

THOUGHTS UPON MONTESQUIEU'S SPIRIT OF LAWS.

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UPON

BARON MONTESQUIEU'S "SPIRIT OF LAWS."

[PRINTED IN THE YEAR 1781.]

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1. As some of my friends desire I would give them my thoughts on "The Spirit of Laws," I do it willingly, and in the plainest manner I can; that, if I am wrong, I may be

the sooner set right. I undertook the reading of it with huge expectation, hoping to find an invaluable treasure; as the author is seldom spoken of, but as the Phoenix of the age, a prodigy of understanding; and the book is everywhere spoken of as the highest effort of genius that ever was. Accordingly, as late as it has appeared in an English dress, it is already come to the eleventh edition; and who knows but in a few years more it may come to the two-and-twentieth?

2. Yet I cannot but observe, that in several places the translator does not seem to understand the original; that there is, in the last London edition, a great number of typographical errors; and that, not in a few places, either the translator or the printer has made absolute nonsense.

3. But whence is it that such a multitude of people so hugely admire, and highly applaud, this treatise? Perhaps nine in ten of them do this because others do: They follow the cry without why or wherefore: They follow one another, like a flock of sheep; they run on, because many run before them. It is quite the fashion; and who would be out of the fashion? As well be out of the world. Not that one half of these have read the book over; nor does one in ten of them understand it. But it is enough that "every one commends it; and why should not I too?" especially as he seems greatly to admire himself, and upon occasion to commend himself too; though in a modest, decent way; not in that fulsome manner which is common among modern writers.

4. Others admire him because of his vast learning, testified by the numerous books he refers to; and yet others, because he is no bigot to Christianity, because he is a free and liberal thinker. I doubt whether many gentlemen do not admire him on this account more than on all the others put together; and the rather, because he does not openly attack the religion of his country, but wraps up in the most neat and decent language the remarks which strike at the root of it.

5. But it cannot be denied that he deserves our commendation upon several accounts. He has an extremely fine imagination, and no small degree of understanding. His style is lively, and, even under the disadvantage of a translation, terse and elegant. Add to this, that he has many

remarks which I suppose are perfectly his own ; at least, I never remember to have seen them in any either ancient or modern writer. Now, when all these things are considered, is it any wonder that he should be received with so high and general applause ?

6. "Why, then, do not you concur with the general voice? Why do not you pay him the same admiration?" Without any preface or apology, I will tell you my reasons; and then let you or any candid man judge whether they are not sufficient.

I do not greatly admire him, (1.) Because so large a part of his book, I believe little less than half of it, is dry, dull, unaffecting, and unentertaining; at least, to all but Frenchmen. What have I or any Briton to do with the petty changes in the French government? What have we to do with a long, tedious detail of the old, obsolete, feudal laws? Over and above that we cannot find any use therein, that the knowledge of these things answers no one reasonable purpose, it touches none of the passions; it gives no pleasure, no entertainment, to a thinking mind. It is heavy and tedious to the last degree. It is as insipid as the Travels of Thomas Coryat.

7. I do not admire him, (2.) Because I think he makes very many remarks that are not just; and because he gives us many assertions which are not true. But all these he pronounces as *ex cathedra*, with an air of infallibility; as though he were the Dictator not only of France, but of Europe; as though he expected all men to bow before him.

8. But what I least of all admire is, his laying hold on every opportunity to depreciate the inspired writers; Moses, in particular. Indeed, here his prudence and decency seem to fail him; and he speaks of the Jewish Lawgiver with as little respect or reserve as he would of Lycurgus, Romulus, or Numa Pompilius.

9. These are some of the reflections which readily occurred to me from a cursory reading of this celebrated author. I add but one more: What is the meaning of his title-page? I am afraid of stumbling at the threshold. What does he mean by "the Spirit of Laws?" After reading the whole book, I really do not know. The words give me no idea at all; and the more I study, the less I comprehend them. The author never defines them at all. I verily believe he

did not comprehend them himself. I believe he had no clear or determinate ideas affixed to those words. And was he not likely, when he set out with his head in a mist, to go on in a wonderful manner? Other talents he undoubtedly had; but two he wanted,—religion and logic. Therefore, he ought to be read warily by those who are not well grounded in both.

10. Upon the whole, I think Baron Montesquieu was wholly unworthy of the violent encomiums which have been bestowed upon him. I think he excelled in imagination, but not in judgment, any more than in solid learning. I think, in a word, that he was a child to Monsieur Pascal, Father Malebranche, or Mr. Locke.

