source, an unnatural, even violent origin. At best, the virtues mentioned here are instrumental. Necessity taught these people to be hardworking. Necessity taught them to behave justly, to be moderate. If the people are frugal, it is not because they have learned to love being poor. As for the legislators, they might be just in a certain sense, and prudent in a narrow, economic sense, but it is not because those virtues are loveable as intrinsic qualities to a good human life (let alone, because those virtues might be choice-worthy ends in themselves). In sum, the poetry of chapter five underscores the bleak beauty of Marseilles—but this has the effect, just as in Montesquieu's discussion of Athens, of highlighting its flaws. The commercial people of Marseilles are not free in any significant sense, moral or otherwise.[53] They simply lack any other organizing principle. This is a point that Montesquieu emphasizes in Book 11 when he points out that commerce *itself*

[53] For a wonderful discussion of Montesquieu's understanding of liberty, especially, the less well known version of "philosophic liberty," see Krause (2005).

is their object.[54] Perhaps we should give Manent's argument its due here. Marseilles is indeed the peak example of a commercial people, but also the most important example of the unpleasant truth that commercial life is not the same as the fully human life. Absent a better argument, or a higher justification of commercial life, we have to conclude that there is no ultimate grounding for commercial civilization in man's nature. Perhaps the best we can do is learn to appreciate the *effects* of commerce, its "wholesome benefits," and leave the philosophic questions aside.[55]

However, the investigation need not stop here with the portrait of Marseilles. To give up here is to accept a number of questionable assumptions. The first assumption is that Marseilles is the *peak* example of a commercial people, rather than the starting point of a longer argument, the *beginning* so to speak of the evolution of commercial civilization. Another way to put this: why should we assume that Marseilles is the moral and psychological ceiling rather than the floor? This assumption may not hold up if we consider a few facts. Recall, for example, that Montesquieu had made a distinction in chapter four between economic commerce and the commerce of luxury. After having made that distinction, Montesquieu was able to whittle down the number of real world commercial republics to a strict total of six (these were, Tyre, Carthage, Marseilles, Florence, Venice, and Holland). Notice that in chapter five, this total is reduced

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[54] This exposes them to the same criticism leveled against the Dutch in Book 20. Indeed, the lifestyle which is sketched of the people of Marseilles is directly related to the "vice" which Montesquieu will later pinpoint as the central flaw in the Dutch character (XX.1).

[55] One obvious implication of this discussion so far is that economies of luxury are more "natural." Luxurious economies are also founded on "real needs" (XX.4). But there may be a more important lesson to be drawn from this analysis. It is not merely that a pure commerce of economy is historically rare. There are indications that a republic dedicated to a pure commerce of economy is inherently contradictory, since any gains in wealth or security cancel out the human motives for choosing economic commerce in the first place.

further, from the original six, to four (these are Tyre, Venice, Holland, and Marseilles). This simple observation leaves open two questions. If the old, we might say "pure," forms of the commercial republic are meant to be the *peak*, a "best regime" even, why must there be so few examples? This would imply, for one, that the whole world as Montesquieu knew it—including moderate monarchies—was corrupt and entirely beyond redemption. Second, what might be the significance of dropping Carthage and Florence from the original six? Why should these two commercial civilizations not be grouped with the hard core of the economic republics?

The first question can be answered directly as follows: the pure commercial republic is a very rare phenomenon, and therefore so must be the "pure" commercial virtues mentioned in Book Five. The second answer is perhaps less obvious. Might it be the case that by leaving Carthage and Florence out of chapter five, Montesquieu is quite consciously rejecting the premise of those critics who might argue that *all* commercial societies are founded on strict necessity, barrenness, and violence? Indeed, the original six tells a more flexible and inclusive story. Carthage and Florence are not grouped with Marseilles most likely because commerce, as a way of life, in these two major historical cases, seems to have involved a *choice*. More will be said on this point, but observe a second curiosity. In chapter five, there are only two commercial republics—out of the four remaining—that seem to have any relevance in the modern era. These are Venice and Holland. Tyre, on the one hand, had become a relic, even by Montesquieu's day (having been conquered by the Mameluks and absorbed into the Ottoman empire in 1291). Marseilles, similarly, had been ruined by a civil war, a point which Montesquieu openly discusses (he does not mention the devastating plague, the frequent sieges by the Holy Roman empire, the chaotic rebellions, and its ultimate incorporation into Provence). These observations are only suggestive, but they do show, in my view, that Marseilles cannot be the pinnacle. It

cannot be, in Montesquieu's view, the final stage of the evolution of the commercial republic. And this leaves two commercial peoples to account for: Venice and Holland.

In Book 11, Montesquieu makes it clear that Venice[56] is a commercial dinosaur, much less relevant than it once was. Today, he says, "France, England, and Holland" carry on "nearly all the navigation and commerce of Europe" (XI.21; a similar remark is made in XXII.10). Holland, then, *not* Marseilles, is the only politically relevant, historically stable, financially strong, and theoretically important model of all the original six republics. From Montesquieu's own presentation, it appears that Manent's (1998) assumption that Marseilles is a benchmark, Montesquieu's final word, is not ultimately supportable.[57] Montesquieu's poetic account of Marseilles may point to a very different conclusion, in short, that a "pure" commercial people, motored by frugal, moderate, just, hardworking citizens, is not to be expected in the modern world any more. Marseilles, as I have argued, is the beginning of a longer story. A frugal commercial people stuck in the marshes, fleeing harassment and evil, will eventually become an

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[56] Montesquieu is especially critical of Venice as a "model" because it is an immoderate aristocracy. See Rahe (2009, 77). Compare Carrithers (1991) who initially gives a more flattering portrait of Venice, but eventually concludes, in agreement with Rahe, that Venice had become a "shorthand for tyranny" (268). See also *Persian Letters* #130 where Montesquieu implies that the economy is its "only resource."

[57] For a helpful statement on the differences between Pierre Manent's account here and Thomas Pangle, see Pangle (2010, 176 fn.1). Pangle notes that the difference between their readings is based on a difference in their estimation of Montesquieu's rational conception of human nature. Pangle questions the "adequacy" of Montesquieu's account, while Manent thinks that Montesquieu's thought embodies a "forfeiture of reason and of nature as a norm, through an abandonment to 'faith' in the 'present epoch.'"

adventuring, bold, and enterprising people, with a thirst for riches and a "great navigation" which stretches out to virtually every corner of the earth.[58]

**20.6: Holland**

Montesquieu's description of Holland marks the beginning of this exciting evolution, but it is important to note in advance that it has much in common with the gloomy Marseilles. Like Marseilles, Holland has its origins in bare necessity. The people are commercial not primarily because of an original choice, but because of an odd coincidence of geography. In brief, they live on harsh, relatively unfertile lowlands, where defensive options are numerous and navigation (of waterways and canals) naturally conducive to commerce. Like Marseilles, Holland is populated by hardy, industrious souls, who have been *forced* to work the land and cultivate the virtues necessary for survival through trade. The land has been "made inhabitable by the industry of men," Montesquieu notes in Book 18 (XVIII.6).[59] It is because the land could not be "abandoned to indifference or caprice" that the Dutch are as hardworking and moderate as they are—a fact that Montesquieu also relates to moderate government, that is, to the existence of the

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[58] As Pangle argues, the "commerce of economy [may be] possible only where men begin with a relatively clean slate, in conditions of "vexation" and deprivation" (1989, 215). Much more would need to be said on this point. It may be inferred that commerce and republicanism are not meant to coexist, even in the attenuated form which Montesquieu hinted at in Book Five. The suggestion would then be that a further reduction has to take place to make the two compatible. To put it simply, both the republican and the commercial features of the ideal commercial republic have to be diluted, or transformed. Holland would then be the first example of a trading state to successfully combine the new, relaxed republicanism with a new relaxed understanding of economic commerce.

[59] This fact may have helped to liberate the independent farmers from manorial obligations which kept them enslaved in fertile, aristocratic societies. As Bernstein has noted elsewhere, it was these ambitious land reclamation projects through the creation of dams, dikes, and drainage ditches which fuelled industry, while also moderating Dutch politics.

"legitimate power of a monarch." So we see that Holland shares this same theoretical difficulty: as in Marseilles, the people are *compelled* to their industriousness, and this only further begs the question of whether human beings, in most normal conditions, would choose to live such as they do. Physical causes, not moral causes, appear to dominate the Dutch no less than they dominated the people of Marseilles.[60]

Unlike Marseilles, however, the continued attachment of the Dutch to commerce, as a way of life, is much harder to pin down on physical causes alone. Montesquieu makes it much more difficult to disentangle the origins of Dutch commerce from the origins of Dutch liberty. As it turns out, Dutch commercialism is mixed with a strong and deeply rooted attachment to liberty. While they are infused no less than Marseilles by the "spirit of commerce," (XX.1 fn. 3; XI.5), they are also infused with the spirit of liberty. Like the English in Book 19 (and unlike Marseilles in Book 20) the Dutch are fiercely independent, proud, and willing to fight to protect both their commerce *and* their liberty (VIII.18). This character of the Hollanders is best illustrated in Book Eight, where Montesquieu singles out the Dutch towns for having been the first nation to successfully thwart Spanish despotism in the Low Countries. In Book 28 Montesquieu makes a similar argument. There, he ascribes to the Dutch an "indomitable humor" and a "rebellious spirit" that he says can be located even further back in the historical struggle of the early Saxons against the spreading empire of the Franks (XXVIII.1).

Montesquieu had explored this aspect of the Dutch "spirit" many years before, in a memorable passage in the *Persian Letters*. There, Montesquieu had picked up on the idea that

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[60] This idea was adumbrated in Book 18, and also by Usbek (*Persian Letters* #118), where it was argued that barrenness of soil, not fertility, is the most important spur of human industriousness, sobriety of mores, hearty defense, and hard work (compare XVIII.4).

Holland, somehow, had managed to *combine* the spirit of commerce with the spirit of liberty. In one scene, Usbek marvels at the soaring birth rates in the Low Countries. For Usbek, the willingness of the Dutch people to propagate is proof that they have both liberty *and* affluence. According to Usbek, this is the greatest attraction of commercial republics: "Nothing is more attractive to foreigners," he writes, "than liberty and affluence, freedom's invariable companion; the first is sought for its own sake, while deprivation draws people to those countries where affluence reigns" (#118).

Holland, then, might be thought of as a sort of "bridge" between Marseilles and England. Like Marseilles, it is dominated by a spirit of commerce (XX.2) that comes out of "deprivation" and a harsh original condition. But like England, it has a spirit of liberty[61] that is sought, in Usbek's words, "for its own sake." The one feature is explainable by necessity; the other feature is attributable to human choice and reason. Both of these strands are intertwined—they seem to coil back into a distant and obscure Saxon past, making it impossible to decipher exactly which came first. There is a hint, however, that the political institutions which contribute to Dutch liberty have evolved alongside and in pace with their commercial culture. In brief, their political

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[61] It is hard to say what Montesquieu means by the "spirit of liberty" here. The first reference to the "spirit of liberty" in the *Spirit of Laws* appears in Book Six, chapter 16. Here it is just a mood, an appetite for freedom, so to speak. But in Book 11, chapter seven, Montesquieu makes it clear that the "spirit of liberty" is psychologically quite complicated—it may in fact be an illusion: "The monarchies we know do not have liberty for their direct purpose as does the one we have just mentioned; they aim only for the glory of the citizens, the state, and the prince. But this glory results in a spirit of liberty that can, in these states, produce equally great things and can perhaps contribute as much to happiness as liberty itself" (XI.7). The "spirit of liberty" is also discussed in Book Seven, chapter nine. There, it means something like sexual license or sexual freedom: "In monarchies women have so little restraint because, called to court by the distinction of ranks, they there take up the spirit of liberty that is almost the only one tolerated" (VII.9). The phrase appears one last time in Book 13, chapter 14: "[In England] it is felt that the more moderate the government the more the spirit of liberty reigns" (XIII.14).

institutions are much superior to Marseilles. We find out in Books Nine and Ten, for example, that Holland has a confederal arrangement, representation, and an empire built on an extension of commerce rather than on territorial conquest. It is true that these institutions do not breed virtuous citizens. Their commercial morality is not as strict as it is in Marseilles. One is likely to find more gamblers and whalers than honest merchants (let alone preachers or soldiers). The representatives are certainly less than virtuous (XX.6; *Persian Letters* #117). But Holland, unlike Marseilles, or any other previous commercial people for that matter, has secured a tangible liberty which complements and undergirds its commercial success. Through its defensive, confederal arrangement, it is able to avoid the imperial blunders which Montesquieu says ruined the offensive minded imperialism of the old commercial empires, like Carthage. It is less democratic than Marseilles, and more representative. This increases its odds of survival by increasing the chances it will avoid the factionalism and internal corruption which eventually reduced the republic of Marseilles to insignificance (see, e.g., IX.1; IX.3; XI.5; XIII.12).

It would be misleading to suggest, however, that the Dutch represent a new ideal form of government. Its confederal arrangement is primitive, and not without flaws (e.g., XI.3) but it is an advance on Marseilles in other ways, as can be seen in chapter six, which is entitled "Some effects of a great navigation" (XX.6).[62] Here, Montesquieu brings up two puzzles connected to the particular type of commerce in Holland. First, why is it that the merchants here seem happy to engage in economic trade when the profit margins appear to be so small? Second, why is it that investors in commercial societies like this are willing to participate in unprofitable ventures

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[62] This is a somewhat misleading title, since the underlying purpose of the chapter is to explain *why* human beings might engage in economic commerce, a question chapter five did not answer in a satisfactory way (indeed, chapter five only raised the stakes of that question).

(whale hunting), which almost "never returns what it costs"? These two puzzles may not seem all that weighty, in the scheme of things. But in answering them, Montesquieu addresses two essential features of the Dutch that further distinguish them from the peoples of Marseilles.

The solution to the first mystery is easily explained. The merchants in Holland are in fact quite happy to make small sacrifices, and to "gain very little," in the short run, because they do not expect—as the people of Marseilles *must*—to be practicing economic commerce all their lives. The merchants in Holland are lured into the discipline of economic trade because they know that there is a promise of much bigger rewards in the future (XX.6). Montesquieu notes that a Dutch wine merchant, for example, will be satisfied to gain nothing by importing expensive French wine—if he can make a killing on resale further to the north (XX.6).[63] As a second example, Montesquieu describes the seeming paradox of a Dutch captain who will be quite willing to import loads of marble, or timber, at little or no additional extra charge in the domestic market. Why? The captain does this because he needed ballast for his ship, which, the reader can assume, is loaded with other goods by virtue of which he expects to make a handsome profit. It is not too much of a stretch, then, to say that the Dutch practice economic commerce because it is to their advantage in most cases—but are not constrained to it as a rule. Unlike the "merchant capitalism" of Marseilles, which is merely a "retreat" from hardship and suffering, and is laced with fear, Hollanders base their trade on adventure, on the expansion of human possibilities, on the universal human hope of getting filthy rich.

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[63] There is another reason lurking behind the wine example, which Montesquieu does not explore in any depth, although it could have been on his mind. In short, the whole idea of the international division of labor (see Smith, and Lewinski 1922, 15, who criticize Montesquieu on this point).

The second mystery is harder to explain. What explains the huge risk, and enormous investment, which is required of the whaling captains, who go to sea with the knowledge that they will likely come out at a loss? Montesquieu's answer is worth quoting in full, for it reveals the other face—the most charming feature—of economic commerce, which was wholly obscured in chapter five on Marseilles:

> Those who have been employed in the ship, those who have provided the rigging, the gear, and the provisions, are also those who take the principal interest in the hunt. Even if they[64] lose on the hunt, they have come out ahead on the equipage. This commerce is a kind of lottery, and each one is seduced by the hope of a lucky number. Everyone loves to play, and the most sober people willingly enter the play when it does not have the appearance of gambling, with all its irregularities, its violence, its dissipation, the loss of time, and even of life. (XX.6)

This passage may not inspire the faithful, or capture the imaginations of political men. But it captures the very human spirit of industry which pervades Dutch society. We see that commerce in Holland is close to gambling, although of a more "sober" form. Holland is a place where Locke's "rational and industrious" man would be happy to call home, because there is no upper limit, so to speak, on gain. There arises a great difference between Marseilles and Holland and an important qualification of Manent's (1998) critique. On the one hand, the Dutch look corrupt—even by the standards of a commercial people of Marseilles who display all the virtues listed in Book Five. By comparison to these seafaring capitalists, the people of Marseilles look much sterner. And yet, it would be an error to conclude that Montesquieu viewed this corruption in the

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[64] This ambiguous pronoun can create considerable confusion: "they" refers to the *captains*, not the "investors" of the rigging, gear, and provisions, etc.

literal sense—of a corruption of what it means to be human or a corruption of human nature.[65] On the contrary, Montesquieu implies here that this more energetic form of commerce taps in to a deep and universal desire to better one's condition and to pursue commercial ambition.[66] In short, Holland is a place where ambition is not limited, as it was in the old republics, to a "single desire" (V.3). Here men gamble soberly, take adventurous but not insane risks, and are united by "whale hunting." In Holland, "Everyone loves to play." Commerce is a seduction, and Montesquieu notes that it can be ruinous in many ways—not unlike the lottery. But Montesquieu does not equate commercial ambition with the lottery simply. Commerce only has the appearance of gambling (XX.6). In any case, as Usbek notes in the *Persian Letters*, even gambling, which "disturbs our reason," is somehow ineradicable. It was impossible, he notes, for the holy Prophet to take away the "cause of our passions," which is why Islam had to resort to tempering those passions, by taking away and forbidding "as a special precept" the "games of chance" (see *Persian Letters* #54).

To summarize, Holland is an advance in two ways. It has an "errant" or adventuring aspect, which taps into human ambition, but also a romantic, seductive appeal, which taps into human eros.[67] In sum, commercial activity is natural insofar as it is answers to these higher desires. In a second sense, Montesquieu views it as natural in the sense that is universal: it is

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[65] Again, I refer to Boesche (1990) for an interesting attempt to defend this interpretation.

[66] See XIII.2: "the effect of a wealth of a country is to fill all hearts with ambition"; cf. IV.6: "[Lycurgus] seemed to remove all its resources, arts, commerce, silver, walls: one had ambition there without the expectation of bettering oneself."

[67] Socrates hints, in the *Symposium*, that *eros* can be satisfied in other ways than by love—by "money-making, love of gymnastics, or philosophy," for example, 205d.

"common to all who love to play." By solving these two trade puzzles, Montesquieu therefore highlights what is lacking in his presentation of the origins of commercial civilization in Marseilles. Overlooked was the romance, and the adventure, which is a subtle foreshadowing of the epic which Montesquieu will pen for commerce in the next book. We might even go further, and suggest that the "lottery" of commerce in its later stages is Montesquieu's way of describing a kind of natural compensation for the bleakness of its origins, for the desolation, misery, and hardship which forced human beings to trade, and to work so hard to "replace what nature refused them."

In presenting the other face of commerce, in Holland, Montesquieu does not suggest that we forget the origins of commercial civilization in "violence and harassment" (XX.5). And he does not suggest that economic commerce is more conducive to individual happiness than other ways of life (XIX.5). But humanity, for Montesquieu, is much more fully expressed in the energized commercial republic of Holland than it is in the admirable, stern, but desolate Marseilles. A nation of fugitives looking for security has been turned into a society of men eager to work together towards a common interest. In chapter six, Montesquieu merely expresses what later became known as the profit motive, in more beautiful terms—that is, as the pleasurable anticipation of turning up a "lucky number" on the whale hunt.

**20.7: England**

Like Marseilles, though, Holland is no best regime. It too is riddled with difficulties. Levillain (2009) has explored these difficulties in very fine historical detail, but finds it impossible to say exactly how the historical Holland fits in with Montesquieu's political science. As Levillain explains, it is owing to the fluctuating nature of Dutch political events between 1729 and 1748 that "the Dutch model remained somewhat elusive in Montesquieu's broader

understanding of the paradigm of republican regimes." Yet we do not have to go very deep, historically, to see that Montesquieu had serious reservations about Holland as a *theoretical* model. There are many direct comparisons between Holland and England, for example, which serve the purpose sufficiently, and which help to explain why the English nation represents an advance on the Dutch commercial towns.

The earliest direct comparison between England and Holland appears in the *Persian Letters* (#131), where Holland is described as "that *other* queen of the seas." In this passage, Rica is being given a tour of a European library, and is reporting on what is ostensibly a grand survey of world history. The library tour is a literary device. It allows Montesquieu to explore some of the historical themes that will become the basis of some of his more developed observations about the origins of modern republics in the *Spirit of Laws*. It thus gives us an opportunity to see how Montesquieu might have viewed the Dutch republic in the "paradigm of republican regimes." When Rica comes to the section of books on the history of Holland, his "learned friend" and tour guide singles out one singular aspect. The tour guide points out that the Dutch have a remarkable talent in extending their commercial reach (he notes, for example, that the Dutch merchants not only command respect in Europe, but are so "formidable" overseas that Asian kings bow down before Dutch merchants). What is revealing about this gloss on Dutch commercial imperialism is that he is silent about Dutch politics and culture. The English histories, on the other hand, are "close by" on the same shelf and these books praise England on two dimensions. Unlike Holland, whose glory rests solely on its commercial exploits, England's glory rests on its ability to secure liberty (the tour guide says it is being praised by "the historians of England" for the way in which liberty "repeatedly survives the flames of discord"). Here we see why England and Holland deserve to be on the same shelf. Both are entitled to be called

"queen of the seas." Yet the tour guide subtly points out that history has already reserved a loftier perch for England, because of the way in which commercial empire takes a back seat to security, to the individual liberty of the English citizen. In this little scene, we see a hint of Montesquieu's early view that England will be remembered by future historians more for its constitution than for its commercial achievements.[68]

This passage in letter #131 was written at least seven years before Montesquieu visited England in 1729. It is therefore interesting for a second reason, as follows. The passage allows us to see that Montesquieu did not change his mind when he visited Holland some eight years later on his way to England. Here is an illuminating passage from Montesquieu's "*Notes Sur L'Angleterre*" written during that voyage. It provides yet another clue as to why the English nation is superior and is supposed to represent an advance as a theoretical model:

> In London, liberty and equality. London liberty is a liberty of respectable people, in which it differs from Venice, which is a liberty to live obscurely and with [prostitutes] and to marry them. London equality too is an equality of the respectable people, in which it differs from the liberty of Holland, which is a liberty of the rabble." (1949, 876)[69]

In this passage, Montesquieu is shown working through the range of potential kinds, or combinations, of liberty and equality that might give different hues, in different social contexts, to commercial life. While there are other passages in which Montesquieu is highly critical of the

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[68] Interestingly, Montesquieu refrains from calling England a republic like Holland. And yet it is a remarkable kind of monarchy because it combines a "precarious" succession of monarchs with an "invulnerable throne."

[69] Both Caillois (1949) and Stewart (2002), who has recently translated the notes on England, repeat the word "liberté" although in the context, for parallel, the passage would make more immediate sense substiting the word "*égalité*" for liberty.

English as a people, here, it is enough to note that he thought that a respectable liberty was compatible with a respectable equality.[70]

Returning to chapter seven, in the *Spirit of Laws* we see further confirmation that England is meant to symbolize a theoretical achievement, a standard by which to judge other commercial peoples. The chapter is entitled "The spirit of England concerning commerce," and it contains what may be the essential formulation of England as an ideal.

> Other nations have made commercial interests give way to political interests: England has always made its political interests give way to the interests of its commerce.
> This is the people in the world who have best known how to take advantage of these three great things at the same time: religion, commerce, and liberty. (XX.7)

Buried in the middle of Montesquieu's first book on commerce, we arrive at the pinnacle statement regarding the English nation. As it turns out, it was premature to conclude that Marseilles was Montesquieu's final word. Marseilles and Holland were false summits; they fall short of a new ideal, and are meant to put one in mind of this new ideal. Here the missing element is put into place. England takes advantage of *three* great things: commerce, liberty, and religion.

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[70] The most important criticism of Holland in Montesquieu's writings, however, touches on the scope of individual freedom. In the *Pensées*, Montesquieu locates Holland on a kind of spectrum between slavery and extreme individual liberty. Holland is superior to Venice because senators are politically free; in Venice, they are as well, but "non pas civillement" (Montesquieu 1949, 1432). On the other hand, Holland is inferior to England. In England, there is the greatest degree of individual freedom because the magistrates, in direct contrast to Venice, are "slaves" (esclaves), but the people remain free "comme citoyens." The critical issue here is not whether Holland has a great commercial empire. The standard is civil liberty. Further evidence that Montesquieu thought that this was the crucial dimension is found in Book 12 of the *Spirit of Laws* when he discusses the possibility that "the constitution is free but the citizen is not" (XII.1).

**The English Formula**

It would not be silly or frivolous to imagine that chapter seven of Book 20 contains the magic formula for commercial republicanism. Commerce, liberty, and religion; these three "great things" hold England together in a balance.[71] Further evidence that this is the new formula for a modernized "best regime" is easily seen by recalling the parallel formula for Roman greatness in Book Eight. Rome, by contrast, was described as a "vessel held by two anchors: religion and mores" (VIII.13). The transformation works neatly and one is tempted to sum it up, easily, as follows. Mores are relaxed and commercialized, religion is privatized and moderated, institutions take over for virtue; the end result is liberty.

Montesquieu resists such facile interpretation by putting the magic formula in an awkward position, that is, in the middle of chapter seven, in what seems to be a wasteland of boring trade policies. Montesquieu could have placed this important formula elsewhere (for example, in XIX.27, the chapter dedicated to the topic). The positioning of this important comment here, arguably, is suggestive, however, of the fact that the portrait of England in Book 19 was incomplete. We know from his private writings that Montesquieu had severe misgivings about England (at least as a historical reality). Montesquieu was well aware of the extent of corruption in England. He was openly critical of the extent to which "money is sovereignly esteemed." In his "Notes sur l'Angleterre" Montesquieu notes, moreover, that "the English people are no longer proud of their liberty. They sell it to their king; and if the king gave it back, they would sell it to him again" (see Boesche 1990, 1754; cf. Stewart 2002). Scholars often point to Montesquieu's letter to Domville to demonstrate Montesquieu's admiration for the English.

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[71] For an overview of the literature see Montesquieu (1989, xxxii).

Responding to Domville's concern about the future of English liberty, Montesquieu writes, "in Europe the last sigh of liberty will be given by an Englishman…your liberty is linked to your commerce and your commerce is linked in some fashion to your existence" (Montesquieu 1955, 1245; see Desserud 1999 for an extensive commentary on this letter). But Montesquieu is less than enthusiastic about English commercialism in a draft of that same letter, noting, "your riches are causing your corruption" (in Stewart 2002).[72] In the *Spirit of Laws*, Montesquieu plainly expresses his reservations: "It is not for me to examine whether at present the English enjoy this liberty or not. It suffices for me to say that it is established by their laws, and I seek no further" (see, e.g., IX.8; XI.13).

In short, the formulation sounds grand. But it is not clear how or why the English people are deserving of such a fine epigraph, let alone whether they in fact "enjoy" these three "great things" as Montesquieu seems to imply.[73] Why should we assume further that these three great things are compatible? Is it too easy to treat them as elements of a harmonious triumvirate of

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[72] It is important not to rest too much weight on these writings, especially the "Notes on England." Boesche notes that Montesquieu's grandson was a refugee in England during the French revolution and destroyed most them, for "fear that they would offend his English hosts" (Boesche, 1990, 754; Neumann 1949, xii). Note, however, that Boesche's speculation (that the letters would "offend" his English hosts) might go both ways: Montesquieu's grandson may have also destroyed notes that would offend the authorities back home.

[73] England appears to be dominated by the spirit of commerce no less than Holland. Indeed, Montesquieu singles out England as the first—long before the rise of the Dutch towns to influence—to have begun the subordination of politics to economics. In one of Montesquieu's formulations, the cause of modern English commerce is attributed to Henry's destruction of the monasteries. But in another passage, the roots reach much further back to the Magna Carta, which Montesquieu praises as a forward looking insight into the importance of subordinating politics to economics a few chapters later (XX.14). Note also that this subordination of politics is only reinforced in the second paragraph, where Montesquieu explicitly avoids making any mention of virtue.

goods? Why must we assume that the interests of commerce, religion, and liberty can be harmoniously united, as the formula seems to suggest? Why should we not assume the opposite—that these three "great things" might, in fact, be incompatible, and even in some cases in dangerous tension?[74] Viewed in light of the real moral deficiencies of England, we have to conclude that England is anything but a simple improvement, a straightforward *evolution* of the commercial republics of chapters five and six. The formula may represent the real peak of the commercial republic, but for that reason, because it is a peak, it may appear to the reader "distant" and difficult to see and understand.

The great, and most difficult, ambiguity that is raised by this formula in chapter seven concerns the relationship between commerce and religion. What could it mean to say that the English take advantage of religion? What could it mean to say that the English take advantage of commerce *and* religion at the same time?[75] A full answer would require grappling with what Montesquieu says on religion (see "Chapter 4: Introduction to Part Five of the *Spirit of Laws*" for

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[74] It goes almost without saying that commerce and religion are in tension. Too much commerce can undermine the psychological and material roots of religion (in Pangle's phrase, the spread of commodities can "drown out" the voice of God). Too much religious speculation and a focus on other-worldly bliss can be disastrous for the spirit of industry, a point which we will explore in more detail in the last chapter.

[75] This will be taken up in our analysis of Part Five. Montesquieu attributes the lack of zeal in England to the spread of commerce, knowledge and Enlightenment, but also to the general diffusion of sects and toleration. Enlightenment, he argues, leads to an increasing indifference to faith of all kinds; therefore, to the degree that Enlightenment spreads, the more it is likely that the majority will embrace a dominant religion. To the degree that Enlightenment does not "cure" religious zealotry, Montesquieu observes a general diffusion, and multiplication of the sects, which is a result of the privatization and diffusion of the "fantasies" and passions of the zealots (XIX.27). Kingston (2001) gives a helpful survey (377-398).

an overview). Looking back to Book 19, however, it is possible to clear up part of the ambiguity before proceeding. There, Montesquieu characterized English religiosity as, in a word, unenthusiastic.[76] The question that Montesquieu has put on the table here is how a commercial people can "take advantage" of an unenthusiastic religious climate.

Two possibilities can be considered. The first is to observe that the "English formula," as I am calling it, appears in chapter seven, at the very start of a long discussion of the benefits of free trade. One implication is that the English have settled on a form of religion, i.e., Protestantism, which both complements and stimulates economic commerce (more bluntly, economic growth). Such a solution foreshadows many of the arguments made later in Part Five, concerning the relationship between different religions and commercial prosperity. At this early juncture, though, a more basic question still has to be answered. It is still not clear exactly what Montesquieu means by saying that the English "take advantage" of religion.

Previously, scholars have not appreciated the ambiguity of the key verb, *se prévaloir*, in chapter seven, which can be interpreted in at least three distinct ways.

Here is the passage again in full:

> C'est le people du monde qui a le mieux su se prévaloir à la fois de ces trois grandes choses : la religion, le commerce, et la liberté. (1951, 590)

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[76] Montesquieu (1949) is more explicit still about the status of religion in England in his private writings. In the *Pensées*, for example, Montesquieu indicates that they have largely evolved past the era of multiplying sects. The English have "only an enlightened respect for Religion" (1458). Elsewhere, Montesquieu points out that religion is considered either a "fiction" (982) or a "joke" (884). "This is what it is to be moderate in one's principles!" he says. "In France I am considered to have little religion, and in England to have too much" (982).

Generally, the tendency is to translate *se prévaloir* in a rather benign, economic sense: *se prévaloir* means to "take advantage" of, or to "profit from" and/or "to value."[77] No moral issue is at stake, as for example when one "profits from" a business opportunity, or when one "takes advantage" of a nice day to go to the beach.[78]

There is of course another sense of the phrase, which overlaps in some ways with the first, but emphasizes the moral or political dimension.[79] *Se prévaloir* can also imply exploitation. This darker, Machiavellian, sense of the verb was the primary way in which Diderot first defined the word in his 1751 entry in the *Encyclopédie*.[80] For Diderot, the primary meaning of *se prévaloir* is to "take advantage" *unjustly* of some circumstance, either by talent, cleverness, authority, or force.[81] The obvious question arises: could Montesquieu have meant to suggest that

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[77] Nugent, for example, who first translated Montesquieu's *Spirit of Laws* in 1750, translates *se prévaloir* as: "to value, at the same time" (Nugent 1914, 320). Mark translates the verb as "to avail itself" (1901, 4). Cohler gives "to take advantage of" (1989, 343). Allen has recommended "to profit." This last suggestion is based on a private translation.

[78] In the French, it is used like this (*se prévaloir de la présente politique au besoin*).

[79] Diderot (2011) provides this entry in the 1751 *Encyclopédie*:

> PREVALOIR, v. act. (Gramm.) tirer un avantage injuste des circonstances, des talens, de l'esprit, du crédit, de la force. Il se prévaut à tout moment de la facilité qu'il a de parler pour m'embarrasser. Il se prévaut de la foiblesse de cette femme pour la maltraiter.

[80] See http://www.wordreference.com/fren/prevaloir

[81] See Mansfield (1993, 124). The morally dubious element that Diderot highlights is present in Machiavelli's argument that Christianity has made the world weak, and delivers it to the wicked who are able now to "take advantage" of Christian forbearance.

the English have learned to exploit religion commercially? Does the magic formula suggest that the ideal commercial republic will have learned to exploit public religion to advance an economic agenda? The single most compelling piece of evidence that this was Montesquieu's intention comes at the end of Book 23, when Montesquieu appears to approve of King Henry's destruction of the monasteries and his further appropriation of Church lands.[82] The problem with relying on this interpretation, however, is that it does not take us very far in understanding the theoretical or philosophical relationship between commerce and religion. Moreover, Montesquieu is clearly very critical of King Henry VIII in other passages (see, e.g., XII.10; XII.22). King Henry certainly "took advantage" of religion, in a material sense. And there are indications that the English "profited" from Church holdings. But we do not need to speculate much to conclude that this was not Montesquieu's main thrust. Henry's acts may have been good for historical England; indeed, they liberated the "spirit of commerce." But Montesquieu does not let his reader forget that these were despotic solutions to religious reform, and that there were better ways.[83]

A third reading of the verb *se prévaloir*—also the most literal rendering of the verb—should be mentioned before we conclude. The root indicates "to prevail." This sense of the expression was used commonly in 18th century French legal idiom or legal argumentation (as for

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[82] For a helpful discussion of the significance of King Henry VIII, see Rahe (2009, 231).

[83] If Montesquieu had wanted to suggest that the English are a model for the world because of their Machiavellian exploitation of religion, he could have chosen *à profiter*—which he does in the Persian Letters, where the chief black eunuch tells Usbek that he has studied the "art of command" and the "hearts of women" and has learned how to "take advantage" (*à profiter*) of their weakness (*Persian Letters* #64).

example, "*fair se prévaloir son point de vue*"), but also when describing resistance to an enemy or to some overpowering force of nature.[84] I have found only one instance where Montesquieu uses the same expression. That appears in Book 22 of the *Spirit of Laws*. There, he uses it unambiguously to mean "prevail," in this third sense: to win over, or to be in command of some powerful natural force.[85]

One might conclude that this passage is best left at an ambiguity, and that it contains all three meanings (to profit from, to exploit, and to prevail over). For the sake of argument, however, let us assume that Montesquieu intends to put the emphasis on this third possibility. In contrast to the Machiavellian reading, which emphasizes the exploitation of "civic religion" by a clever legislator, this reading, as above, emphasizes the balance between these three vital aspects of the total human good: money, freedom, and religion. I do not mean to suggest that these are perfectly compatible or unproblematic goods. Montesquieu's phrase points instead to the necessity of moderating these goods—of keeping them in order and in their proper place. This is what the commercial republic as represented by England does best. The strength of its constitution allows it to survive what Montesquieu calls the "furthest point of liberty" (XI.6). And though England has an "extreme *political* liberty" (I.6, emphasis added), it manages to avoid the spirit of extreme liberty that can destroy most republics (see, e.g., V.6; VIII.3). It is a great commercial nation that, while allowing its political interests to give way to the "interests of

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[84] Voltaire, for example, uses the verb when speaking of military tactics: "*à se prevaloir avec avantage des machines de guerre*" (in *Dictionary Philosophic*: "*Tactique*").

[85] Here he talks of a particular usage prevailing over another ("*l'usage devait aisément prévaloir*"). Cohler (1989) translates it as "usage easily prevailed."

its commerce" (XX.7), is not, like Holland, "affected *only* by the spirit of commerce" (XX.2, emphasis added). Finally, it is an example of a nation that preserves a place for religion, even religious zealotry (XIX.27). But this zealotry is countered by wise and moderate criminal laws, a vigorous respect for property and for individual security; and the right to believe in one's own god—or none at all (XII.2–30; XIX.27). In this sense, chapter seven is not Montesquieu's final word on the commercial republic, but a foreshadowing of one of the greatest contests of modern times: between the passions at the root of liberty and commerce, on the one hand, and the passions at the root of modern religion, on the other. The seventh chapter is a reminder, finally, of the inseperability of economics from politics and religion.

**Conclusion**

The immediate question of the "nature of commerce" has been clarified. It has been shown that commerce is no "grand panacea," and that Montesquieu intended for his reader to see why its effects are targeted, from the very beginning, on mores ("pure mores" and superstition, in particular). We also saw that Montesquieu's distinction between economic and luxury commerce is not merely analytic, or scientific. Montesquieu clearly takes sides on the superiority of economic commerce, while being mindful of the ways in which economic commerce naturally drifts to its opposite.

In the discussion of chapter four of Book 20, I argued that Montesquieu's main interest is in the psychological conditions of (or the character traits requisite for) economic commerce. There was an indication that these character traits were only possible in a republic, where there are "stable expectations" (of private property, for example, along with trust, and security). But this topic was put off to consider a more profound challenge. Are these character traits natural, and are they rooted in the human soul?

We concluded, in agreement with Manent (1998), that this is the central question of these early chapters, but provided reasons why it is misleading to put too much emphasis on Marseilles as a model commercial regime. The harshness of the life of the people of Marseilles must be considered in light of the human possibilities made possible in a place like Holland, where commerce is a mix, to put this simply, of choice and necessity. I argued that Holland represents a bridge to England, where the tension between harsh natural origins and promising new ends is blurred or forgotten, put aside. The chapter on England, however, is also something of an early climax. The memorable formulation shows conclusively that Montesquieu deemed it a success. Yet the precise reason for this success is not entirely explained, and it awaits an analysis of religion in Part Five.

In the next chapter of this dissertation, we turn to a different set of questions. If the British constitution "prevails" over, and is successful, as Montesquieu suggests, in balancing, and containing, the powerful forces of commerce, religion, and liberty, to what extent does it do so *as* a commercial republic? We have not addressed an important objection, which one might raise to the argument outlined so far. Is not England a monarchy? Historically speaking, England is not a republic, like Marseilles or Holland. In Montesquieu's view, it is a new kind, a republic that "hides under the form of a monarchy" (V.14). In what sense might this new kind of government be an advance—either on the traditional trading republics or on traditional monarchy itself? To answer this question, it is necessary to look more closely at the advantages and disadvantages of traditional monarchy, which is the subject of the remaining chapters of Book 20.

## Chapter 2: Commerce, Nobles, and Princes

### The Politics of Free Trade

The basic questions of this next part of the book seem narrowly economic. In what ways can institutions such as banks (XX.10), trading companies (XX.10), ports (XX.11), and customs houses (XX.12–13) stimulate trade and commerce? How might laws dealing with confiscation and seizure (XX.14), punishment of debtors (XX.15), insolvency regulations (XX.16), and laws respecting familial debt (XX.17) affect commerce and business? Montesquieu's selection of topics appears not to be related to the structural and political questions of the earlier parts of the work.[86] Montesquieu's object seems to be economic growth via free trade. In this sense, the chapters lull the reader into forgetting the immediate question raised in chapters four to seven: how might one judge the proficiency of traditional monarchies in economic matters as compared to popular states based on economic commerce?

