

Climate and Slavery in *the Spirit of the Laws*: Reflections on Books 14 and 15

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Montesquieu's *The Spirit of the Laws* has been criticized for making allowances for slavery. There is no doubt that it played a role in legitimizing French colonial slavery. However, some interpretations that are antithetical to the actual spirit and nature of Montesquieu's work have obscured vital insight it can provide about the encroaching dangers of despotism. This article argues that Montesquieu's true message is that despotism is the greatest threat to freedom everywhere. While slavery can occasionally arise in free states and turn them despotic, the much greater threat is despotism which not only does not have the capacity to mitigate any negative effects of climate, but also creates a state of political servitude which inevitably leads to other forms of slavery. This article also argues that Montesquieu's discussion of climate in books 14 and 15 provides particular insight into Montesquieu's idea of mores. Climate shapes mores; however, people also shape mores. In particular, Montesquieu speaks of the significant role of women in shaping mores and thus fostering freedom. His deliberation on women, climate, and mores implies there is at least some potential for change to be wrought under despotism. Montesquieu's discussion of climate and slavery in books 14 and 15 of *The Spirit of the Laws* contains the sensitivity to culture necessary for political liberation and an important remedy to deterministic causes, such as climate.

"But whatever the nature of slavery, civil laws must seek to remove, on the one hand, its abuses and on the other, its dangers," Montesquieu writes in book 15 of *The Spirit of the Laws*.¹ This passage exemplifies the tie between Montesquieu's discussion of slavery and his political philosophy, especially his conception of despotism. Throughout the treatise, Montesquieu provides ample evidence of the abuses of slavery, specifically the impact it has on the character of individuals who live under it. He makes the universal pronouncement that slavery is not good "by its nature," then continues to highlight the corrosive effect it has on individuals; it is "useful neither to the master nor the slave: not the slave, because he can do nothing from virtue; not to the master... because he grows proud, curt, harsh, angry, voluptuous, and cruel."² The atrocity of slavery often occurs because men are led toward prejudice and are obscured from their basic equality. Montesquieu provides many examples and critiques of these tendencies throughout the treatise, one notable section being his sardonic dismantling of many common European defenses for slavery in book 15, chapter five. Ultimately, the goal of *The Spirit of the Laws* is to provide a framework that promotes political liberty, and Montesquieu demonstrates how slavery, in any form, is antithetical to that end.

The Spirit of the Laws has been criticized for making allowances for slavery. There is no doubt that it played a role in legitimizing French colonial slavery. However, some interpretations that are antithetical to the actual spirit and nature of Montesquieu's work have obscured vital insight it can provide about the encroaching dangers of despotism. Montesquieu seeks to create a political framework that ensures liberty and promotes human flourishing. In order to do so, he evaluates what factors may impede freedom. Montesquieu's discussion of the environmental determinism of warm climates, which he worries make men idle and encourage forced labor, is an area that is often pointed to as making allowances for slavery.

¹ Montesquieu, *The Spirit of the Laws* (Cambridge: Cambridge University Press, 1989), 254.

² *Ibid.*, 246.

This article argues instead that Montesquieu's true message is that even warm climate states face no greater threat from slavery than any other state. The decisive factor is not climate but laws and structures, specifically, freedom versus despotism. While slavery can occasionally arise in free states and turn them despotic, the much greater threat is despotism which not only does not have the capacity to mitigate any negative effects of climate, but also creates a state of political servitude which inevitably leads to other forms of slavery. This article also argues that Montesquieu's discussion of climate in books 14 and 15 provides particular insight into Montesquieu's idea of mores: that each different people has a unique and un-corruptible essence of their particular culture. Climate shapes mores; however, people also shape mores. In particular, Montesquieu speaks of the significant role of women in shaping mores and thus fostering freedom. His deliberation on women, climate, and mores implies there is at least some potential for change to be wrought under despotism. Montesquieu's discussion of climate and slavery in books 14 and 15 of *The Spirit of the Laws* contains the sensitivity to culture necessary for political liberation and an important remedy to deterministic causes, such as climate.

Despotism and Slavery

Under despotism, there are no citizens, only men, and they are not ruled by laws but by the caprices of one individual. Montesquieu's ideas of slavery and despotism are deeply connected because to live under despotic government is to live in political slavery, which engenders other forms of slavery. Slavery can emerge in a free state and lead it toward despotic tendencies, but only if the laws and structures that keep that state free are already weakening. Montesquieu explains that all men "are equal in despotic government" because "they are nothing."³ All men, including the despot himself, are "slaves," who must be taught to be servile through fear.⁴ Thus, Montesquieu ties political servitude to despotic government.

Montesquieu believes that humans are irrevocably shaped by the political structures they live within. He makes this view clear in the preface of *The Spirit of the Laws*, describing "man" as "that flexible being who adapts himself in society to the thoughts and impressions of others."⁵ Thus, the character of the state is critical because of the impact it has on the character of individuals living under it. Montesquieu identifies two elements that characterize each form of government: the nature and the principle. The nature is the structure of a certain form of government and the principle is the defining sentiment that "makes it act."⁶ The nature and principle of despotic government, and the impact these two elements have on the individuals living under that structure, connect to Montesquieu's idea of political slavery.

