



Charles de Montesquieu,

(Charles Louis de Secondat, baron de la Brède et de Montesquieu)

***1689 near Bordeaux +1755 Paris**

Montesquieu is one of the most influential and renowned representatives of the enlightenment in France. Based on his broad interest in history, philosophy, law and politics, he pursues a remarkable career as judge, politician, novelist and political thinker. An accomplished scholar of ancient political history, he writes on "The Grandeur and Decadence of the Romans" (1734) while travelling extensively through Europe to study the different political developments. After staying for two years in England and as an admirer of John Locke and the British constitution, he writes his famous treatise „The Spirit of the Laws“, widely discussed all over Europe after being published in 1748, in which he elaborates what he is most famous for today, his theories about the separation of powers in a viable and free polity. Without containing and balancing legislative, executive and judiciary powers there is no freedom and no protection against abuse of power. This basic principle of liberal democracy has eventually become mainstream all over the civilised world, though despotism has survived all too well.

Especially interesting in a liberal view is Montesquieu's emphasis on political liberty. Many see his „Spirit of the Laws“ as genuine starting point of political liberalism and underline his direct influence on the

principle of checks and balances in the American constitution. Jefferson, the author of the Declaration of Independence, Hamilton and Madison were all very familiar with and inspired by Montesquieu's theories.

Seeing without illusion that political power tends to be abused by the power holders, Montesquieu argues convincingly for the reduction of arbitrary decision making and an extension of the rule of law – not only for the personal safety and benefit of the citizens, but as a decisive benefit and competitive advantage of the state as well.

In the first eight books of „The Spirit of the Laws“, Montesquieu develops his theory of governments, defining and contrasting the democratic republic and the aristocratic republic with monarchy and despotism. The theory of political liberty is developed in book 11, promoting liberty for the citizens as the right to do what they want within the limits of what the laws allow. Here, Montesquieu sounds particularly modern in defining the limits of personal freedom at the point where it may infringe upon the freedoms of others.

Montesquieu was also a forerunner in political economy by studying the differences in economic development of nations in Europe and Asia and by highlighting the necessity of competition in a free market for determining the right price for a merchandise.

Literature:

- Aron, Raymond, 1968: Main Currents of Sociological Thought, Doubleday, NY
- Berlin, Isaiah, 1990: Montesquieu, Hogarth Press, London
- Richter, Melvin, 1977: The Political Theory of Montesquieu, Cambridge University Press

Websites:

www.constitution.org/cm/sol.htm

(The Spirit of the Laws, Text in English)

www.u-grenoble3.fr/Montesquieu

(Société Montesquieu etc. in French)

Wolfgang Sachsenröder