It is not surprising that the political dimension of this book has been overlooked. For one, Book 20 is not deemed to be important by a majority of economic historians, who do not, on the whole, invite students and readers to look at Montesquieu's theory of trade closely. Schumpeter (1954), in his *History of Economic Analysis,* argues that Montesquieu makes no breakthroughs to speak of because he is primarily a sociologist, not an economist. Montesquieu scholars, on the other hand, have often turned readers away, either because they view his trade policies as

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[86] For a fuller discussion, see Carrithers, "Montesquieu and the spirit of French finance: an analysis of his *Mémoire sur les dettes de l'état* (1715) (Carrithers & Coleman, 2002). Carrithers' essay is helpful in raising questions about Montesquieu's economic conservatism, but it ignores developments in the *Spirit of Laws*. In particular, it ignores Montesquieu's promotion of venality as well as his mature views on taxation in Book 13. The significance of venality is explored below.

incomplete and piecemeal;[87] or because Montesquieu betrays a suspiciously mercantilist attitude that is discomfiting for economic liberals (2001, 350). Another problem is simply that Montesquieu's Book 20 was overshadowed, within a few years of its publication, by much superior works in the same period.[88] The obvious question is why anyone should bother to read this series of chapters on free trade with any serious care or attention.[89]

The assumptions underlying the disregard of Montesquieu's economic theory are not shared, however, by the relatively few scholars who have focused on the political dimension of Book 20. Henry Clark's *Compass of Society* (2007) is an important example. He is right to point out that Montesquieu's discussion of trade was deeply connected to political concerns, especially, the problem of "corporate privilege" in the old regime:

> The relationship between trade and corporate privilege was…a crucial element of Montesquieu's *Spirit of Laws*, published at the end of the Austrian war in 1748. The President's discussion of commerce and related issues had more effect on the relevant public

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[87] Althusser has suggested that Montesquieu had little knowledge of political economy, and so could not comprehend the "totality of society" (1959, 57).

[88] Groenewegen (2002) has made a compelling argument that his theory of trade was essentially made obsolete by the explosion of political economy shortly after his major publication. He concludes that the major reason why Montesquieu's economic writings are neglected today is because many of his arguments in Book 20 simply faded away. Many of the issues that he raised here were solved - or deemed not to be puzzles - by around 1760, with the proliferation of scientific, systematic economic theory. In Groenewegen's words: "Many of the trade problems of the pre-1750 literature faded away. Notable examples are concern over the adequacy of the money supply and the balance of trade. Both were shown to be non-problems (at least in the long run)" (63).

[89] Larrère (2004) is the only one, as far as I am aware, to tackle this issue head on. She provides a simple solution. It was because of an offhand remark by Keynes, who had once called Montesquieu, cryptically, the greatest French economist, that Book 20 has not completely gone the way of the dodo (2).

> discourse than any other single work during this period, a fact that is coming to be better appreciated by recent scholarship." (114)

Clark goes on to show that Book 20 is not merely an inchoate economic theory of free trade. It is, in fact, a book about political economy, about the complex relationship between commerce, nobles, princes, and society.[90] In the last chapter, we discussed some of the reasons why a popular state is more suitable for economic commerce. But it was not clear whether England—the idealized commercial republic—succeeds or prevails *as* a republic, or as a monarchy. The question was left open. Is the popular state the most viable political form for commercial success? Or is there something about the monarchical element of the idealized England that contributes to its success?

**Montesquieu, mercantilist**

To address this question, it is necessary to answer a common charge against Montesquieu, that Montesquieu never quite abandons the political economy of the old regime, that he subscribes to the assumptions of the mercantilists, and that he therefore represents a transitional stage between mercantilist trade theory and classical liberalism. Answering this charge will provide an overview of his ideas in these chapters while providing a flavor for Montesquieu's deeper, more profound critique of monarchy.[91]

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[90] For one reading of Montesquieu's role in the debate over the nobility's relationship to commerce, see De Dijn (2008, 33-41). De Dijn rightly observes the political significance of Montesquieu's economic writings, but probably errs too far in the direction of Althusser's (2007) Marxist critique of Montesquieu in his *Politics and History* (first published in 1972): specifically, that Montesquieu's aim was simply to "uphold the status quo" and "defend the monarchy from republican attacks" (32).

Certainly, there are moments where Montesquieu appears to have mercantilist sentiments. He seems to agree with the universally accepted mercantilist notion that the object of all trade and commerce should benefit the state, [92] primarily, and not the individual, as for example when he writes that "the object of commerce is to export and import commodities in favor of the state" (XX.13). Montesquieu seems to agree with this mercantilist notion, in principle. In matters of specific trade policy, he unambiguously defends the English Navigation Acts, which drastically limited trade between the colonies and England's rivals (in Netherlands and France) (XX.12, fn. 10). Montesquieu displays some illiberal tendencies in domestic legal matters as well. Nowhere does he defend a right of property outright. More troubling still, for economic liberals, is his suggestion in chapter 15 that economics is the one sphere in which it is perfectly legitimate to allow the state to trump individual liberties. "In agreements that derive from commerce," writes Montesquieu, "the law should make more of public convenience than of the liberty of the citizen" (XX.15).

These isolated, conservative, vaguely mercantilist points are not hard to find, but it is easy to show that Montesquieu did not agree with any of the core assumptions of mercantilist writers. First, Montesquieu clearly favors independent banks and private lending as superior

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[91] If we can dispose of the objection that Montesquieu was mixed up in his own mind about the advantages of mercantilism, we will be able to distinguish more clearly what is liberal and transformative about Montesquieu's economic views, and what is conservative. Only then can we speculate on why Montesquieu thought such a mix might be necessary, especially at a time when all orders of the state were beginning to recognize the revolutionary implications of trade on social and political life.

[92] Scholars have pointed at this as perhaps the central feature of mercantile writing, from Thomas Mun's *Treasure by Foreign Trade* (1664) to James Steuart's *Principles of Political Economy* (1776).

alternatives to treasuries stuffed with gold and silver or public banks (at least, such as the one proposed by John Law, XX.10; XXII.4; XXII.19). Second, Montesquieu forcefully opposes the creation or protection of monopolies (especially the idea that trading companies should be granted exclusive privileges (XX.9). Finally, Montesquieu is profoundly critical of the mercantilist emphasis on building up exports through agriculture. Wealth comes from the industry of individuals, not from the surplus stock created by large populations of low-wage workers, whose job it is to build up exports and increase the influx of gold (XX.11).[93]

In sum, the mercantilist emphasis on developing national power through centralized control over finance, of building up exports, and of accumulating species or bullion in the capital, is rejected by Montesquieu as being harmful to economic growth. For Montesquieu, the real theoretical difficulty is political; i.e., the extent to which the monarchical form, with its ability to provide external security, its emphasis on luxury, and the powerful incentives built into the system resulting from economic and social inequality, is better in the long run for commercial success in the modern world.

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[93] Any number of examples should be added for this list to be more complete. Government intervention is necessary, but only to prevent the *servitude* of the public to the trading companies and corporations, not to reinforce state power itself (XX.12). The farming of customs is highly inefficient, while over-regulation and arbitrary taxation is positively harmful to business (XX.13; XIII.19-20). Trade should go forward in times of war and the property of foreigners of enemy nations should be respected (XX.14). Debtor laws should be humane, but never so loose or uncertain as to decrease the confidence necessary for lending and borrowing (XX.16; XX.17).

**The Case for Monarchy**

Previously, we saw why monarchies may in fact be superior to pure republics in many aspects of commercial policy.[94] It is not the case that monarchies are incompatible with commerce. On the contrary, commerce has become so central to the survival of modern monarchies that Montesquieu is led to say that they absolutely cannot do without it (e.g., V.9). Indeed, monarchy has a number of key advantages over republics, especially in matters of trade and finance. In Book Five, we saw that monarchies are blessed with efficiency in the "execution of public business" (V.10). In Book Three, we saw that they have the unique ability to harness honor and selfishness as a stimulus for industry (III.7; V.19). In Book Seven, Montesquieu made a special note of the fact that they are remarkably resilient to the corrupting effects of luxury, which is most often the ruin of republics based on virtue (VII.4).[95]

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[94] In his own time, there were some who argued that the French monarchy was more likely to guarantee the conditions of flourishing commerce than its competitors (see, e.g., Clark 2007, xi).

[95] In our discussion of the political economy of Part One, we also highlighted some of the overlooked, and less well understood, advantages of monarchical government. Three were three of note. First, monarchies have a security advantage that Montesquieu links directly to the success of business and industry. By contrast to strict republics, where the "dread" of outside forces is necessary to stave off corruption and decadence (and not just the tax collector—the threat must be sufficiently large, say, a Persian invasion), monarchies are equally productive in times of war and in times of peace. To paraphrase Montesquieu, they need not fear a tranquil security environment (VIII.5). Second, monarchies have what we could call, for simplicity, a luxury advantage. In monarchies like France, there is a certain "joy in life." They "do frivolous things seriously and serious things gaily," and this allows the people to possess "taste" (XIX.5-8), which Montesquieu argues is the very "source" of the nation's wealth (XIX.4). Unlike despotic governments, where materialism is "forced" and "depraved" because it arises out of destitution and oppression; or martial republics, where materialism is utterly rejected; or commercial republics, where the only object is commerce itself (XI.5), monarchies are capable of sustaining what might be called a "dignified consumerism," a tasteful commercialism. For some scholars, this is monarchy's great advantage. This is related to the third—and often

These three advantages—of a relatively secure business environment, of social and economic incentives for gain, and of resistance to the corrupting effects of luxury—give traditional monarchy an edge that strict republics are incapable of securing for themselves. But there was one more advantage. In short, traditional monarchies have looser sexual mores than traditional republics. Why this is a *commercial* advantage was explained by Montesquieu as follows. In a society where sexual mores are less pure, there is a "commerce" between men and women which is a kind of economy in its own right. On the one hand, the heightened intensity of sexual commerce stimulates male pride and male *vanity*, on a scale which is unimaginable in the old republics. Vanity, in Montesquieu's view, is the well-spring of both "innumerable goods" and "infinite evils" (XX.8); but if channeled correctly, its main effect is to lead men to appreciate the value of *work* (if channeled incorrectly, it leads to arrogance, which is the cause of the Spaniard's inclination not to work and the reason why people let their fingernails grow, "in order to indicate that they do not work"). As for women, this increase of sexual commerce leads to female vanity, in the form of ornamentation and fashion. Fashion provides the nation not only with an antidote, so to speak, to the numbing effects of bourgeois attitudes toward wealth and work. It also stimulates, and increases, "the branches of commerce" (XIX.8). These economic benefits, Montesquieu suggests, are only possible in large, morally relaxed societies where men

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neglected—advantage in monarchy. In Montesquieu's view, traditional monarchies often tend to produce better artisans and quality craftsmanship, which stimulates trade, encourages advance in industry, and further elevates the "taste" of the people. Commercial honor is the motive, as Usbek points out in the *Persian Letters*. It is when honor pervades all levels of society in a monarchy—even down to the professions—that craftsmen are more likely to take pride in their work: "even [among] the lowliest artisans there is not one who does not defend the excellence of his chosen craft" (*Persian Letters*, #42).

and women are less constrained, where there is a "sociable humor," and where mores have been "spoiled" because of an all-encompassing "taste for the world" (XX.6).

**The Case Against: Monarchy and the Paradoxes of Trade**

The disadvantages of traditional monarchy when it comes to commerce are equally important, and perhaps more revealing of Montesquieu's final judgment on monarchy. Paul Rahe (2009) has explored these disadvantages in depth in *Montesquieu and the Logic of Liberty* (see esp. 288–311). He concludes rightly in his chapter on "Monarchy's Plight" that commerce is highly subversive to both the nature (structure) and the principle (dominant passion) of the monarchical state. Rahe goes further and suggests that Montesquieu was well aware of the destructive capacity of commerce, but not willing to reveal the full extent of his concerns in writing. Rahe writes:

> To the extent that the spirit of commerce permeates a monarchical society and propagates within it the norms and expectations of the marketplace, it will subvert its principle. When Montesquieu remarks that "commerce cures destructive prejudices," he has more in mind than he is willing on this occasion to say (4.20.1). One is left wondering whether he is not intimating that, within what would later come to be called the *ancient régime*, commerce is not, in fact, a Trojan Horse. (190)

In the following, I would like to extend Rahe's argument. While Rahe has demonstrated the extent to which commerce is a threat both to the nature (inequality) of the regime, and the love of honor which serves as monarchy's *principe* (191), there remains a question as to how exactly these chapters on trade fit into the larger argument.

I argue, then, that chapters 8–18 can be thought of as a series of "trade paradoxes" that further demonstrate monarchy's vulnerability. We will see that the arguments in these chapters reveal quite clearly why traditional monarchy is not only socially and psychologically vulnerable to destructive commercial forces, but institutionally incapable of maintaining the kind of

sustained economic growth that is necessary to compete against the emerging commercial powers.[96]

The first and most general defect of monarchy that Montesquieu discusses is "jealousy of trade" (XX.8).[97] "Certain monarchies," he argues, are extremely jealous of their neighbors' commercial success—especially those states which engage in economic commerce. This jealousy is a problem because it forces them to create suspect trade barriers, which are aimed at, in Montesquieu's words, "[lowering] the states that engage in economic commerce." Montesquieu does not spell out exactly who this "certain monarchy"[98] is meant to refer to, but the general point is clear enough: monarchies tend to be less disciplined than republics when it comes to imposing restraints on themselves that will serve their "commercial interests" best (XX.7). This is the basis for Montesquieu's observation that monarchies rarely benefit from economic commerce, which depends on putting commercial interests in front of political principles.

Many of the implications for monarchy in the following chapters flow from this defect. The first and most important implication is a general confusion between political and economic

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[96] I address the other major categories of the problem with the political economy of monarchy throughout the dissertation. The other categories include, but are not limited to: difficulties issuing from uncontrolled luxury; domestic instability; a lack of private property and incentives for industry; and the specter of poverty, and massive social inequality. Of course, I must neglect a number of important arguments related to the positive case for liberty and modern republicanism: reform of the penal code, the case for an independent judiciary, the argument for separation of powers, etc.

[97] For a more complex analysis of Montesquieu's position, see Hont (2005).

[98] There is good reason to suspect that he means historical England. England is the last country mentioned in the previous chapter; and the laws he mentions as examples are suggestive of the English Navigation Acts, which he mentions again in the next chapter.

interests. Because princes see themselves as both the "rulers and clerks" of the universe, they naturally tend to confuse great projects (of the state) with small ones (of commerce) (XX.4). This confusion is itself the cause of any number of the threats to liberty and stability which Montesquieu describes later, in chapter 19. There, we see that when political and economic interests are confused, the potential for despotism multiplies: from a simple absence of contract enforcement, necessary for normal business operations; to the temptation of monopolies, which destroy competition; to the exploitation of the people by courtiers and nobles, who tend to be "more avid and more unjust" than even the most selfish prince; to a loss of public trust in the very "justice" of the state; to a destabilizing jealousy arising from the people against the opulence of the court; and ultimately, to the potential for mass poverty which is the ruin not only of the people's happiness, but the economy of the court royalty itself (XX.19).

Chapters nine and ten drive home the underlying free trade message of chapter eight. "Exclusion in commerce" is only good in the rarest circumstances. "The true maxim," Montesquieu writes, "is to exclude no nation from one's commerce without great reasons." These great reasons are two: either when the home country is devastatingly poor, like Poland, which has "abandoned the expectation of becoming rich," or deceived, like the Japanese, who believe that their exclusive trade with the Chinese and the Dutch is one of the causes of their economic self-sufficiency (e.g., XX.23; XX.9). In chapter ten, Montesquieu shows that traditional monarchies are also at a distinct disadvantage in relation to banks and trading

companies, two of the most vital establishments found in commercial "republics" like England and Holland.[99]

While Montesquieu is not oblivious to the dangers of these two institutions to any state,[100] chapter ten is devoted to revealing why—in the absence of banks and trading companies—no nation can expect to compete economically with countries that are able to profit from them (that is, from cheaper credit and reduced risk, both of which are incentives to industry). Montesquieu's explanation of why banks are inimical to monarchy is worth repeating:

> It would be wrong to introduce [banks] into states that carry on a commerce of luxury. To put them into countries governed by one alone is to assume silver on one side and power on the other: that is, on the one side, the faculty of having everything without power, and, on the other, power with the faculty of having nothing at all. In such a government, there has never been anyone but the prince who has obtained or has been able to obtain a treasury, and wherever there is a treasury, as soon as it is excessive, it immediately becomes the princes. (XX.10)

On its own, this paragraph does not explain why the absence of independent banking institutions poses a danger to traditional monarchy. It merely provides a reason why monarchies do not tolerate independent sources of wealth. And yet, this intolerance becomes more acute, more threatening, if we consider the economic disadvantage that monarchies suffer by way of their intolerance of trading companies. Monarchies are structurally averse to trading companies for the

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[99] England of course is not a republic, but a republic hidden under the form of a monarchy. It is useful to group it with Holland and Marseilles simply to distinguish it from traditional monarchies like France.

[100] He is highly critical of John Law's abuse of the banking establishment (e.g. XXII.10). He broaches the issue of trading companies cautiously, in this same chapter, noting that trading companies do "not always suit states where there is economic commerce," especially when the business becomes so large that it hampers liberty by granting "exclusive privileges."

same reason that they are averse to banks: they give to individual wealth the "force of public wealth" (V.4; V.10). The presence of a class of wealthy, organized, self-made men is unbearable for a prince who must retain the "force" of the state's resources in his own hands. It is this limitation which Montesquieu suggests is most pernicious. The lack of easy credit may hobble an economy, but the lack of a means by which a commercial class might pool risk, organize information, and diversify talents and resources makes it impossible to conceive of the kinds of ventures described in the chapter on Holland (XX.6) being undertaken in a traditional monarchy.[101]

Montesquieu carefully avoids spelling out the implications in chapter ten, but he makes them plain to see. Traditional monarchies cannot compete with republics like Holland, where trading companies are allowed free reign, and are able to "syndicate" and diversify risk. The chapter on Holland and its "great navigation" thus becomes critically important. We recall

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[101] Of all the financial devices exported across the North Sea to London in the seventeenth century, the joint stock company may have been the most important (see Bernstein 2004, for an entertaining and readable history of this institution). Historically, trading companies (not banks) have indeed been the important factor. As Bernstein notes, banks were important above all for the way they facilitated bills of exchange, which became the "lifeblood of European commerce" by the early sixteenth century (140). But the crucial institution is the trading company, which requires a political atmosphere that is tolerant of decentralized, independent economic organization. He further explains that the success of the Dutch financial system had less to do with banks (in fact, its financial system was nowhere near as sophisticated as the English and the American banks which developed later) and more to do with syndication of risk. Trading companies, he argues, were the key to this development in economic history. They were not only the most significant Dutch invention, but the secret of their rise to power. I make a note of this here because Bernstein's explanation mirrors exactly Montesquieu's analysis in his chapter on Holland in the discussion of whaling ventures, suggesting that Montesquieu was well aware of the profound importance of what would later be called the limited liability corporation (that is, where the shareholder is not personally responsible for the venture's obligations and where he can lose only his investment: "one dares to expose it in order to acquire more; *only the means for acquisition are at risk*" (XX.4).

Montesquieu's puzzle of the whale hunt. Why might people get together in groups and undertake dangerous, laborious, financially precarious ventures into the open seas where the probabilities for huge *individual* payout is relatively low? This is the answer to why government of the many is better at the "greatest enterprises" (XX.4). It is perhaps *only* in republics, where there is a tolerance of independent wealth, a willingness of investors to shoulder risk, and a broad spectrum of potential investors who know that only the *means* for acquisition are at risk, that great commercial ventures, and therefore real economic growth, is achievable. Chapter ten shows that Montesquieu had seen the clouds on the horizon (even if he did not predict the depression that hit the French monarchy in the 1770s). If Montesquieu mentions banks and trading companies here almost in passing—without spelling out the implications for his reader—it is not because he was not aware of the great economic potential in their *combination*. England, after all, had only recently overtaken Holland as the greatest commercial and naval power of the era, and this was only shortly after it had established the Royal Exchange in1694.[102]

The consequences of what I am calling these trading "paradoxes" become clearer as the chapters progress. Blind to the advantages of free trade, and lacking cheap capital and the reduced risk made possible by trading companies (XX.4), monarchies are forced to rely on the revenue of trade in luxury. This, in turn, depends on squeezing the merchants for all they are worth and as we see in chapter 13, on controlling nearly every aspect of trade. In this chapter, Montesquieu describes with characteristic abruptness *why* the ports and custom houses must be severely regulated in monarchies. Heavy taxes and harsh duties are necessary for two reasons.

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[102] For a good summary of the importance of the Royal Exchange for England's economic and political development, see Muller (2003, 21-50).

They are the "only bridle on luxury itself," and they are the only source of revenue for the court outside of the riches gained from plundering (XX.13).[103]

In order to make sure his reader has not lost the main thread, Montesquieu continues to reference England as the discussion goes on. England is mentioned more times in Book 20 than any other book (notably, it is mentioned more times here than in the longest, and most famous chapter devoted to the English constitution in XI.6). Is this not a reminder that England—as opposed to the traditional monarchies under the microscope—is a standard (e.g., XX.12–14; XX.21)? If there are any doubts that Montesquieu is keen on undressing and exposing the defects of traditional monarchy, consider the end of chapter 13. One of the devastating results of immoderate customs and harsh duties required by traditional monarchies based on luxury is the crippling of trade itself by the rise in popularity of the profession of tax-farming. This criticism is a continuation of the criticism of the tax-farmer (XIII.20). Because monarchies require much tougher customs regulation, there is a powerful economic incentive motoring this profession. But tax-farming "destroys" commerce with its "harassments" and "injustices" and by the "excess of what it imposes," and the corruption perpetuates itself. Merchants have an incentive to evade, tax-farmers have a further incentive to harass. This snowball effect leads to a great mess of legal formalities and tax complications that make it impossible, Montesquieu argues, for a trader to conduct business proficiently. Traders in traditional monarchies simply cannot enjoy the liberty of commerce that is seen in England, where there is a "singular ease in trade" (XX.13).

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[103] Of course, this just begs the question of the extent to which traditional monarchy must rely on plunder and foreign war, to supplement what it lacks through trade.

Chapter 19 summarizes the lesson of these "trading paradoxes" succinctly, while deepening the political question. If monarchies are incapable of tolerating the very institutions that are becoming necessary to compete in an increasingly commercialized Europe, does this presage their imminent demise? Or does it merely encourage them to fall back on their own advantages, and to pursue wealth in other ways? The title of chapter 19 ("That the prince should not engage in commerce") indicates Montesquieu's pessimistic view, in short, that there may be no viable, state-centered alternative to free trade and economic liberalization. On another level, the title is also a thrust at the centralizers, those who advocate a return to the blunt mercantilism of Louis XIV and Colbert.[104] But the title also tells us that there will be a gearing up, so to speak, of the political question. "That the prince should not engage in commerce" turns out in fact to be the moral of an interesting story about a prince, named Theophilus, and his wife Theodora. The reader's interest is sparked again in political affairs. This little yarn is not only a good way to make the economic arguments resonate with financially depressed households where one partner has more luxurious tastes than the other. More importantly, the story also serves as a transition to the final interpretative difficulty of Book 20, which is the explosive question about whether the nobles should engage in commerce.[105]

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[104] We have already seen a few reasons why. Monarchies that bar independent wealth cannot tolerate trading companies, and banks, which restrict the flow of credit to individuals. They therefore tend to rely on confiscation, which destroys commerce, threatens liberty and the very integrity of the penal laws, and creates a general confusion of "all ideas" (XX.13; XX.14). One could add that penalties for failure to comply are also more severe in monarchies which have less humanity and lack a "good police," which discourages industry further (XX.15). The only advantage that monarchy seems to have over republics is that they require fewer laws, and therefore provide more opportunities and posts for judges (XX.18).

[105] The quote runs as follows:

**The Independence of Economics**

The transition takes place in the guise of a charming story, a small vignette, about an enlightened prince named Theophilus, who burns a ship full of commodities that has been earmarked for his wife, Theodora (who apparently likes to use his credit card to import entire ships full of luxury goods for herself). After having burned his wife's ship, Theophilus complains to his wife as follows: "I am the emperor…and you make me a shipmaster. How can the poor people earn a living if we too ply their trade?" (XX.19). Notice, first, the similarity between Theophilus' complaint to his wife, and Cicero's objection in chapter four of Book 20 (who, we recall, does not like to see princes as both "rulers and clerks of the universe" XX.19). The key point is that both men (Theophilus, and Cicero) hate to see political men involved in activities that are below their station. Theophilus resents being an emperor and a shipmaster. Cicero resents the idea that rulers should lower themselves to be clerks. Both men share the classical disdain for commerce, not because the wealth that comes from it is undesirable, or because the liberties of the people might be jeopardized, but because there is an inevitable confusion in the ranks of men where statesmen ply the trades. Cicero recommends separating politics and economics because it confuses "great" and "small." Theophilus recommends it, similarly, because it confuses his own title as emperor with the business and dealings of a lowly *commerçante*. Once an emperor, now a shipmaster of his wife's material desires. All of this is

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> [Theophilus] could have added: who will restrain us if we make monopolies? Who will require us to fulfill our engagements? The courtiers will want to do our commerce; they will be more avid and more unjust than we. The people have trust in our justice; they have none in our opulence; the many imposts that make their misery are certain proofs of our own. (XX.19)

meant to remind us of the ancient perspective on political economy, where economics is subordinate to politics and unworthy of great political men.

Montesquieu adds his own embellishment to the vignette, however, which reverses the perspective. In the original story, Theophilus was concerned first and foremost with his own self-worth, and with the poor secondarily (whose living he would be depriving if he were to "ply their trade" (XX.19). Now Montesquieu adds five points—in his own voice—in rapid succession, all of which emphasize a concern for the political and economic welfare of the prince's subjects. By indicating to the reader that these points are *his* additions ("He could have added…"), Montesquieu indicates his disagreement with ancient political economy. Cicero was right to separate economics from politics, but for the wrong reasons. Now Montesquieu will show that there are other considerations—better reasons—to keep the prince from plying the people's trade.

The five reasons that Montesquieu adds for why princes should not engage in commerce can be roughly summarized: 1) there will be no way to restrain or limit monopolies; 2) there will be no regulatory bodies to oversee and enforce private contracts, either between subjects, or between the subjects and the state; 3) the "courtiers" will be hungry to take over the state's business; 4) the people will lose trust in the state; 5) tax burdens will inevitably rise beyond a point where it is good either for the people's happiness, or the domestic economy of the state (XX.19).

This list is a reversal, speaking generally, because it overturns the concerns of a Cicero in favor of the concerns of a classical liberal. Economics is subordinate to politics, but for the sake of individual liberty and security. I point this out here because this is also a subtle reminder of the compatibility of Montesquieu's underlying concern in these chapters with the "object" of

England, from Book 11 (the "one nation in the world whose constitution has political liberty for its purpose," XI.5). One effect of these additions, then, is to reinforce the rightness of England's object, liberty, as against the classical emphasis on virtue, but also as against the other possible objects of modern monarchy: expansion, war, religion, the "delights of the prince," etc. In sum, chapter 19 is an argument in favor of the separation of politics from economics,[106] but with a modern twist. It is not out of a concern for the "principle" of the ruling order, or to immunize the great souls from the corruption of trade—but out of a dogged commitment to individual liberty and security. Montesquieu makes it explicit that this is close to his own view in two ways; by overturning Cicero's emphasis on natural roles in the economy, in favor of his own list of concerns for the well-being and freedom of the individual; and by overturning Theophilus' moral revulsion at the idea of being a shipmaster. The danger of centralization has less to do with social orders than that the people's liberties will be crushed—either by excessive taxes or the monopolizing lust of an "avid and unjust" nobility.

**Commerce and Courtiers**

In raising the question of the nobility's status in a commercial monarchy, Montesquieu raises the final—and most controversial—topic of Book 20.[107] That is, what to do with an idle

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[106] This is with relatively few exceptions; for example, to protect consumers against the "servitude" of the commercial men (XX.12); or to set up temporary poorhouses to guard against the ups and downs and "accidents" of commercial societies (XXIII.29).

[107] This is not the only time in the *Spirit of Laws*, however, where Montesquieu has leveled a harsh criticism of the nobility. In Book Three, Montesquieu took aim at the "wretched character of courtiers" (II.5). He singled out, in particular, their "ambition in idleness" and their "desire to enrich oneself without work." That criticism lingers over the intervening books, and now comes to a head in the next two chapters of Book 20.

nobility that despises work (as we saw in Book Three) and is parasitic on the economy—but cannot be trusted with the business or trade of the nation? This question of a "mercantile nobility" had become a hot political issue, and a topic of real historical significance. According to De Dijn (2008), Montesquieu's comments on the nobility in Book 20 of the *Spirit of Laws* would soon touch off a firestorm of controversy among the elite in Paris and the broader French reading public. Of special note was the following "prohibition" from chapter 20:

> It is against the spirit of commerce for the nobility to engage in it in a monarchy. "That would be pernicious for the towns," say the emperors Honorius and Theodosius, "and would take away the ease with which merchants and plebeians buy and sell."
>
> It is against the spirit of monarchy for the nobility to engage in commerce. The usage that permitted commerce to the nobility in England is one of the things that most contributed to weakening monarchical government there. (XX.21)

The difficulty that arises from this chapter is not *whether* Montesquieu favored the spread of commerce. He clearly did. The difficulty is *why* Montesquieu would reject the idea of a "commercialized" aristocracy after having gone through all the work to show the virtues of, and to sing the praises of, commerce so loudly in the opening chapters. This troubled Montesquieu's contemporaries too. For some of Montesquieu's critics, this was further evidence of his reactionary politics and was a powerful confirmation of the growing suspicion that he was not on the side of the progressives. The most notable criticism of this kind came from Abbé Coyer, who published a response aimed directly at Montesquieu, in 1756.[108] His treatise took up the theme of chapter 20, and was called *Noblesse commerçante*. Coyer's pamphlet targeted Montesquieu not only because of Montesquieu's reticence to support badly needed liberal reforms, but

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[108] See Appendix A for an illustration of Coyer's optimistic view, represented on the frontispiece of his essay.

because it appeared (to Coyer) to be supportive of the idea that the second estate should be revived as a real political entity along the lines of the ancient constitution. For Coyer, Montesquieu was in league with the conservative revisionists who were trying to block questions about the status of the third estate, while evoking increasingly outdated ideas of an "honorable nobility" and "feudal liberty."

A few years later, another colorful figure entered the stage, this time taking Montesquieu's side on the issue of the mercantile nobility. For our purposes, we need only mention that this counter-attack, by a noble conservative named Chevalier d'Arc, claimed Montesquieu as an authority regarding the idea that the nobility needed to be immunized from commerce, and reinvigorated as an "honorable nobility." The title of Chevalier d'Arc's tract, *Noblesse militaire*, indicates the author's difference with the liberal Coyer, but more importantly, for this essay, it illustrates the trap into which Coyer fell, in taking Montesquieu's prohibition at face value. Indeed, neither side seems to have taken the entirety of Book 20 into account when reading Montesquieu on this issue of the mercantile nobility. Coyer, for his part, failed to see the progressive, innovative, liberal implications of the economic arguments that we have analyzed above. Chevalier d'Arc, for his part, went farther astray. Where he failed most, perhaps, is in his accounting for Montesquieu's underlying *reasons* for the prohibition, which turn out to be much less flattering of, much less worried for, the nobility as a social class than the Chevalier had assumed in his thesis on the *noblesse militaire*. So taken was the knight with the baron's

prohibition on commerce that he was led to describe Montesquieu as a "visionary" in helping to restore the military glory of the knighthood (see De Dijn, 2008, 33).[109]

Chapter 21 thus raises a real difficulty in interpreting Montesquieu's position in the history of liberalism. Was Coyer right in exposing Montesquieu's "aristocratic liberalism" — despite all the indications we have seen so far that Montesquieu's France would be better off in the long run by imitating England (including their "usage" that permitted the commerce to the nobility)? Likewise, how might we understand the Chevalier d'Arc's reading of Book 20, which appeared to him as the vanguard of a new argument for the *restoration* of the old feudal order?

At the outset, let us note that Montesquieu is responsible for some of this confusion. There is a noticeable discrepancy, for example, in the tone which Montesquieu uses to open Book 20, and the tone he uses to close it. There seem to be two Montesquieus. The first Montesquieu is more like Coyer. Here is the "enthused" liberal of the prelude, who calls out with quasi-prophetical fervor to the muses for support in announcing his new discovery of the tool by which mankind might be redeemed. The second Montesquieu is more like the *chevalier*, a generic *gallante*, and a partisan of the second estate. He is the author of chapter 21: vigilant, circumspect in his choice of words, wary of change. Unlike the first Montesquieu, who is

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[109] For another discussion of Chevalier d'Arc and Montesquieu's influence on him, see *The Political Economy of Justi* by Adam (2006). Adam provides the following summary, which demonstrates more fully what is at stake:

> In contrast to Coyer, the Chevalier d'Arc was a follower of Montesquieu, fearing the leveling forces of markets. Like him, he believed that noble trade was likely to promote equality among the citizenry, which would finally destroy the monarchy and 'result either in republican government or despotism.' D'Arc accepted that trade was necessary to sustain national power, but he refused to accept that the English model could be imitated in France. He rejected Coyer's negative assessment of French commerce as being swamped by both the Dutch and the English. D'Arc worried for France not in commerce, but in war. (104)

incapable of resisting being "swept away," this Montesquieu seems disturbed at the idea that the intermediary bodies might be swept away as well. The opening gives us Montesquieu the inspired Enlightenment philosopher. The closing gives us Montesquieu, the coy aristocrat who so annoyed Helvetius. He quibbles, he flatters the nobility. He is exactly what Helvetius says he should be remembered for, as a man who compromised too much with prejudice.[110]

Before we turn to a closer examination of the closing chapters, it is worth dwelling on the way in which the original confusion (manifest in the debate between Coyer and d'Arc) continues to influence the way we read Montesquieu today. Broadly speaking, there are two interpretive poles. On the one end of the spectrum, there are those who see Montesquieu either as a "feudal reactionary," like Chevalier d'Arc, or as an "aristocratic liberal," that is, a conservative who sided with feudal reactionaries like d'Arc, but for liberal reasons (the most important being that a society that lacked intermediary bodies could offer no protection against despotism). In between these two positions there are those who have suggested a diplomatic compromise, or synthesis.[111] But all of the scholars on this end of the spectrum share one major assumption: that Montesquieu's critique of the old regime was limited to its politics, to monarchy, but not to the

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[110] This complexity has been picked up by other scholars in different ways than I am suggesting. For some, it is an impossible project to try and reconcile the liberal commercial humanist with the reactionary aristocrat. A middle ground is staked out: Cheney (2010), for example, believes that Montesquieu sought a "fusion" in trying to accommodate new forms of class and wealth (64). But this view has older roots as well. Voltaire, for example, seemed to think that Montesquieu's project was somewhere in this gray area as well: "France had lost her claims to nobility, Montesquieu gave them back."

[111] One important example is Ehrard (1970) (cited in Hulliung 1976, 231).

older *social order*, and especially, not to the favored nobility which Montesquieu thought it was necessary to protect.

On the other end of the spectrum, there are liberals and republicans who believe that Montesquieu dreamt of a new politics *and* a new society, modeled on what he had seen across the channel in England. There are important variations here as well. On the farthest pole from the "feudal reactionary" school are those like Mark Hulliung (1976), who suggests that Montesquieu deemed it crucial to break the power of the intermediary bodies. A society that could not break the power of the nobility was likely to "go the way of Spain—the way of Inquisition, of economic backwardness." A significant number of scholars share the same spirit of Hulliung's approach, but locate the real interpretive puzzle elsewhere. Classical liberals and liberal republicans center the question on the extent, and depth, of Montesquieu's reservations about a commercial society absent virtue. As opposed to the "feudal reactionary" and "aristocratic liberal" readings, they typically reject the assumption that Montesquieu's critique of monarchy was limited to the political (as opposed to social and moral) vices of absolute monarchy.

From the scholarship, I want to highlight two examples—one from a "feudal reactionary" school, and one from an "aristocratic liberal" reading—to show how scholars outside the classical liberal perspective have tried to solve the puzzle of Book 20 (regarding Montesquieu's prohibition on the mercantile nobility). I will then conclude with a unique solution from the liberal perspective, while indicating how the conclusion to Book 20 points forward to some of the main themes of Book 21.

**The Puzzle of the Prohibition**

The most direct approach, and also the most parsimonious solution, is offered by scholars who focus primarily on the biographical level.[112] Since the 1930s at least, a number of scholars have followed Mathiez' lead in suggesting[113] that Montesquieu's critique of monarchy arose primarily out of a concern for the fate of his own noble class. According to this view, Montesquieu detested absolute monarchy not only because Louis XIV had successfully created a centralized national administration, but because he had—in the process—put the nobles to the curb and undermined their historic privileges. One need not accept Mathiez' essentially Marxist approach to see the application here. Montesquieu's defense of the nobility at the end of Book 20 can be explained simply as an instinctive defense of his own class against the absolutist kings and centralizing bureaucrats. Like the *chevalier* after him, it would be easy to conclude, as Mathiez does, that Montesquieu's comments were heavily laden with "class propaganda."[114]

Perhaps the most insightful extension of Mathiez' approach comes from Althusser (1972). He attempts to show how a "too soothing tradition" has misled us into believing that Montesquieu was only interested in scientific *discovery*—of illuminating new, undiscovered truths about the world. Althusser attempts to correct this politically neutral view by seeking the historical Montesquieu, the aristocrat who can't help his own attachments to his *parti pris* and

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[112] It may be a mistake, as Richter (1990) explains, to judge Montesquieu's project without reference to his own situation, which includes his class and economic interests (6).

[113] Mathiez (1930) first attempted to reinterpret Montesquieu along these lines—that is, as a reactionary landowning magistrate.

[114] In Richter (1990, 10).

who is caught up in the "struggles of his age" (14). Althusser gives a compelling answer as to why this philosopher of commerce should ultimately recoil at the idea of the nobility engaging in trade. Montesquieu, he explains, was not an enemy of centralizing despotism because he was a liberal, but because he was an aristocrat who wanted to restore the nobility of the feudal past. In making the argument against despotism, Montesquieu inadvertently opened the door to the revolutionary future (106). This irony is the heart of Althusser's critique. It was in the very act of pleading for the cause of an "outdated order," that Montesquieu set himself up as a hero of the revolution (that is, as an opponent of a political order "which others were to make outdated.") This, then, is one way to solve the "anachronism" in Book 20, at least according to Althusser.[115] Montesquieu tried to re-establish a threatened nobility in its outdated rights, and in doing so, allowed himself to be co-opted by liberals and progressives. The implication, in Althusser's view, is a great misunderstanding about Montesquieu's political project. In his own words,

> What does it matter where the blows came from so long as they strike at the same point? And if it is true that this 'revolutionary' posterity of Montesquieu's is a misunderstanding, that misunderstanding must nonetheless be given its due: it was merely the *truth* of an earlier misunderstanding: the misunderstanding that had projected Montesquieu into right-wing opposition at a time when it no longer had any meaning." (106)[116]

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[115] We might summarize Althusser's book as follows: Montesquieu was a straightforward aristocrat, but an unconscious revolutionary.

[116] De Dijn (2008) has an informative discussion in *French Political Thought from Montesquieu to Tocqueville*, although the argument assumes his "aristocratic liberalism" from the start (24). De Dijn also underestimates Montesquieu's appreciation for the English constitution (25) and does not consider the possibility of a new constitutional form (i.e., a "republic hidden under the form of a monarchy").

We will return to Althusser's solution shortly. For now, I want to highlight a second approach suggested by Catherine Larrère (2004),[117] who is one of the few scholars to have interrogated this question in much depth.

Larrère emphasizes Montesquieu the liberal, but she agrees with Althusser in one important sense: she does not go so far as to suggest that he was interested in changing the social order. For Larrère, Montesquieu's position is intelligible in terms of his interest in political liberty. He was more concerned with stability, with French liberty as it existed in his day, and less concerned with social struggles, either from the progressive side, or from the conservative side to reconstitute a feudal noble order (which as Althusser himself suggests, had "lost any meaning"). For Larrère, Montesquieu's primary concern in defending the nobility in Book 20 is therefore liberty, precisely as he defined it in Book 11, as security. Above all, Montesquieu wanted to maintain the fragile status quo. His prohibition was meant to prevent the damage the nobility might do, either to the merchants, or to the third estate, or to the delicate balance between the king and the nobility.

Larrère's reading has a number of advantages over Althusser's. For one, her reading would explain Montesquieu's explicit concern for the people, in the Theophilus chapter, which we have discussed."[118] Second, her explanation would also conform well to Montesquieu's argument in Book Five, where Montesquieu describes his admiration for the Venetian

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[117] From her paper delivered at the 2004 Gimon Conference on French Political Economy. I use this article because it focuses much more on this problem than her other essays.

[118] The courtiers will want to do our commerce," says Theophilus, adding, "they will be more avid and more unjust than we" (XX.19).

prohibition on a mercantile nobility precisely because it would upset the balance of liberty. Finally, and most importantly, her explanation takes into account the rhetorical element of Montesquieu's writing, which is utterly missing in Althusser's analysis. In short, Montesquieu may have been half-hearted in his defense of the nobility. If Montesquieu appears to defend the old, hoary, Roman prejudice against a mercantile nobility, it is not merely out of his enthusiasm for an outdated order. And if he does not take the extra step in the argument toward a commercial nobility, it is not because he recommended going back to the ancient constitution. Montesquieu's defense is rather more complicated. It comes, rather, out of the heart of a good French subject, whose overriding interest has less to do with reviving a feudal past, and more to do with preserving the existing French constitution (Larrère, 2004, 12).

In my view, there is one common shortcoming to both Althusser's and Larrère's explanations. In brief, they do not adequately explain *how* Montesquieu's defense of the nobility in chapter 21 could possibly fit within—without doing violence to—the larger narrative arc of Book 20, which we have been analyzing at some length. Althusser, for his part, makes the same mistake as the Chevalier. He doesn't account for the surface of the text, Montesquieu's *own* avowed reasons for the prohibition (which we will analyze below). Larrère, for her part, rightly emphasizes the political aspect of these concluding chapters, but wrongly interprets the political to mean preservation of the status quo. In the first chapter of this dissertation, we saw that there was in fact a carefully structured, deliberate, political argument built into the first eighteen chapters. Here we saw that Montesquieu was in no way attached to the status quo. Chapter seven was an early climax, but it set a clear standard for the rest of the book. France, conceivably, is meant to benefit from an analysis of the ways England had learned to combine the virtues of—while overcoming some of the defects of—the old commercial republics. In this chapter of the

dissertation, we built a case that suggests that traditional monarchy was becoming more and more of an anachronism, particularly in a world where power and security were increasingly connected to the advantages of international trade. Again, Montesquieu's arguments (to say nothing of his intentions here) are transformative; they do not add up to a cautious conservative's plea for the status quo.

Taking the sum of arguments, and the overall movement, of Book 20 into account suggests a third alternative. Simply put, I argue that Montesquieu had found a position that was safe and conservative in the short run, but transformative and intentionally disruptive in the long run. Far from slowing down the spread of commerce, we will see that Montesquieu provided reasons why this prohibition would *stimulate* commerce itself in the long run, while doing no harm to a nobility that was, for all practical purposes, already on its last legs, soon to be, in Tocqueville's formulation "open to all" (2008, 32).[119]

To solidify this argument, we need to look more closely at chapter 21 and chapter 22 together (entitled "A particular reflection"). Here is chapter 21 again:

> It is against the spirit of commerce for the nobility to engage in it in a monarchy. "That would be pernicious for the towns," say the emperors Honorius and Theodosius, "and would take away the ease with which merchants and plebeians buy and sell."

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[119] Melzer (1983) has argued that Rousseau thought the *ancient régime* was "irreversibly corrupt" by his own day. This argument above is being made in a similar vein, although I don't cite this as evidence that Montesquieu had exactly the same purposes as Rousseau's, which Melzer has explored at great length. It should be noted that Tocqueville makes an argument in the same spirit in *The Ancien Régime and the Revolution* (1856):

> The French nobility had not had contact with public administration for a long time except for one aspect…the political aspect had vanished; the monetary portion alone had remained and sometimes had considerably increased (2008, II.1).

> It is against the spirit of monarchy for the nobility to engage in commerce. The usage that permitted commerce to the nobility in England is one of the things that most contributed to weakening monarchical government there. (XX.21)

Begin by noting that Montesquieu gives *two* reasons for his prohibition. The first reason (given by the Roman emperors in the first paragraph) is presented from the perspective of—or out of concern for—the "spirit of commerce." The second reason is the one emphasized by Larrère, and pointed at by Althusser. If we focus only on the second justification, that "it is against the spirit of monarchy," it would be reasonable to conclude that Montesquieu's position is unequivocally a *warning* against following the example of England.[120] As Montesquieu explains to his reader, it is the commercialization of the nobility that contributed most to the decay of traditional monarchy in England (a mercantile nobility was "one of the things that most contributed to weakening monarchical government there"). Indeed, one might even read the first paragraph—which sounds like a defense of commercial interests—as a conservative warning as well. Montesquieu's mention of the emperors recalls Theophilus. Their justifications are the same, but without Montesquieu's addition. The reader might wonder: why must we conclude that this chapter is designed to expose monarchy's principal vulnerabilities?

The mistake is to read chapter 21 alone, without considering the preceeding chapter, entitled "A particular reflection." Here, we see three reasons why a conservative or reactionary reading of Montesquieu's prohibition is untenable. First, Montesquieu abandons his concern

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[120] For Larrère, this warning is the key to understanding Montesquieu's political project. She takes aim especially at Thomas Pangle's suggestion, in his *Montesquieu's Philosophy of Liberalism* (1989), that Montesquieu's intention in Part Four was to extend the English model of the commercial system to France (11-12). For Larrère, this suggestion is untenable after reading Book 20. The prohibition proves that "the English example was therefore to be avoided for political reasons" (13).

(which we saw in the second paragraph of chapter 21) for the threat that commerce poses to constitutional monarchy in the traditional sense. In particular, he abandons his concern for the military nobility. Second, Montesquieu will amplify, and strengthen, his emphasis on *commerce* (which we saw in the first paragraph of chapter 21). In particular, he amplifies his concern that a commercial aristocracy might harm *industry*, since it would further decrease the motivations of the third estate to move up in the world and to excel in their own professions. Third, and most importantly, we see that Montesquieu *adds* a new argument in chapter 22 that would have seemed highly paradoxical if it had appeared in the staid, conservative, "prohibition" chapter. It is Montesquieu's "particular reflection" that there should be a porous barrier between the nobility and the commercial classes. We will see that this is in fact a peculiar, and highly controversial, suggestion: that venality should be encouraged as a way to dilute the nobility, while stimulating trade.

To begin with the first point, it is clear that Montesquieu's main apprehension in chapter 22 is *not* the survival and perpetuation of the second estate, simply.[121] In fact, Montesquieu raises the disquieting suggestion in this chapter that the "great nobility" may be an *affliction*—rather than an essential ingredient—of French liberty.[122] There is nothing entirely new on this

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[121] There is no mention or reminder, for example, of the constitutional question he had placed at the forefront of Book Two, regarding the "nature" of monarchical government. There, he had defended the nobility as the most important, and most "natural" intermediate and subordinate element of monarchical government. This was put into a "fundamental maxim" that would be hard for his reader to forget: no monarch, no nobility: no nobility, no monarch (II.4). Simply put, the existence of a nobility was a settled constitutional necessity in Book Two, whereas here it is in question.

point. Montesquieu had pointed to the increasing irrelevance of military courage in the *Persian Letters* and the *Considerations*.[123] Here, Montesquieu merely reinforces the criticisms raised in earlier writings by de-emphasizing the importance of the military aristocracy, while emphasizing the quieter, less magnificent and less heroic, virtues of the nobles of the robe:

> In France, that estate of the robe lying between the great nobility and the people, which, without having the brilliance of the former, has all its privileges; that estate which leaves individuals at mid-level while the body, the depository of the laws, is glorified; that estate in which one has no way to distinguish itself but by prosperity and virtue; an honorable profession, but one which always lets a more distinguished one be seen…" (XX.22)

Here we see Montesquieu going out on a limb, in a fashion that would have seemed at odds with the prohibition. By pointing out that wealth and virtue are compatible, Montesquieu opens a wound, which could not but have irritated his reactionary readers.[124] In the remaining half of the paragraph, he explains why there is a rift between this view and the view of the warrior nobility, who remain adamant that wealth and virtue are incompatible:

> [then there is] that warlike nobility, who think that, whatever degree of wealth one has, one's fortune is yet to be made but that it is shameful to increase one's goods if one does not begin

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[122] This arguably is the first time that this question has been raised in the *Spirit of Laws*, which makes the conclusion of Book 20 even more important for understanding Montesquieu's intentions.

[123] In the *Considerations*, Montesquieu notes that Carthage had an advantage at sea, but this advantage was not so great then as it would be today (1965, 48). This is because the art of soldiering is being overtaken by advances in sea power, technology, and the art of piloting. Montesquieu notes unequivocally: sea power can overwhelm all (49). By chapter five of the *Considerations* Montesquieu makes it clear that soldiery, strength, and "dexterity," are much less important than the technologies mentioned above.

[124] This only indicates that the Chevalier d'Arc had not read chapter 22 very closely, and if he had, he would have more likely seen himself flattered by the concluding (but highly rhetorical) sentence, that the nobility had "contributed to the greatness of the kingdom."

> by dissipating them; that part of the nation who always serve with their capital goods; who, when they are ruined, give their place to others who will serve with their capital again; who go to war so that no one will dare to say they did not go; who expect honors when they cannot expect wealth, and when they do not get wealth, console themselves because they have acquired honor: all these things have necessarily contributed to the greatness of the kingdom. (XX.22)

From this passage, it is clear that Montesquieu did think that the "great nobility" still played an important role in preserving liberty. But it is equally clear that he emphasizes their military function, leaving open the question of why, exactly, the nobles of the robe—men like Montesquieu himself—should be immunized from commerce.[125]

Here is the opening paragraph of chapter 22, which explains more clearly why Montesquieu thought such a wholesale prohibition might be justified:

> People who are struck by what is practiced in some states think there should be laws in France engaging the nobles to carry on commerce. This would be the way to destroy the nobility, without being of any utility to commerce. (XX.22)

Now we come to our second point above, regarding Montesquieu's renewed emphasis on *commerce*. From the above quotation, we see more clearly why Montesquieu thought it might be wise to protect both the great nobles and the "estate of the robe" from commerce. It is not because he cannot imagine (or bear to imagine) a future scenario in which the nobility has been destroyed by commerce, as it was in England. On the contrary, it turns out that the prohibition in chapter 21 stems from a prudential cost-benefit analysis: it is not wise to destroy the nobility *if*

[125] Here, Montesquieu says nothing about the intrinsic virtue of a profession that is possessed by a singular passion for martial glory; that believes it shameful not to "dissipate" its own wealth; that cannot avoid ruining itself on account of its revulsion for money and gain; that is therefore incapable of sustaining itself—or the state—in the long run financially; and that is constantly in need not only of new recruits, but of new excuses for leading the nation to war, so that they might distinguish themselves on the battlefield.

the destruction of the nobility does not also somehow benefit commerce. That is Montesquieu's conclusion in this chapter. To repeat, the emphasis is on commerce. It is better to say that he considers a newly commercialized aristocracy a net disadvantage to the economy, rather than the alternative hypothesis, which is that he feared a *social* transformation as a potentially apocalyptic disaster (which it was not, as in England). The only remaining question is *why* Montesquieu considered a transformed nobility to be a net disadvantage from the point of view of commerce, and this he explains in the following paragraphs (XX.22).

Montesquieu makes two major points. First, he argues that social mobility is a powerful psychological incentive behind economic growth. But social mobility requires some promise of moving up, and this implies greater or lesser degrees of social and economic inequality. Montesquieu writes: "The practice of this country is very wise; traders are not nobles, but they may become nobles. They can have the expectation of becoming nobles without the drawback of being nobles" (XX.22). From this, an important insight: it is useful, argues Montesquieu, to encourage and maintain a degree of social inequality so that men in the lower professions are incentivized to work their way up. This underlying social motive is a key factor, especially for traders, who have the ability to purchase titles and "become noble without the drawback of being nobles" (XX.22).

Montesquieu's second point concerns productivity. When there is a high degree of inequality, combined with upward social mobility, workers have more of an incentive to improve productivity and do their jobs "well." If one can obtain titles or honors or privileges through hard work and ingenuity, the economy benefits: "Merchants have no surer way of quitting their profession," Montesquieu writes, "than to do it well or to do it successfully: something usually

linked to prosperity" (XX.22).[126] Again, social mobility is the underlying factor. In this case, though, it not only motivates traders and lowly merchants and manufacturers to move *up*, it demands of them a psychology oriented to "success." The goal is to move up, but the precondition of moving up is making a good product, inventing a new device, improving the efficiency of inputs and outputs of labor and machinery, etc. In Montesquieu's pithy formulation, this is something "usually linked to prosperity."

These observations demonstrate, conclusively in my view, the extent to which Montesquieu was willing to entertain a radical social transformation of the second estate. First, he all but abandons the martial aristocracy as a necessary component of moderate monarchy. Second, he highlights commerce and prosperity as the superintendent good or standard. And yet, the argument is still open to a major objection. I have still not shown why Larrère's emphasis on the political question is not conclusive. Why should we assume that Montesquieu's underlying motive behind his prohibition on the aristocracy is not merely a "safe" political conservatism? The two arguments above are entirely consistent with Larrère's reading.[127] Why assume the opposite, that he had some transformative goal in mind at the end of Book 20? This question leads to the third and final point in regards to *venality*—a word which is nearly synonymous with corrupt practice, and universally condemned today as an evil feature of any healthy political

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[126] This is complemented by the argument in the following paragraph, where he *repeats* his point almost exactly, as if to emphasize the importance of this idea that the promise of upward social mobility is at the root of the motivation to excel in one's own trade or profession.

[127] Abandoning the martial aristocracy is not the same as advocating social revolution, and the concern for commerce and economics is entirely consistent with the patriotism of a sober conservative concerned for his country.

arrangement. Montesquieu, however, has no qualms defending venality at the end of Book 20, which is a curiosity that needs to be explained.

**Venality**

We begin by noting a strange fact—that Montesquieu is virtually alone among writers, either conservative or liberal, *philosophe* or royalist, in defending what seemed to most people with moral sensibilities to be one of the most crooked conventions of the old regime.[128] William Doyle, who has written an entire book on the subject (the book is entitled *Venality: the sale of offices in eighteenth-century France*, 1996) observes as follows: "the only major philosophe to defend venality was Montesquieu: the most any of the others would concede was that it was a necessary evil."[129]

To understand why Montesquieu defends venality—not only as a necessary evil, but as good in itself—requires some background. Objections to the principle and to the practice came from all sides. For royalists, venality was a harmful practice because it allowed a loose creation of new offices, and new titles, to the detriment of the old nobility, whose titles were earned in

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[128] Venality in the ancient regime had evolved from being a mild vice (a means to raise extra revenue by the sale of posts of public responsibility) to a dangerous corruptive element of the old regime. Scholars have repeatedly pointed out that it was attacked by conservatives and progressives alike, and that it was perceived widely to be one of the most corrupt features of the French system. This is why it was one of the first aspects of the old regime to be eliminated in the French Revolution.

[129] Sharon Krause (2002) has pointed out that Montesquieu's defense of venality is strangely contradictory, for the simple reason that he targets venality in Book 11 as the "most likely cause to bring down the English parliament." Doyle (1996) backs this up with historical evidence. He notes that by the eighteenth century there were 70,000 venal offices comprising the entire judiciary, most of the legal profession, officers in the army, and a wide range of other professions—from financiers handling the king's revenues down to auctioneers and even wigmakers.

battle or passed down through the generations. Conservatives like Fenelon, Saint-Simon and Boulainvilliers objected on exactly these grounds: that the practice of venality was cheapening noble titles, and endangering noble privileges. It was also an *insult* to noble pride. As Hulliung explains: "the rapid proliferation of the number of persons claiming nobility cheapened the meaning of nobility and insulted the old aristocracies of the Sword and Race by inviting wealth parvenus to assume aristocratic pretension" (1976, 90).

Progressives and liberals, on the other hand, raised a more fundamental objection. For liberals, the whole idea of venality was tied up with the larger issue of heredity. If an office was expensive enough, the noble title could be bought and transferred as an hereditary right. Ford (1965) has discussed this at length, and argues that the most troubling aspect of venality was this hereditary link, which in the words of one critic, prevented the "happy progress of democracy" (121). For early *philosophes*, writers like Marquis d'Argenson, the ability to buy hereditary titles was one of the most pernicious aspects of the old regime; it was a principle that "infects the blood like a stream." By removing the ability of the King to choose his own officers (which d'Argenson calls the "fairest of the prerogatives" of the executive power) and by removing from the people their ability to punish the faults of those in public service, venality had "destroyed in France all idea of popular government."

To repeat the same question in another way. Given the apparent unpopularity, and dubious moral nature, of such a practice, why should Montesquieu defend it? Indeed, this is not the only time that Montesquieu has taken up the issue. Montesquieu provides this justification for venality in Book Five, where he defends it openly for the first time:

> Venality is good in monarchical states, because it provides for performing as a family vocation what one would not want to undertake for virtue, and because it destines each to his duty and

> renders the orders of the state more permanent. Suidas aptly says that Anastasius had made a kind of aristocracy of the empire by selling all the magistracies. (V.19)

In this paragraph, Montesquieu places the main emphasis on the positive effects of ambition. Venality is good because it opens up public office to other forms of ambition; more specifically, it replaces the high standards of public office required in republics for more common motivations, which are easier to find (that is, the desire to make a living and provide for one's family). It was the republican Plato, not the modern Montesquieu, who cannot endure such a lowering of standards:

> Plato cannot endure such venality. "It is," he says, "as if, on a ship, one made someone a pilot or a sailor for his silver…But Plato is speaking of a republic founded on virtue, and we are speaking of monarchy. (V.19)

In a monarchy, where virtue is strictly speaking no longer required, venality is more easily justified, for at least two reasons. First, the open selling of posts (by "public regulation") is preferable to the selling of posts in secret, which is what will happen anyway due to the "indigence and avidity" of the courtiers. Chance, Montesquieu explains, will often produce better subjects than the choice of the prince. The second reason is even more fundamental, and points toward the central argument in Book 20. Montesquieu writes:

> Finally, advancing oneself by way of wealth inspires and maintains industry, a thing badly needed in this kind of government. (V.19)

Here is further confirmation that the core of Montesquieu's defense of venality is his concern with industry, the "spirit of commerce." Venality is corrupting, but it is an open form of corruption that promotes industry, and rouses subjects and citizens to work. In a footnote, Montesquieu goes further and adds a warning: in order that France not become like Spain, (and be ruined by laziness), it will *require* the selling of offices, or at least, some practice of this kind,

which allows men to move up in society without having to rely on the handing out of offices from the king (V.19, fn. 66).[130]

Returning to Book 20, we see that Montesquieu's almost single-minded focus on promoting the spirit of commerce and a psychological disposition toward working one's way up, through industry and commerce, has not changed. Indeed, one could argue that the end of Book 20 is even more concerned with this commercial justification, because here he provides *reasons* why social advancement through wealth inspires industry (an argument missing from Book Five). These are three. First, he notes that venality increases the individual's desire to become wealthy. Venality, it turns out, is the mechanism by which social mobility can be stoked by legislators and through policy. Where there is the selling of posts, there is a proliferation of "expectations," especially of moving up and out of one's own class (this is particularly powerful as a negative justification, if one has a particular desire to "quit one's given profession") (XX.22). Second, and added to this point, there is an increased *rivalry* among traders and moneymakers when the laws make allowance for professional advancement and social mobility.[131] Third, there is a powerful motivation to choose, or to follow a profession in which

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[130] Further evidence comes in Book 14, in a chapter called "A good custom in China," where Montesquieu picks up the argument, this time from the perspective of industry. In this chapter, Montesquieu praises a Chinese ceremony, in which the emperor gives a promotion to the most industrious plowman of the season, who has "distinguished himself in his profession" (XIV.8). The chapter is a subtle variation on the venality theme. A successful plowman can move up in society merely by hard work. One season, he is a plowman, the next, he might become a "mandarin of the eighth order," which has a powerful effect on other plowmen. Montesquieu praises the practice for the same reason he praises venality in Book Five: it encourages agriculture, and "rouses the peoples to their plowing."

[131] This only further intensifies the desire to acquire silver and to be successful in business.

one has natural talent or ability, since upward mobility depends crucially on choosing a profession in which one has a reasonable chance to excel (XX.22).

**Conclusion**

At this point, one might object that there is nothing especially *new*, at least if our main concern is learning something about commerce, capitalism, or modern economics. I conclude with the concession (especially to economic liberals) that Montesquieu is no Adam Smith. There are germs, for example, of Adam Smith's argument for the division in labor in Book 20. But the full argument waits for Smith's *An Inquiry into the Nature and Causes of the Wealth of Nations*, where the insights we have been scouring are made with more grace (and are more readable). There are hints, also, of Tocqueville's discussion of the profound importance of social mobility in *Democracy in America.* No one would argue that the passages we have described in the above rival those passages in Tocqueville, either in beauty or scope. Finally, there is no getting around the fact that specialists, today, do not consider Montesquieu's arguments about the "nature" of commerce, the distinctions between kinds of trade, the advantages of free trade, the disadvantages of controlled economies, social reform of the aristocracy, venality, etc., to be the most complete statements or even the most important statements of the time (e.g. Ford 1965, 122).

The argument of this chapter is not premised on historical novelty, although there has been an interest, lately, in pursuing this (e.g., Groenewegen). What is important, for our purposes, is the end result, which I suggest is the composite portrait of a great mind, and an influential reformer, whose insights about social and economic change are still relevant today. On the one hand, Montesquieu is clearly on the side of what we now know as as economic liberalism. Nowhere is this more evident than in his defense of free trade, independence of

economics from politics, and in an odd but important way, venality. On the other hand, Montesquieu has conservative tendencies and he is wary of the "torrent" which seems to be carrying modernity to an unknown destination. We have also seen passages in which Montesquieu holds on to certain aspects of the old regime (admittedly, those that he deemed too weak to do any more harm). Nowhere is this more evident than in his crusty-sounding, already out-of-date and reactionary idea that the nobility should be protected or immunized from the corruption of trade. Here Montesquieu sounds less like the unscrupulous Mandeville and more like the decorated *chevalier*. Judging by these passages alone, one might be tempted to conclude that Montesquieu was the one of the first great writers in the tradition of anti-commercial and anti-capitalist writings to recoil with horror at the very idea that the prize and reward of virtue should be given to wealth.

Nevertheless, Montesquieu somehow combines these positions. In doing so, he suggests that such a mixture, between Mandevillean commercialism and a more far-sighted and cautious conservatism, is possible, even desirable. We saw this made concrete in his policy stance toward the aristocracy. On the one hand, Montesquieu thought it politically prudent, and socially sensible, to protect an already decaying nobility from the ravages of commerce. On the other side, he found it economically sound and commercially viable to allow merchants and tradesmen, professionals and other townsmen to aspire to higher rungs on the social ladder—even to honor and nobility itself. Throughout, I have tried to indicate that this is a position that looks both reactionary and ugly, if one isolates either his prohibition or his defense of venality without putting the two together. The position looks reactionary because it requires a defense of an institution that was out of date and "had lost all meaning." But this defense—judging by the praise given to Montesquieu by figures like the noble Chevalier—was arguably quite effective in

helping to conceal the relative ugliness of the underlying policy. Some combination like this—we might say, a crude commercialism, tempered by an honorable conservatism—is one way to describe Montesquieu's outlook in Book 20. We can speculate even further and say that it was this particular spirit of reform that Montesquieu tried, but failed, to pass on to his contemporaries. He had done his part, and pointed the way to the safest passage for France while she navigated the stormy centuries ahead.

We can now understand better why Montesquieu trumpets commerce as a redeeming force of nature on the opening pages of Part Four, only to quietly retreat from the revolutionary path. In the next chapter, however, we will see that Book 20 is only a window onto a much bigger problem. In brief, we will see that this essentially "optimistic" perspective on future social and economic reform has to stand up to historical reality. The history of commerce that Montesquieu provides in Book 21 can be summed up in advance as follows. It is the liberation of mankind from centuries of persecution, prejudice, starvation, desperation, and idiocy. And yet, a closer look at the history of commerce reveals Montesquieu's deep concern that this liberation is now at risk of being squandered by the illusory lusts of new commercial empires, based on a misunderstanding of the true nature of wealth. The compass will open up the world, and it will link East and West, fulfilling Alexander's unfinished dream (XXI.8). But will this end in a net-gain for humanity? Montesquieu begins at the very beginning, showing how the advance from barbarism to civilization was destined to become entangled in a new slavery as a result of commercial conquests in the new world. The following Book (XXI) is therefore a critical test, and a rigorous examination of the truth of the promises made at the beginning of Book 20.

# APPENDIX

## APPENDIX

**Figure 1: The Frontispiece to Abbé Coyer's *La noblesse commerçante* (1756)**

The frontispiece exemplifies the argument that Montesquieu explicitly rejects in Book 20. It is also an example of the great optimism, by contrast, of some of Montesquieu's contemporaries, especially, the idea that nobles should engage in commerce as a patriotic extension of self-interest. Coyer explains the image as follows:

> This gentleman one sees here, tired of living in poverty and uselessness, displays his marks of nobility, an escutcheon, a crest, or armorial helmet, and a parchment which contains his titles, gifts of birth from which he has drawn no fruit. He is leaving them behind and is going to embark to serve the *Patrie* by enriching himself in trade. (Shovlin 2006, 60)

## Chapter 3: The History of Commerce

In the previous chapter, we uncovered an important tension that will get carried forward and explored in Montesquieu's remarkable analysis of the history of commerce. There was a tension, to recall, between the promises made at the opening of Book 20 (what commerce can achieve and why it is good) and the provisos made in the closing chapters (why commerce is dangerous, and why it is necessary to be cautious). One way to think about Book 21, then, is as a continuation of this analytical tension through the medium of history.

In this book, however, the tension is reversed. Montesquieu is conservative in the opening chapters—pessimistic, even—about the very notion of progress. By the end of the book, commerce is triumphant, and he is ready to unveil the moral principle that grounds his confidence in the progressive power of commerce. This principle—a version of Tocqueville's "self-interest well understood"—has an oddly muted character, though. No sooner does Montesquieu announce his discovery than he wraps it up again, as we will see, in the disturbing image of Imperial Spain, which represents what he calls, in the last sentence of the book, "the dangers of great change" (XXI.23).

Let me start by asking the question in another way. What, precisely, were the *grounds* of Montesquieu's (liberal) optimism at the start of Book 20? Was it reasonable to be confident that commerce operates by knowable "laws"? What was the basis for his assurance that commerce may one day produce those natural effects—of humanity, gentleness, peace, and prosperity? Book 21, I suggest, is an attempt to give some grounds to that confidence—to give his reader some reasons to believe that he is not just another false prophet of progress. To do this, admittedly, takes some digging. But studying this book closely gives us a unique opportunity to find out whether there is, in fact, some treasure buried somewhere in the history of commerce.

Of course, this raises a difficult question. Can history be a ground for rational or liberal principles?[132] And if so, what kind of history? These are no small questions. Asking them requires us to say something, in advance, about Montesquieu's philosophy of history.

To begin, almost all scholars would agree that Montesquieu's view of history is purposive. Montesquieu's aim is to "know mankind," not to collect information for its own sake. As d'Alembert once put it, in a tribute to his friend, Montesquieu's history was an attempt to "make sense out of the chaos of politics."[133] Of course, to make sense out of the chaos, Montesquieu is guilty of what one scholar calls "inevitable guesswork" (Shklar 1981, 652). But this guesswork is itself an achievement and no small part of the charm of Montesquieu's writing. His selection, arrangement, and rearrangement of events, we have to remember, is part of his effort to help his reader make sense out of the chaos of politics as well. His writings on history have a pedagogic purpose, in other words. Montesquieu is interested not only in the "universally valid laws of political change," but in historiography and the way our study of history changes the present (see Shklar 1987, 66). In the *Pensées*, Montesquieu admitted that the historian's task is not merely to describe, but to put human actions and motives in a "rational order" so that one can come to understand "the reasons for past conduct, institutions, and events."[134]

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[132] The problems—indeed, the potential futility of this approach—are described by Strauss (1965, 7; 9-35).

[133] Shklar (1981, 650).

[134] Quoted in Shklar (1987, 66). For an interesting discussion of this view, see Carrithers (1986, 64-66).

Most readers are not surprised, therefore, to detect, in Montesquieu's writing on history, progressive elements. There is a strong sense that history has a direction. It may be messy, convoluted, unpredictable, even dialectical, but the *Spirit of Laws* has a forward moving momentum that is hard to deny. Like Vico before him (in the *Principles of a New Science*, 1725) and like Hume (*Enquiry Concerning Understanding*, 1748) and Turgot later in the century (in his "on the Successive Advances of the Human Mind," 1750), Montesquieu's writings often treat history as unfolding logically in a series of "stages." Nowhere is this more evident than in Book 18, where Montesquieu reveals, in embryo form, his "four stages" theory of society, which would later have a significant impact not only on the Scottish Enlightenment, but in the way liberalism conceived itself as a historically grounded concept.[135]

In my view, this link between Montesquieu and the radical or progressive Enlightenment is tenuous. There is some evidence, for example, that Montesquieu was skeptical either that there was a "rational order" in history *or*, more importantly, that history was moving in a positive direction. David Carrithers (1986) has studied two of Montesquieu's lesser known treatises (his *De la politique*, 1725; and his *Réflexions sur le caractére de quelques princes et sur quelques événements de leur vie*, 1713–1733) and concludes that Montesquieu's view of history is both less deterministic *and* much less purposive than one might expect (given his influence on thinkers who did believe in the progressive character of history—including such luminaries as Voltaire, Gibbon, Hume, Robertson, Herder, and Condorcet [61; 64]). Carrithers, in short, finds a deeply pessimistic side to Montesquieu's writing. Montesquieu, he argues, provides a much greater role for accident and arbitrariness in human affairs. Montesquieu's view of history, rather

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[135] For selections from these texts, see Isaac Kramnick (1995, 351-395).

than being rational or purposive, is "capricious," according to Carrithers. Great men *can* shape events and progress is not impossible. But, in Carrithers' words,

> Sometimes, the cumulative weight of past events coalesces into a general cause inclining a given society in one direction rather than another so that the role of particular individuals is reduced to a near nullity. (80)

Carrithers' analysis provides, in my view, the right tone for reading Montesquieu's history of commerce in Book 21. It is useful, especially, for reminding us in advance that Montesquieu nowhere suggests that history moves inexorably, providentially, toward civilization and Enlightenment and out of ignorance and barbarism.

What then can we possibly expect to learn from a history of *commerce*? Here it is important to canvass some possibilities in advance, for it is not clear why writing "economic history" (as we now call it) is important, or whether it adds any value to the arguments made in Book 21. One compelling possibility, provided by Mansfield (1993), is that Montesquieu's history of commerce is an attempt at explaining how it became possible, in the modern age, to tame the modern executive (Mansfield 1993). Paul Rahe (2009) emphasizes the historical and political elements of Book 21 as well. Montesquieu's history explains how commerce transformed, "perhaps permanently," the very *setting* for politics in the modern age (Rahe 2009, 178–179).[136] As a second possibility, Albert Hirschman emphasizes the psychological and

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[136] It should be mentioned that there is a complex negative teaching to his history of commerce as well. According to Pangle, the history of commerce proves not, precisely, that commerce must triumph, but merely, that there is no necessity in despotism (2010, 118). Randal Hendrickson shows, moreover, that there is nothing inherently heroic about the commercial revolution that Montesquieu speaks of in Book 21. The heroes of commerce are gone, and Montesquieu's depiction of the success of commerce is a responsible one: "Glory is a motivation ancient, aristocratic, or Machiavellian" (2007, 15).

cultural transformation that commerce is able to achieve. Montesquieu's history of commerce is a crucial explanation of a transformation of modern political psychology in the West; it is, in Hirschman's words, a "truly magnificent generalization built on the expectations that interests…would inhibit the passions and the passion-induced "wicked" actions of the powerful (Hirschman 1997, 73). Another answer is simply that earlier liberals had disregarded, for the most part, economic history. Political economy, as an area of study, did not—as yet—have any obvious or discernable link to moral or political philosophy. In any case, the social contract theorists had found their principles, not in history, but in the state of nature. So perhaps Montesquieu turned to economic history as a supplement—as a scientifically grounded version of the same story being expounded by the English rationalists.

In the following chapter, I would like to emphasize a different reason. Montesquieu's choice of writing economic history should be seen more as an attempt to get a jump, so to speak, on the indictment of commerce that would inevitably follow (and it did, only two years later, with Rousseau's epochal *First Discourse*). Writing a new economic history—especially one that describes the history of commerce in a sympathetic light—is rather an ambitious attempt to transform the moral climate of modern Europe. So while Book 20 pointed to the creation of what we now call an "opportunity society," Book 21 could be seen as an attempt to capture the discourse about that emerging society, and to take control of the debate about commercial society before its accusers had a chance to tarnish its reputation, further still. No abstract philosophy is required; no great moral system needs to be built. Anyone with access to a history like the one Montesquieu will provide can see how, exactly, the human race arrived in what he calls this "happy situation." What is this happy situation? In Book 21, it is the realization that commerce has already begun to do the work of reason and of virtue in convincing men that,

"although the passions inspire" in men the 'thought of being wicked, they have an interest in not being so" (XXI.20).

**How to Write Economic History**

To get to this "happy situation" requires an honest look at the turbulent history of commerce, however. In fact, the history of commerce is anything but a cheery chronicle of liberty and progress. Rather, the history of commerce is presented by Montesquieu as a great struggle, full of setbacks, reversals, and even "destruction" and "devastation" (XXI.2).

It is appropriate that Book 21 begins on a sobering note. In the first chapter, Montesquieu sets down as a rule that climate (or terrain) can fix commerce in place "forever." This implies yet another limit on commerce as a world-changing force:

> Though commerce is subject to great revolutions, it can happen that certain physical causes such as the quality of the terrain or of the climate fix its nature forever. (XXI.1)

From the outset, then, the reader is forewarned. There are physical and natural limits on commerce (what we might call, in this context, economic development). Underlying this limit, however, is not just an appreciation of the limits of climate; but rather, a deeper skepticism about the notion of the "perfectibility" of mankind. Let us look closer at this opening chapter. Why is it that commerce penetrates some places and not others? Why, Montesquieu makes us wonder, should commerce be "fixed" in places like the Indies forever?

Montesquieu provides a second answer that must be considered. The first, as we saw, was environmental or geographic. The excessive heat in the Indies, he notes, makes European clothing superfluous. This example was sufficient to show that climate plays an enduring role in shaping the way nations interact. And yet, he introduces a second reason, which should make us wonder whether this geographic reason is Montesquieu's primary concern. Might there be

another cause, interfering with the spread of commerce, that makes it *seem* like places like the Indies will never change?[137]

The end of chapter one quickly reveals that climate is not the core of Montesquieu's explanation for "stasis" in the "East" (as he terms it). It is, rather,

> Their religion, which has such empire over them that it makes repugnant to them the things that serve as food for us. Therefore, they need only our metals, which are the signs of value and for which they give the commodities that their frugality and the nature of their land procure for them in great abundance. (XXI.1)

Here Montesquieu provides a simple counter-example which calls into question the deterministic importance of climate and geography. Commerce, it turns out, is *not* determined primarily by environmental or climatic differences. It is determined, in profound ways, by human things, and by religion and superstition in particular. These powerfully affect our desires—all the way down to the types of food we find to be tasty or repugnant.

The first thing we can say about this book, then, is that the history of commerce is a human story.[138] While climate and terrain may "fix" certain *trade patterns* in place, it is the human passions—especially those passions shaped and stoked by religious superstition—that will turn out to be the important variable in shaping the way that commerce extends across the globe. Chapter one contributes an important service, then, in exposing the hollowness of climatic determinism (in this instance, by deflating the notion that physical aspects of the terrain are the

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[137] "The Indies have been, the Indies will be, what they are at present, and in all times those who deal with the Indies will take silver there and bring back none" (XXI.1).

[138] Shklar (1981) captures this well: "Montesquieu's glory is political and moral rather than scientific, for like a good physician he has to be content with hit-or-miss methods" (652).

sole cause of the historic "imbalance" of trade between East and West). It is a simple enough point, but worth repeating. The history of commerce cannot be reduced to a tale of physical accident or geographic determinism. These things do not "fix" the futures—the wealth and poverty—of nations.[139]

Having demonstrated the mistake in believing that the unevenness of world development is "fixed" by terrain, Montesquieu now turns, in chapter two, to address what is—and continues to be—a rather disturbing fact about the history of commerce. Commerce tends to produce and reinforce various forms of social and economic inequality around the world and between nations. This truism is also worth repeating. Commerce and global inequality tend to go together, sometimes, in very disturbing ways (e.g. XXI.21). Still, in chapter two, Montesquieu defends global inequality not only as necessary, but as good. Why? The global inequality of trade and development produces what he calls an "equilibrium of need" between nations:

> There is a kind of balance, in Europe, between the nations of the South and those of the North. The first have all sorts of the comforts of life and few needs; the second have many needs and few of the comforts of life…Equilibrium is maintained by the laziness [nature] has given to the southern nations and by the industry and activity it has given to those of the north. (XXI.21)

What is good about this equilibrium is not immediately clear. One could defend Montesquieu, for example, and argue that what he is describing here is an early theory of "comparative

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[139] This point was made elsewhere in the *Spirit of Laws*, but it is bolstered by the observation in chapter two of this book. Africa, it turns out, does not have such intense "repugnance" of European goods. By comparison to the superstitious Indies, Montesquieu would seem, at least in principle, to be more optimistic about "development," although he is conscious of what will later be called the "resources curse" (see XXI.2). In any case, Montesquieu's point is that in Africa, the great barriers there are political and geographic in character, rather than moral or spiritual.

advantage," later expressed more fully by Ricardo and other classical advocates of free trade.[140] But one might just as easily criticize Montesquieu here, and argue that this defense of "equilibrium" has a dark political undertone; that it is merely a justification for colonial domination. Indeed, the fact that the North is described as "industrious" while the South is described as "lazy" and superstitious might be interpreted as a shallow pretext for a racially loaded justification of European supremacy.[141] Or, finally, one could take a middle position. Perhaps Montesquieu's defense of this equilibrium here is merely a continuation of the story of "political geography" which he had foreshadowed in Book 18. Montesquieu has no dog in the fight. Speaking as a sociologist, he is merely observing that commercial inequality is merely an extension of political inequality—which is itself determined by geography and climate. [142]

In my view, none of these explanations gets to the bottom of this opening paragraph. He is, I suggest, interested in catching bigger fish. It cannot be the case, for example, that Book 21 is merely an attempt to *justify* existing economic, racial, and political inequalities. The title of Book 21 reminds us that something larger is at stake ("On laws in their relation to commerce,

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[140] The theory of comparative advantage was not developed fully until Ricardo (1817), in his *On the Principles of Political Economy and Taxation*, Chapter 7 "On Foreign Trade."

[141] That argument had largely been cut off at the pass in the discussion of "offensive force" in Book Ten (see, esp., X.4; X.7; X.9; and X.16: "an immense conquest presupposes despotism"). More generally, this argument was refuted in Book 18, which in many ways fulfills the "promise," in Book 14, that morals could ultimately resist climate for moral causes (see Allen 2004, 19).

[142] See Allen (2004), for a revealing analysis of the real roots of Montesquieu's theory of the influence of the terrain on political development. Allen's article is important, among other reasons, because he discloses the real source of the "sterile soil" argument—not in Plutarch as it might seem in Book 18—but Thucydides and Herodotus, who is, in Allen's words, "the forerunner of every argument from climatic determinism" (10).

considered in the revolutions it has had in the world"). The task he sets for *himself*, in other words, is to explain how commerce *changes* the world—not how it merely fixes it (thus the irony of this opening chapter in regards to the Indies). The movement of the book is towards an explanation of how commercial civilization triumphs —even if temporarily—against "barbarism" in Europe (see XXI.6).

**Commerce Ancient and Modern: What We Need to Know**

To explain *why* commercial civilization should be regarded as a triumph, Montesquieu has a great challenge: he must show not only why it should be regarded as a triumph, but why commerce in the modern world is *different* than commerce in the ancient world. To put this simply: if there is no difference between ancient and modern commerce, the difference between ancient and modern has nothing to do with commerce.

So in the fourth and fifth chapters, Montesquieu turns to describe the differences between modern commercial Europe and the "commerce of the ancients." These two chapters are important for a further reason. They offer, as we will see, two competing approaches to answering the above question.

In chapter four, Montesquieu focuses almost exclusively on the economic determinants of the change in world trade patterns. The "principal difference" between ancient and modern commerce arises out of a difference in *climate*, which "makes people have a great need for each other's commodities" (XXI.4). Speaking like a disinterested economic historian, Montesquieu argues that shifting demands for products over time has produced dramatic reversals in both the patterns of—and the *volume* of—exchange (in this case, Montesquieu's example is the modern European surge in demand for *liquor*). But this does not tell us what we want to know. Why, for example, was commerce "less extensive" in Europe? And why did trade take off when it did? In

chapter four, Montesquieu teases his reader with a thoroughly economic explanation. The ultimate reason why commerce was "less extensive" in Europe was, he hints, because there was simply not much contact with the east—and therefore, the eastern luxury goods—which had yet to penetrate the market and take over the European imagination. On the contrary, most goods that entered Europe were the result of the relatively boring trade in the "south" between Mediterranean ports. Since this lateral trade was between cultures of similar climates, and since peoples of the same climate "have almost the same things," there was—it stands to reason—much less need of commerce in the ancient world (XX1.4). Thus, Montesquieu arrives in a few short sentences at what he calls the "principal" difference between ancient and modern commerce. Before the demand for luxury goods like "liquor" hit the European market, there was simply no impetus to trade. The absence of commerce in ancient times can be explained simply by raw economics. Commerce was lacking in Europe because there was a lack of supply of rare or exotic commodities from different climates.[143]

Chapter five, however, tells an entirely different story and offers a vital methodological revision. In this humbly titled chapter, "Other differences," Montesquieu presents a highly *politicized* version of the story he told in chapter four. Here in chapter five, Montesquieu abandons the climatic explanation entirely and replaces it with a vivid, and dramatic, account of a personified "commerce" fleeing across the globe and struggling to survive against all the odds. It is, arguably, one of the most arresting passages in the history of political thought:

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[143] Likewise, the explosion of commerce between North and South can be explained by normal market causes, such as the sudden introduction of new commodities into previously untapped markets. "Thus the capacity of ships formerly measured by hogsheads of grain is measured today by casks of liquor" (XX1.4).

> Commerce, sometimes destroyed by conquerors, sometimes hampered by monarchs, wanders across the earth, flees from where it is oppressed, and remains where it is left to breathe: it reigns today where one used to see only deserted places, seas, and rocks; there where it used to reign are now only deserted places...
>
> The history of commerce is that of communication among peoples. Its greatest events are formed by their various destructions and certain ebbs and flows of population and of devastations. (XXI.5)

As we can see, then, Montesquieu deliberately, and effectively, contrasts the all-too-economic explanation given in chapter four with this all-too-human explanation, in chapter five. Why did commerce not take off in Europe until it did? To understate his point, politics matters. Commerce is presented, suggestively, as a persecuted fugitive beleaguered by conquerors and monarchs and other forms of social or moral oppression.[144] The story of commerce, again, is a

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[144] At another time I intend to follow up on this passage with a comparison to John Trenchard's 1721 letter, which I believe to be the source for Montesquieu's famous image. Examine the following passage, from *Cato's Letters* ("Trade and Naval Power the Offspring of Civil Liberty Only, and Cannot Subsist Without It" Saturday, February 3, 1721):

> Nothing is more certain that that trade cannot be forced; she is a coy and humorous dame, who must be won by flattery and allurements, and always flies force and power; she is not confined to nations, sects, or climates, but *travels and wanders about the earth* (emphasis mine), till she fixes her residence where she finds the best welcome and kindest reception; her contexture is so nice and delicate, that she cannot breathe in a tyrannical air; will and pleasure are so opposite to her nature, that but touch her with the sword, and she dies; But if you give her gentle and kind entertainment, she is a grateful and beneficent mistress; she will turn *deserts into fruitful fields, villages into great cities, cottages into palaces, beggars into princes, convert cowards into heroes, blockheads into philosophers* (emphasis mine)*;* will change the coverings of little worms into the richest brocades, the fleeces of harmless sheep into the pride and ornament of kings, and by a further metamorphosis will transmute them again into armed hosts and haughty fleets" (Trans. Clark 2003).

More should be said about the similarities between these two passages, but for now I leave it at an observation, in short, that Montesquieu takes Trenchard's "dame commerce" and turns her into a persecuted refugee. The significance of this change is debatable. But it is clear that Montesquieu makes two observable changes to Trenchard's passage. First, he takes away

human story. Economic history cannot be reduced to mathematical calculations of "extent" and "volume" of trade. Commerce responds to and is shaped by politics: it "flees" where it is oppressed and it shapes itself according to the great "ebbs and flows" of political and social change. The history of commerce, therefore, is not a history of trade. The history of commerce is inextricably bound up with the political history of mankind, which is why Montesquieu ends chapter four with this memorable account of the scope of his own project in Book 21:

> The history of commerce is that of communications among peoples. Its greatest events are formed by their various destructions and certain ebbs and flows of population and of devastations. (XXI.4)

So the story deepens in chapter five. If the "principal difference" between ancient and modern commerce is not one merely of volume and *extent* (that is, of measurable levels of exchange in commodities between increasingly interconnected regions of the globe), the "other difference"—which has no ready title yet—is the difference between old and new forms of cultural and political violence done against commerce.

To summarize: the first five chapters of Book 21 constitute an important methodological statement of purpose. To understand why commercialization is a triumph, we must know something about the differences between ancient and modern commerce. To understand the difference between ancient commerce and modern ("history of commerce") it is critically necessary to take into account both religion and politics, which Montesquieu emphasizes as key variables in the study of economic history. We saw that in chapter one, Montesquieu added

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Trenchard's strict requirement that commerce can *only* flourish where there is civil liberty. Second, it is notable that Montesquieu de-sexualizes commerce. For Trenchard, commerce must be "courted" for her transformative and life-giving powers and fruits. Montesquieu is *more* optimistic, in that he thinks less courting is needed; but also more skeptical, in that he does not believe that commerce will spread its fruits evenly or equally wherever she is given "kind and gentle entertainment."

religion as a necessary feature of the geographic explanation (XXI.1). In chapter five, he puts politics "on top" as the necessary feature of any attempt to understand the way commerce has—and continues—to change our world.

With these methodological points established, Montesquieu returns to the history of commerce proper, in the sixth chapter of Book 21. Montesquieu begins with the oldest recorded history of ancient commerce. Broadly speaking, the history that begins here (in chapter six) will cover three "eras." These are: the rise, fall and "collapse" of commerce in the ancient world (XXI.6–12); the ultimate "destruction" of commerce in medieval European times (XXI.13–19). And finally the remarkable phoenix-like revival of commerce in Europe, and the beginning of a great revolution which turned the tables on the oppressors of commerce for good (XXI.20–23).

**The Natural Origins of Luxury**

To understand the life (and interruption) of commerce in the ancient world, it is necessary to begin with a reminder of the distinction that was explored in Book 20, between the commerce of luxury, and the commerce of economy. This distinction, which was merely analytic in Book 20, becomes increasingly important as Montesquieu develops his history. In other words, Montesquieu will provide *two* narratives in Book 21, corresponding to the two types of commerce in Book 20. These strands must be carefully separated to understand Montesquieu's purpose. On the one hand, there is the story of the "great commerce" of luxury, beginning with the ancient Assyrian and Medean empires, ending with destruction by the Tartars, and finally re-emerging in the context of Spanish imperialism. But there is a second story, parallel to that story, but with a different narrative arc. This is the story of the commerce of economy, which begins with the virtuous Tyrians and traces its struggles on into modern times. This story is a sub-plot, to be sure. And the commerce of economy always seems to struggle for survival only in isolated

pockets of the world. But this narrative helps us see more clearly why Montesquieu seems to end the book on such an unhappy, and deeply ambiguous, note. Yes, commerce wins out over barbarism (XXI.20). But what kind of commerce wins out? The victory of commerce is bittersweet, Montesquieu suggests, because there is "A problem" (the title of the last chapter, XXI.23). The victory of imperial Spain, with its perverse understanding of wealth, leaves little time at the end of Book 21 for celebration.

The first thing that we notice is that the commerce of luxury has natural origins. Montesquieu makes it clear that this kind of commerce is as old as language itself. There is no written record, for example, that one can point to and say: "here is where the commerce of luxury begins." To emphasize the antiquity of luxury, Montesquieu dates the origins of the commerce of luxury back to a quasi-legendary queen, Semiramis. By looking at the amount of wealth amassed by this mythical queen, we can ascertain two things: first, she must have had a good run in the luxury trade. She presided, he says, over the collection of "immense treasures" (XXI.6). But second, and more importantly, his description of Semiramis' treasures shows that the true historical origins of the commerce of luxury may be forever hidden to the inquiries and exertions of the historian. This is suggestive, I argue, of a deeper truth that Montesquieu wishes to convey. "Luxury" is not only not a modern phenomena; it is a feature of political life that goes back beyond recorded human history, beyond politics and writing itself. This fact, that luxury is *not* a uniquely modern thing, is critical to note here because it underscores Montesquieu's point in Book 20, that luxury is somehow an inevitable feature of human politics and psychology (see XX.4). The historical accuracy of Montesquieu's philological "finding" (that is, that luxury is proved by the ancient queen's treasure) is beside the point. What is important for our purposes is that Montesquieu looks to have established the desire for luxury as a natural fact. The difference

between ancient and modern, then, is a difference between how different political forms address the natural fact of the desire for luxury.

Montesquieu is aware that readers may not be convinced that the desire for luxury is as old as Semiramis. So in the next few paragraphs, Montesquieu buttresses his claim—that the human desire to partake in the commerce of luxury is as old (or older) than written history itself—by turning to extant historical research. We should be wary of historiographical condescension, here, for he does in fact build an elegant historical case. By using reports from other historians like Diodorus, Pliny, and Strabo (XXI.6), Montesquieu proves that long before there was Hellenism, long before the Roman Empire, and centuries before the spread of monotheistic religion, there was, he says, a "great communication" between East and West. For Montesquieu, this proves that commerce is not only as old as language, but as basic. It is therefore incontrovertible, in Montesquieu's account, that commerce is a natural feature of human life. Contrary to nostalgic reports of the self-sufficiency and frugality of the ancients, Montesquieu emphasizes the great extent of communication (and with it, the desire for luxury) that flourished in the ancient world. Commerce seems to have grown like a weed, in Montequieu's account, until there was, he says, a great network of land and river routes, the most important of which stretches from the ancient Indies, down the Oxus river, into the Caspian Sea, and then overland to the Black Sea:

> No doubt the great empires of the Assyrians, the Medes, and the Persians communicated with the remotest parts of the East and the West by way of the nations that populated these countries. (XXI.6)

The *existence* of ancient commerce thus established, Montesquieu moves on quickly to a more incisive observation. The question now turns suddenly, and surprisingly, on this question. Why is it that this "great commerce," which has its origins in the pre-political age, and which provided

the "great wealth" and luxury between the great empires, could have disappeared so suddenly in the medieval period?

Here, Montesquieu skips over the centuries. He lands somewhere in the 12th century AD and blames the conquering Tartars in a paragraph which demonstrates, ironically, how *easy* it was—even after all those centuries—to destroy the commerce of luxury and to undo that great communication that existed between East and West:

> This communication no longer exists. All these countries have been laid waste by the Tartars, and this destructive nation still lives there and infects them. The Oxus no longer runs to the Caspian Sea; the Tartars have diverted it for particular reasons; it disappears into arid sand. (XXI.6)

Let me emphasize the importance of this point. What is striking, at least in my view, is not the fact that the commerce of luxury existed for so long. What is striking—and which should give us some pause—is that commerce, which Montesquieu portrays as so "basic" and natural, was so easily destroyed! From Montesquieu's own analysis, it appears that the commerce of luxury is natural, but brittle. It is natural and basic, but breakable and easily destroyed. Commerce, unlike language, which is not easily changed or destroyed, is the frailest of all things: it was destroyed, Montesquieu notes with beautiful simplicity, by a band of roving Tartars. Shutting down the great luxury trade was no big matter. It was the result, he argues, of petty banditry—a local disruption of a small part of the river route that connected East and West.

What is impressed upon the reader, then, is not any sense of naïve wonder about the inevitableness of the commerce of luxury, but the relative swiftness and ease with which it passed away from the world. To sever the communication and trade in luxury goods between

East and West took no great feat of imagination, no revolution in morals, no awe-inspiring act of leadership. The Mongol tribes simply diverted a river.[145]

**The New Poetry of Commerce**

Now let us compare the story and origins of the commerce of economy, which is, as we will see, not so easily destroyed.

The story of the commerce of economy begins also in the sixth chapter, with the emergence of the Tyreans (XXI.6). Having been put in mind of the great and glorious and age-old luxury trade between East and West (which depended on Assyrian, Medean, Persian, and later, Roman and Hun political authority to ensure safe transit of goods and people), we now turn to the Tyreans. By contrast to the commerce of luxury, this species of trade has its origins in a specific place and time and at some point in recordable history. Montesquieu *does* point to its emergence in human history. Perhaps, he means to suggest, there is something "unnatural" about it. Perhaps it is something, not unlike Aristotelian virtue, that is not "by nature" but still "according to" nature. In any case, the story of the commerce of economy emerges immediately after the paragraph describing the destruction of the commerce of luxury. This, I argue, is no accident, because the commerce of economy will turn out to have one great advantage over the commerce of luxury. While it may not be the most common, indeed, the most natural kind of

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[145] Historians now believe that the river was "impounded" around 985 A.D. to make room for the Gurganj Dam, which diverted water to the Aral Sea. So the story may be more complicated than Montesquieu admits. There is also some question as to whether the original dam was built by local Arab towns, or invading "Tartars," as Montesquieu calls them. These questions do not undermine the rhetorically effective conclusion, however, which remains a valid inference: the first great "event' in the history of the commerce of luxury was the destruction of the communication between east and west by a physical (non-ideological) event, by the damming of the Oxus river.

commerce, it is in fact the *least* dependent on political and moral authority, on kings and queens and theologians, and on the shifting winds of fortune and empire. Rather, the strength of the commerce of economy comes from within: it relies exclusively on individual human virtues.

For Montesquieu, the ancient Tyrean pilots are emblematic of these virtues in two ways. First, they are meant to show that the harder, sterner, more strenuous kind of commerce (see V.6; XX.4) produces virtues that are not uniquely modern, but rather, uniquely present wherever there exists the right set of conditions. Second, they are yet another reminder to the reader that the admirable commercial virtues do not arise except in extreme, and indeed, harsh conditions. Their daring, their ingenuity, and even their technological savvy, which allows them to engage in a commerce "around the whole world," arose, like the culture of Marseilles, out of necessity. Montesquieu admits that these early traders were "obliged" to cultivate these character traits and that they were not freely or spontaneously chosen. But *that* there were such a people, even in ancient times, points to an illuminating truth. It appears that what we call the bourgeois virtues may have been much more widespread—much more thoroughly rooted in human experience—than might have been supposed, based on an isolated reading of the chapter on Marseilles. Tyre, for Montesquieu, works as an analogue of Marseilles, but for the ancient world. This suggests, at a minimum, that commercial morality is less an aberration caused by accidents of climate and history, and more, perhaps, like an exotic plant which can thrive in a wide range of hostile conditions. Even while the rest of the ancient world was swept up in wars and conquests; and even while the ancient world was dominated by the unstable commerce of luxury among the empires of Asia, there were, in fact, other nations, quietly engaged in a different kind of trade, unobtrusively developing the habits of character which would later make the commercial republics of Venice, Marseilles, and Holland masters of the modern seas.

This shift in the narrative, from the commerce of luxury to the parallel history of the commerce of economy, is marked by Montesquieu with a distinctive shift in style and tone. At the exact moment that he introduces the Tyreans, Montesquieu becomes, for lack of a better word, romantic. He drops the dry historical style. He reintroduces the poetic language and evocative imagery that has been largely missing since he last wrote about Marseilles, in Book 20. Montesquieu makes it explicit that his description of the Tyreans is a continuation—a revival in some way—of the human excellences that are portrayed in Homer's *Odyssey*. The Tyreans become imbued with the spirit of those "great voyages" immortalized by the old bard. The Tyreans, he says, set up colonies all along the Mediterranean, and even "beyond the Pillars of Hercules." The Tyreans' labors and voyages are worthy, he says, of the labors and voyages of Ulysses himself, which was a "fertile subject…for the finest poem in the world, after the one which is first of all" (XXI.6).

**The New Poetry of Technology**

It is misleading, however, to say that this poetic turn, in Book 21, amounts to a new romance of the early traders. Strangely enough, Montesquieu never really explains *what happened* to the Tyreans. Like the people of Marseilles in Book 20, the Tyreans simply drop out of the history. After discussing the Egyptians (who carried on almost no external commerce) and the Israelites (who confined themselves mostly to agriculture and traded little), he praises the Phoenicians once more for their "frugality, their ability, their industry, their perils, and their hardships." But after that, he lets them fade into the mists of history. No poetry, it seems, can bring them back.

But why? Here, Montesquieu has an opportunity to rewrite the history of economic commerce. He has an opportunity to be a new Homer, as he himself suggests. Why, we should ask, does this old, venerable, form of commerce, so worthy of the epic poet's pen, disappear? Let us consider three possible reasons. First, it is not entirely accurate to say that the commerce of economy disappears (either from the world or from Montesquieu's narrative). As argued, the people of Marseilles are a modern analogue to the ancient Phoenicians. So something survives. And moreover, if the commerce of economy *is* like an exotic or rare plant that thrives in extreme conditions, as I have tried to argue, we should not expect it to flourish, but rather to sprout, only rarely and in extraordinary times and places. In other words, Montesquieu's point may simply be that the commerce of economy is by its nature exotic. Sometimes, exotic things are exotic not because they are fragile, but because they are unusually hardy and persistent. Second, Montesquieu is very clear, in this book, that there is a built-in tension, between commercial morality and technological progress. The progress of technology—especially in the shipbuilding and navigation arts—may have a negative effect on commercial morality, as we will see. But technology is a fact of history and of human life—and Montesquieu welcomes it. So, I suggest that there is something devious, perhaps misleading, in Montesquieu's evocation of Ulysses and his suggestive hint to his reader that the commerce of economy needs a new Homer to sing its praises. In fact, what Montesquieu provides in chapter six is not a new poetry of commerce, but a new poetry of technology—the very thing that would put a new Homer out of the poetry business. Put another way: Montesquieu will try to show his reader the intrinsic beauty of technological innovation, which will render archaic certain excellences that we should admire, but may never attain. Indeed, rather than singing the praises of the old heroic traders (whose virtues depend, ironically, on an *absence* of technology XXI.6, ¶11), Montesquieu focuses his

stylistic skills on a new poetry of technological expertise. His epic poem is dedicated not solely to the pilots, and adventurers, but to the men in the docks and in the warehouses and backrooms. The new Ulysses, he suggests, should be an Engineer. He will study and contribute to advances in ship and hull design, maritime navigation, and the "arts," which Montesquieu says correct not only the defects of nature but *the defects of art itself*.[146] In short, while Montesquieu admires the great explorers and traders for their virtues, he does not resurrect them as the heroes of his new epic. The new heroes—men with an interest, like Montesquieu, in ship-building and sailing techniques—will rely less on the venerable, but raw, Phoenician virtues, and more on the knowledge that will help transform not only man's relation to the dangerous coastlines, but man's relation to the whole world.

Here then are two reasons as to why the commerce of economy fades away from the narrative here. First, Montesquieu has no illusions about rarity of the virtues of those ancient mariners, traders, and explorers. Those virtues are manifest in the few. And they arise, just as they do in Marseilles, out of extreme conditions; out of the great "perils" and "hardships" associated with early oceangoing trade. Second, Montesquieu has his sights set on the future. He hints, by turning to the subject of technology and the arts, that the world cannot expect a true flowering of the rare and exotic plant of a pure commerce morality. One can look to Marseilles for inspiration (just as we might—and should—admire Super Bowl commercials extolling the virtues of Motor City: "this is what we do"). But those Tyreans cannot be brought back through wishful thinking. Advances in hull design, shipbuilding, and navigation only confirm that Ulysses is already the stuff of legend.

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[146] Readers will note that this new appreciation of technology will undercut the very idea of heroic commerce, a point we will return to below in this essay.

A third reason why the commerce of economy disappeared in the ancient world is explored by Montesquieu in the seventh chapter of Book 21. Here the spotlight is focused on the influence of the Greeks. If, as above, history and technology are in tension with the commerce of economy—right from the beginning of its history, so to speak—here, Montesquieu turns to the human reasons why the commerce of economy does not rise, spontaneously, as the preferred or dominant form of economic activity. In short, it is in tension with culture. Athens, far from being an ancient "England" (which as we saw, incorporates elements from Marseilles in Book 20), purposefully rejects Tyrean commercial morality.[147] Its greatness, Montesquieu insists, was built on this rejection. Athens, then, represents the road not taken by modern England. It chose culture over commerce. Montesquieu insists that this is also a built-in tension. No nation can strive, as Athens once did, for human greatness, without paying for it:

> Athens, filled with projects for glory, Athens, which increased jealousy instead of increasing in influence, more attentive to extending its maritime empire than to using it, with a political government such that the common people distributed the public revenues to themselves while the rich were oppressed, did not engage in the great commerce promised it by the work of its mines, the multitude of its slaves, the number of its sailors, its authority over the Greek towns,

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[147] Indeed, Montesquieu gives the Greeks here an unforgettable tribute: the Greeks, he says, surpassed all other nations in history in "taste and the arts." In Greece, taste and the arts were "brought to a point that whoever believes they have been surpassed will forever be in ignorance of them" (XXI.7). That Montesquieu is capable of capacious praise for Greek taste and the arts should not come as a surprise (recall IV.4: "things were done in those governments that we no longer see and that astonish our small souls"). Still, commerce and "taste" are a fickle pair, as this all too brief moment in world history attests. In Montesquieu's view, this is a rare moment indeed, to find great commercial enterprises and prosperity comingling with high culture. It is, he argues, a "high point" in all of human history. In Greece, "taste and the arts were brought to a point that whoever believes they have been surpassed will forever be in ignorance of them" (XXI.7). This provides a reminder to Montesquieu's reader of the incredible rarity of an ancient city state that was able to produce at once a great commerce and great culture

> and more than all that, the fine institutions of Solon. Its trading was limited almost entirely to Greece and the Black Sea, from which it drew its sustenance. (XXI.7)

Athens, I would argue, is an emblem of a deeply rooted ideal: to have culture, a "great people," *and* prosperity at the same time (XXI.7). This desire for a way of life that is dignified by great art, poetry, music, philosophy, he suggests, will always be in tension with the way of life necessitated by the Phoenician sailors. Indeed, from the perspective of Athens, the Phoenicians look small and undeserving of praise, let alone, a Homer! What was the Phoenician achievement? It was, he says, to become "necessary to all the nations in the world" (XXI.6). Athens, on the other hand, had become the wonder of the universe (XXI.7).

Montesquieu writes about Athens with a sense of sadness and inevitability. The story of the demise of the ideal which Athens represents is familiar, but also moving. Despite their culture, and their great commercial potential, Montesquieu argues, they were no less susceptible, in the end, than Rome (whose disappearance is equally unhappy for those with any sense of longing for cultural splendor). Athens, like Rome, was eventually corrupted by imperial ambition, by a series of self-defeating "projects for glory" and empire. Corinth, says Montesquieu, in a sentence which hints at the extent to which Athens overlooked its own commercial potential, did "a greater commerce than Athens" (XXI.7).

Underneath this very practical critique of the Greek cultural ideal, however, lies a much deeper critique—not of the simpleminded oversight of the Greek magistrates and statesmen, but of the Athenian moral philosophers. While Montesquieu is conspicuously silent about the role of Greek philosophy in Book 21, we must remember that he had analyzed the relationship between Greek philosophy and commerce in the eighth chapter of Book Four. In that chapter, Montesquieu treated Greek philosophy as the most important cause of the stifling, and repression, of ancient commerce and trade. There, Montesquieu gave a fascinating, but very

different, explanation of the disintegration of the Athenian economy. The *reason* why Athens failed to reach its commercial potential was not merely that the Athenians spent too much time on festivals and games. It was, rather, because the Greek city state was predicated on moral and intellectual virtues that were in many ways incompatible with the virtues on display in a trading state like Tyre.[148] The philosophers, realizing that the most important political aim of the Greek cities was war, gave their full endorsement to the prejudice against "craftsmen" and "all professions that could lead to the earning of silver" (IV.8). Xenophon's *Oeconomicus* is illustrative, argues Montesquieu, of the need to prevent craftsmen from becoming citizens. Not only do crafts corrupt the body, argued Xenophon, but they "oblige one to sit in the shade or near the fire: one has no time for one's friends, no time for the republic." Aristotle, in Montesquieu's view, gave full certification to the Xenophonic bias against crafts and commerce. It is a dark reality of the classical republic that this bias produced an economic system in which domestic agriculture and "shopkeeping" became the work of slaves. And while Montesquieu does not believe that the Greek philosophers supported slavery in principle (IV.8, fn. 17), he nevertheless shows how their objections to commerce inevitably ended up protecting that institution. Already, by the time Plato had written the *Laws*, "all common commerce" had become disgraceful to the Greeks (IV.8). The result, Montesquieu hints, was more far-reaching, perhaps, than they might have imagined. By providing the world with convincing philosophical arguments against

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[148] "All work and all professions that could lead to earning silver were regarded as unworthy of a free man," writes Montesquieu (IV.8). Continuing,

> Most arts, said Xenophon, corrupt the body of the one who practices them; they oblige one to sit in the shade or near the fire: one has no time for one's friends, no time for the republic. It was only when some democracies became corrupted that craftsmen managed to become citizens. Aristotle teaches us this, and he holds that a good republic will never give them citizenship. (IV.8)

commerce, they helped put commercial society on a tragic downward trajectory. The teachings of the Greek anti-commercialists will surface again in Montesquieu's narrative. But for now, it is not an exaggeration to say that Montesquieu invites his reader to compare the Greek moralists of the 5th century with the barbarian Tartars in the 12th, as the two most effective opponents of commerce in the pre-modern history of commerce.

It should now be more clear why Montesquieu refuses, in chapter seven, to credit Athens with pushing the history of commerce forward. Xenophon, Plato, and Aristotle, while being finely tuned to the "very awkward position" that their denunciation of commerce left them in (IV.8), nevertheless played an important role in the historical repression of the commercial virtues epitomized by Tyre and Marseilles. So it was not during the "axial" age in the West, when games, religion, and philosophy flourished; but only after Greek philosophy had declined, in the age of Alexander, that commerce becomes a permanent fixture of the Western mind.

**Alexander's Conquests and the Discovery of Commerce**

By chapter seven of Montesquieu's history, commerce remains bifurcated into two precarious extremes. Athens, far from uniting the two in a more stable form (as England will), is presented not as the "peak" of commerce in the ancient world, but rather, the birthplace of the intellectual and moral critiques that will eventually help destroy it. To be fair, Athens serves a dual purpose. It represents the cultural price that England will have to pay as well. But Athens' role in the history of commerce is, on balance, a disappointing cameo. In the "east," things are even more dire. The Persians want almost nothing to do with commerce, not because commerce is anti-aristocratic or because it undermines the character traits required for self-rule. Persia is against commerce for religious reasons. It is stuck, Montesquieu suggests, in a kind of "stasis," comparable to the Indies at this period. So at this point in the narrative another great obstacle

surfaces briefly to remind us of events that Montesquieu avoids in his discussion of the "west." The rise of religious "superstition," it turns out, has prevented even the *idea* of maritime commerce from gaining a foothold in Asia Minor. The Persians, Montesquieu notes, "call those who sail the seas atheists" (XXI.8, fn. 39; XXI.9).

So in the eighth chapter of Book 21, there are rumblings of a great change on the horizon. It is at this point, just before the eruption of monotheistic religion, that Montesquieu turns to analyze the first great breakthrough in commercial history. This he calls the first "great revolution in commerce," which itself is broken down into four discrete events that occurred "under Alexander" (XXI.8).

Three of the four of these events are conquests. These are: the capture of Tyre, the conquest of Egypt, and the conquest of the Indies (and thereby the discovery of the Indian and Arabian ocean). The last, and arguably the most important event of the four events, however, is a not a conquest but a discovery. At the start, then, Montesquieu insists that the spread of commerce is not all sweetness and light. The future spread of commerce, as was hinted in Book 20, may be productive of peace (see XX.2). But there should be no mistake. Commerce is a powerful harmonizing force, and it may be the "vehicle" for the spread of knowledge. But to spread, it must destroy and transform. To discover, it has to conquer.

The above is true, of course, of Alexander himself. This, I suggest, is one reason why Montesquieu employs Alexander the Great as the central figure in the unfolding drama of Book 21. Alexander, in this chapter, is a kind of personification of the best and worst of commerce. To stretch the analogy even further, he is three parts conquest, one part discovery. There is, therefore, a dual nature to Alexander, and this is mirrored, in the *Spirit of Laws*, by Montesquieu's two distinct treatments of him. Recall, for example, that there is a long, detailed

and intimate portrait of Alexander in Book Ten (X.13-15). The presentation of Alexander here, in Book 21, is different however. Let me briefly sketch the differences in these presentations before examining Alexander's historical impact.

In Book Ten, Montesquieu described Alexander the *man*. There, Montesquieu chronicled the great general's battles, his courageous river crossings, and the astonishing feats of his great campaign. In Book Ten, Montesquieu gushes over Alexander's sage interweaving of imperialism with a prudent, almost cosmopolitan, appreciation of the sanctity of local cultures. In short, Montesquieu was interested, in Book Ten, in Alexander the conqueror. More specifically, he was interested in the reasons why Alexander's conquest of the world worked. Generally speaking, Alexander's conquest worked because he was prudent. Alexander prudently disguised his imperial aims with a respect for differences, and a conscious, calculated, effort to appear as little threatening as possible. Beyond this, Alexander's campaign was successful because he had turned the Roman model of conquest on its head. The Romans had "conquered all in order to destroy all," says Montesquieu (X.14). Alexander, on the other hand, conquered "to preserve all." Again, Montesquieu hints that Alexander is a stand-in for commercial conquest. When he enters a country, "his first idea, his first designs, were always to do something to increase its prosperity and power" (X.14).

Here, in Book 21, Montesquieu is much less interested in why Alexander's conquest works (and why it works better than the Roman model). Similarly, he is not as interested in the way in which Alexander *presents* himself to the world (why the respect for tradition and leaving people their mores is the key to conquering them). Finally, he is simply not interested in

Alexander's virtues (cf. X.14).[149] In Book 21, Montesquieu is much more interested in the way Alexander, in fact, *transforms* the places he conquers. One might say that here, Montesquieu investigates Alexander, the civil engineer.[150] Indeed, in this chapter, Montesquieu puts the stress not on how Alexander *preserves* the cultures that he conquers, but on the small, behind-the-scenes ways in which Alexander fundamentally alters and transforms those cultures. This book is important because it shows how commerce *changes*—in profound ways—man's understanding not only of himself, but of his relationship to nature. By presenting Alexander not as a military strategist, but as the world's first great civil engineer, Montesquieu shows the deeper underlying rationale for the spread of commerce. In Alexander's travels in Book 21, he views the world as something to be fixed, improved, and redesigned through technological manipulation. Though he seeks to unite the world and though he does this through a model of "humane imperialism" (see, e.g., Pangle 2010, 127; Larrère 2001, 324), he nevertheless seeks to radically transform and shape it.[151] In brief, we come to know Alexander by his works; one might say, his techno-

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[149] For a discussion, see Pangle (2010, 120-123). I disagree to some degree with Pangle, who argues that Book 21 is a continuation (rather than an interruption) of the story of Alexander's "magnificent project" to unite east and west, and to transform oriental despotism through conquest. As I read this section, it is meant as an introduction to the importance of technology as itself an alternative to Alexandrian "imperialism." Alexander's legacy, as he presents it, is best seen as an opening of the flood gates on technology, which, to be sure, is not an unambiguous good in Montesquieu's view.

[150] Montesquieu describes with wonder how he built a fleet at the north end of the Indus river; how he managed to sail to its mouth, to build a garrison at Patala, to discover the Indian ocean—all the while digging wells and towns, and rebuilding temples as he went (X.14).

[151] Both Pangle and Larrère are careful to note Montesquieu's reservations (see Pangle 2010, 173).

scientific legacy. This is what Montesquieu means by the "first revolution" in commerce. It is a revolution in man's view of his own relationship to nature, a view, Montesquieu suggests, which is foisted on him by the rude intrusion of civil engineers and practical minded men like Alexander.[152]

**The First Revolution in Commerce Explored**

Alexander's techno-scientific project—if we may call it that—is explored in depth by Montesquieu in chapters eight–ten. We can take each of the four events mentioned at the beginning of chapter eight (XXI.8) in turn.

The first event that Montesquieu explores is the conquest of Tyre. This conquest was important for two reasons. First, it allowed the Greeks to become "masters of the Ports of the Red Sea" and therefore, opened up the African coast to Greek exploration. Second, and more importantly in Montesquieu's view, this conquest ended what he calls the "Persian indifference to sailing," which was "so extreme that the Greek kings found them ignorant not only of the ocean voyages made by the Tyrians, the Idumaeans, and the Jews, but also even of those on the Red Sea" (XXI.9). It was the destruction of the first Tyre by Nebuchadnezzar, Montesquieu concludes, that "caused the loss of knowledge that had been acquired." And so, in conquering Tyre, Alexander effectively rolled back Babylonian superstition. This further inspired the "curiosity of the Greek kings." Montesquieu's reason for the selection of this event as the first in the revolution is this: in one swoop, Alexander had removed the Persian prejudice against

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[152] This is Catherine Volpilhac-Auger's view in her informative essay, "Montesquieu et l'impérialisme grec: Alexandre ou l'art de la conquete" (2002, 47-60). Contrast Rahe (2009) and Orwin (2002), who do not view Alexander as reinforcing the Plutarchian image of Alexander as one "sent by the gods to be the conciliator and arbitrator of the universe."

exploration, making it possible to discover the Red Sea, and therefore the ocean, "a second time."

Once the Greeks of Egypt were no longer "hampered by that country [Tyre's] ancient superstitions," Egypt was now, in Montesquieu's record, the "center of the universe" (XXI.9). Thus the importance of the second event: the conquest of Alexandria. With the Greeks now in control of the most important port in the ancient world, they (now referring to the Ptolemies), found themselves in full control of the Asian coast, from Cyprus, all the way down to Alexandria. This event is significant because it allowed Alexander's successors, the Ptolemies, to concentrate on the southern seas and therefore to abandon (what turned out to be) Alexander's unproductive interest in an Indian-Caspian Sea-Black Sea trade route. In Montesquieu's recounting, this natural aversion to the idea of sailing around the Red Sea lingered on in the Greek world, and was, he suggests, as equally pernicious as Babylonian superstition. But with Asia Minor in the hands of the Greek kings, and the "indifference to sailing" removed, sailors and explorers were now liberated (at least figuratively) from political and religious authority. In Montesquieu's words, they had "all sorts of ways of undertaking maritime enterprises" (XXI.9). Unobstructed by Babylonian superstition and Persian control of the route south on the Nile, Greek sailors and enterprising merchants were entirely free to roam south in pursuit of riches.[153]

By this point, two obstacles—Persian superstition and Persian military authority—had been removed. The significance of the third event now becomes easier to understand as well. In conquering his way through the Indies, Alexander cleared the way for an idea. That is, he cleared

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[153] "Elephants were hunted in the countries between the Nile and the sea; the shores of this sea were discovered by land," notes Montesquieu, concluding later, "they did not have to constrain the genius of their subjects; they had only to follow it" (XXI.9).

the way for humankind to *conceive* that it might be possible to unite the world. Because of Alexander, it became possible to conceive that East and West might actually be connected, that East and West might *physically* be united by the sea. Before Alexander, Montesquieu explains, the very idea that there might be a connection between the upper fingers of the Red Sea (now the Western coast of the Sinai) and the Indian Ocean was not much more than a fantasy. For one, as Montesquieu explains at the beginning of the ninth chapter, there was strong reason to believe that "it was impossible to go around the Arabian peninsula" (XXI.9). Alexander's conquest, however, shifted the mental horizon of the ancient world, making it possible, in Montesquieu's own words, for Alexander to "dream" of commerce. The thought of joining the Indies with the western part of his empire was nothing more than that, until now—a thought (XXI.9). Thus, the ultimate significance of the third event, which we might think of—without too much exaggeration—as an ancient version of a Copernican revolution. This was the *idea* that the great land masses could be connected by the seas. This was the key moment, in Montesquieu's view, because it was the inspiration of the later Greek kings' discovery of the Sigor, and the ports of Malabar, which occasioned, finally, the greatest era of navigation in history (see XXI.9). Montesquieu has his finger on a moment of real world-historic change: "Today, lands are discovered by sea voyages; formerly, seas were discovered by the conquest of lands" (XXI.9).

Now Montesquieu reaches the fourth event: the discovery of the oceans south of India. As noted, this event stands out, simply, because it *is* a discovery—not a conquest. But Montesquieu does not dwell on the implications of the discovery here. Is it because Montesquieu thinks this discovery is the least important of the four events? Let me suggest the opposite. This discovery is the most important of events of the "first great revolution" because, in short, this was the discovery that breeds all others in the history of commerce and the exploration of the

globe. As he will show, the discovery of the "the sea to the south" of India is only a prelude for two more important discoveries, of the greatest magnitude; namely, the way around the Cape of Good Hope described in chapter ten (XXI.10), and, much later, as described in chapter 21, the discovery of the new worlds (XXI.21).

**The Technological Revolution Considered**

Montesquieu's account of this first "great revolution" forces a difficult set of questions. First, does not the very idea of revolution imply some "turning around"? But what does commerce help to "turn around"? Indeed, "revolution" is a term usually reserved to describe or denote some sudden change in socio-political institutions. But what social or political changes does this first great revolution bring about? And what, in Montesquieu's view, is this "revolution" *for* or *in the name of*? Against what force, or what set of institutions or ideas, does Montesquieu's history present itself? These questions are related to a larger and more difficult set of questions. If commerce changes history in the way that Montesquieu suggests in Book 21, what could this mean for the notion that man—as opposed to "nature" or other non-human forces—is in control? Is the history of commerce proof of the Enlightenment conviction that man has the ability to change the world around him for the better—or, does it undermine that conviction?

While these questions are hard to settle, philosophically, I do think that Montesquieu's position is relatively clear by this point in the narrative. First, we have seen that Montesquieu rejects radical doctrines of universal, progressive history (XXI.1; and as noted in the introduction, some things just never change). The emergence of Alexander in the history proves, in Montesquieu's view, that great men with grand ambitions can and do change the world (especially, as in Alexander's case, by the introduction of new ideas). But Montesquieu is

realistic about what individuals can accomplish. Even Alexander, he notes, did not "dream" of commerce until *after* he had conquered the known world (XXI.8). Even in this great figure, there is an element of arbitrariness, and accident. Further, it is clear that Montesquieu makes no indication at any point that there is anything inevitable about commerce (let alone that there might be an "end" to history).[154] If the history of commerce tells us anything about the larger history of man, it is that human history is unpredictable and in some ways, reversible. The first ten chapters are dizzying.

What makes Montesquieu worth reading on this question, however, is his subtle, quietly stated insistence that *technology* must be accounted for, and taken seriously as a rival to the view, which would be expressed beautifully later by Carlyle, that history is "but the biography of great men." Montesquieu is appreciative, even obsessed with, the way technology drives history and progress. Here is Montesquieu, marveling about the impact of developments in navigation and shipbuilding:

> At a time when the arts are communicated, at a time when one corrects with art both the defect of nature and the defects of art itself, one feels the differences, what must it have been for the sailing of the ancients? (XXI.6)

Here, we see that Montesquieu had planted a Baconian seed in the narrative. A few chapters later, we see this insight extended by Alexander, who makes possible this Baconian theme (of art correcting "both the defect of nature and the defects of art itself"). In the tenth chapter, the importance of technology comes roaring back with the introduction of a new and exciting subject: "sailing around Africa." This is a topic which allows Montesquieu to shine the spotlight

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[154] For an introduction and overview of the significance of these questions, see Melzer, Weinberger, & Zinman (1995, 1-9).

for a second time on technology, thus reinforcing the sensation that history is being moved as much by "ideas" and great men as it is by technology and, indeed, small, seemingly simple or even "nifty" mechanical discoveries.

The hero of chapter ten is the magnetic needle. The compass, Montesquieu notes, allowed sailors, for the first time, to consider sailing out into the ocean under cloud cover and thereby to leave the coasts and launch into the unknown, open seas. Obviously, this changed navigation forever. But it is important for three additional reasons, which Montesquieu scatters somewhat randomly throughout Book 21. First, as we find out in chapter six, the compass made the sailor's life *easier*—while making navigation exponentially safer and faster (XXI.6).[155] Second, the compass freed sailors from their historical dependence on the monsoons. This had enormous consequences for commerce itself, which was now free from the seasonal rhythms of mother nature (XXI.9).[156] The most important reason comes in chapter ten, however. Here, Montesquieu argues that the compass helped explorers overcome that most basic of human problems, so aptly described by Hobbes, the "fear of a violent death."

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[155] Without a device that might help them navigate in cloud cover or at night, sailors had to follow the coast, "which was their compass." This, he says, made their voyages "long and arduous" and also provided the opportunity for the "greatest poem in the world."

[156] The second mention of the compass appears in chapter nine. In this chapter, Montesquieu focuses on the discovery (which he does not date) of two wind systems: the trade winds, which blow in one direction all year, and the monsoons, which blow for part of the year in one direction and for "a part in the other" (XXI.9). Again, Montesquieu describes these natural features as a substitute, so to speak, for undiscovered technology: "the ancients left the coasts only when they took advantage of the monsoons, or the trade winds, which were a kind of compass for them." Whereas the compass made voyages less "arduous," safer, and faster, in chapter six, here Montesquieu suggests that the absence of technology had previously limited world trade to what might be called its "natural" rhythms and constraints. These two obstacles: rhythmic, seasonal patterns like the monsoon, and the sheer difficulty and labor of traveling along unending coasts, must have scared off many an enterprising merchant-sailor.

What is it that kept the ancient sailors confined to the coast of Gujarat and Malabar satisfied with trading with the Southern islands? What, for Montesquieu, might explain the extraordinary ignorance of pre-Roman sailors as to the distances, wind patterns, ports, and sea lanes of both the East and West African coasts? Montesquieu explains:

> The main problem in sailing around Africa was to discover and weather the Cape of Good Hope…the coast from the Red Sea to the Cape is safer than the one from the Cape to the Pillars of Hercules. For those who set out from the Pillars of Hercules to discover the Cape, the compass had to be invented, so that they could leave the coast of Africa and sail into the vast ocean, either going towards the island of Saint Helena or towards the coast of Brazil. (XXI.10, p. 372)

Here we reach a kind of bedrock insight. Montesquieu suggests that the most fundamental obstacle in the way of commercial progress was something far simpler than our above explanations (i.e., of moral philosophy and of religious superstition). The reason why worldwide commerce was delayed for so long, in human history, boils down to a combination of a lack of seafaring technology, and fear. Fear of the seas. Fear of the unknown. Fear of being stranded, pirated or boiled in a pot by cannibals. Today, this insight is somewhat lost on us. We tend to underestimate, for example, the intensity not only of the fear involved in long distance trade, but the difficulty, the complexity, and the risks involved in sea-travel in the ancient world. Montesquieu has made it very clear that Xenophon, Plato, Aristotle, played a very significant role in stifling trade (a topic that he will return to in chapter 20). But here, at this point in the history, we are meant to consider this most basic of obstacles to trade in ancient times. We are asked to adopt the perspective of—and to conjure up in our own minds—the simple, indescribable *fear* that those early explorers must have felt at the prospect of launching oneself—without a magnetic needle—around the Cape of Good Hope.

Proof that the Cape of Good Hope terrified the ancient world is found at the beginning of Book Ten, where Montesquieu describes four attempts to sail around Africa. Xerxes' man failed. Hanno, sent by the Carthaginians failed, also. Only two explorers succeeded. These were the Phoenicians, Necho and Eudoxus. But Montesquieu adds a delicious irony. As it turns out, Necho and Eudoxus did succeed—but they were *fleeing* from a greater fear! (specifically, the wrath of Ptolemy-Lathyrus XXI.10). In summary, then, the lack of technology in the ancient world should not be discounted, in Montesquieu's account. Indeed, technology (or a lack thereof) is a rival in these chapters to both moral philosophy and religious superstition as the greatest obstacle to trade. Before the compass, only an insane person (or someone fleeing from greater dangers?) might dare a voyage around the Cape. That was frightening, he implies playfully, because there was unverifiable rumors that the unknown "space" at the tip of what is today South Africa might have been inhabited by cannibals. But there was this yet greater fear; that is, of launching oneself out into the "vast ocean" *west* of Africa, toward the coast of Brazil, in order to avoid the southerly trade winds. This was a gamble that would have made even Ulysses' knees quiver uncontrollably.[157] The compass is the hero of chapter ten because it turned long distance

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[157] Montesquieu is spot on here, in two key historical specifics. First, is the signal importance of the "technique" of the now famous mariner, Vasco da Gama, who, in 1497, decided to turn *right* at Sierra Leone, and depart for the open Atlantic Ocean into hundreds of miles of absolutely unknown or unchartered terrain. Montesquieu would have immediately recognized the genius of this gamble. Without taking the chance of sailing into the "vast ocean," mariners before him, like Diaz, encountered increasingly bad southerly trade winds, south of the equator, making progress ever more difficult as one went south. Da Gama solved this by venturing out and executing a massive counterclockwise semicircle "thousands of miles wide," which eventually allowed him to tack across the wind blowing on his port side *back* to the Cape. For a stimulating account of this maneuver (which forced Da Gama's fleet to be out of sight of land for an astounding 95 days!) see Bernstein (2008, 170). As for the compass, Montesquieu's narrative is accurate as well. That the compass allowed mariners to overcome their fear of exploration is easily

navigation and exploration from an activity which only a lunatic would partake in, to something that was merely uncertain and, perhaps, just a little reckless.

Before we leave the subject of technology, one more point about the compass must be considered. Reading closer still, we see that the main implication of the compass is not only (or merely) that it made long-distance commerce *possible*. More importantly, I suggest, Montesquieu highlights the way the compass *changed* commercial activity in ways that we barely understand today. By removing part of the difficulty of those "long and arduous" voyages that allowed Montesquieu to compare the early sailors to Ulysses in chapter six, the compass, like many other technological advances in history, diminishes the need for the virtues associated with those early heroes. As we saw above, the compass makes long distance trade easier and safer. It therefore, inescapably, lowers the bar on the Tyrean virtues praised in the sixth chapter (XXI.6). More, the compass literally liberated commerce from nature—that is, from the seasonal monsoons and the trade winds, all those "natural limits" that held commerce captive for the greater part of human history. Let me add, as a question to consider: does this not suggest that technology had already removed—before the modern philosophers found the words to describe it—the last and most basic "natural" boundaries on acquisition?

At the least, Montesquieu makes us conscious of the implications of his new compass, as "hero."

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demonstrated, and nicely narrated by this fifth century Chinese pilgrim who had voyaged to India and back:

> The great ocean spreads out over a boundless expanse. There is no knowing east and west; only by observing the sun, moon, and stars was it possible to go forward. If the weather was dark and rainy, the ship went forward as she was carried by the wind, without any definite course. In the darkness of night, only the waves were to be seen, breaking on one another, emitting a brightness like that of fire. The merchants were full of terror, not knowing where they were going. The sea was deep and bottomless, and there was no place where they could drop anchor. (Bernstein 2008, 79)

This hero, in short, will make other kinds of heroes—the ones worthy of an epic poet's pen—no longer necessary, and therefore no longer heroic.

Returning to the history, we see that the compass marks an important split in the trajectories of the two types of commerce. First, it clearly *spurs* the commerce of luxury forward again—after the destruction of the land routes by the Tartars. But as I have argued above, the compass also, ironically, undercuts the virtues that made the Tyreans so worthy of respect and admiration. Montesquieu's ultimate position on the role of technology is therefore, inherently, ambivalent. Having celebrated Alexander's techno-scientific legacy, and now, having given technology its due, Montesquieu invites us to wonder: what might be the fate of a commercial civilization that triumphs through a reliance on technology as opposed to the human excellences that made Tyre "necessary to all the nations of the world" (XXI.6)? What would be the fate of a commercial society rendered free, by wealth and by technology, of the old fashioned Tyrean virtues?

**The First Collapse of Commerce**

In my view, it is no coincidence that the next chapter (XXI.11) returns to a pivotal moment in which two of history's greatest rivals—Carthage and Rome —first compete for global domination. But this competition is not presented in a straightforward manner by Montesquieu. The battle for global domination is not merely between Carthage (which is commercial) and Rome (which is not). As we will see, Montesquieu shows that the outcome of this great rivalry actually depends, in interesting ways, on the outcome of a lesser rivalry; that is, between Carthage and Marseilles (the title of chapter 11 is "Carthage and Marseilles").

To show how this works, we can start by simply observing the layout of the chapters. Chapter ten and chapter 11 are suggestive of an important "contest." Chapter ten reflects a

contest on the grand scale, between commercial Carthage and military Rome; chapter 11, as noted, reflects a contest between the two kinds of commerce themselves.[158] Thus Montesquieu suggests the following thought experiment. Could it be that the ultimate defeat of Carthage in antiquity was the result not of Roman military superiority but of an internal flaw with the Carthaginian commercial model?

Note, for example, that Montesquieu says explicitly that Carthage was "on the path to wealth" (XXI.11). Unlike the Tyreans described in chapter six, who did "not trade as a result of conquest" (XXI.6), Carthage, Montesquieu notes, "increased its power by its wealth, and subsequently its wealth by its power" (XXI.11). In other words, Carthage is a conquering commercial empire, not a trading one. The direct comparison to Marseilles, in the eleventh chapter, reinforces the problem Montesquieu is pointing at. Might Carthage have stood up to Rome *on Rome's own terms*, if only it had not abandoned the virtues which made Marseilles its "rival in industry"? Montesquieu lays out an intriguing possibility. Might Carthage have avoided defeat and achieved victory over Rome if it had relied less on the "commerce of luxury"? This may not be a trifling historian's counterfactual. Carthage, had it won out, might have prevented the rise of the great Roman empire, and subsequently, the destruction of commerce.

Now let us look at the next chapter. What has the lesser rivalry—between Marseilles and Carthage—to do with this larger contest between Carthage and Rome? Why might the larger

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[158] Carthage, for its part, represents the commerce of luxury: its wealth is based on its "power," its empire; and it aspires to become masters of precious metals, in Montesquieu's words, "masters of the commerce in gold and silver…lead and tin." Marseilles, on the other hand, represents economic commerce. It sustains itself and is content on its fishing grounds, and yet, through industry, and virtue, still maintains an extensive "economic commerce," which allows its people—as we saw in Book 20—to "draw their livelihood from the whole universe."

confrontation, as I suggest, have been dependent on the outcome of these two rival conceptions of commerce? Consider chapter 11, where Montesquieu extends the idea further by providing his reader a vivid description of Mithridates' heroic defiance against the Roman war machine.[159] Mithridates was a king, one could say, of a colony of merchants (see XXI.12). He ruled over a relatively small island of traders on the island of Delos. But Montesquieu makes it quite clear that this little island people had formidable military influence for their size. Mithridates, says Montesquieu, continuing an argument he had made in the *Considerations on the Greatness and Decline of the Romans*, was "in a position to buy troops everywhere." He was, he says, able "to repair his losses continually." Then in a footnote, Montesquieu, quoting Appian, notes that "at one time [Mithridates] lost 170,000 men, and new armies reappeared instantly" (XXI.12 fn. 107). Wealth was not all, in Mithridates' Delos. His armies were disciplined, they learned and adapted to the Roman art of war, and they thrived under adversity. Then this remarkable sentence:

> Thus, at the time when the Romans were at the height of their greatness and seemed to have nothing to fear but themselves, Mithridates challenged what had been decided by the capture of Carthage." (XXI.12)

This sentence is remarkable because it illustrates the incredible capacity of this small island nation of merchants to withstand the most fearsome territorial superpower ever known to the history of mankind. Perhaps Montesquieu exaggerates the historical significance of Mithridates. But in exaggerating his importance, he succeeds in making a larger and even more interesting point. In a word, Montesquieu suggests that the greater historic struggle between the ancient

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[159] With time, it would be necessary to describe this with some care. It would also be necessary to compare Montesquieu's account of Mithridates here in the *Spirit of Laws* with his account in the *Considerations.* Both of these accounts add up to the same argument. The "last stand" of this commercial commander to the Roman war machine was much, much closer than historians may realize (see Clark 2007 for a brief, but complimentary reading).

commercial and military empires was much closer than might be supposed. Even when Rome was at the "height of its greatness and seemed to have nothing to fear but themselves," and even after the defeat of the larger commercial empire of Carthage, these "merchants" on Delos, under the leadership of Mithridates, were able to fight it out, with "alternating advantages."

Montesquieu therefore gives us a tempting and counter-intuitive hypothesis to explore. The war between Carthage and Rome may have been inevitable, but its outcome was not, in Montesquieu's view. If we accept Montesquieu's premise, even provisionally, it is now possible to see why he puts such a great emphasis on the mixed effects of technology in the previous chapters. In chapter 11, the Carthaginians—while they do not have the compass yet—are depicted as largely uninventive and resource-less followers of their great general, Hanno. Unlike the Tyreans in chapter six, and unlike the people of Marseilles in chapter 11, the Carthaginians seem to profit in their commerce with the world only by virtue of their extraordinary leader. And yet, despite Hanno's leadership and the booty he brings home from his dazzling voyages of discovery, the people seem indolent. They lack inventiveness. And while they profit happily from Hanno's military and technological prowess, they seem to have little to contribute—they fail to take *advantage* of commerce: "It appears that the Carthaginians made no use of this enterprise of Hanno," Montesquieu concludes (XXI.11).

So it is a short step, from Carthage's days as rivals to Rome, to its defeat and enslavement. Carthage, rather than learning from its rival, Marseilles, went to war with Rome out of an ill-conceived desire to rule the Mediterranean. Rather than focus on trade, and increasing its wealth and glory slowly, like Marseilles (XXI.11), Carthage spent its final days obsessed with "being masters of the commerce in lead and tin." Wars finally bled it dry, and this, ironically, only increased the "glory of Marseilles." By this point, though, the fate of the old commercial

republics had already been sealed. The merchants of Delos challenged Rome on their own terms, and at the height of Roman power. But even this challenge was short-lived. Commerce, Montesquieu says, "entirely collapsed; it had to meet with destruction, as the peoples were destroyed" (XXI.12).

**From Collapse to Destruction**

To understand what Montesquieu means by the collapse of commerce, we must make a note of two distinctions. First, Montesquieu makes a deliberate distinction between the "collapse" of commerce (*le commerce tomba de toutes parts*) and its "destruction" (*il fallout bien qu'il fût détruit*). Second, he presents the chain of events leading up to the ultimate destruction of commerce *not* as the outcome of the war between Rome and Carthage, but as a conscious choice, by the Romans, to deny the commercial life a place in the Roman understanding of politics. It is only after we understand the depth of this deliberate rejection of commerce as a way of life that it becomes possible to speak of its "destruction," which followed in the wake of Rome's own collapse (the barbarian invasions, the destruction of the dam and the diversion of the Oxus by the Tartars, the rise of Islam, etc.).

Rome's chosen reasons and its *conscious decisions* for rejecting trade as a basis of its great power are summarized by Montesquieu in chapters 13–14. First, the Romans consciously rejected seamanship and sailing (although for different reasons than the Persians in chapter six). Second, they scorned merchants and the trading life. Third, the Romans systematically excluded commerce from their vision of the common good and from public life. The effect of these decisions, and therefore Montesquieu's purpose in pointing them out, can be clearly stated. The Romans, from the beginning, left no place for the commercial life in its vision of republican virtue. Montesquieu wants to make this clear for one simple reason. Republicans, he suggests,

who believe that historical Rome was friendly to commerce are in the position of dangerously underestimating what *was* and what *would be* required to sustain virtue in a republic. For Montesquieu, it is crucial, at the start, to avoid the assumption that simply because Rome had good civil laws (*la meilleure police du monde*), that they therefore *must* have honored and encouraged commerce. So Montesquieu reasserts this caveat: "the truth is they rarely thought about it" (XXI.14).

Now Montesquieu appears ready to answer the historical question brought up at the beginning. Commerce collapsed, on the one hand, because Carthage and Marseilles—the two types of commerce we have been exploring—were divided as "rivals" rather than united as a common front against the Roman war machine. But the cause of the *destruction* of commerce begs an investigation of Rome. Not to put too fine a point on it, Rome snuffed out commerce in the cradle.[160]

Much more would have to be said about the relationship between the history of commerce and Rome. Here, let me say that Montesquieu's focus on Rome—as the sole accountable authority for the destruction of commerce—is instructive in three main ways. First, it is an instructive reminder of how incompatible are these two things that human beings, throughout history, have wanted so badly to put together: commerce and virtue. But the discussion of Rome also reminds the reader of how difficult it was, and would be, to root out commerce from the human spirit. Third, and finally, the destruction of commerce in Rome serves

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[160] While Rome eventually regretted this decision, and was forced (Montesquieu says they were "obliged") to establish trading centers, even here, Montesquieu notes, it was only when Rome was at its *weakest* that it decided to admit some kind of commerce (XXI.15). The appearance of trading centers at the moment of the *decline* of Rome only reinforces Montesquieu's case: "this proves that commerce was not part of the Roman Spirit."

as a setup for what Montesquieu thinks is one of the most tragic—and fatal—consequences of Rome's unprecedented animosity toward commerce and moneymaking in general.

This third consequence gets spelled out, in chapter 16, when Montesquieu turns his attention to the Arabs. Today, it is not a controversial point to suggest that Arab Muslims are more critical of commercialism than we are, living in "McWorld." Indeed, we often (all too easily) look to Arab Islam as one of the greatest enemies of commercialism in the modern world. We, furthermore, often turn our gaze and scrutiny outward—either to communism, in a previous generation, or fundamentalist Islam, today—to locate the most serious threats to commercial liberalism.[161] Montesquieu, arguably, is an important remedy for what may be an oversight on our part. The history of the Arab peoples, according to Montesquieu, in chapter 16, proves, in fact, that they were proficient commercialists from the very beginning. The early Arabs, argues Montesquieu, "had great wealth" as a result of their commerce and trade. Using language that is richly suggestive of his own description of the people of Marseilles, Montesquieu notes that the pre-Islamic Arab world drew the "wealth of the world" from their "sea and forests," while bringing in all the "gold and silver of their neighbors" (XXI.16; compare XXI.6 and XX.5). Thus, Montesquieu turns the idea of Islamic anti-commercialism on its head. It is not true, he shows, that Islam was, from the start, hostile to trade. In fact, the Romans, by the time of Augustus, had frequent reports that there was, in the east, an emerging *commercial* people. When the Romans finally made contact with Islam, Montesquieu says, in a tantalizing passage, they found a people "idle, quiet, and unwarlike." How then did Islam eventually achieve its

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[161] If the Arabs can be blamed at all, in Montesquieu's account, it is only for having helped in the transmission of Aristotle to the schoolmen (XXI.20).

unfortunate "spread-by-the-sword" reputation? Here is Montesquieu, describing the impact of Roman warmongering on the "idle" and "unwarlike" Arab traders:

> Nature destined the Arabs to commerce; she had not destined them for war; but when these tranquil peoples found themselves between the Parthians and the Romans, they became the auxiliaries of both. Aelius Gallus had found them a commercial people, Mohammed found them warriors; he gave them enthusiasm, and they became conquerors. (XXI.16)

This passage is important for a number of reasons, but one should be highlighted here. Note that Montesquieu avoids taking advantage of an opportunity to implicate monotheistic religion in the downfall of Western trade and commerce (why he does *not* do this is partly the subject of the next chapter). For now, Montesquieu emphasizes that there should be a strict separation of two phases in Western commercial history—one of "collapse" (chapters 12–16) and one of "destruction" (chapters 17–20). Neither the collapse, nor the destruction, of commerce is attributable to religion. The first "collapse" was the result of an internal flaw or defect with commercial Carthage, which was unable to stand up to Rome (for reasons discussed above). The "destruction" of commerce is more complicated, as we will see, but it must be noted that Montesquieu does not view the destruction of commerce as the result either of the barbarian invasions, or of the spreading empire of the Mohammedans. The blame, to put this simply, is all on Rome. Rome's victory over Carthage not only "hollowed" out and weakened commercial civilization in the West. More important, in Montesquieu's view, is the legacy that Rome's expansionist policies left on the East. Montesquieu spells out the tragic irony: Rome imprudently militarized the Arabian peninsula just at the worst time—only a few decades before the Prophet's arrival. Mohammed "found them warriors," Montesquieu reminds us in chapter 16 (XXI.16). The Arab peoples, largely peaceful, friendly to trade and even rich and "opulent" before the Roman-Parthian wars, found themselves squeezed (as "auxiliaries") between the Romans and Parthians. Mohammed didn't make them warriors, Montesquieu contends. He merely gave them

*enthusiasm*. After that, commerce died another death: the three famous trade routes that kept commerce alive even in Rome's day "now followed only one" (XXI.16).

Having aborted commerce at home, having knocked out Carthage as a political or economic rival in the West; and now, after destroying the prospects, one might speculate, of a commercial relationship with Islam, Rome itself finally sank into insignificance. It finally ran out of things to conquer. By the time the barbarians arrived at the gates, its principal branch was "grains," says Montesquieu, in a curt formulation which speaks volumes. The first words of the next chapter complete the thought: "the Roman empire was invaded, and one of the effects of the general calamity was the destruction of commerce" (XXI.17).

**The Revival of Commerce**

In the above, we have seen that the West owes the destruction of commerce primarily to the logical consequences of Rome's anti-commercialism, which Montesquieu demonstrates, in various ways, to be rooted in the historical foundations of Rome as a military republic. On the other hand, we saw hints that Rome's rise and eventual domination of the East (which had terrible consequences) was something quite extraordinary. I argued, further, that Rome's rise seems to be precipitated by the outcome of a lesser rivalry between the commerce of economy and the commerce of luxury. One of the implications is, simply, that the great destruction of commerce in the West was in no way an inevitable or necessary historical outcome. The destruction of commerce was not the inevitable victory, in Montesquieu's eyes, of Roman virtue over soft, effeminate, and historically doomed commercial societies. On the contrary, Montesquieu shows that Rome's victory over Mithridates and the last pocket of merchants at Delos was a victory of extremely narrow margins. Rome's historical triumph, in sum, is not to be

read as a looking glass on the future of all commercial civilizations that choose some version of commercial Carthage over some version of conquering Rome.

But now, after giving his reader an appreciation of the consequences of Rome's victory over Carthage (again, which hollowed out commerce and eventually left Rome prey to other forces within and without), Montesquieu pulls back for a wider perspective on Rome's true virtues. That wider perspective is made possible by an analysis of Europe after the barbarian invasions, where two powerful forces burst onto the scene to fill the void left by the collapse of commerce: the honor code of the feudal nobility, which cares nothing for trade, and the philosophy of the Schoolmen, which positively despises it. In the following chapters (XXI.17–20) we will see Montesquieu defend a key part of the Roman legacy—the Roman civil laws. These are to be defended, Montesquieu shows, in light of a more disturbing and more dangerous set of errors.

At last, Montesquieu comes to describe the role played by Christianity and monotheistic religion in changing the course of commercial civilization. In the twentieth chapter, entitled "How commerce penetrated barbarism in Europe," Montesquieu provides a beautifully restrained, and rhetorically complex, description of the role played by the Schoolmen. Scholars are right, for example, to point out that Montesquieu is sharply critical of the theologians here in repressing commerce (e.g. XXI.20, ¶8–9). But it must be remembered that Montesquieu's description of the *revival* of commerce depends, in interesting ways, on the bumbling intellectual errors of these theologians (who are in bed, so to speak, with the princes who rely on the arguments of the theologians to justify their extortions).

Before we look more closely at this chapter, however, a more general point. Chapter 20 is not only one of the most important chapters of Book 21, it may be one of the most essential

chapters in the *Spirit of Laws*—and for at least two reasons. First, this chapter reaches the deepest of any chapter so far in the *Spirit of Laws* in describing the "misfortunes" (by which we can understand this to mean the real human tragedies) that are the result of the collapse and destruction of commerce. The true nadir of the history of commerce in the West is found in a paragraph discussing an era in which all forces—religious, political, moral—conspired against commerce. This was the moment when Aristotelian anti-commercialism was combined with Biblical suspicions against lending money at interest. This was a dangerous, and sad chapter in history, Montesquieu argues, for a simple reason: in an age where commerce is not only despised as something "mean people" do, but regarded as "dishonest," immoral, or sinful, there can be no respect for the rights or humanity of those who live by finance or trade. "In those times," Montesquieu notes with characteristic economy of style, "men were regarded as lands." Second, this chapter contains within it a seed of hope, renewal, and rebirth. It contains Montesquieu's famous description of the rebirth of commerce in the West and the subsequent liberation of economic matters from both religious and political authority. Montesquieu boldly announces a "cure" (*guéurir*) for what he calls, provocatively, *machiavélisme*.[162] Exactly what this cure involves, and how it may be applied, is a problem which will occupy us for the remainder of this chapter.

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[162] For a good and helpful introduction to Montesquieu's relationship to Machiavelli, including a discussion of this reference, see Paul Carrese (2006, 121-142). Carrese notes, for example, that three of four references to Machiavelli in the *Spirit of Laws* "…are somewhat favorable and perhaps substantially so. Still, the second one [which speaks of a cure for *machiavélisme*] seems damming" (132). Carrese notes correctly that this "seeming" condemnation of Machiavelli must be qualified, because it "lies within a general analysis of commerce that is a moderated version of Machiavellian political hedonism." For a recent discussion of Montesquieu's relation to Machiavelli, see Rahe 2011.

**The Causes of Machiavellism**

To understand what Montesquieu means by referencing a "cure," and thereby, his broader intentions in writing a history of commerce in the *Spirit of Laws*, it is necessary to call attention to two complicating facts. First, it is important to observe a semantic nuance in the text; that is, the "cure" for Machiavellism is not presented, by Montesquieu, as a remedy for *Machiavelli* or even for Machiavelli's teaching. In the following, I will be careful not to confuse Montesquieu's correction of the effects of Machiavelli's teaching, with the correction of the teaching itself. Second, it is not clear how the "cure" relates to the broader arguments in the *Spirit of Laws*. Put simply: the cure—taken literally—turns out to be historically very successful, but, as a guide to helping us think about ways to improve commercial liberalism today, disappointing. Readers familiar with this passage know that Montesquieu's announced cure is a kind of invention, similar, in some ways, to the invention of the credit card[163]: the letters of exchange. Montesquieu's description of *how* the letters of exchange work is wonderful, and illuminating, but skeptical readers may want to know more, specifically, about two aspects of his presentation. First, what specific *ill* does this "cure" claim to remedy? Second, and more importantly still, how might this "cure" be further applied? On this second point, readers will observe that Montesquieu presents the "letters of exchange" as a cure that not only worked at a discrete moment in time (in medieval Europe) but that, somehow, will *continue* to operate on its own ("one has begun to be cured of Machiavellianism, and one will *continue* to be cured of it"). How? This is not actually explained in the twentieth chapter of Book 21. It is explained, rather, in two separate places: in Book 22 (XXII.14) and in Book 25 (XXV.12). But first, let us just concentrate on the "ill" to be

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[163] I am in debt to R. Hendrickson for this handy simplification.

cured. Understanding the "ill" allows us to see more clearly why Montesquieu thinks the cure will "continue" healing the world from what he calls Machiavellianism.

I begin by merely recapping the highlights of the story as it is narrated. The transformation of commerce (what little is left in Europe at the time) from a vulgar profession to a sinful one, begins with this simple description: "the philosophy of Aristotle was brought to the West" (XXI.20). After that, Montesquieu says, Aristotle was adopted by the "shrewd minds" of the time. The shrewd minds are of course the schoolmen. They became "infatuated" with Aristotle and, Montesquieu says, "took from this philosopher many explanations on lending at interest" (XXI.20). Thus began, in Montesquieu's telling, the most tragic phase of the history of commerce, which could not survive (even in its post-Roman, sickly form) once it became impossible to distinguish between legitimate, honest forms of money-lending (which Montesquieu calls "naturally permitted or necessary") and the "most horrible usuries," including monopolies, the levy of subsidies, and "all the dishonest means of acquiring silver" (XXI.20). The result: commerce had been revived in Europe only to pass, ironically, to a particular nation, then already "covered with infamy."

It is in this context—of the rapacious torture and pillaging of the Jewish merchants' independent sources of wealth by the "tyranny of princes"—that Montesquieu announces the invention (the cure). Attention to this context allows us to make at least two important observations about the nature of the disease. First, note that *machiavélisme* is used by Montesquieu in a rather narrow sense; it is used *not* to describe great moral or political acts on behalf of a prince that knows how to enter into evil, but rather, the petty, grasping, and ultimately self-defeating, confiscation of monies and property by princes who do not know what is truly in their own interest. Second, it is notable that Montesquieu chooses examples from history that

predate both *The Prince* and Machiavelli himself. The mention of Aaron during the reign of Henry III refers, for example, to an incident in the 1250's. The mention of the confiscation of the goods of the Jews who embraced Christianity is dated, as another example, to the edict given at Baville, in 1392 (XXI.20). On this account, then, Machiavellism was conceived long before Machiavelli himself.

Putting these two observations together, it is fair to ask: is Montesquieu describing acts here that we can confidently ascribe to Machiavelli the political philosopher? Or, in describing these violent confiscations by pre-Machiavellian tyrants, is he not suggesting that this disease called *machiavélisme* has deeper roots—not in the books of the Florentine—but in the moral outlook inspired by the Schoolmen after they had been radicalized by Aristotle?

Looking only at Book 21, there is a good deal of evidence to support this reading. For one, Montesquieu indicates that the teeth-pulling, the eye-gouging, and the forced conversions are connected to the Church, and this, as we saw in the *Considerations,* was possible at a very early time in Christianity's history. More, he compels the reader to wonder whether the extreme tyrannical acts of King John and Henry III could have been either prudent or profitable if these kings did not have—conveniently at their disposal—the moral sanction of a clergy newly enthused with Aristotle's rhetoric against commerce. Note, as another piece of evidence, Montesquieu's emphasis on the reaction of the theologians in the next paragraph:

> Theologians were obliged to curb their principles, and commerce, which had been violently linked to bad faith, returned, so to speak, to the bosom of integrity. (XXI.20)

In the above, Montesquieu indicates that the "cure," whatever that may mean at this point, works on both princes *and* the theologians who supply the princes with their principles.[164] This "disease," called Machiavellism, then, must be part of a larger malady, by no means confined to those who have read *The Prince*. The important point here is that the grasping tyrants in this chapter seem to depend critically on the *moral* climate, more specifically, the moral arguments against commerce that were being generated in the bosom of Christian theology.

It seems, then, that Montesquieu respectfully preserves a part of Machiavelli's teaching in this chapter by announcing a cure for *machiavélisme*.[165] If the disease precedes the Florentine writer, and if the moral climate that infects Europe is part of a larger malady linked to theology, Machiavelli cannot be responsible, as we are led to believe, for the confiscations which would soon become synonymous with his name. And so, only after carefully preparing this subtle description of the disease is Montesquieu ready to announce the "cure."

Speaking of the Jewish merchants, and their struggles against the kings who could now justify their avarice with arguments from the Church, Montesquieu writes:

> proscribed by each country in turn, [they] found the means for saving their effects. In that way, they managed to fix their refuges forever; a prince who wanted very much to be rid of them would not, for all that, be in a humor to rid himself of their silver.
>
> They invented letters of exchange, and in this way commerce was able to avoid violence and maintain itself everywhere, for the richest trader only had invisible goods, which could be sent everywhere and leave no trace anywhere. (XXI.20)

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[164] For a full discussion, see Hendrickson (2007).

[165] See Paul Carrese (2006). I have benefitted from and would like to acknowledge Randal Hendrickson's challenging, and probing, work on exactly this question in his "Montesquieu's 'anti-Machiavellian' Machiavellianism" (2010a; 2010b).

The cure, as above, is not an "idea" or a philosophy or even a doctrine. The cure is simply a device, an instrument—the letters of exchange. Two simple observations should be made before we look more closely at how this cure works in the following chapter. First, although the ill is made possible by moral arguments, as above, the cure seems to have very little to do with the *moral reform* of those who make them and use them to justify their pillaging—a point which we will explore in extensive detail at the end of chapter four. For now, we can say that the cure for Machiavellism includes a confrontation with religious morality, but it does *not* depend, as we might expect, on a direct assault on religious morality. The cure, as Montesquieu presents it, does not depend as much on Enlightenment (on a radical transformation of man's moral understanding), as it does on the *freeing* of commerce and self-interest from moral and political control and censorship. Only then, he suggests, can Europe begin the process of healing after a long spell of suffering, unnecessary violence, and persecution.

As we can see, then, this solution, in the device of the letter of exchange, is not so much a magical cure as it is a teaser. Perhaps it is better to call it an occasion for other necessary arguments, which Montesquieu will provide in Books 22-25. While the chapter grabs the reader's attention with the arresting claim that Jewish merchants have discovered the instrument by which the human race can—once and for all—put an end to tyranny, it does, at the very same time, make clear that the liberation of commerce only helps to solve a *part* of the problem. In brief, the "cure" is vital in helping to contain one species of tyranny: the tyranny of the covetous autocrat or the avaricious dictator. But even here, Montesquieu makes it clear that this device only makes confiscations more *difficult*. Something more is required to see the fuller scope and meaning of this cure.

Here is the crowning and climactic conclusion to Montesquieu's history of commerce:

> Since that time princes have had to govern themselves more wisely than they themselves would have thought, for it turned out that great acts of authority were so clumsy that experience itself has made known that only goodness of government brings prosperity.
>
> One has begun to be cured of Machiavellianism, and one will continue to be cured of it. There must be more moderation in councils. What were formerly called coups d'état would at present, apart from their horror, be only imprudences.
>
> And happily, men are in a situation such that, though their passions inspire in them the thought of being wicked, they nevertheless have an interest in not being so. (XXI.20)

In this last paragraph, Montesquieu finally explains what this celebration of the letters of exchange is really all about. The *instrument* of the letters of exchange is significant not because it liberated history's *commerçantes* from political authority, once and for all. To be sure, it helped. Rather, the letters of exchange are significant because they provide the occasion for Montesquieu to grab hold of an idea that will, without any exaggeration, *continue* the work that began, concretely, with the invention of the letters of exchange. The idea Montesquieu seizes on here is the doctrine, later popularized and made justly famous by Tocqueville, that men have within themselves an *interest* in not being wicked. This insight is perhaps the sweetest fruit of Montesquieu's labors in economic history. Buried in a neglected book on the history of commerce, we find a reason to believe that the cure for mankind's worst disease, his cruelty to himself and against his fellow human beings, is finally within reach.

Still, one cannot escape the sensation that this delicious looking, and richly promising doctrine, of self-interest, may have been plucked a little too soon. This sensation is urged upon the reader by Montesquieu himself in the last three chapters of Book 21. No sooner has he announced his cure than he turns to a discussion of Spain, a symbol, as I suggested at the beginning, of everything that will go wrong with this doctrine of self-interest when it is not

understood well (see XXI.21–23).[166] Just as Book 20 ended with a conservative qualification of the promises of commerce, so does Book 21 end with a carefully planted reminder of the dangers, or more accurately, the side-effects, of the cure just announced. The cure retains some of the ill (Hendrickson 2010b). So Montesquieu turns, in Book 22, to an investigation of the side-effects of the commercial solution. The newly economized world needs a new education. In Book 22, Montesquieu recommends, as part of that new education, knowledge of wealth: a new science of economics. But even before Montesquieu could recommend such an education, it had to be proved that a true science of economics—one that begins with a true understanding of the nature of wealth—was possible.

## Chapter 4: Commerce and the Rhetoric of Toleration

Book 22 is Montesquieu's contribution to the formation and development of the modern science of economics. In it, he looks more closely at "money" and finance, with the purpose of continuing his critique—raised in the previous chapter—of mercantilist Spain. The book is known for being one of the most technically difficult books in the *Spirit of Laws* (Larrère 2001). It contains Montesquieu's theory on "the nature of money" (XXII.2-5); reflections on usury, credit flow, and exchange rates (XXII.6-10); a critique of John Law's financial system (XXII.10), and some specialized and topical, but not necessarily interesting reflections on money manipulation and finance (XXII.12-13). As Thomas Pangle has argued, Book 22 is "with only minor exceptions…an endorsement of laissez-faire economics *avant la letter*" and, therefore, does not require investigating too closely (1989, 242).

There are, however, a select few passages that must be highlighted before we look more closely at Book 23. The most important chapters—politically speaking—are chapters 14-16, beginning with chapter 14, titled "How exchange hampers despotic states" (XXII.14). Here Montesquieu *repeats* his argument, in Book 21, regarding the importance of the "exchange" in putting a check on plundering princes and priests. The establishment of commerce in Muscovy requires the establishment of the exchange. And this has rendered the despotic law, which held that "the subjects of the empire, like slaves, were unable to leave or to send out their goods without permission," ineffective (XXII.14). In chapter 15, Montesquieu observes the same phenomenon in Italy. The growing number of "exchanges" have made it easy to transfer wealth from one country to another; just as in Moscovy, these new centers of money changing and moneylending have helped render despotic laws against the sale of one's own property

ineffective or moot (XXII.15). Then in chapter 16, Montesquieu subtly emphasizes the pernicious effect of banks and bankers in a monarchy (XXII.16; compare XX.10).

More would need to be said, but it is clear that even here, in Book 22, there is a driving political message: commerce—and the exchange which is the precondition of commerce in the modern world—promotes liberty. Montesquieu not only observes this connection between commerce and liberty, he actively promotes it. Twice in this book he repeats the following phrase, which might be said to encapsulate the bigger message of Book 22: "The business of society must always go forward, he says in chapter 19. "Business must go forward," he says in chapter 22, adding, "and a state is lost if everything falls into inaction" (XXII.22).

Book 22, while providing an important expansion and development of the new science of economics, is deficient, from another perspective, in showing why the Spanish model of commercialism is a dangerous mistake. If Montesquieu's aim is to defeat the pernicious doctrine of Spanish-style mercantilism, and in its place, to defend laissez-faire economics, it is necessary to show not *only* that the Spanish do not understand the nature of "money," but more generally, that they do not understand the concept of "interest"—which Montesquieu, at least in my view, did not fully explain when he announced the cure for Machiavelli in Book 21. Recall Montesquieu's phrase: thanks to the letter of exchange, "men are in a situation such that, though their passions inspire in them the thought of being wicked, they nevertheless have an interest in not being so" (XXI.20). What is interest? [167]

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[167] This is an important question that cannot be sufficiently answered here. Two works that explore this question in depth must be acknowledged. Albert Hirschman's *The Passions and the Interests* is a classic account of the intellectual history of the opposition of the interests to the passions. He details what "interest" is and how it came to be understood as distinct from the passions. Mansfield (1995) has written what is, in my view, an invaluable supplement to

Book 23 provides an important part of the answer. Interest may be simply economic. In Book 22, Montesquieu championed the interests of the merchant and the businessman. He only criticized the *means* for obtaining money, but nowhere does he suggest that the pursuit of money—for its own sake—is in any way bad or unfulfilling. But in Book 23, Montesquieu begins to broaden the reader's perspective. "Interest," in Montesquieu's view, cannot be reduced simply to "money," to the simple amassing of huge piles of gold and silver (XXII.4). Men have other "interests" that may restrain them from being wicked. So in Book 23, Montesquieu explores those.

The true interests of human beings are rooted not in narrow economic interests, but in the things that enhance life: sex and love (XXIII.1), our families and children (XXIII.2–4), the mutual sharing of the burdens of society (XXIII.11), an appreciation of the value and dignity of work (XXIII.15), the perpetuation of the human species (XXIII.16), and some minimal conception of the provision of public goods for the "old, the sick, and the orphaned" (XXIII.29).

**Interests of the Soul: Religion in the *Spirit of Laws***

We also have an interest in the fate of our soul after death. Thus Montesquieu turns, in Book 24, to the topic of religion, which takes up a meager two of thirty-one Books in the *Spirit of Laws*. The number of books devoted to the topic of religion is misleading, however, as there are hints throughout that the subject of religion in Montesquieu's political thought is much more pervasive and perhaps one of the most important to understand.

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Hirschman's book. Mansfield argues, in agreement with Hirschman, that this doctrine of "interest" begins with Machiavelli, reaches its zenith in "Montesquieu's science of interests," then declines with Rousseau before it is re-invented by Tocqueville (50).

Montesquieu's view of religion is notoriously difficult to untangle, of course, and it is the central interpretative difficulty of Part Five of the *Spirit of Laws*. Is Montesquieu's aim, in Part Five, to show that the religious laws have the same basis and are consistent with good political laws (e.g. Kingston 2001)? Or, is Montesquieu's aim, in these last books, an attempt to show that religious laws are irreconcilable with good political laws, and that it is necessary to do away with superstition altogether; in Robert Bartlett's words, to help bring about the day when the concern for religion "in general" would "fall into desuetude" (2001, 16–17)? Or is it neither? Is Montesquieu's goal to *transform* and perform a kind of transmutation of monotheistic religion (Schaub 1999)?

Robert Bartlett, in his analysis and comparison of Bayle and Montesquieu (2001), gives the clearest explication of the second view above, which we can call, for simplicity, Montesquieu's anti-religious radicalism. Montesquieu's goal, according to Bartlett, goes well beyond transformation; it ends with eradication. For evidence, Bartlett starts by citing the "most important section" of Montesquieu's treatment of religion: Book 25, chapter 12. Here, Montesquieu provides "a kind of recipe to demote religion, or, more precisely, to remover the very concern for it from the soul by the gentle means supplied by commerce" (2001, 18). This section in Book 25 is more than just a clue of Montesquieu's irreligion, argues Bartlett. It is "the audacious peak of Montesquieu's political philosophy" (18).[168] Montesquieu's utilitarian analysis of religion is only the *beginning*, argues Bartlett, of an attack that goes beyond merely reducing religion to its good or bad political effects. Montesquieu's utilitarianism "culminates,"

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[168] For Bartlett, as for many others, the key to Montesquieu's views on religion are found in Book One (compare, for e.g., Lowenthal 1959; Shackleton 1961; Pangle 2010). This is where we find the "theoretical foundation" of Montesquieu's anti-theological project in Part Five.

argues Bartlett, in an attempt to destroy religion (compare Pangle 1989). Understanding the true extent of Montesquieu's radicalism is important, according to Bartlett, because it is "the essence of Montesquieu's political project" and it provides, for us, the "heirs" of this "problematic project" a chance to rethink whether the attempt to get rid of the concern for the next world for the sake of peace and security is justified (27).

One of the advantages of highlighting Montesquieu's anti-religious radicalism is simplicity and parsimony.[169] Bartlett's reading also serves a larger intellectual purpose, which few other studies have achieved. In opening up the question of whether Montesquieu has an "anti-foundational" theological position, Bartlett opens up the equally difficult question of whether Montesquieu's Enlightenment project leaves any place for philosophy. Following Pangle (1989), Bartlett shows that Montesquieu's hard-core Enlightenment criticism of religion is bound up with a distaste for contemplation, generally, and an aversion, specifically, to philosophy (especially metaphysics) as the best way of life for human beings. Montesquieu's skepticism toward revealed religion is evidence of his skepticism, ultimately, of traditional philosophy, which is too contemplative and too abstract for the practical Montesquieu. Montesquieu abandons contemplative reason because of his conviction that "speculative science" will make men "savage" (Bartlett 2001, 25).

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[169] Of course, arriving at this conclusion is anything but simplistic. Bartlett reaches it only after a careful analysis of Book One, which he argues, is "largely destructive" (2001, 25). Only after an intense scrutiny of the opening chapters can we understand the full radicalism of what Bartlett terms the "constructive project" in Books 24–25 (2001, 23). That constructive project can be boiled down, in a word, to privatization. Even here, Bartlett stresses the radical implications: privatization of religion is merely the first step in "detach[ing] the soul from religion *altogether"* (2001, 16–17; 25; emphasis added).

Whether Montesquieu leaves a place for philosophy is an important question worth pursuing; however, it is the purpose of this chapter to show that this criticism of Montesquieu is arrived at by means of an exaggeration of Montesquieu's radicalism on religion. That is a move that is contestable on a few grounds. One alternative reading is provided by Diana Schaub (1999). Schaub does not deny that Montesquieu may be an atheist (225; 235); or that Book One is a skeptical book (e.g. 232). Montesquieu, she admits, joins fellow liberals in regarding Christianity as a danger to sound politics (229; 233). And it is true that Montesquieu seems to retain a secret admiration of Bayle (236). No one can doubt, finally, that Montesquieu's purpose was to tame religion through commerce—a "third way" that works through the creation of "substitute satisfactions" (231; 239). But Schaub insists, in contrast to Bartlett, that it is more useful to *distinguish*—rather than to blur the difference—between Montesquieu's irreligion and that of his precursors (Hobbes, Bayle, and the "*esprits forts*") and also his contemporaries (Voltaire, Diderot and the *Encyclopedists*) (233). Montesquieu is not a radical on religion, according to Schaub, and this is important for us to understand for a few reasons, not least, because early liberals may have underestimated the *difficulty* of civilizing or policing religion (see 225–226). Montesquieu did not make this mistake. A second reason why it is useful to distinguish Montesquieu from other Enlightenment radicals is simply that religious despotism is not the only threat Montesquieu sees (233). As Schaub explains,

> While Montesquieu joins his fellows in regarding Christianity as a danger to sound politics, Christianity is not the only threat he sees. He is concerned to ward off despotism of all varieties. Accordingly, he seeks to reform Christianity and solve the theological-political problem, but to do so without augmenting the power of the earthly sovereigns. Montesquieu is not a political centralizer…With Montesquieu, the link between liberalism and absolutism is severed. (1995, 233)

In this chapter, I will add a third reason why it is useful to distinguish Montesquieu from Enlightenment radicalism. In short, Montesquieu's detailed examination of the diversity of religious experience shows that religion, once "properly pruned," can not only be an aid to good government (Schaub 1999, 238), but can facilitate commerce as well. For this to be the case, Montesquieu knew that religion had to be radically transformed and its reach curtailed, an enormous task. But this was Montesquieu's hope. Indeed, it will be shown that there is no other explanation for Montesquieu's apparent interest in the study of comparative religion.

In contrast to previous "liberal" interpretations, the following chapter will argue that Montesquieu's aggressive use of commerce as a weapon against religious fundamentalism does *not* necessarily prove that Montesquieu's intent was to help in the "destruction" of Christianity (Pangle 1989) or to aid in its collapse and disappearance (Bartlett 2001). While there is no denying that Montesquieu collects all we have learned from commerce in the previous books to provide his readers with a powerful master strategy to "attack" religion (XXV.12), Montesquieu also claims, in the very opening chapter of Book 24, to have found a way to "unite" the interests of "the true religion" with "political interests" (XXIV.1). To unite the interests of the "true religion" with political interests suggests, in my view, a complicated project: *both* to show what the "interests" of the "true religion" are and to make them known (XXIV.12) *and* to show how political men—liberals like Montesquieu—might harness the power and energy of religious feeling in ways that are conducive to commerce and liberty. Books 24 and 25, in other words, contain both a battle plan *and* an education for fellow liberals.[170]

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[170] For a balanced attempt at sorting out Montesquieu's religious views, see Oake (1953). Oake does not agree (as do the scholars below) with Faguet's judgment that "Montesquieu's mind was as little religious as possible" (548). For a review of the French literature, see Kingston (2001,

This reading accounts for the complexity of Part Five of the *Spirit of Laws*, while giving Montesquieu his due credit for attempting to moderate both extremes of his readership; that is, both his religious audience and his irreligious co-conspirators. Perhaps this is an ambitious project, but it is also the essence of Montesquieu's moderation. Part Five shows that it is possible for some nations, more or less than others, to reconcile the ends of religion with the ends of commerce and liberty. To achieve this reconciliation requires intellectual discernment: the ability

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399 fn.4). Lacordaire is one of the very few who see Montesquieu as a religious thinker (he notes, in 1861, that the *Spirit of Laws* was "*la plus belle apologie du christianisme au XVIIIe siècle*"). Robert Shackleton also views Montesquieu as a practicing Catholic but "with deist convictions" (1961). Andrew Lynch highlights the subversive side of Montesquieu's writing on religion, which, he concludes, is good only for social utility (1977, 495). Sanford Kessler examines Montesquieu's *Persian Letters* and finds an interesting depth to his analysis and critique of biblical religion. Kessler concludes that Montesquieu was attempting to provide a "new theology" based in the principles of natural religion (1983, 383-386). Judith Shklar follows Kessler and Lynch in regarding Montesquieu as largely an anti-religious thinker (1987, 84). Peter Gay puts Montesquieu's views in context, and argues that he is "exceptional" among the *philosophes* for assigning Christianity to a privileged position among religions, "largely for its historical role." Still, Gay's Montesquieu is part of the majority view: religion had lost all its vitality, and remained a "harmful survival" even in the eighteenth century (1995, 373 fn. 2). Rebecca Kingston compares Montesquieu's views on natural law to the modern school of natural law (2001, 376), and though she attempts to portray Montesquieu as more friendly to religion than is generally conceded, she concludes, again in line with other scholars, that Montesquieu considered religion as a "cultural artifact whose truths and doctrines are largely fashioned by humans themselves" (380). Diana Schaub (1999) gives what may be the most astute and challenging interpretation of Montesquieu's views on toleration in the literature, more of which is highlighted in this essay. Robert Bartlett (2001) gives an equally compelling analysis but emphasizes Montesquieu's antipathy toward religion and compares him, unrealistically, in my view, with Bayle (see Schaub 1999, 236-239, for a different reading of Montesquieu's attitude toward Bayle). For Bartlett, the two are nearly identical: they both have a "staggering ambition" to overcome the Bible as a political authority, for example. The main difference between Bayle and Montesquieu, according to Bartlett, is their judgment on the "political utility" of Christianity (see Bartlett 2001, 14-16). "I suggest that Montesquieu and 'this great man' … do not have fundamentally different ends in mind and that they disagree only over the best strategy to attain that end: Both philosophers envisage a day when, to the very great benefit of politics, the concern for religion in general and Christianity in particular would fall into desuetude" (16-17; see also 24-25).

to sort through and ultimately rank the good and bad effects of religious opinions and institutions. The project may be unlikely, but Montesquieu thought it worth the effort. A discerning Enlightenment is likely to be more judicious in picking its battles, and therefore more likely to produce the liberty it aims at.

**Book 23: The Religious Problem**

Before turning to Part Five, it is important to make note of the major features of Book 23, which is a "transition" book that sets the tone for the analysis that will follow in Part Five (Pangle 2010, 49). Generally, Book 23 treats religion negatively as a force that distracts men from their real needs. But it is important to note at the start that this largely negative treatment of religion arises *not* out of a concern for the depressive effect of religion on commerce and economic growth, generally. Montesquieu's negative attitude toward religion stems from a concern for something more basic: the survival and perpetuation of the European peoples. The first thing to note about Montesquieu's analysis is that some religions do better than others in promoting life. This is a notion that goes back to Montesquieu's *Persian Letters,* where he first displays his grave reservations about monasticism. Here is Usbek, for example, describing the great clash between monastic religions and commerce:

> …the dervishes own and control all the state's wealth; they are a company of misers, who perpetually take and never return; they continually accumulate revenue in order to acquire capital; all this wealth becomes, as it were, paralysed; no longer is there any circulation, or any commerce, or any arts and science, or any manufacturing….commerce brings everything back to life, whereas…monasticism spreads death over everything. (#114)

In the above passage, we see Montesquieu contrasting commerce, which "brings everything back to life," with monasticism, which "spreads death over everything." This opposition—between life-giving commerce and death-spreading monasticism—might be

applied, on a much bigger scale, to our understanding of Part Four and Part Five of the *Spirit of* Laws. Part Four describes the life-promoting goals of commerce, science, the arts, and manufacturing; Part Five describes the paralyzing obstacle of religion, which must be overcome. But already this must be qualified. Montesquieu's aim is not simply to counter religion, but to counter specific religions that "spread death over everything." The reader is encouraged to think of religions on a scale, from those that do not promote "life" to those that do.

To counter the religions of death, however, it is not enough to get people to focus on money and materialism, which was the subject of Book 22. One must go further, as Montesquieu does, in Book 23, with a re-evaluation of the value of life. Book 23 starts with a poem in honor of Venus, life-giver. From a cold, rational look at the least erotic of matters (Book 22, the "Laws and the Uses of Money") we turn to a celebration of love and sexuality, which Montesquieu treats as the preconditions of human flourishing (Book 23, the "Laws in their relation to the number of Inhabitants").[171] To put this another way: in Book 22 money rules the world, while in Book 23, it is the charm of Venus, life-giver, who reigns. Venus, not the mighty dollar, is the great motivator. It is she who "sinks love's tingling dart" in every human being, "luring them lustily to create their kind" (XXIII.1).

Even at this stage, it is easy to see that the real core of the tension between Part Four and Part Five is not between commerce and religion (or God and money), but between religion and

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[171] If Montesquieu were only concerned with money—and the ways in which religion depresses the GDP—he could have omitted Book 23, and proceeded directly to Part Five of the Spirit of Laws. Instead, he turns to discuss the ways in which it impoverishes human sexuality.

the human body (or God and sex).[172] A cursory overview of the topics reminds us just how powerfully religion affects the ways human beings think about sex and procreation. Montesquieu will discuss marriages (XXIII.2), the condition of children (XXIII.3), the family (XXIII.4), the various orders of legitimate wives (XXIII.5), the problem of bastards (XXIII.6), the role of fathers in consenting to their daughter's marriage (XXIII.7), the different attitudes of girls and boys to settling down and creating a home (XXIII.9–10). In his treatment of each of these subjects, religious laws are always hovering over the discussion. Religion, Montesquieu shows, haunts every aspect of our love lives. It reaches very deeply into our marriages, into our conceptions of family, and the way we believe it is best to raise our children. The simple point being made here, to repeat, is that Montesquieu does *not* believe that the essential tension is between religion and *commerce*. The essential tension is between religion and human sexuality. Sex and sexuality, following Montesquieu's lead, is the real underlying source of the growth and decline of societies (see, for more, Blum 2002). *Whether* religion is as pernicious as Montesquieu makes it seem—or whether religion is empirically a net positive on population growth— is not the question here. The opening chapters demonstrate simply that no theory of economics can possibly hope to explain the determinants of growth—either of the GNP or of the labor force which sustains it—without an analysis of religious belief, religious mores, institutions, dogmas, etc.

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[172] For an exhaustive analysis of this topic, see Diana Schaub's *Erotic Liberalism*: *Women and Revolution in Montesquieu's Persian Letters* (see especially, Chapter 4, "The Politics of Fecundity" for a helpful explanation of the importance of series of letters on population in the *Persian Letters*, which are critical for understanding Montesquieu's remarks on population here in Book 23).

Religion is not the only force that shapes human sexuality of course. In the next logical grouping of chapters (XXIII.11–18), Montesquieu highlights the ways in which nature, climate, and politics compete, so to speak, with religion in bending and shaping our erotic drives. The key idea here is that religion too often distorts the natural needs and bonds of love and family. Too little attention is given to what Montesquieu calls the "circumstances" of the family (XXIII.16). Circumstances vary: from the moderateness or harshness of government (XXIII.11); to the fertility rate and birth differential between girls and boys (XXIII.12); to the proximity of a people to seaports; to the *diets* of the people (the amount of ingestion of the "oily parts of fish") (XXIII.13); to the quality of the pastureland (or coal mines) (XXIII.14); to the level of industrialization and sophistication of the arts (XXIII.15). Climate, in other words, plays an important part in affecting the way humans arrange their sexual politics. Often, though, the particular demands of the particular environment become overshadowed by the religious laws. What is needed, Montesquieu implies, is a reasonable balance: between local economic and political needs (the second grouping of chapters) and local religious laws (the first grouping).

The problem that Montesquieu sets up in these opening chapters gives an important indication of his suggested solution. What is needed is to find ways to *redress* the imbalance between religious and "natural" laws governing human sexuality. Because religion, in his account, seems to play an over-sized role, while nature, or climate, seems to play an under-sized role, in Book 23, we can conclude safely that Montesquieu's intention is to help downplay the role that religion plays in regulating matters of sexuality. Why this is the important battle to be

fought is explained in the third and last grouping (XXIII.17–29).[173] There, in the last thirteen chapters of Book 23, Montesquieu returns explicitly to the relationship between religion and sexuality. But he ratchets up the rhetoric against the religions of death considerably. Not to offend the monarchical censors, Montesquieu once again returns to Rome. While Roman–republican warmongering was ruinous and self-defeating (because it led to the "depopulation of the universe" XXIII.19), pre-Christian Rome is, for Montesquieu, on the whole a superior model to post-Christian Rome—at least on the level of creating ways to develop a "nursery" of citizens (the "law," he says "did not want useless marriages"). And while some of the laws inducing people to have children were either tyrannical, or ridiculous, or involved harsh penalties, and in fact very often backfired (e.g., XXIII.21 ¶25), it is generally true that Montesquieu is much more sympathetic to the pre-Christian emperors—Caesar and Augustine—than he is to Rome after Constantine. Christianity, he says, gave Rome an "idea of perfection" which led the citizens to a "speculative life" and produced a "distance from the cares and encumbrances of the family" (XXIII.21). It was the *Christian* laws—in a word, celibacy—that made "multiplication" no longer one of the "cares" of the state (see *Considerations* XXII–XXIII and *Persian Letters* #109).

Montesquieu's critique of Christian Rome cannot detain us here, but it should be mentioned that in the last chapters of Book 23 (XXIII.23–27), Montesquieu deliberately attaches his critique of early Christian celibacy laws to his description of the ills of modern Europe. The problem with Europe, he explains subtly, is not merely that it is *in fact* suffering from

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[173] It should not be ignored that Montesquieu believes that "public continence" plays an important role in maintaining healthy growth rates, and more importantly, healthy families where children are cared for and not corrupted by the profligacy of their parents (XXIII.2). But this is not the driving theme of the chapter, or of Montesquieu's analysis of religion as a whole.

depopulation; but rather, that Europe is in danger of *repeating* Rome's mistake after Constantine. Constantine's mistake, after all, was to repeal the laws favorable to propagation, the very same kind of laws that Montesquieu thinks might help population growth in Europe. Here one finds the explanation for Montesquieu's strange obsession with what other scholars have called the "depopulation delusion" (Blum 2002, xi; 3; 77; 192). Europe, Montesquieu notes, had in fact been experiencing a number of years of growth in the towns and in the "small sovereignties"; it had, in fact, been experiencing what Montesquieu deems to be a promising *increase* in population and "recovery" (see XXIII.24). So when Montesquieu concludes, in chapter 26, that Europe is "an instance of the case in which laws are needed to favor the propagation of the human species," it is from the perspective of a much larger view of the history of Christianity. It is not, as some scholars have believed, a misguided and paranoid focus on year-to-year demography.[174] Because of the wide view that Montesquieu takes in these chapters, the task at hand (which is, to be sure, encouraging population growth) is much more complicated than reviving pre-Christian Julian laws, or, to take another example which Montesquieu plays with, making edicts that will favor marriage that will effect a demographic reversal (see XXIII.27, fn.121). The task, I argue, is more rhetorical than political. It is rather to prepare the reader for

[174] Montesquieu considers feudal Europe as a stage of regrowth (XXIII.24), mainly because of the incentives provided by the "infinity of small sovereignties." Montesquieu cites Pufendorf and gives an estimate of the population in France in 1550 (XXIII.24). He speculates, however, in chapter 26, that Europe is continually declining and that "laws are needed to favor the propagation of the human species" (XXIII.26). Montesquieu's empirical assessment of population is not unproblematic (see Blum 2002), but it should be put in perspective. First, his aim, in short, is to contrast "Europe today" with yesterday's Greeks. Second, his observation has less to do with demographic speculation, and more to do with a general observation about the difference between classical republicanism and Christian monarchies: the Greeks were tormented by having too many citizens; modern Christian monarchies are tormented by having too few (XXIII.26).

the more radical re-examination of religion that Montesquieu will carry out in Part Five.[175] If the reader is even partially moved by Montesquieu's patriotic alarm in regards to the "depopulation of the universe," which he calls, in the *Persian Letters*, the "most terrible catastrophe the world has ever experienced" and one that points to an internal defect, a secret, hidden poison, a decline afflicting the human race (#109), he or she should be more willing to see—and to accept—the consequences of the analysis which will follow. If the reader is sufficiently convinced of the danger of this "internal defect" he will, perhaps, be more open to following Montesquieu along to the end, to dig down to the roots of the religiously inspired rejection of human sexuality.

The final two chapters deliver an even more blunt message. Chapter 28 warns the Church of what is in store for Christian Europe if it fails to address the impact of monasticism on depopulation. Montesquieu goes further and directly attacks the "excessive advantages of the clergy" (XXIII.28). These two problems put together—the monastic abhorrence of eros, plus the institutional privileges of the Church—have created, in Montesquieu's judgment, a real crisis. So Montesquieu makes an alarming warning. If monasticism is not addressed, he argues, there may be only one solution—one that his reader may not expect, given Montesquieu's famous reserve in speaking openly about important political matters. If the problem of monasticism is not addressed, Montesquieu predicts, in chapter 28, a radical redistribution *throughout* the empire, not only of the Church lands, but of the property of the prince, the "towns, the important men, and some principal citizens" (XXIII.28). Whereas monasticism spreads "death" and decay over

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[175] Montesquieu's anti-clericalism should not be understated here. He is highly critical of the "excessive advantages of the clergy over the laity," which he compares to the worst kind of despotism (XXIII.28).

everything, in the *Persian Letters*, here, unreformed monasticism portends violent revolution in France and across Europe.

To drive his point home, Montesquieu raises the stakes even further, in chapter 29, by evoking the name and example of Henry VIII, famous, among other things, for his dissolution of the monasteries in the late 1530's. This rude intrusion of an English prince is a deliberately controversial reminder of the alternative to moderate reform in France. Henry VIII is not controversial in Montesquieu's narrative because he failed to take care of the problem of monasticism in his own country. On the contrary, Montesquieu's reader would have been aware of the awkward fact that Henry's brutal violation of the Clergy's authority was in many ways good for English politics and for England's bottom line. Henry's reforms "liberated" the "spirit of commerce" and industry in England, says Montesquieu probingly, at the end of chapter 29. And Montesquieu was right. Henry VIII perceived the opposition Montesquieu identified between stability and commerce, on the one hand, and monasticism on the other, and dealt with it accordingly. Book 23 thus ends with two warnings. France would have to deal with its religions of death, or face the unpleasant prospect of tyrannical change from the top, or violent revolution from below. These warnings would sting Montesquieu's reader even further, since they would be aware that England, after Henry's reform, was on the verge of achieving a position of power in the European state-system that would have made the powdery white Louis XIV turn green with envy.

**Book 24: Montesquieu's Audience**

Having laid out for his reader—in Book 23—what is at *stake* in religious reform; and *why* religious reform is necessary from the perspective of human flourishing and population growth (in Book 23), Montesquieu now turns directly to the topic of religion. But even after raising the

stakes, as argued above, Montesquieu remains cautious and careful. In shopping around for options, Montesquieu makes clear that there is no "one size fits all" solution to religious reform. His dazzling examination of the comparative strengths and weaknesses of the world's religions is meant to drive home a point he has made before: that what is good for one country may not be what is best for another.

We can discern another aspect of Montesquieu's purpose by looking at the driving question of Books 24 and 25. Generally, Montesquieu wants to know *how* different beliefs and dogmas (Book 24) and different institutions (Book 25) affect the possibilities for human flourishing, both sexually and economically.[176] At the start, it should be noted that there is a serious and central problem with Montesquieu's study of religion in Part Five. It is no small thing, for example, to ask his reader, from page one, to be willing to reconceive religions comparatively as a "choice" among competing options (as if religion itself were like any other commodity, to be priced according to its utility). Believers will have to accept the possibility, moreover, that morality is more important than faith; that religion itself is merely a psychological vehicle for helping to achieve socially advantageous ends. Finally, Montesquieu will ask to be forgiven for speaking as someone who writes only about politics (XXIV.1). In exchange, Montesquieu promises that he will lay aside any pretension of knowledge about the truth or falsity of religious belief as such. Like an entomologist studying butterflies, or a stargazer looking at the constellations, he will only judge what he sees. Religion will be treated not as

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[176] A caveat: I do not argue that the *only* purpose of these two books is to make religion more compatible with commerce. I do argue, however, that this is the most important difficulty to understand, in Part Five. To understand this relationship in a Montesquieuean spirit is to think of it as a productive, rather than destructive tension.

various lighted paths to salvation, but as an alluring multitude of beliefs and habits and ideas about the soul. Some will be darker than others more mired in shadows; others will be deeper (XXIV.1). If there is a God, Montesquieu implies, He will not be offended with this innocent *method*, which only seeks to ask: what are religions good for?[177]

This opening chapter is arguably the key to Montesquieu's purpose in Part Five. Read with care, it turns out not to be an attempt to *placate* believers, or to satisfy nosy prelates. Rather, it serves to *unmoor* the rest of Part Five from the deepest interests of true believers. It is not approval or sanction or even "attention" that Montesquieu wants, but rather, intellectual space from niggling theologians and attacks from the righteous. By denying any knowledge about the true religion, and by making no promises about salvation, Montesquieu tries to turn away some of those who come looking—either for an answer, or for a fight. His ideal reader, in other words, is not the righteous believer, but the prudent politician or the legislator.

Chapter two is entitled "Bayle's paradox." It raises the question, unanswered in the first chapter, of *why* Montesquieu should concern himself with the study of comparative religion. Montesquieu describes this himself as a humorously futile science (insofar as it involves "poking

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[177] What "good [can] be drawn" from religion in the civil state (XXIV.1)? Montesquieu may have had good reason to suspect that God would forgive him for asking these kinds of questions. But he had no illusions that his opening gambit would be sufficient to placate the censors. The chapter, as Shackleton (1961) notes, went through many revisions, and it ends with a major concession to his Christian readers. From the start, let me emphasize that Montesquieu's call to abandon the truth or falsity of religion is, self-consciously, for reasons he is very aware, a particularly tough sell for believers. It seems to offer relatively petty compensation for giving up on the everlasting "felicities" of the next life. As Montesquieu himself admits: we must learn to choose the ones that, though they do not have the effect of leading men to the felicities of the next life, can most contribute to their happiness in this one (XXIV.1).

around" among abysses and shadows).[178] Why should the liberal Montesquieu describe his project as he does in chapter one, as an attempt to "sound out" the depth of abysses? Why use the unimpressive language of shadow-measuring when he could take advantage of the language in currency, i.e., Enlightenment? In chapter two, Montesquieu appears to take on Bayle, and therefore, seems poised to alienate and disappoint another potential audience, i.e., the followers of M. Bayle. The reason why Montesquieu confronts Bayle and the atheists is also not clear at the outset.

It becomes clear in the second chapter that Montesquieu has, in fact, more in common with them than he does with the believers in chapter one. Take, for example, Montesquieu's response to Bayle, who had argued that it is both "better to be an atheist than an idolater" and that "it is less dangerous to have no religion at all than to have a bad one" (XXIV.2). Montesquieu's reply is instructive. This is a "sophistry," he argues. Because religion does not always provide motive for restraint does not mean that it never does. One reasons incorrectly to "collect in a large work a long enumeration of the evils it has produced, without also making one of the good things it has done." Even if it were useless for the *subjects* to have a religion, "it would not be useless for princes to have one and to whiten with foam the only bridle that can hold those who fear no human laws" (XXIV.2). In the reply, Montesquieu *could* have pointed out that Bayle's premise is flawed, that from the perspective of the believer, Bayle's cost-benefit analysis of the utility of religion holds no water (and in any case, what could not compensate for salvation, which lasts for eternity?). Bayle is wrong, Montesquieu argues, because he assumes in

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[178] For a discussion of Bayle, see Cassirer (2009, 167). Cassirer notes that Bayle's *Dictionary* was a kind of weapons storage area for freethinkers; the "real arsenal" of all Enlightenment philosophy.

his enumeration of the evils that they, the evils, outweigh the goods. Montesquieu's critique of Bayle therefore has nothing to do with defending piety, and everything to do with getting the empirical question—of religion's political utility—right. Montesquieu's reply to Bayle looks more like the kind of scolding one might give to a business partner who has made a reckless accounting error. Bayle is scolded for his tallying, not for his irreverence or godlessness. In this general sense, Montesquieu presents himself not as an enemy as Bayle, but as his tutor. Montesquieu, not Bayle, is the more discerning auditor of the true good and evil of religion.

**From the True Account of Religion to a True Accounting**

Beginning in the third chapter of Book 24, Montesquieu seems to have abandoned any hope of explaining the "true religion" and is fully immersed in a new project, a true accounting we might say. Here, again, it must be noted that Montesquieu invites the admiration not of believers, but of skeptics, whose attention Montesquieu deliberately courts by showing off his skills in correcting Bayle and addressing the "accounting errors" of the atheists. Montesquieu defends Christianity, for example, but on grounds that have little to do with truth or falsity of doctrine. First, Christianity is superior on the grounds of humanity (in particular, Montesquieu opposes Christianity to "Mohammedanism," which he argues is less gentle and humane and contributes less to happiness in this world [XXIV.3]). Second, it is admirable for its positive role in preventing despotism and bridling the cruelty of princes. Finally, in a phrase often quoted, Montesquieu defends Christianity because of its positive contribution to international legal norms that have helped to reduce the human costs of war:

> We owe to Christianity both a certain political right in government and a certain right of nations in war, for which human nature can never be sufficiently grateful. (XXIV.3)

While Montesquieu defends Christianity here, it soon becomes apparent that he is not interested in descending any further, especially into the sectarian squabbles that would interest religious

partisans. By the sixth chapter of Book 24, Montesquieu has deftly avoided reform controversy. Instead, he returns, again, to take on Bayle.[179]

This second round of his match with Bayle is different, however, because here, Montesquieu faces a more difficult challenge. Montesquieu's basic approach—to replace the true account of religion with a true accounting —would be sound, if not for one outstanding problem. Bayle argues that "a state formed by true Christians would not continue to exist" (XXIV.6). If Bayle is right, and it is true that a nation of Christians would not be able to defend itself, Montesquieu's new and more sophisticated "accounting" scheme is on shaky ground, to say the least. To judge Christianity (or any religion for that matter) on a balance sheet of positive social effects would be utterly futile, ridiculous even, if one of the "negatives" was that it was too weak to summon the will or resources necessary to fend off enemies bent on destroying it. Montesquieu not only anticipates this objection, he emphasizes it. The problem with coming up with a true accounting of the effects of Christianity is that it claims to be morally superior to other religions *because* of its gentleness (see XXIV.3). Islam, according to Montesquieu, is not necessarily bound by the same understanding. Montesquieu judges it to have numbers on its side,

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[179] If Christianity is superior to Islam on the grounds of gentleness, humanity, and its compatibility with the "right of nations" (which itself promotes the liberal goods) on what grounds might one judge the competing accounts of Christianity? In chapter five, Montesquieu avoids final judgment by only going so far in such an endeavor. He subtly praises the Protestant north for having a "spirit of independence and liberty that the peoples of the south do not" (XXIV.5). But he prudently covers his tracks, as if to forestall his Catholic reader's complaint that, by deduction, Catholicism is more slavish in spirit. One sect may be more or less "slavish" than the other, but this is due not to a difference in dogma but to a difference in "climate." Both Calvin and Luther are products, in Montesquieu's presentation, of political and climatic conditions. Here, Montesquieu gives an example of both the limits of toleration and how to reason about religious matters without ascending (or descending) into "more sublime truths." It may be impossible to distinguish between the truth claims of the prophets—Jesus and Mohammed—but it is not impossible to judge which one contributes more to "liberty, laws, goods"; in short, the liberal standards that were raised as such in chapter one.

arguing that it is *physically* superior to Christianity. Finally, Montesquieu notes that it was "given by a conqueror." In his words, "[Islam] speaks only with a sword" (XXIV.4). In the face of this interpretation of Islam, Montesquieu seems ready to concede the argument to Bayle. Christianity may not, in the end, be able to defend itself on the grounds of utility alone.

To understand Montesquieu's full answer to this challenge, however, it will be necessary to return to an argument he provided in Book 19 (XIX.27). Montesquieu's answer here, in Book 24, can be summarized briefly as follows: a nation of *true* Christians would be more than capable of doing what needs to be done. They would, he says, feel a "great zeal" to perform their duties. Why? Because these Christians would *not* be incapable of recognizing their debt to the state, which protects it:

> The principles of Christianity, engraved in their hearts, would be infinitely stronger than the false honor of monarchies, the human virtues of republics, or that servile fear of despotic states. (XXIV.6)

In Montesquieu's abstract account here, in Book 24, there is no tension between the city of God, which needs no gates to defend itself against invaders, and the earthly city, which does. Christian piety is perfectly consonant with sound politics, in the abstract. Indeed, at its best and purist, Christian morality may even be *more* powerful than any other "principle" in the *Spirit of Laws* in inspiring men to do their duty. But we should not be fooled by Montesquieu's easy rhetoric. Clearly, he is not entirely serious about his claim that perfect Christians will never fail in their duties to the homeland. Will they never be confused about their true duties, even when those true principles are "engraved in their hearts"? Montesquieu's reply is beguiling as it is simple: The more Christians think they owe to Christianity, he says, the more they will think they owe to the homeland (XXIV.6).

This abstract defense of Christian patriotism in Book 24 should be considered in relation to Montesquieu's more complex view of Christian patriotism, in Book 19. There, the English are motivated, famously, by a combination of religious *and* pecuniary or commercial interests. In that book, a similar question—one very like the challenge issued by Bayle—was raised: why should this Christian and commercial citizenry sacrifice their "goods, ease and interests" for their liberty?[180] It was not out of zeal for religion, *per se*, or because every baptized Englishman had the "true principles" of Christianity engraved in his heart. It was, rather, because the English patriot makes a calculus that *looks* very much like the Christian calculus above. The calculus is *not* "The more I think I owe to Christianity, the more I think I owe to the homeland." The calculus is: "The more I think I owe to *commerce*, the more I think I owe to the homeland."

This glossing over of the "liberal" (or Book 19) calculus of patriotism is, I argue, an indication of Montesquieu's full reply to M. Bayle. In the abstract, a pure Christianity *might* be able to undertake the necessary actions for survival. But Montesquieu had already foreshadowed the reason why a true Christian patriotism is unnecessary in the context of a modern commercial world. In Book 19, English Christians need no longer worry about Bayle's disturbing hypothetical. English Christianity, having made its peace with commerce, is, to its great fortune, backed up and supported by English commercialism. In Montesquieu's portrait of England, Christian patriotism had begun to merge with commercial patriotism. Hence, there is no need for Montesquieu to write a long tract defending a pure Christian patriotism in Book 24, for he had

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[180] "In order to preserve its liberty, it would borrow from its subjects, and its subjects, who would see that its credit would be lost if it were conquered, would have a further motive to make efforts to defend its liberty" (XIX.27).

already shown, in Book 19, that Bayle's attack on the weakness of Christianity had been rendered moot by the transformation of orthodox Christianity by commerce.

**Putting Religion Back to Work**

This idea, that Christianity and commerce might crossbreed to create a superior hybrid, is by no means an obvious or uncontroversial idea. And how, exactly, this fruitful mating of interests could be reproduced on the Continent was something of a novel idea. In the *Persian Letters*, for example, Montesquieu described the ways in which religion and commerce are in competition with each other for control of the "king's mind," for the state (#104). There, the two forces eventually combined. In the *Spirit of Laws*, though, what was needed was a careful description of the ways in which religion and commerce might be paired successfully. The rest of Part Five is less a "science" of the chemistry between religion and commerce than it is an artful matching of an unlikely couple.

To create the conditions for a successful match, however, Montesquieu needs to make certain amendments to the way in which people traditionally think about religion. In the tenth chapter, Montesquieu makes a bold move by pretending, just for a moment, to "cease to think [of himself]" as a Christian. He then praises the Stoics as follows:

> If I could for a moment cease to think that I am Christian, I would not be able to keep myself from numbering the destruction of Zeno's sect among the misfortunes of human kind…It alone knew how to make citizens; it alone made great men; it alone made great emperors. (XXIV.10)

Here, it is worth noting that Montesquieu separates himself not only from traditional Christianity, but from the traditional distinction between religion and "philosophy." By treating Stoicism *as* a religion, with no qualification or explanation, Montesquieu quietly expands the idea of religion to *include* schools of philosophy that have no clear conception of the afterlife, let

alone a creator-God. But in blurring the distinction between religion and philosophy, Montesquieu gives himself room to introduce a key distinction that he has been at pains to bring out throughout Part Four and Part Five: that is, between the value of "contemplation" (XXIV.11) and the value of "action." The Stoic religion is useful to Montesquieu because it clears a path for a new understanding of Christianity that values work, this world, and citizenship, over contemplation, the next world, and personal salvation.

This revaluation of the priority of "action," it seems, is the first step in transforming Christianity in a direction that is compatible with commerce and liberty. Montesquieu asks his reader to linger on the example of the Stoics, who, "while contemptuous of wealth, human greatness, suffering, sorrows and pleasures," nevertheless "were occupied only in working for men's happiness and in exercising the duties of society" (XXIV.10). Born for society, "they all believed that their destiny was to work for it." The Stoics, for Montesquieu, seem to represent a healthy counterpoint to the grave, otherworldliness of monasticism. Here is a "kind of religion" (XXIV.10) that achieves a salutary middle ground between a life devoted merely to labor (which is dull and inhuman) and a life devoted completely to politics (which is not, for Montesquieu, a necessary condition of freedom). Without too much exaggeration, one can say that Montesquieu's lament for the disappearance of Stoicism is in the service of a more pressing criticism of the way in which monotheism, in the modern world, has produced a gradual erosion of the value of *work*.

There is, however, one more advantage in turning to the Stoics. The praise of a pre-Christian philosophical sect serves, simultaneously, as a reminder of what modern monotheistic religions often forget. Humans do have basic needs; these needs are universal; and they are too often sacrificed for imaginary ones:

> Men, being made to preserve, feed and clothe themselves, and to do all the things done in society, religion should not give them an overly contemplative life. (XXIV.11)

Contemplation, then, is not wholly rejected by Montesquieu (not even on the most naked liberal standards of survival and self-preservation). But religions that create an overly contemplative populace must be guarded against, especially if basic social needs become ignored on account of them. Montesquieu does not use the language of rights. But human beings are "made" he says, to feed, clothe, and "do all the things done in society." On this simple and easily recognizable premise, men and women can and should address the imbalances of overly contemplative religion. Contemplation is good in measured amounts, but it must be challenged when it becomes incapable of securing what Montesquieu lists as basic human goods: "law, liberty and protection of goods."[181]

That contemplation must be challenged does not mean either that contemplation must be avoided or that Montesquieu is anti-philosophic. One of the beautiful ironies of Part Five is that Montesquieu himself—in trying to combat contemplation—cannot avoid getting sucked in to some of the deepest theoretical questions. Indeed, Montesquieu shows by example that it is impossible—even for one who writes only about politics—to avoid tangling with the content of metaphysical belief. In the fourteenth chapter of Book 24, Montesquieu is up to his eyeballs in doctrine and theology. But is this not in itself part of a re-education of Enlightenment radicalism? By grappling with the doctrines he promised to avoid, Montesquieu shows that beliefs matter greatly, and are, indeed, at the root of a whole array of causes, and incentive structures, that

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[181] Three problems must avoided in particular: habits that form men for speculation (such as praying five times a day), the dogma of an "inflexible destiny," and harsh government or laws which render the ownership of private property uncertain. Either one of these (beliefs, habits, or policies) will make men "turn their backs on all that belongs to this world." But all three at once, says Montesquieu ominously, and "all is lost" (XXIV.11).

affect how society goes about its daily business. What men *believe* about how this incentive structure works greatly affects how men *value*, order, and prioritize their actions. Liberalism may be able to avoid answering certain questions about metaphysics, but it cannot avoid the challenge Montesquieu sets for it here, to make an effort at some kind of appraisal of the ways in which different beliefs and habits of worship alter our respective attitudes towards the character traits and behaviors that liberalism depends upon.[182] In the next few chapters, then, Montesquieu begins what may be loosely called the first liberal appraisal of belief.

It is useful to separate out two central questions in these next grouping of chapters. First, which dogmas (e.g., about heaven and hell) make the best citizens? And second, which dogmas create the most *productive* citizens? Montesquieu's answer to the first question (which dogmas create good citizens?) involves three key requisites. First, the religion must have a place of reward and punishment. A doctrine of the afterlife that is devoid of heaven or hell may not only be useless; it may lead to a "void" in the justice system which will lead to more repressive civil laws, as was the case, Montesquieu argues, in Japan.[183] Second, the religion must leave plenty

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[182] In Japan, for example, there is neither paradise nor hell (XXIV.14). But this observation is in and of itself of great political consequence, by Montesquieu's own account. As there are no strong beliefs about punishment or reward, the civil laws have had to "step in" with an "extraordinary severity." The opposite case holds as well. Some religions have established dogmas about the "necessity of human actions." Here too, great political consequences, since here, the laws must also be severe and the police "more vigilant" so that men will not "let themselves go" and base their conduct on abstract ideas about an inflexible destiny. This latter problem is the affliction of Islam, according to Montesquieu, and by association, certain forms of Christianity. "From laziness of soul arises the Mohammedan dogma of predestination, and from this dogma of predestination is born laziness of soul. One has said, it is decreed by god, so one must rest" (XXIV.14).

[183] Religions that have only a "kind of hell," but no positive notion of heavenly reward or salvation tend to have loose or dubious morals and are often created merely to justify accidental

of room for free will. A religion that "fixes" man's fate without any regard to his *choices* in this life is worse, Montesquieu argues, than having no religion at all. This "fixity" can strip human beings of all incentive to action, and industry, and it can deprive the people of a visceral sense of their responsibilities to others and to the very basic requirements of justice.[184]

Third, a religion must carefully avoid doctrines about the soul that describe the afterlife, for lack of a better word, "erotically." Here is Montesquieu, laying out in plain terms why it is important to avoid overly sensual or erotic and pleasurable states of being after death:

> Almost everywhere in the world, and in all times, the opinion that the soul is immortal, wrongly taken, has engaged women, slaves, subjects, and friends to kill themselves in order to go to the next world and serve the object of their respect or love." (XXIV.19)

Notice first, Montesquieu's emphasis on the motivating factors of "respect" and "love." A heaven filled with the charms of this life is a dangerous motivation, he warns. Readers of the *Persian Letters* will be reminded of the fantastic description of the afterlife, narrated by a Persian woman named Zulema, whose vision of heaven is filled with "sublime men" and male slaves waiting on every desire, where everything is "designed to fill her senses with rapture," and where the "purpose of so many pleasures was purely to lead her gradually to greater pleasures" (#135).

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things that the society considers bad, such as gathering oysters or wearing clothing of linen and not of silk (XXIV.14). Religions that only have a place of reward, or that provide a road to salvation that does nothing to provoke any degree of fear of punishment are also dangerous. Montesquieu uses Hinduism to make his point. Hindus believe that the "waters of the Ganges have a sanctifying virtue" and that those who die on its banks will be "exempt from the penalties of the other life and…to live in a region of delights." In Montesquieu's delightful wording, "What does it matter if one lives virtuously, or not? One will have oneself thrown into the Ganges."

[184] It should be noted here that this implies a providential God, although Montesquieu does not anywhere come close to demanding that a good religion must have one god, or that this god cares about human affairs.

It is this vision of heaven that helped her, implies Zulema later on, "disdain death," which would "mark the end of her sufferings and the beginning of her felicity" (#135). At the same time, it is important not to exaggerate Montesquieu's concerns about the idea of immortality (see, e.g., *Persian Letters* #73, where Usbek admits that he allows religion to "console me when I'm sick"). As we can see, it is not accurate to say that Montesquieu's *unease* about immortality, as an idea, leads him to reject it (he can't, as he has already stated that there must be a place of reward and punishment). Montesquieu's unease with immortality has to do with the opinion "wrongly taken."

What constitutes "wrongly taken" though? Here, Montesquieu's meaning can be illustrated by drawing a distinction between the idea of a pure, sense-less soul, on one extreme; and an embodied, sensual soul on the other (with all of its sexual, reproductive, appetitive desires, feelings, and organs intact). This hyper-sexualized, sensual soul, is the view Montesquieu rejects. Such an existence, he argues, is too "easily grasped" by our minds. Being easily grasped, it is easily exploited. But more importantly, this opinion is dangerous because it promises to fulfill our unfulfilled desires—to satisfy every unsatisfied, subjective, and personal pleasure. Here, Montesquieu suggests, are the roots of the most violent fanaticism (as he says in a footnote, "thus, the disciples of Foë kill themselves by the thousands").

Montesquieu's suggested reform is a religion that "makes us hope for a state that we believe in, not a state that we feel or that we know" (XXIV.19).[185] The soul's existence after

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[185] On this score, Christianity has done a remarkably good job. There are actually three "dogmas" about the immortality of the soul that Montesquieu considers. The first is that of pure immortality; the second is "simple change of abode"; and the third is metempsychosis (the system of the Indians). As to this third possibility, Montesquieu places it between the first two in terms of its desirability. On the one hand, it increases the "horror of spilling blood." But "wives

death should be de-sensualized (in Usbek's words, "With all religions, it's a delicate matter to portray the pleasures in store for those who have lived virtuously" #120). We must not imagine, argues Montesquieu, either that our appetites remain, or that our organs that exist to satisfy them remain intact either. In Montesquieu's view, an abstract, or "pure," soul is better because it helps to downplay and mute the immense satisfactory potential that one might receive in the next life. This is the secret to moderating religious fervor in this life. Moderating religion depends on de-sensualizing the soul, in confronting this idea that immortality is simply a "simple change of abode" in which the soul arrives, so to speak, with all of its former bodily pleasures intact—and in anticipation of limitless satisfaction. Montesquieu, speaking as a political writer, has shown that politics cannot avoid confronting the unreasonable doctrines which make people do unreasonable things; i.e., to rush themselves off into the next world to "serve the object of their respect or their love."

Montesquieu's criterion for making better citizens, then, is minimalistic, but not relativistic. There must be a place of reward (which gives people hope) and there must be a place of punishment (which provides motivations for living decently, a motivation which Montesquieu seems to imply we lack). Men must be in a position to be able to choose, or at least to believe that what they do in this life determines the fate of their soul in the next.[186] Finally, justice

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burn themselves when their husbands die; only innocent people suffer violent death there" (XXIV.21).

[186] Chapter 16 provides a clear and important example of how religion can promote not only peaceful co-preservation, but also protect industry and promote economic productivity. When a state is "agitated by civil wars," for example, religious authorities have often, throughout history, stepped in to help establish "times of peace or truce" so that the people can "do the things, such as harvesting and similar work, without which the state could not continue to exist "(XXIV.16).

requires confronting the wishful thinking of enthusiasts who believe that the end of this life is the beginning of the answer to all their erotic prayers that go unanswered in this world.

**An Appraisal of Practices**

At the end of chapter 23, Montesquieu shifts away from a focus on the effects of belief to a focus on practices and habits. The most dangerous error, which Montesquieu aims to correct in these chapters, is the dogmatic insistence on universalism of practice. At the start, however, it is important to note that Montesquieu's rejection of religious universalism is not based on a respect for diversity or custom. It is premised, rather, in the logic of worship itself, which Montesquieu shows to be intimately—even organically—connected to time and place.

In chapter 24 of Book 24, Montesquieu invites his reader to take a tour, so to speak, of "local religious laws" (XXIV.24). Here, Montesquieu anchors his critique of religious universalism on the solid ground of utility. Local religious practices that seem like arbitrary prejudices to outsiders (such as the ban on pork or on beef in Islam and Hinduism) are not, he warns, always the product of theological tradition. Sometimes, they arise *out of* economic or sociological common sense. Those practices that grow organically out of local concerns for utility are not only not "depressive" (as it seemed in Book 23); often, they are good for productivity. So here we find another reason why religion is not incompatible with commerce. The problem, in Montesquieu's view, is not that religious practices are always bad for commerce, but that nations interpret local practices too easily as an alien threat to their own. The danger, in other words, is not in the thing itself (religious practices that are perfectly sensible because they arise out of necessity). The danger of the great diversity of practice is that it leads to culture clashes that are unnecessary. One culture begins by inspiring a "horror" for "indifferent things." Another takes offense. And so on. Montesquieu uses the example here of

Indians and Muslims who clash over what form of protein is sanctioned by God: "Indians hate the Mohammedans because they eat cows; the Mohammedans detest the Indians because they eat pigs" (XXIV.22).[187]

Thus the problem of religious practice is not, to repeat, that they are always unproductive or irrational. The problem is that one culture's "horror" for "indifferent things" often makes no sense to outsiders, and this is one of the root causes of religious hatred and religious war—which is not good for productivity. All of this, arguably, is meant to remind Montesquieu's skeptical friends of a tricky sociological fact; that religious practices do not spring out of a void, but are, rather, very often connected to local climatic and social circumstances. To put this more simply, religion cannot be changed or uprooted without disturbing the "particular laws" that help the society function (an argument prepared in Book 19; XIX.4–5; XIX.12–14). So when Montesquieu warns that religions should rarely, if ever, be transferred from one country to another, it is not because he believes in cultural diversity and pluralism for its own sake. His critique of universalism is based thoroughly in social and political concerns that his secular liberal readers could appreciate and even embrace. The people of Palestine, Arabia, Egypt, and Libya are perfectly in their right to forbid the eating of pork, Montesquieu notes, because pigs (here Montesquieu is quoting from Boulainvilliers) are "scarce" in Arabia, and also are very susceptible to skin diseases (XXIV.25). The Persians are in their right to use religious laws to prohibit navigation on their rivers. Why? The only navigable river is on the border of their empire; the religious prohibition supports the security of the state without harming commerce (XXIV.26). Again, these examples are in the service of a larger point addressed to friends of the

[187] The chapter "On festivals" (XXIV.23) is another illustrative example of the way in which religion and economics interrelate in complicated ways.

Enlightenment project. The project of Enlightenment must acquire a discerning respect for religious difference. Religions deserve the respect and support of the community either when they arise out of particular geographic or social needs, or when they help to put a check on behaviors and practices that are harmful to commerce.

At the end of Book 24, Montesquieu has travelled a long way: first, from the question of the truth or falsity of religion; to an appraisal of religious beliefs as they affect attitudes and incentives toward justice and work; and finally, to a particularized "sociological" account of the material causes of religious practice. Two rhetorical shifts are worth highlighting before we turn to Book 25. First, Montesquieu has *broadened* the scope of religious debate by drawing the reader's attention away from the high stakes disputes between Protestant and Catholic, Jesuit and Jansenists, etc. The controversy about Christian theology and metaphysics is replaced with a much colder, rational examination of "world religions." But in broadening the discussion, Montesquieu also thins it out, reducing it, essentially, to a series of testable propositions about the climatic, economic, and sociological origins of religious practices and institutions.

Thus Montesquieu delivers on his promise in Book One. He has explained why the belief in God (the "idea of a creator") is a natural law—in the sense that it is of great "importance" to all human beings. But he has shown why this natural law is not the first natural law temporally, in the sequence of human development (I.2, ¶2). Religion, argues Montesquieu, is a result not of God's disclosure to man through revelation, but of history, climate, and sometimes, when we're lucky, good economic sense.

**Book 25: The Battle Plan for Detachment**

Political life would be much less disagreeable if religion always worked this way. And, religious disputes would be much less disruptive if the study of religion could be reduced—as it

was in Book 24—to a "thin" sociology of climate and social customs. In Book 25, Montesquieu shows why the study of religion can't be reduced this way. It has to take into account not only the *roots* of belief (what Hobbes called the "seeds of religion") but the *persistence* of belief—even after religion has ceased to serve its original functions, indeed, long after it has forgotten its origins. In turning to this question, of the persistence of belief, Montesquieu leaves the relative safety and comfort of sociological inquiry behind him. Montesquieu rejoins the fray, one could say, by descending boldly into the controversial depths of the psychology of devotion.

Montesquieu starts the book, like the last, by putting up a guard. He starts by rehearsing a common rhetorical complaint against atheists which appears to be the beginning of a longer discussion against heretics and unbelievers:

> The pious man and the atheist always speak of religion; the one speaks of what he loves and the other of what he fears. (XXV.1)

This slight against the atheist is not extended into an argument, however, and it contains within it a "snub" against the pious. Religion is not an object of knowledge or belief, after all, but of "passion." The pious man speaks not of what he *knows*, but of what he loves. Montesquieu does not rule out revelation here. Actually, Montesquieu begins Book 25 by treating piety respectfully, like virtue in the previous books, as a core human experience. Moreover, it *has* a rational element, as we find out in the second chapter. Religion may be an elusive desire, like love, that touches all human beings to some degree, but *particular* religions, we find out, enter through the head, not the heart. Particular religion arises out of differences in our "way of thinking" (XXV.2). It follows from these opening two paragraphs that if we want to understand the *variety* of religions in human history, we have to consider the ways religion acts *both* on our natural passions *and* on our rational imaginations. It is precisely because religion appeals to the way we "think" (in addition to the way we feel) that it makes it possible to rise above the "thin"

sociology of Book 24, to a deeper investigation into the *reasons* why certain religions "grab" and hold on to our whole body and soul.

Montesquieu wastes no time in identifying what he thinks are the most potent ingredients in the rational and emotional concoction that makes up a powerful "belief." First, a religion that portrays God as a "supreme spiritual being" that is not corporeal (but that appreciates, or responds to "sensible" practices of worship) is extremely powerful.[188] Catholics fit this category more so than Protestants (XXV.2) and this makes them "more zealous of propagation." Second, it makes a big difference if this God plays favorites—if he flatters our own estimation of our intelligence (in having picked the right God, for example). This second attachment is powerful because all religious people naturally wish to be the object of the Creator's preferences. Third, it helps to have "many practices" rather than few. Having many practices attaches men to religion simply by "occupying" our time.[189] Fourth, hell. Religions that play on the imagination with images of a bubbling underworld of fire and brimstone and everlasting torment help to train our efforts on doing the things that will save and deliver. All powerful religions have the ability to calibrate themselves not only to man's universal *espérer* (for heaven or immortality) but to our

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[188] Part of the reason for this is that we feel pride in choosing a non-corporeal God that does not have bodily functions, as Montesquieu explains. But imagine the opposite combination: an "idolatrous" god that eats, sleeps, breathes, and performs bodily functions, *but* that does not care, or share, that "natural penchant for things that [we feel]." This, in Montesquieu's view, is the *least* potent source of attachment to religion: we should lose respect for the God itself, who has our needs, and therefore is not removed from "the humiliation" of our condition.

[189] Over time, Montesquieu argues, we become attached to those things that occupy us. It is much more difficult for Jews and Muslims to change their religion than for barbarians or savages, who "wholly occupied with hunting or warring, scarcely burden themselves with religious practices" (XXV.2).

universal fears as well. A religion "that had neither hell nor paradise would scarcely please [us]," concludes Montesquieu. Fifth, men are attached to religions that give man a reason to believe in a "pure morality." Men may be "rascals one by one," but when they get together, "they love morality." Political life, Montesquieu intimates, is not unlike the theater. Religion, in this scenario, is like the morality play (see XXV.2). When men gather at theaters to watch a morality play, they are pleased by the "feeling that morality professes." Religion draws the crowds when it succeeds in explaining the moral world to us (which not only makes us feel better, but helps dissolve moral confusion). Finally, men are attached greatly to the "externals of worship." Powerful religions are often "magnificent" (XXV.2) and they have a great pull on human beings, Montesquieu explains, because they "flatter" our opinion of ourselves while further exciting our "expectations."[190]

With the "rational" roots of religion sketched in this way, the question naturally arises: can these attachments be reversed? Should they? To put this more sharply, is not Montesquieu, in the very act of explaining these attachments, inducing his reader to reconsider them—if not abandon them altogether? As noted above, I think the answer is yes and no. This direct strategy of rationally debunking religion is *part* of the battle plan for combatting religious extremism. But it is not the *dominant* tactic in the book, as can be clearly seen in the next chapter (XXV.3). Here, Montesquieu returns to the *indirect* strategy: not of aggressive debunking rationalism, but of moderating, commercial liberalism. It is through the praise of commerce and economic liberty, and the heightening of the people's awareness of their *poverty* and economic servitude to

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[190] Poverty, Montesquieu concludes, is one of the greatest motives of attachment of all. It also serves as an important pretext for the business of priesthood, who "have caused [the people's] poverty" (XXV.2).

the "temples" that Montesquieu sees the most potential for change. Chapter three, "On temples," illustrates by example what Montesquieu deems to be the superior strategy.[191] If one cannot return to the days of Genghis Khan (whom Montesquieu, humorously, treats as infinitely Enlightened compared to the Muslims of Buchara[192]) in which god could be worshipped "everywhere (XXV.3), one can at least push (and look forward to) a day when religion attaches people not through state-sanctioned control of land and wealth, but through God and community. A realistic remedy is something like the Jews' "portable tabernacle." A religion that gives no permanent "asylum" to crooks and criminals will lead not merely to less "attachment," but less attachment of the wrong sort.

Chapters four–eight continue what I am calling the *indirect* strategy of Part Five. They present a number of related "commercial" or economic methods to help reduce the grip that religion has on minds and hearts. In chapter five, for example, Montesquieu suggests that the attraction to the Church can be mitigated indirectly by limiting the wealth of the clergy; this should be done not by prohibiting acquisitions directly, but rather, by taking away laws which protect Church assets as "sacred and inviolable" (XXV.5). Monasticism and monkery can be indirectly discouraged by stripping them of their privileges as "corporations" (this gives them the ability to "gamble with the people" in ways which increase their worldly holdings beyond what is required for carrying out religious services of the community XXV.6). As another example, the state can sever all support for religions that try to raise money for God and not for simple

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[191] That this is Montesquieu's goal is not apparent until Book 25, chapter 13.

[192] cf. *Persian Letters* #80, where Montesquieu also, humorously, compares Genghis Khan to Alexander.

service or worship (following the Enlightened Plato, see XXV.7). In short, Montesquieu clearly favors the Enlightenment goal of detachment from superstition, but he emphatically does not favor "debunking" as a reliable means for curbing enthusiasm. Religion does have a grip on the "way we think." Book 25 shows, as it progresses, however, that reversing or altering the way we think is exceedingly difficult. In the seventh chapter, Montesquieu makes a fascinating and unusually favorable reference to Plato, which demonstrates why, in Montesquieu's opinion, rational debunking of superstition will not work. Plato, he says, had *already* said "all of the most sensible things that natural enlightenment has ever said on the subject of religion." The implication here, I believe, is that Montesquieu does not underestimate the stubbornness of faith and religious superstition. In brief, the Enlightenment needs a new battle plan. That is to outflank zealotry with economics. Indeed, in the next few chapters, Montesquieu shows that the dissemination of a commercial worldview is what makes it possible, for the first time, to reduce "pernicious opinions" without relying on rational argument alone.[193] It is the dissemination of a commercial worldview that makes it possible to take toleration seriously both as a political goal and as a principle in its own right.

**The Longer Road to Toleration**

At this point, it may seem odd that this word, toleration, has not even come up in the discussion. Indeed, I have said little or nothing about Montesquieu's stance on toleration (let alone the grounds on which he thinks it might be defended).[194] Why now? The relative absence

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[193] Mixed in with the economic argument is a quiet, understated, plea for scriptural literacy: the idea of a "pontificate" should always be checked by the careful recording of religious laws in "sacred books" that can be put "in everyone's hands" (XXV.8; cf. XII.29).

of a discussion of toleration in Part Five is a function of Montesquieu's literary presentation. Notice, for example, that toleration does not *arise* as a problem until the ninth chapter of Book 25. The title of the ninth chapter is "On toleration in religious matters." Why, we might ask, does Montesquieu delay his treatment of this philosophically weighty and historically contentious word? This curiosity deserves some consideration.

The most obvious reason can be stated as follows. It may be that Montesquieu is a religious conservative and that he is simply uninterested in defending toleration, either as a principled right or as a political good. If Montesquieu does not believe that religious toleration is right or good, this would help us explain why he waits until the ninth chapter of Book 25 to bring it up. More than this, it would help us explain why chapter nine is itself so short. If Montesquieu is committed to the "true religion," then it makes sense to bury the issue of toleration, grudgingly, in the middle of Book 25. Toleration is necessary, as he admits, for one reason only: for peace and security. On this reading, there would be no evidence to suggest that Montesquieu

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[194] For a more complete examination, it would be necessary to survey more closely his personal views on religion. For an example that is suggestive, arguably, of Montesquieu's attitude, see *Persian Letters* #73, where Usbek says: "I'm good at stopping religion from troubling me when I'm well, but I allow it to console me when I'm sick." For a full discussion of his personal views, see Oake (1953), Kingston (2001) and Bartlett (2001), among others. But no attempt at sorting out his personal views is complete without taking into account the political dimension, especially the relationship between tolerance and the criminal laws (see Kautz 2003). For a broader overview of how Montesquieu fits in with the liberal tradition of toleration, see Levine, *Early Modern Skepticism and the Origins of Toleration* (1999, 1-19). In this volume, Diana Schaub's "Of Believers and Barbarians" stands out as one of the most incisive examinations of Montesquieu's writings on toleration. She pays particular attention to the chapter entitled "A Humble Remonstrance to the Inquisitors of Portugal and Spain," which I discuss at length below.

held a more deeply principled view.[195] His spare treatment of toleration is itself a record of his verdict against the liberal case for toleration and the separation of church and state.

Spare, yes, but not simplistic. For a fuller understanding of Montesquieu's view on toleration in Book 25, one has to look at the *reasons* he provides for adopting his minimalist position. The following chapter (XXV.10) is an important "addendum" to the ninth chapter. Here, Montesquieu observes that tolerant religions are not, usually, "greatly zealous to establish themselves" (XXV.10). Intolerant religions, on the other hand, do incline to propagate themselves. This observation is an important clue as to why Montesquieu does not believe that a *principled* defense of tolerance is what is most needed (even though he knows, full well, that such an argument is available, as we will see below).[196] A highly principled defense of tolerance invites the difficulty described in chapter ten. If a state adopts the principle of toleration (an "open door" policy of tolerating all religions) it may leave itself defenseless—at least on rational grounds—against precisely those religions which Montesquieu thinks are most likely to try to undermine the potential for a tolerant solution. In a world where religious passions have not been

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[195] In the *Spicilège,* and in his *Pensèe,* Montesquieu wrote passionately about the revocation of the Edict of Nantes and the Saint Bartholomew massacre (Shackleton 1961, 354). In Book 12 of the *Spirit of Laws*, Montesquieu expressed beautifully the reasons why God must not be avenged, but honored (XII.4). When he returned from his travels in England, he wrote optimistically about the need to end the persecution of Jews (*Pensèe* 913). And as we will see below, Montesquieu's *Très Humble Remontrance* is one of the most eloquent defenses of toleration to come out of the Enlightenment era.

[196] For a wonderful description of the *utility* of tolerance, see *Persian Letters* #83. "Those who practice a religion tolerated by the state make themselves, as a rule, more valuable to their homeland than do those who belong to the state's dominant religion." See, also, *Persian Letters* #118: "Tolerance in government encourages, to an astonishing degree, the propagation of the species."

sufficiently cooled, or silenced, liberal reformers must choose their fights wisely. The alternative that Montesquieu prefers is to discourage the spread of religion, where possible. This "closed door" policy also has its problems, as other scholars have noticed (see Schaub 1999). And very few legislators are in the fortunate position of being "the master of the state's accepting a new religion or not accepting it" (XXV.10). Moreover, it is difficult to imagine how a liberal society would quash religions that spring organically on its own soil. Still, in the end, Montesquieu avoids a principled defense of toleration not because he denies that there is such a defense, nor because toleration is not worth defending, but because toleration is risky, it can backfire, and, like liberty, the "legal" expression of it is often insufficient to the task of securing it (XII.1). Diana Schaub (1999) states the problem as follows: "It is clear that rendering the state tolerant is not the main issue. The real difficulty lies in obliging the various religions to tolerate one another" (227). So in Book 25, Montesquieu is wary of official state tolerance. This explains, in part, his wavering.[197] Toleration may be good, but not always. Toleration may be good and right, but it might be more prudent not to defend it in *principle* as either inviolable or always good.

But how deep is Montesquieu's equivocation on this matter? Must we conclude that Montesquieu had no strong or settled convictions and that here, too, he privileges accommodation of difference over principle or right? It is necessary, now, to consider a second reason why Montesquieu is so sparing in his treatment of toleration. Throughout the *Spirit of*

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[197] This wavering is most apparent when Montesquieu is compared to the more robust liberal theories of toleration in other liberal writers, which extend the idea of toleration to the "right of conscience" and a "natural liberty of worship" (e.g. Locke 2003, 215-254; Voltaire in Kramnick 1995, 129). For a discussion of the complexity (and surprising diversity) of Locke's views on toleration, see Tarcov (1999, 180-195).

*Laws*, there has been this constant refrain: lasting change takes time. Lasting change depends, as he says in Book 19, on "preparing the spirits" (XIX.2–6). But why should this principle not be extended to toleration itself? Does the principle of toleration need to be "prepared" in some way? This, perhaps, would explain why Montesquieu does not showcase toleration as the core of his argument about religion (and why he does not introduce the "principle" of toleration until the ninth chapter). Toleration, after all, presupposes, in Montesquieu's view, a particular disposition toward religion. If it is to be promoted on a mass scale, it presupposes a certain attitude. Montesquieu calls this desirable attitude "indifference" (XIX.27; XXV.12). For toleration of religious diversity to be taken seriously as a public doctrine, the people must first, in their private lives, learn not to take religion too seriously. They must be capable, as Bartlett rightly argues, of cultivating an "effective indifference" or a "certain benign zealotry" (2001, 18). Toleration depends not so much on Enlightenment about our duties to others or our natural right to choose which God to pray to, but a "forgetting"—as Montesquieu will describe it—of the moment of our death (XXV.12).[198]

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[198] Moreover, Montesquieu reminds us throughout the *Spirit of Laws* that the achievement of toleration in England *followed* other developments: notably, the disillusionment of the Puritan attempt at rule; the bloody civil wars; the experience of freedom; and the liberation of the spirit of commerce and industry. Nowhere in the *Spirit of Laws* does Montesquieu suggest that the liberal triumph of religious toleration can be secured by reason, by philosophy, or by rational argument alone. In the short term, the best argument for toleration is the *experience* of it, and this, the philosopher cannot provide, except indirectly. This explains why Montesquieu returns, in chapter 12, to remind his reader of the vital importance of the "penal laws," a topic which has not been directly addressed since Book 12. Disestablishment matters little, or nothing, if the criminal laws are immoderate or if they confuse crimes of religion with crimes of tranquility, for example (XII.4). For a fuller discussion of Montesquieu's views on toleration as it relates to the liberal tradition, see Kautz (1993, 624; 626-628).

**The Persistence of Persecution**

At this point, it is clear only that *if* Montesquieu was champion of the liberal ideal of toleration, he went about it quietly. There simply is no well-developed "theory" of toleration in the *Spirit of Laws.* The chapters in which one should expect Montesquieu to say the most on this important topic are the ones in which he seems most reluctant to say anything at all. Still, there are two chapters that are crucial for understanding Montesquieu's view on toleration. We turn now to the twelfth and thirteenth chapters of Book 25 (XXV.12–13).

Chapter 12 might be best described as a refutation of Hobbes' solution to the religious problem. Laurence Berns (1987) summarizes Hobbes' solution aptly as follows. For Hobbes, the doctrine concerning the Kingdom of God has such a great influence on the kingdom of man, that "it should not be decided by any but those that have the sovereign power" (418). This "absolutist" solution is rejected by Montesquieu not because it is too pessimistic, but because it is too optimistic—in at least two senses. First, Hobbes is too "hopeful" in regards to his political psychology; in particular, the notion that the fear of a violent death can be manipulated—by the sovereign—to help detach men from their fear of powers invisible. This will not work, argues Montesquieu, because the magistrate is unlikely to succeed by *compounding* one fear on another, that is, by merely "filling [the soul] with this great object [of fear]" (XXV.12).[199] The reason why this is unlikely to work, in Montesquieu's view, is because this compounding of fears only

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[199] Montesquieu accepts Hobbes basic premise that fear (or more accurately, the "marks of mutual fear") does drive men into society (I.2). But this is a transitory passion. The fear of being attacked or killed dissolves, on the one hand, when one realizes that one's "enemy" is equally fearful; and it is tempered, on the other hand, by the surge of other "sociable" passions, or animal pleasures, like the "charm that the two sexes inspire in each other" and by the pleasure men and women receive from interacting and sharing the bond of knowledge (I.2).

brings us closer to the moment of death—thus adding more fuel to the bonfire of zealotry. Hobbes' mistake, in Montesquieu's words, was to bring people "closer to the moment when [they] should find religion of greater importance" (XXV.12). Fighting religious fear with political force is ultimately a losing proposition. If the sovereign power competes against the fear of God, both sources of authority (religious and political) may lose out, while the soul, Montesquieu says, "becomes atrocious." It should be no surprise that Montesquieu thinks it impossible—on this basis—to form a tolerant society. At best, people may just be more confused about their duties. At worst, the two fears may effectively cancel each other out, leaving the state not only with bad believers but bad citizens as well (XXV.12).

Montesquieu's rejection of Hobbes' political psychology in this chapter is followed by an unstated acknowledgement of Locke's alteration of Hobbes' too blunt teaching. Like Locke, Montesquieu mitigates Hobbes, not only with a gentler political psychology (see Book One), but also with a more sophisticated political approach to taming religious extremism. The penultimate expression of the Montesquieuean alternative is found at the end of chapter 12:

> A more certain way to attack religion is by favor, by the comforts of life, by the hope of fortune, not by what reminds one of it, but by what makes one forget it; not by what makes one indignant, but by what leads one to indifference when other passions act on our souls and when those that religion inspires are silent. General rule: in the matter of changing religion, invitations are stronger than penalties. (XXV.12)

Now it is more clear why Montesquieu has spent so much effort in Part Four *preparing* the argument for toleration. Indeed, the layout of Parts Four and Five of the *Spirit of Laws* mirror what is required—on the societal level—to make toleration possible. To achieve a practicable or "effective" toleration, men must reminded of the importance of commerce, which was explored in Book 20; the revolutionary importance of technology and the equally significant importance of commercialization in giving men an interest in not being wicked, detailed in Book 21; the

dangers of wealth and the need for a new science of economics, provided in Book 22); but, above all, the inherent worth of the basic liberal goods of security, property, and the private sphere, which Montesquieu defended in Book 23. Part Four, taken as a whole, then, is designed to nudge the reader gently in the direction of forgetting death. It prepares the argument for toleration by transforming one's hopes and fears in the direction of a more stable and productive indifference toward otherworldly matters. One might even say—in light of the chapter cited above—that the fourth part of the *Spirit of Laws* was meant to achieve in the reader what commerce itself will someday achieve on the grand scale.

**The Limits of Remonstrance**

One more step is needed to demonstrate why Montesquieu's teaching on toleration relates to the books on commerce, in Part Four. There is, as we will now see, an important rhetorical dimension that has not been sufficiently explored. There is one more important reason why commerce must be relied upon as the most effective tool in combating religious extremism. In short, Montesquieu is doubtful that reason, or natural Enlightenment, can do all the work on its own. This topic—of how a liberal theory of toleration must present itself in writing and in speech—will occupy us for the remainder of this chapter.

First, though, it is necessary to recall an argument suggested at the beginning of this chapter in regards to Montesquieu's audience.[200] I argued that the opening of Book 24 is not addressed to believers, primarily, but to fellow liberals. Part Four, in my view, is the

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[200] I mentioned above that Locke's *Letter on Toleration*, by contrast, is clearly meant to address a wider audience, and that almost necessarily includes believers. In Locke's letter, there is hardly a page that does not remind the reader of what is at stake (the reader's soul or salvation). By contrast, one looks in vain in Part Five of the *Spirit of Laws* for any argument framed in such a way as to help one find one's way to heaven.

transformative part. It is there that Montesquieu aims to persuade the partisans of the old republics and the Christian monarchies alike that commercial modernity—England—should be considered the polestar that orients the future development of liberal politics in Europe. But having made the case for commerce, Montesquieu now—in Part Five—seeks to turn his attention on the leaders, and indeed, the revolutionaries, who will now have the burden of carrying out the project envisioned in Part Four. Here in some ways is the most difficult task for Montesquieu. He must avoid inflaming his zealous readership, at the same time as he reveals why commercialization and modernization must be used against them.[201] This awkward, and as it turns out, dangerous, position, sets the stage for chapter 13 of Book 25, which is the last piece of the puzzle in understanding Montesquieu's view of commerce.

Chapter 13 is the second-to-last chapter of Book 25, and it is titled "Very humble remonstrance to the inquisitors of Spain and Portugal" (XXV.13). Two immediate problems surface. First, it is apparent that Montesquieu turns *directly* to address believers here (it is addressed *to* the inquisitors, after all). In this sense, the argument of this essay may seem less plausible. Montesquieu *is* addressing zealots here directly, not, as I have been arguing, a more skeptical audience. Second, Montequieu provides here a moving and indeed *principled* defense of toleration. The chapter is inherently "moralistic" and it is explicitly addressed to believers on

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[201] For one account of the reception of Montesquieu's work (by his ecclesiastical critics) see Lynch (1977). Lynch shows that the wave of criticism following the publication of *Spirit of laws* was premised not so much on Montesquieu's arguments in Part Five, but on his insistence that honor, not virtue, is the motivating principle of monarchical government. Following Montesquieu's logic, this meant, of course, that the good citizen of a monarchy *should* be motivated by honor—which means that a good citizen of a monarchy cannot be a good Christian (or worse still, the good Christian cannot be a good citizen of a monarchy). His ecclesiastical critics were right to focus on this issue, primarily, because it could be interpreted as an argument to the effect that the Christian religion ought to be banished.

their own (moral) grounds. For these reasons, the reading I suggest is open to two serious objections. First, the existence of this chapter proves that Montesquieu did *not* in fact see himself as carrying on a conversation only among fellow *philosophes* in Part Five of the *Spirit of Laws*. Second, the chapter would seem to prove, demonstrably, that Montesquieu thought that commercial liberalism (the commercial route to toleration described in chapter 12) is *not* the best means of transforming religion after all. At the least, the chapter proves that commercial liberalism must be bolstered with—and supported by—*rational argument* and a principled defense of what he calls in chapter 13 "natural enlightenment" (XXV.13).

As to the first objection, it must be conceded that Montesquieu has much to say to the Inquisitors. We will see, however, that this "humble remonstrance" is, in some important ways, set up to fail. The remonstrance to the inquisitors is not Montesquieu's own. It is a speech made by one of Montesquieu's literary creations, a "Jew," who, as we will see, does *not* succeed in changing the minds of the inquisitors—at least by using moral persuasion. As for the second objection, it must be granted, also, that Montesquieu supports his argument with a highly principled language of rights, in chapter 13 of Book 25. However, this language of rights must be supported, in the end, by a baser appeal: to the vanity and self-love of the inquisitors, who (the Jew subtly admits), are "incorrigible" and "incapable of all enlightenment and all instruction" (XXV.13).

To begin, let us re-read the opening words of chapter 13. The first paragraph is written in Montesquieu's own voice and serves to frame the rest of the chapter:

> An eighteen-year-old Jewess, burned in Lisbon at the last auto-da-fé, occasioned this small work, and I believe it is the most useless that has ever been written. When it is a question of proving such clear things, one is sure not to convince. (XXV.13)

It is worth noticing, first, that Montesquieu immediately distances himself from the speech that is about to follow. Also, Montesquieu does *not* say that this speech is useless merely because it is *offensive* to Catholic orthodoxy (no doubt, he thinks it will be). Rather, Montesquieu says that the speech will be useless because he does not think that arguments which aim to prove "such clear things" will *convince*. From the beginning, the reader is meant to see that Montesquieu distances himself not merely from the content of the "humble remonstrance," but the *manner* or ultimate persuasiveness of the speech.

In the second paragraph, Montesquieu provides yet a third reason why he (Montesquieu) should not be confused with the anonymous author. The "author" of this "humble remonstrance" has a religious identity: he is a Jew, who is, in a strange way, quite friendly to Christianity:

> The author declares, that, although he is a Jew, he respects the Christian religion and that he loves it enough to take away from princes who will not be Christians a plausible pretext for persecuting it.

Here, we need only to observe that the author is not a partisan polemicist writing merely to scold the Church for the Inquisition. He is a man with a religious commitment who respects the Christian religion and, apparently, "loves it" as well (enough, at least, to campaign for its continued existence). More, the Jewish writer apparently believes deeply in morality (at least, we can be sure that he believes in the power of moral persuasion and "remonstrance"). Montesquieu distances himself, in other words, not from the Jewish writer's moral point of view, but, as will soon be clear, from the Jewish writer's belief in the power of moral persuasion. To push this even further, one could argue that this chapter restates what is, or was, the central question of Part Five of the *Spirit of Laws*. How might the friends of liberalism speak to its enemies—especially, those "Inquisitors" of humanity who are least likely to be moved by rational argument?

The rest of the "humble remonstrance" provides an outline of an answer. In it, the Jew, who is in fact quite psychologically astute, and self-aware of the limits of his own rationalism, provides three distinct *kinds* of argument.[202] The first is grounded solidly in Christian moral principles. The Jew makes a direct appeal to the Christian principles of love, compassion, and mercy (XXV.13 ¶3–5).[203] The Inquisitors, he notes, are "much more cruel" than even the emperor of Japan, who burned "all the Christians in his state "by a slow fire." Similarly, the Jew makes a direct appeal to Christian principles of peace, charity, and universality (XXV.13 ¶6–8). The Inquisitors, he notes, are not following the original Christian teachings of peace, charity, and universality, but are, rather, imitating the "Mohammedans," who have extended their religion "by iron."[204]

At this point of the remonstrance, it is clear that the Jewish writer is not interested in bringing down the Church, or destroying Christianity. The Jew frames his first set of arguments respectfully (out of "respect and love" for the Christian religion). The argument, up to this point, works on the internal logic of Christian morality. But it is also framed in a way that aims to *protect* Christianity, not against its foes, but against itself, its own worst abuses of Christian doctrine. One could call it, simply, the "ideal" remonstrance. Here we find an appeal to

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[202] For a different, but not incompatible, interpretation of the importance of this passage, see Pangle (2010, 104–105).

[203] It is double-edged because it is an appeal to compassion *grounded* in a very pointed charge of hypocrisy.

[204] The Jew goes on to argue that imperializing religion is self-defeating. The only rational solution, argues the Jew, is to abandon the perverse instruments, the pitiless goals, and the reckless policies of the vengeful Church, and instead, to imitate the example of Christ himself (XXV.13; see also Locke, *Toleration* xx).

moderation and toleration that is grounded in the internal logic of the principles of religion itself, *and* which, at the very same time, serves to protect that religion without fundamentally transforming it. The Jew concludes what I am calling the "ideal remonstrance" with a call for the Inquisitors to imitate the example of their own prophet:

> We entreat you, not by the powerful god we both serve, but by the Christ that you tell us took on the human condition in order to give you examples you could follow; we entreat you to act with us as he himself would act if he were still on earth. (XXV.13 ¶8)

This appeal mirrors, in some ways, Locke's first argument for toleration in his *Letter Concerning Toleration* (i.e., that toleration is itself the chief characteristic mark of "the True Church"; see Tarcov 1999, 182). As the speech proceeds, however, it becomes evident that the thoughtful Jewish writer does *not* put much stock in this first "ideal" remonstrance. Neither does Montesquieu. In the very next paragraph, the Jew abandons this line of reasoning for something quite different:

> But if you do not want to be Christians, at least be men; treat us as you would if, having only the feeble lights of justice that nature gives us, you had no religion to guide you and no revelation to enlighten you. (XXV.13 ¶9)

The Jewish writer, interestingly, abandons the argument at its very peak (or we might say, *because* he has reached the peak).[205] The possibility of a return to a purer Christianity is buried, in the next paragraph, under the weight of an entirely different appeal, this time, to natural right. An adjustment in strategy is required.

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[205] As it turns out, there is a glaring immediate problem with this appeal, too. The Jew does *not* believe either that the inquisitors are capable of imitating Christ, *or*, more problematically, that they are Christians to begin with. The problem, of course, is that the Jew is appealing to "inquisitors," whom the Jew does not believe to be true Christians (XXV.13, ¶2, ¶8). Nathan Tarcov has an excellent summary of the disadvantage of precisely this kind of argument, although he does not refer to Montesquieu (1999, 182–183).

If, as I have argued, the Jewish writer does not hold out much hope for the prospect of true moral reform arising from within the orthodoxy, he must find a different appeal. He finds this in the humanity of the inquisitors. It is, for the sake of argument, an appeal to "natural rights." Montesquieu makes the immediate attraction to this second line of reasoning easy to understand. All men, argues the Jew, are capable of being guided by what he calls the "feeble lights" of natural justice (XXV.13 ¶9). The lights of justice are provided by nature, not God. And they guide human beings without the need of support from divine ordination and revelation. These are principles which seem to be able to stand on their own. In language that would soon shake French society, indeed, the Western world, to the core, the Jewish writer trumpets a new call to "reasonableness" and, subsequently, the "rights of men" (XXV.13, ¶13).

As we can see, then, the "humble remonstrance" has at least two distinct parts. There has been a great shift, beginning in para. 9, from moral reasoning (to imitate the example of the prophet and to be *true* to the principles of one's own religion) to natural rights or "reasonableness" (XXV.13 ¶12). After having abandoned the internal argument, grounded in religious principle, the Jewish writer immediately puts his whole weight behind "natural enlightenment" (XXV.13 ¶13). This shift is worth emphasizing. On the one hand, it bears out the suggested reading of this essay, that is, that Montesquieu is continuing—even here—to speak to fellow liberals looking for examples of how to address the problem of religious despotism. It also provides an instructive display of the Jewish writer's hopes for natural enlightenment. In the Jewish writer's speech, we get a glimpse of Montesquieu's own pessimism in regard to the effectiveness of high, or highly principled, moral rhetoric. Chapter 13 contains a powerful teaching, in short, about the *limits* of moral remonstrance. For toleration to have a chance, one must not believe, naively, that religious enthusiasm can be palliated by arguments *internal* to

religion itself. Liberalism must have recourse to a larger array of strategies and tools to ward off its enemies and detractors. The Jewish writer abandons the "ideal remonstrance" because he sees that fanatics cannot be expected to rise to the hardest challenge, which is, to hold themselves up to their own highest moral standards; i.e., the example of their own prophets. The appeal to "humanity" or to "being men," then, is a necessary feature of the argument for toleration.[206]

But is it sufficient? Shifting down to the language of natural right has its own problems, too. Montesquieu had shown, for example, in Part Three of the *Spirit of Laws*, that reason faces an uphill battle against the influence of climate and other bigger "forces," religion among them (see XIV.4 on the "cause of the immutability of religion, mores, manners, and laws in the countries of the east"). There may be a thing called "human nature" (XIV.11) and "natural reason" (XV.7). And it is true that reason "inclines" men "toward humanity" (XX "Invocation"; XV.3). But, as Montesquieu suggested in Book 16, human reason is all too often subordinate to other causes: "Human reasons are always subordinate to that supreme cause that does all that it wants and makes use of whatever it wants" (XVI.2).[207] So it is no surprise that Montesquieu *should* state, at the outset of the thirteenth chapter, that the remonstrance, which follows, will be

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[206] It is an appeal to a realizable and realistic standard, one which might have a chance of succeeding in a confrontation with those who perceive no moral difficulty in burning an eighteen year old girl in a slow fire. This is not to say there is no Christian argument to be made for toleration. There *is* a Christian argument for toleration, at least according to the Jewish writer, but it is simply unrealistic to expect fanatics—those who would burn an eighteen year old Jewess by slow fire—to recognize, in their own religion, the basis for that argument. It would require them to think through the contradictions of religious cruelty, and be forced to conclude, as does the anonymous writer, that persecution is incompatible with the teaching and example of Christ.

[207] And sometimes people just don't need to be changed. "Thus pure air is sometimes harmful to those who have lived in swampy countries" (XIV.2).

"the most useless that has ever been written." As it turns out, the speech has not been useless at all. It is entirely useful for fellow liberals to think through the rhetorical strategies and rhetorical limits of the case for toleration.

Further evidence that Montesquieu is doubtful, ultimately, about even the "natural rights" argument appears in paragraph 13. This is a century, argues the Jew,

> when natural enlightenment is more alive than it has ever been, when philosophy has enlightened spirits, when the morality of [the] gospel has been better known, when the respective rights of men over each other, the empire that one conscience has over another conscience, are better established. (XXV. 13 ¶13)[208]

And yet, persecution has not disappeared. The need for a "remonstrance" in this century is *itself* a kind of proof, for the Jewish writer, that persecution won't disappear by arguing it away. Inquisitors may, in the end, be "incorrigible, incapable of all enlightenment and of all instruction."

Montesquieu does not end the speech on a note of despair. At the end of the remonstrance, the Jewish writer reverts, finally, to a third distinct kind of argument. If men cannot be inspired to follow their prophets and if men cannot be reasoned with to follow the "feeble lights of justice" they can, to be sure, be moved in the *direction* of self-improvement by the undying influence of another motivation, never in short supply: human vanity. [209] At the end of the speech, the Jewish writer admits, by saying his thoughts "plainly" (XXV.13 ¶14), that an appeal to the pride of believers may be the only remaining option when other forms of

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[208] Pangle (2010) has noted the important "de-emphasis" on the word conscience in the *Spirit of Laws* (2010 179, fn.15).

[209] Schaub (1999, 229) calls this a "sophisticated appeal to the vanity of Christian believers."

"remonstrance" fail. The Jew reminds the Inquisitors not of how God will judge them in the afterlife, but how "someone in the future" will judge them. In future ages, persecutors will be cited as *proof* that religion was, or is, "barbaric," "ignorant" and crude. This, he says, will "stigmatize your century." The enemies of religion will be able to use this and to "bring hatred on all your contemporaries" (XXV.13 ¶15). The last appeal is neither desperate nor despairing. It is clear-eyed and, as the Jewish writer says, "plain." When remonstrance fails, there may be only one last appeal, which is decidedly un-Christian. Pride. The Jewish writer rests his case here, on the selfish concern for reputation and the embarrassment to our species that we call barbarism.

**Summary**

At the beginning of this essay, we looked at two ways to read Part Five of the *Spirit of Laws*. One reading emphasizes Montesquieu's engagement with religion and theology and argues that Montesquieu's argument is "largely destructive" of the foundations of monotheistic religion (Bartlett 2001, 23). A second reading emphasizes Montesquieu's *avoidance* of theological questions, arguing that Montesquieu purposefully avoids meeting "the elect" on their own ground and does not enter into theologically-based dispute with them (Schaub 1999, 238). According to this reading, Montesquieu's "antifoundational" argument only goes so deep: it rests less in the "demolition of foundations than in his deliberate neglect of them" (239). If we follow the first reading, Montesquieu must be seen as a "root and branch" revolutionary. Following the second, Montesquieu is better viewed—in Schaub's words—as a "vintner," who, being familiar with the technique of grafting, sees the possibility of new vines being grown upon old stock. It is not always necessary or advisable "to disturb the roots" (239).

This chapter has tried to substantiate the view of Montesquieu as vintner, rather than as root-and-branch revolutionary. In our overview of Book 23, we saw reasons why Montesquieu's

opposition to religion is confined especially to monasticism, which, in his view, is not conducive either to liberty or to commerce. In the analysis of Book 24, it was argued that Montesquieu's purpose is first and foremost to educate fellow liberals, not, as others have argued, to attack, destroy, or uproot religion. In the last section of the essay, we showed how the Jewish writer's speech moves through three distinct stages. These stages reflect the larger strategic and rhetorical dilemma in Part Five of the *Spirit of Laws*. Recognition of the limits of remonstrance is instructive and important because it sheds light on the importance of Montesquieu's political economy, while also pointing to more sophisticated rhetorical strategies for combatting religious extremism.

Now, I do not mean to suggest that it is impossible in Montesquieu's view to "enlighten" through reason and rational argument. The *Spirit of Laws* begins with an affirmation of the power of reason: "It is not a matter of indifference that the people be enlightened" (Preface). The most basic assumption of this dissertation is that there is a teaching, even in the books on commerce, and that it is Montesquieu's purpose to educate his audience both by appealing to their hopes and fears, but also to their capacity to reason and to draw the appropriate conclusions for themselves. But Montesquieu does not assume either that all readers are capable of being enlightened or that all will reach the same conclusions. Usbek, in the *Persian Letters*, insists, for example, that even the clearest reasoning and most persuasive philosophical argument are simply not enough:

> To persuade people of a truth is not sufficient, one must also make them feel it; moral truths belong in this category." (*Persian Letters* #11)

Montesquieu never changed his mind on this. 15 years later, when Montesquieu wrote the *Considerations on the Greatness and Decline of the Romans*, he continues to grapple with the problem of education and Enlightenment, but here, he is even more cautious. The following

passage is worth quoting in its entirety because it encapsulates, in my view, the final reason why Montesquieu advocates commerce.

> One should pay great attention to the disputes of theologians, but as covertly as possible. The trouble one seems to take in pacifying them adds to their prestige; it shows that their thinking is so important that it determines the tranquility of the state and the security of the prince.
>
> One can no more put an end to their involvements by listening to their subtleties than one could abolish duels by establishing schools for refining upon the point of honor. (*Considerations* XXII)

Commerce is not only conducive to peace, prosperity and gentle mores. It is also the most powerful weapon and the leading edge of the Enlightenment attack on religious extremism. In the *Spirit of Laws*, we see both Montesquieu's dedication to battling prejudice through reason, and also Usbek's insight that it is necessary to make readers "feel" certain truths, through poetry, humor, narrative, history, etc., all the aspects of Montesquieu's writing that make him so enjoyable to read. But we also see the tinge of cynicism resurface from this earlier passage in the *Considerations*. Book 25 ends with a teaching about the limits of moral and rational argument. Thus commerce becomes even more important. It is only when, or *especially* when, other strategies fail, of appealing to the example of the prophets, of appealing to common humanity, of trying to brighten the dim glow of natural right through rational argument, that we come to realize the full significance of Montesquieu's political economy.

## Conclusion

In the last 40 years, Montesquieu scholarship has seen an increase in the number and variety of attempts to explain and revise Montesquieu's philosophy of liberalism. Perhaps no single issue has attracted as much debate as the idea that the purpose of the *Spirit of Laws* was "to admire, and to hold out to the admiration of mankind, the constitution of England" (Burke, quoted in Rahe 2009, vi; 210; 319 fn. 44). It is now less plausible to argue, as it once may have been, that "the British constitution was to Montesquieu, what Homer has been to the didactic writers on epic poetry"; that Montesquieu viewed the constitution of England as the standard or to use Madison's expression, "as the mirrour of political liberty" (Madison, *Federalist* #47), let alone that England should be considered the "polestar in political affairs" (Pangle 1989, 160). The "liberal" reading of Montesquieu revived by Thomas Pangle in the 1970s seems not to have weathered well.

This study presents a case against what is, in my view, an over-correction in the literature. This is a result, I suggest, of a miscalculation regarding the importance of Montesquieu's writings on commerce. So I have argued that Montesquieu should be viewed not only as a constitutional theorist of the first rank, but as an economist in the broadest sense, who provided liberalism with what is, arguably, its first complete political economy. Thinking of Montesquieu *as* a political economist has this advantage: it provides a unique opportunity to gain a new perspective on his well-trodden political thought. It also provides an opportunity, or an excuse, for revisiting the intellectual and historical roots of liberal republicanism, the greater virtues of which are often lost in the contentious debates about contemporary economic policy.

Above all, however, this study is an attempt at connecting Montesquieu's writings on commerce in a systematic way with his politics and so to remove a source—no small source, as we have seen—of the confusion surrounding Montesquieu's intention in the *Spirit of Laws*.

So what? Let us assume, for the sake of argument, that Montesquieu *is*, underneath the "infinite number of things" (Preface) in the *Spirit of Laws*, a liberal, whose political economy is meant to prop up a liberal political project. Let's assume without any argument that he should rightly be understood as belonging to that tribe of classical liberals, whose commerce-loving and liberty-defending chief is John Locke. Would our understanding of "liberal" or Lockean liberalism be much improved by the effort?

The first and simplest answer to this question is that liberalism requires more than one John Locke. More accurately, liberalism requires different arguments, appealing to different aspects of human nature, in favor of commerce and liberty—at least than can be provided in a single treatise. Montesquieu's political economy does that: in Montesquieu's writings on commerce, we find new ways to understand the significance of the break with the Christian and Aristotelian traditions, and along with it, new arguments in the service of humanity that both describe and promote the causes and conditions of moderate government. A second and more important answer is that liberalism requires more than John Locke. More specifically, liberalism may require different reasons—some in tension with the Lockean worldview, perhaps—that would help explain why liberal democracy is superior to other forms and the government most in accord with man's natural needs. In the face of so many "liberalisms" today, and as a result of the increasing interest in "informal" aspects of politics and community (e.g., how manners and 'moeurs' affect political outcomes and vice versa), many have argued that liberalism is in need of resources to help it navigate a "plural conception of modern liberalism" (Kingston 2009).

Montesquieu's liberalism is "flexible" (I.1). It contains within it, in Harvey Mansfield's words, a "cosmopolitanism that knows how to appreciate other nations without falling into relativism, and a worldly morality that never lapses into cynicism" (1993, 215). The effort to understand Montesquieu's political economy is justified to the extent that it opens up a perspective beyond the mere acquisition of wealth for its own sake, a consequence that is often, if erroneously, applied to Lockean liberalism and its "joyless quest for joy."[210]

Finally, understanding Montesquieu as a liberal—with qualifications—makes it possible to think of a "synthesis" of Montesquieuean and Lockean liberalism. Assuming, of course, that Montesquieu's understanding of nature, man, history, and so on, is not so different as to be incompatible with a Lockean worldview, we would then be in a better position to think about the possibilities for strengthening and revitalizing liberal democracy in the 21st century.[211]

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[210] Paul Rahe notes, for example, that Montesquieu self-consciously tried to correct Locke's reduction of human nature to a single motive, that is, to uneasiness; see Rahe (2009, 107-108). Rahe notes that Montesquieu had a French copy of Locke's *Essay*, that he knew the translator personally, and that he believed that Locke had erred in presuming that the effects of commercial liberalism would be the same in all countries (108) and that "his countrymen were representative of all mankind." Beyond this familiar critique of Lockean universalism, though, is a more interesting suggestion, first proffered—as Rahe shows—by Hegel. In Hegel's view, Montesquieu's correction of Locke is best understood in terms of his observation that Locke had erred in believing that liberalism would *not produce* that "tranquility of mind" that constitutes political liberty (108; 294).

[211] Of course, for a synthesis to make any sense at all, these two liberalisms must be different somehow. One critical difference, often noted by Montesquieu scholars, is the way in which Montesquieu downplays the connection between political liberty and natural rights, which had previously been central to the notions of freedom in the earliest expressions of modern natural law theory (Courtney 1963; Shklar 1984, 238). But one must consider the difference between the *effects* of their doctrines as well: Montesquieu, as Schaub notes, may be the only thinker "whose correction of the early moderns did not take the form of a dangerous radicalization" (Schaub 1995, Preface).

**Montesquieu's Reservations**

For now, it is worth emphasizing that many scholars reject the very basic premise of this study; specifically, that Montesquieu has anything in common with his classical liberal forebear across the channel.[212] So even this small first step in retrieving Montesquieu's liberalism points to an enormous challenge: in short, how to understand Montesquieu's own explicit reservations about the new commercial world.

Perhaps one of the most revealing examples of Montesquieu's reservations about commercial modernity can be found in his discussion of the way in which the English—who pursue the "tranquility" of liberty understood as security (XI.6)—are dominated, ironically, by a profound sense of uneasiness or *inquietude* (XIX.27). The English "resolve to kill themselves," he notes, "when one can imagine no reason for their decisions." Montesquieu then adds: "they kill themselves in the very midst of their happiness" (IV.12). The paradox of commercialism, it seems, is that commerce is simultaneously the greatest prop of Montesquieuean liberty *and* one of the main obstacles to achieving Montesquieuean liberty, if left unchecked. Many have observed the irony that England is, in Montesquieu's view, the "freest country in the world," not excepting "any republic" ("Notes on England"; Stewart 2000; see also XII.19 where Montesquieu intimates that the English are "the freest peoples that ever lived on earth"). The

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[212] There are many examples of Montesquieu's debt to Locke. Paul Rahe, for example, has argued that Montesquieu derived his anti-slavery argument in the *Spirit of Laws* directly from the *Two Treatises of Government* (Rahe 2009, 158). Montesquieu's account of executive and legislative powers draws on the same work (Rahe 2009, 289). Usbek, in the *Persian Letters,* mirrors Locke's political doctrine and his summary of the English outlook on life is "cribbed" from John Locke (Rahe 2009, 222-223; 308). And finally, Montesquieu picks up on Locke's "silence" about the problem of "uneasiness" in the *Two Treatises of Government* (Rahe 2009, 297).

English also have a great degree of civil liberty. "If a man in England were to have as many enemies as he has hairs on his head, nothing would happen to him: and that means a lot, for the health of the soul is as necessary as that of the body" (Ibid.). Yet Montesquieu is very clear that it is not commerce alone that makes this liberty possible. To be satisfied with "sustenance and life" hints of life in a despotic state (XV.1).[213] Luxury and "voluptuousness" is one of the root causes of the "cry for slavery" (XV.9). Most importantly, perhaps, commercial society is always changing and this necessarily leads to great upheavals and reversals in personal fortunes. "When there are such a great number of branches of commerce, it is not possible for some ranch not to suffer and, consequently, for its workers not to be in some temporary necessity" (XXIII.29). So commerce is treated both as the cause of the security of the English and, at the same time, one of the reasons for their *insecurity*. The liberal and commercial constitution appears to fail, judging by Montesquieu's own reservations, to be able to achieve its own "direct object." Those who pursue happiness in the market seem to be denied the possibility of securing that "tranquility" of mind that human beings so desire (XI.6).

Montesquieu had long reflected on this problem, but not only this problem. In the *Persian Letters*, one sees, for example, in the character of Rhedi, a surprising depth and scope of concern, which reveals the ways in which Montesquieu himself must have struggled with the question of whether the arts, sciences, and commerce, is good for mankind. Rhedi begins his journey abroad in the *Persian Letters* with great optimism about the prospects of commercial modernity. In Letter 29, we find out that he is literally overtaken with delight and excitement upon his arrival

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[213] The reverse is also true: Montesquieu observes that liberty does *not* require (as a necessary condition) commerce, noting that the "mountain people" do in fact "enjoy" their liberty, although it is "the only good worth defending" (XVIII.2).

in the dazzling commercial city of Venice. Rhedi proclaims "delight in living in a city where every day my mind is improved" and where it is possible, he says, to "[learn] about the secrets of commerce, the affairs of princes." Venice not only delights his senses; it is the source of his understanding and Enlightenment; it allows him, in his words, to finally "cast off the veil that covered my eyes in the land of my birth" (#29).

As time passes, however, and as Rhedi begins to reflect on the downsides to commercial civilization, his mood darkens. Note the profound change, for example, in Letter 102, where Rhedi, after having lived for an extended period of time in the bustling commercial towns, becomes utterly disillusioned about the whole prospect of commercial modernity. In fact, the experience of living in commercial society leaves the young man positively yearning for the "innocence of ancient times" (#102). Then Rhedi, in a long and thoughtful letter to Usbek, makes this confession: "I'm not convinced that the benefits [that the arts and science and commerce] bestow compensate man for the evil purposes to which they are turned every day" (#102). Rhedi, we find out, has come to suspect that commercial civilization is—as Montesquieu suggests above in his discussion of English restlessness—a greatly disappointing illusion.

Rhedi's worries are worth summarizing, for they show the true extent of Montesquieu's own worries and they prove beyond a doubt that Montesquieu had thought about providing a systematic reply to Rhedi's critique of commercial life. First, Rhedi worries that military technology ("bombs" and gunpowder) will undermine the traditional reliance on virtue and make European life "inhumane." The realities of technological warfare, he says, will someday "deprive all the peoples of Europe of their freedom." Rhedi worries, furthermore, that the "men of science" will "eventually discover some secret which would offer a faster way to kill people, destroy races, and wipe out entire nations" (#102). With science and technology and the rapid

spread of knowledge through commerce, come new and dangerous forms of biotechnology. Rhedi describes chemistry as a "fourth plague" that will ruin men's health and destroy them. Even the compass—which Montesquieu celebrates as a "hero" in Book 21 of the *Spirit of Laws*—has done more harm than good. In Rhedi's opinion, the compass will bring just as many "diseases [as wealth]." Indeed, trade and exploration has been "very harmful" to the countries discovered. Because of men like Alexander, old cultures and civilizations will be either destroyed or "reduced to such harsh servitude that the accounts alone will make [religious men] tremble."

In the next letter, Montesquieu begins to craft a reply.[214] Rather than dismiss Rhedi's concerns outright, Usbek begins by agreeing with him and by acknowledging the real dangers that Rhedi warns of in his letter. Montesquieu does the same in the *Spirit of Laws*. Rather than crassly ignoring the critics of modernity, Montesquieu lends his own voice to them, noting, for example, that democracies in particular are vulnerable to "the corruption of silver" (II.2). In a passage that seems to anticipate Tocqueville's theory of soft despotism, Montesquieu notes how "[the people] become cool, [and] grow fond of silver, and they are no longer fond of public affairs; without concern for the government or for what is proposed there, they quietly await their payments" (II.2). When virtue ceases in a democracy, "ambition enters those hearts that can

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[214] Usbek is clearly sympathetic. He admits, moreover, that commerce brings ugly social consequences: "In Paris for one man to lead an epicurean life, it is necessary for a hundred others to work unremittingly" (#103). Earlier, he had complained that "the greatest man in Paris is the one with the best horses to draw his carriage" (#86). Echoing Montesquieu's critique of Holland in the *Spirit of Laws*, Usbek argues that everything in commercial society runs on "favor" and honors are almost never awarded for real virtue. Providence, he says, does not ensure that wealth is given to "good people" in a commercial society. When one "closely examines the sort of people who have the most wealth, by dint of despising the wealthy, one comes to have a scorn for wealth" (#95).

admit it, and avarice enters them all" (III.3). When avarice takes over, frugality becomes a vice (III.3). Republics that lose the virtue that sustains them become "like a cast-off husk" with no strength other than the power of a few citizens "and the license of all." It is true that, in modern monarchy, virtue can be substituted or replaced with honor (III.6). But this does not prevent Montesquieu from lamenting the passage of virtue in the old republics. "When that virtue was in full force, things were done in those governments that we no longer see and that astonish our small souls" (IV.4).

Much more could be said about Montesquieu's doubts in the *Spirit of Laws*. Indeed, no government and no society in his twenty-year work comes up roses. Moreover, Montesquieu seems to have predicted that no future polity built on trade, and centered around the principle of gain, or "favor" (as Usbek puts it), can avoid the serious risks that come along with the liberation of the spirit of commerce from old kinds of authority and restraint. Echoing his argument about the "corruption of silver" in Book Two, Montesquieu notes that the English state "will perish" (especially when the legislative power is "more corrupt" than the executive power; XI.6). Indeed, Montesquieu is pessimistic about *any* political arrangement lasting for long. "All human things have an end," he says, adding England to a list of great nations that lost their liberty: Rome, Sparta, and Carthage (XI.6).

Yet, Montesquieu had not only thought through these difficulties, and accepted the risks of commercial modernity as a necessary evil, but also made a case, in his political economy, *why* the reader should join him in accepting these risks. Even in his early writings, there is enough evidence that Montesquieu had begun to craft a defense of commercial life. We see this in Usbek's reply to Rhedi's concerns, in Letter 103 of the *Persian Letters*. Usbek responds to Rhedi first by arguing that Rhedi has not properly estimated the extent of the problem. Rhedi has

"exaggerated" the evils of commercial society, says Usbek, noting, with some subtlety of argument, that it is only in a free and commercial society where one is "free to educate [oneself]" that a young person like Rhedi finds it possible to freely question the commercial way of life. Echoing a common charge against today's critics of capitalism, Montesquieu notes that it is precisely in those states where there is the most freedom and where intellectuals enjoy the greatest benefits of commerce that both commerce and freedom are considered "pernicious" (#103). Going deeper, Usbek reminds Rhedi in a friendly manner that he must think carefully about the "miserable, brutish conditions that would follow the loss of all branches of human knowledge." It is true, he adds, that modern empires have "almost all" been founded by "unenlightened" conquerors. But Rhedi must be careful here as well, since most of these conquerors "studied the different arts" and helped spread them to the peoples they conquered (#103).

As to Rhedi's worry about the "cruel destruction" of future military technology, Usbek argues that these weapons, once discovered, would be "buried" by those who discovered them, and by "international public law." Here Usbek anticipates the concept of mutually assured destruction, arguing that this "realization" will save mankind from its own inventions (the very existence of these weapons would assure reasonable men that it is "not in the interests" of nations to make conquests by such means). Usbek concedes that wars will be deadlier. But he notes, somewhat optimistically, that wars will "end sooner than they did in the past" (and that the absence of "hand-to-hand-fighting" will make the battles themselves less cruel and bloody). Science may have harmful consequences, but this is no reason to reject it in principle. Commerce and the arts may "emasculate nations" but this will not result in the "ruin" of modern empires. On the contrary, nations that pursue commerce will be stronger and more independent because

they will be able to pay for their wars without destroying their own people through excessive taxation (#103; compare XIII.14, XIII.17 and XIX.27). The fact that many ancient empires—including the Persian Empire—were ruined by "indolence" is far "from being a conclusive example." Most importantly, it is *not* true, argues Usbek, that commerce and the arts make men "effeminate." In a well-regulated country, where men take a pleasure in such activities, artists, and commercial men, will have to work particularly hard to "avoid the disgrace of penury." The unpredictability of commercial society will make life "hard" and force people to work more. It is in a place like Paris, "the most sensual city in the world," where life is "perhaps the hardest" (#103). Because of this passion to work, and to acquire more wealth, every person in every condition will be affected by this spirit of industry (not wanting to be "poorer than the man he's just seen, whose situation is by a mere hair's breadth inferior to his own"). Idleness and effeminacy, concludes Usbek, in a sentence that points forward to his description of the heroic Tyreans and the hard-working people of Marseilles, are "incompatible with the pursuit of the arts" (#103).

Usbek's reply to Rhedi suggests, in my view, that Montesquieu had in mind a longer defense of commercial society when he wrote the *Persian Letters*. But it was incomplete in a few ways, not only because it left untouched the deeper problem (as above) of whether commerce could in fact make people *happier*. In fact, Montesquieu seems to put off this question, even in the *Spirit of Laws*, when he argues that it is "not for me to examine whether at present the English enjoy this liberty or not. It suffices for me to say that it is established by their laws, and I seek no further" (XI.6). Usbek had argued in the *Persian Letters* that a nation *without* commerce (and therefore the things that "provide pleasure or nourish the imagination") would be the "most miserable" nation in the world. But Montesquieu knew that it does not follow that commercial

life makes men the happiest.[215] He seems to leave open the possibility—and to confirm our suspicions—that there is, after all, no link, or no necessary connection between commerce and happiness. So we come to the final difficulty: if Montesquieu's defense of commerce does not include a discussion of human fulfillment, can Montesquieu's political economy really *compel* our acceptance? What, ultimately, is the payoff of living in a commercial society?[216]

Montesquieu's reservations provide sufficient indication that the chief blessing of commercial modernity cannot merely be that it leaves everyone free, as Usbek puts it, to "work unremittently" (#103). Even on Montesquieu's own grounds, the blessing of commercial modernity cannot be that it makes us as free (like the Parisians) to "toil incessantly" and to "live on until the Day of Judgment" in order merely to "store up" what is "sufficient to live on" (#103). In order to convince his reader to live with the attendant evils of commercial civilization, and therefore, to join Montesquieu in his choice of modernity over its alternatives, Montesquieu

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[215] Montesquieu adds, in the *Persian Letters*, that a nation without commerce and the arts would "become so enfeebled that there would exist no power, however insignificant, that was incapable of conquering it."

[216] This question about the relationship between modernity and human happiness was on Montesquieu's mind from the beginning, as is clear in the 10th letter of the *Persian Letters*. Mirza, frustrated with the answers he finds in the "mullahs" who drive him to "despair with their citations from Qur'an," makes the following challenge, not unlike Glaucon's in the *Republic*. "Yesterday we discussed whether man's happiness depends on pleasure and the satisfaction of the senses, or on the practice of virtue. I have often heard you say that man was born to be virtuous and that justice is a quality as natural to him as existence himself. Explain, I beg you, what you mean" (#10). It is this question that prompts Usbek's famous depiction of the life of the Troglodytes in Letter 11.

knows that it would be necessary to explain to his audience *why* the chief blessing of commercial modernity is not, after all, commerce, but liberty.[217]

**Commerce and Liberty**

*That* liberty is the compensation, and therefore the keystone, of Montesquieu's defense of commerce follows from our analysis of England as a "polestar." *That* England is oriented toward this "direct purpose" of liberty is clear (XI.5). But many have wondered whether Montesquieu thinks liberty is sufficient compensation—and whether it provides an adequate substitute—for the loss of virtue in modern times. Montesquieu promises, for example, to examine the "principles" that this nation is founded on, arguing that "*if these principles are good*, liberty will appear there as in a mirror" (XI.5). Yet, as noted, Montesquieu draws back from concluding whether or not "the English enjoy this liberty" (XI.6). Book 11 of the *Spirit of Laws* thus leaves open the question of whether political liberty is sufficient either unto itself, or as a practical matter, to address the real worries of a spirited, thoughtful, young man, like Rhedi.

Answering this question requires a brief summary of Montesquieu's view of liberty. First, it must be noted that there are two kinds of liberty, a point that Montesquieu makes clear in the opening chapter of Book 11 ("I distinguish the laws that form political liberty in its relation with the constitution from those that form it in relation with the citizen" [XI.1]). Next, it is clear that both of these kinds of liberty belong (roughly) to the category of "negative liberty" identified by

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[217] This kind of Liberty is partly good in itself, because it provides a pleasurable feeling that erases the dread or fear that arises in a system where power is not limited by a constitution of checks and balances (III.8-10). "Tranquility" in other words is a state of mind, which is good for its own sake, and that goes along with the opinion of one's own security. And it is partly good, as will be explained below, because it makes possible what Montesquieu calls elsewhere "philosophic liberty" (XII.2), which is the opinion one has of "that one exercises one's will" (XII.2).

Berlin (1969) in his classic discussion of freedom. The question of what human beings should do with their lives is answered, in a Montesquieuean context, only within the sphere of civil society, not government or politics (Carrithers 2002, 11). Liberty, in short, is not self-government (or the "privilege of being governed only by a man of [one's] own nation, or by [one's] own laws, [XI.2]), but security (Pangle, 1973, 109; Rahe, 2001, 70; Krause 2005, 88).[218]

Going further, Montesquieu denies that liberty can mean "doing what one wants" (XI.3). It was clear why Montesquieu would argue this in the economic realm. Liberty, he argues in Book 20, does not exist in a place where commerce is entirely independent or unlimited: "[liberty] is not a faculty accorded to the businessmen to do what they wish," argues Montesquieu. "This would rather be its servitude" (XX.12). In fact, "it is in countries of liberty that the businessman finds obstacles without number; and he is never less crossed by the laws than in countries of servitude" (XX.12). So in Book 11, Montesquieu rejects the more general notion that liberty is license (cf. Locke 2003, 270) or that it is the freedom to "do what one wants." Liberty exists in a society "where there are laws" that *protect* people from other people's desire to do what they "want." And so it is only in a society where there are laws that allow the citizens to do "what one should want to do" (XX.3) that one can be considered free in this basic sense. In chapter three of Book 11, Montesquieu clarifies this further, insisting that liberty is not "independence." Again, liberty exists where there are *laws* set up in such a way as to prevent true independence, which always leads, in Montesquieu's view, to the abuse of power (XX.4). The reason why Montesquieu avoids connecting liberty with independence arises from his view of

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[218] Other commentators have emphasized Montesquieuean liberty as a kind of "aristocratic resistance" to royal absolutism (Cox 1983; Kingston 1996; Richter 1995; compare Krause 2005, 88). Yet others have emphasized Montesquieuean liberty as *distinct* from the Hobbesian and Lockean association of freedom with natural rights (Courtney 1963; Shklar 1984).

man's nature. "It has eternally been observed that any man who has power is led to abuse it; he continues until he finds limits" (XX.4). So Montesquieu concludes that democracy and aristocracy are not "free states by their nature," adding: "Who would think it! Even virtue has needs of limits."

Many have pointed out that Montesquieu's defense of liberty seems quite spare; it seems not to go beyond the simple notion of "noninterference." Political liberty is present when power is not abused (XI.4). This requires strong institutions: "So that one cannot abuse power, power must check power by the arrangement of things" (XI.4). It seems that good civil and political laws need only protect us—like good economic policy—from the abuse of power that inevitably results when power is not divided in a way that puts limits on those who have control of the levers of government (XI.4; XI.6).

In chapter six, however, "On the constitution of England," we find out why liberty in relation to the constitution is not enough. There must also be "liberty in relation with the citizen," which Montesquieu defines as "that tranquility of spirit which comes from the opinion each one has of his security" (XI.6). Good civil and political laws protect us not just from government and others, in reality, but from the *fear* that the laws will not be there to protect us when it matters. "To have this liberty the government must be such that one citizen cannot fear another citizen" (XI.6). Here is one way in which Montesquieu departs from earlier conceptions of liberty. Liberty is, above all, a state of mind—the *opinion* that one is secure.

So much is familiar, and yet, if one stops here, it is necessary to come to the conclusion that the ultimate payoff of liberty in the modern commercial world is still, at bottom, some version of Berlin's negative liberty. Montesquieuean liberty merely takes Hobbesian liberty and "transplants" it, one could say, into the realm of subjective opinion. Liberty is the achievement of

a state of mind, making it possible, as Montesquieu himself notes, for a citizen to feel just as free in a moderate monarchy as the most free republic. Yet there are hints that this is not all there is to the story, and therefore, not all there is to Montesquieu's defense of modern republican liberty. Montesquieu had noted, for example, that liberty can consist only in having the power to do what one *should* want to do, in chapter three (XI.3). At the close of Book 11, Montesquieu notes that there are more "degrees" of liberty than he is willing to discuss (arguing that "one must not always so exhaust a subject that one leaves nothing for the reader to do" [XI.20]). But perhaps the most puzzling statement comes in chapter two of Book 12, where Montesquieu introduces a yet undisclosed kind of liberty, called "philosophical liberty" (XII.2). This, he says, "consists in the exercise of one's will or, at least (if all systems must be mentioned), in one's opinion that one exerts one's will" (XII.2). Philosophical liberty is different from political liberty, argues Montesquieu, because political liberty is limited to the human desire for security. With philosophical liberty, however, Montesquieu hints that there exists another human good that is maximized—or made possible—in the liberal state. This separate good is the ability to "exercise one's will." As with political liberty, however, this kind of liberty need not be real: Montesquieu leaves it open whether it is good enough if one has the *opinion* that one exerts one's will.[219]

Perhaps, then, the ultimate payoff in Montesquieu's account is some combination of political, "civil," and philosophical liberty. The liberal and commercial state guarantees more than political liberty (although this is certainly a very great good if one could have it; see, for

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[219] For a recent—and stimulating—discussion of this notion of philosophical liberty, and how it "adds" to and compliments "political liberty," therefore adding an extra dimension to Montesquieu's spare (too spare, for some) notion of liberty, see Krause, "Two Concepts of Liberty in Montesquieu" (2005).

example, XVIII.2). It makes possible, in other words, a form of positive liberty that is psychological or metaphysical rather than political. The liberal state allows one to enjoy the opinion that one is capable of exercising "free will." Political liberty is valuable, then, not because it is the ultimate human fulfillment, but because it makes possible the other two kinds of liberty. Political liberty, which rests on the limitation of the will, is valuable, to borrow a formulation of Sharon Krause, because it "issues in the exercise of will and so gives rise to the experience of philosophical liberty" (Krause 2005, 88). The philosophical aspect of liberty is connected to commercial society because it is only here that human beings are allowed, on the most basic level, to "act for themselves" and therefore to *believe* that their success, or failure, is conditioned fully on their own skills, talents, industry, hard work, etc. (XIII.2; XV.13; XVII.2; XVII.6; XX.22; XIX.27).[220] In commercial society, it is true that one may feel "a certain difficulty in existence" (XIV.12) and a corresponding "gravity" (XIX.9) and therefore a lack of a "joy in life, taste," and the "sociable humor" and "openness of heart" (XIX.5). But it is only in such a place, Montesquieu suggests, where the capacity of human beings to be able "to act for themselves" is realized on the largest scale. So it may be true that even the best modern constitution does not allow its citizens to achieve their own "direct purpose." But this is balanced, as we can now see, by an end beyond this "direct" purpose; in short, by a different

[220] This returns us to Montesquieu's explanation of the power of commerce in his chapter on the nobility in Book 20. "When nobility can be acquired with silver, it greatly encourages traders to put themselves in a position to attain it."

kind of satisfaction, which is the feeling that one is nevertheless in control of the *degree* to which one can enjoy one's liberty.[221]

For now, we can see that the full answer to this question about happiness in a commercial state must contain within it a defense of "philosophical liberty"—understood not literally as the freedom to philosophize, but more abstractly, as the "opinion" that one exercises one's "free will." This raises one more puzzle, however, in regard to Montesquieuean liberty. If philosophical liberty is, as Montesquieu seems to suggest, the ultimate payoff—and therefore just compensation—for living in commercial society, why should Montesquieu avoid making this the obvious goal? One answer is that Montesquieu had good reason to keep it in the background, so to speak, because highlighting the notion of philosophical liberty would have drawn further attention to the more controversial aspects of his thought, namely, "his departures from Christian metaphysics" (Krause 2005, 95). A second reason can be suggested as follows. We see, even in this cursory discussion, that "philosophical liberty" undermines, to some extent, the notion that free government depends on having a free soul. Paul Rahe expresses the problem like this: "Carefully, and tellingly, [Montesquieu] refrains from making self-government dependent on a freedom that the soul may not, in fact, possess" (2009, 154). Rahe continues, "as is so often the case in Montesquieu's thought, what matters politically is less the fact than the presumption." Montesquieu seems to suggest, in other words, that man is much less, perhaps radically less, free than is supposed by liberal political philosophers like Hobbes and Locke

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[221] Krause extends this further and argues that philosophical liberty is itself precondition for the rule of law and free government (2005).

before him. This conclusion is made possible by Montesquieu's caveat that philosophical liberty may rest on holding the *opinion* that one exercises one's free will. Montesquieu returns to the effectual truth of things. Most human beings in a commercial society can in fact achieve the pleasurable and comforting sensation that we can exercise our wills, and that we are not, ultimately, enslaved by "nature's dominion" (Rahe 2009, 150-155). Yet this ends in the unsettling suggestion that the fullest possible account of liberty is founded on a mistake or an illusion.[222] So here is a second reason why Montesquieu does not trumpet philosophical liberty as the ultimate justification of commercial life. It would be a difficult proposition to accept, indeed, that modernity is not, after all, a choice that we can make for ourselves. It matters not whether we do in fact exercise our free will over other forces of history, nature, and so on. What matters is only that we think it possible that we make this choice. Then we would be not unlike the unflattering picture of the French people, who Montesquieu argues are "like fish caught in loose nets who nevertheless feel themselves to be free" (Montesquieu 1951, 1801).

Such a conclusion rests, however, on the assumption that Montesquieu finally abandons political philosophy for historical philosophy (Pangle 1983, 305). One could argue that it also exposes Montesquieu to Rousseau's critique of modern liberal freedom; that is, as a delusion, based as it is on "necessity," but also, in one scholar's words, "pathetic, weak, and vulgar" (Manent 1995, 77). Yet it is crucial to note that Montesquieu understands nature, climate, and history—to use his own expression—as a "loose net" surrounding the individual will.

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[222] For a discussion, including the reasons why "the exercise of one's will" is something more than merely false opinion, see Krause (2011, 93). Montesquieu's treatment of legislators like Lycurgus, Solon, Constantine, Peter I, and William Penn suggests, according to Krause, that the forces of determinism can not only be resisted but surmounted and overcome "in some measure." The *Spirit of Laws* is meant, after all, to be an "agent of political change" in the direction of moderate government (2001, 94).

Montesquieu insists that there is a truly significant variation in *degrees* of liberty. The English, for example, are in fact different from the French: they are "like fish who swim in the sea without constraint at all" (Montesquieu 1951, 1801; 1431). The subjective experience of "philosophical liberty" is in fact subject to a range of actualization. This range of actualization depends on human agency, which Montesquieu has been promoting throughout the *Spirit of Laws*. Man has made progress in the science of politics, therefore limiting the extent to which he is fated to live under the "government of one alone" (IX.1). Human nature is *capable* of resisiting despotic government, even though it "jumps up, so to speak, before our eyes" (V.14). There *is* a knowledge "already acquired in some countries" that is, in Montesquieu's words, "of more concern to mankind than anything else in the world" (XII.2). Men are capable of making true gains in knowledge of political right and justice, "the one thing in the world that it is most important for men to know" (VI.2). Man may be naturally wicked and a "rascal" one by one, but "well-policed" nations are able to suppress the worst in man (VI.17). It is true that the history of man is full of errors, but there is "often something true even in errors" that we can learn from (VIII.21). Through reason, man is capable of rectifying "accidents of fortune" (X.13). History privdes hints that man is capable of "devising" a "best kind of government" (XI.8). The "masterwork of legislation" is rarely produced by chance but capable of being realized, if only rarely, by "prudence."

Liberty is not, therefore, merely an illusion, or a mistake, because there are particular cases where man can resist—within a certain latitude—the natural forces that seem to reduce his prospects for fulfillment to a mere "opinion." The point is not purely metaphysical. In his notebooks, Montesquieu makes clear that there are political consequences for maintaining this view; i.e., that mankind can exercise his will over. Pure liberty, he notes, *is* a state of mind. It is a

"philosophical state rather than a civil state." But this does *not* make political choice irrelevant. "This is not to deny," he concludes, "that there are very good and very bad governments, and even that a constitution is *more imperfect* in the measure that it draws away from this philosophical idea of liberty that we have" (Montesquieu 1951,1798; emphasis added).

As it turns out, even this "subjective" notion of liberty implies a non-subjective standard. Liberty—or having a free soul—implies free government. The liberal state is both the effect and the *cause* of individual freedom. Philosophical liberty requires, in Montesquieu's view, a certain "arrangement" of governments along a spectrum of more perfect (those that draw toward philosophical liberty) and less perfect (those that draw away from it). Perhaps the "more perfect" governments are exceedingly rare. But this by no means undermines the notion that human beings are capable of government by reflection and choice; that we are not, in fact, "destined" to depend for our "political constitutions" on "accident and force." Here one can perceive the last and most significant connection between Montesquieu's liberal politics and Montesquieu's political economy. Liberal republicanism must avoid the harmful belief that commercial modernity chooses us, and not the other way around.

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