The nature of despotic government is that "one alone governs according to his wills and caprices;" its principle is fear.⁷ The nature of despotism means that the personal and political are entirely unified; there is no true political sphere because politics is reduced to the will of one individual. Montesquieu explains that "the preservation of the state is only the preservation of the prince... everything comes down to reconciling political and civil government with domestic government."⁸ In despotism, the despot is the state. In addition, the various spheres that govern interaction in the political and social landscapes are melded so that the political, civil, and domestic cannot be separated. This union is in contrast to other forms of government where there are spheres of separation between the political and the personal.⁹

In despotic government, because the government is a function of one individual and has no political apparatus, there are no citizens; there are only men. Montesquieu makes clear this distinction between citizens and men stating, "the society is the union of men and not the men themselves; the citizen may perish and the man remain."¹⁰

³ Ibid., 75.

⁴ Ibid., 27, 34.

⁵ Ibid., xliv-xlv.

⁶ Ibid., 21.

⁷ Ibid., 21, 28.

⁸ Ibid., 60.

⁹ My idea on the nature of despotism as an erasure of the separation between the personal and the political is informed by Diana Schaub's work in *Erotic Liberalism*.

¹⁰ Montesquieu, *The Spirit of the Laws*, 140.

Thus, critically, while “laws regulate the actions of the citizen,” who exists in a political structure, “mores regulate the actions of the man,” who lives not under a political structure, but under the whims of one man.¹¹ Montesquieu argues that the principle of despotic governments is corrupt by its nature and thus cannot be cured by laws.¹² Indeed, laws do not truly exist in despotic states. Mores are the means by which change can be wrought in a despotism.¹³ There are not laws or political apparatuses to temper the vices in a despotism because they stem from the very nature of the government. Despotism, therefore, “can maintain itself only when circumstances, which arise from the climate, the religion, and the situation or genius of the people, force it to follow some order and to suffer some rule;” arbitrary elements shape the nature of despotism.¹⁴

It is important to recognize that Montesquieu does more than simply connect slavery and despotism. He demonstrates that despotism engenders all forms of slavery. Where there is political servitude, other forms inevitably follow. Although physical factors, such as climate or terrain, incline some locations to despotism more than others, the more profound issue is that despotic government does not have the means by which to temper the slavish impulses caused by factors such as climate. Sharon Krause, in her work entitled “Despotism in ‘The Spirit of The Laws,’” explains this phenomenon, stating, “the mechanistic materialism resulting from the principles of fear and appetite suggests a loss of will at the foundation of despotism. The despot, as much as his subjects, acts as he must, not as he chooses.”¹⁵ Despotism does not contain the structures, nor does it foster the strength of character in individuals, to combat the debilitating effects of climate. Therefore, despotism is the core and underlying casual factor of all slavery. Climate is simply a factor that the good legislator must understand in order to manage its implications and hence promote political liberty.

The nature of government has a critical impact on each citizen living within the state. If political liberty and freedom are promoted by the structures and laws, then citizens have the potential to be free; “every man, considered to have a free soul,” has the liberty to govern himself under the apparatus of the laws.¹⁶ This freedom is in contrast to despotic governments which do not have a political structure and where the people are actively “corrupted.”¹⁷ Krause recognizes this connection between the form of government and the nature of people living under it. She argues that the organizing analytical structure of the work is around despotism as a negative foil, stating that Montesquieu’s “description of the human condition under despotic government... functions as a negative model that contains the positive implications for understanding human nature and human ends, and so suggests a justification for political liberty.”¹⁸ The principle of despotic government is fear, and it inevitably rests on “the debasement of human beings and the erosion of human excellence,” because of humanity’s inherent malleability.¹⁹ Thus, the books on climate and slavery are of critical import because they educate the good legislator on factors that would foster despotism and slavery under their government, and they provide recommendations on how to address slavery in a manner that minimizes the corrosive impact it could have on people. The good legislator must understand the impacts of climate on the people in order to create laws that temper the slavish impulses that climate may elicit. Further, the climate is a component that impacts mores, and an understanding of mores is critical for uncovering how change can be wrought under despotism.

The Historical Impact and the Idea of Mores

There is no doubt that *The Spirit of the Laws* played a role in legitimizing French colonial slavery. Its misuse for ends antithetical to the spirit and nature of the work have obscured some of the critical insight it can provide. In his work “The Colonial Enlightenment Between ‘Code Noir’ and ‘Code Civil,’” Ghachem provides a historical survey of ways in which the complexities of the work and the ambiguities of the idea of mores allowed for the legitimization of slavery in the French Caribbean.

¹¹ Ibid., 317.

¹² Ibid., 86, 119.

¹³ Ibid., 314.

¹⁴ Ibid., 119.

¹⁵ Sharon Krause, “Despotism in ‘The Spirit of The Laws,’” in *Montesquieu's Science of Politics: Essays on “The Spirit of the Laws,”* ed. David W. Carrithers, Michael A. Mosher, and Paul A. Rahe (Lanham, MD: Rowman & Littlefield Publishers, Inc., 2001), 248.

¹⁶ Montesquieu, *The Spirit of the Laws*, 159.

¹⁷ Ibid., 86.

¹⁸ Krause, “Despotism,” 232.

¹⁹ Ibid., 248.

He argues that the complexity of the treatise and the idea of mores are what made the treatise easy to misuse. Ghachem's discussion of mores connects to the issue of the environmental determinism of warm climates, the part of Montesquieu's political framework that most compellingly can be said to make allowances toward slavery.

In Ghachem's terms, colonialism pertains directly to the historical reality of the French monarchy's control and exploitation of islands in the Caribbean, particularly of Saint Domingue. The relationship between the "local" (colonies) and the "metropole" was a transactional one, with slave labor providing critical wealth for the French Empire. French colonialism was characterized not only by forced labor in order to extract raw material to enrich the French crown; it also entailed an attempt to condense the varied and complex laws of the colony under one routinized and uniform French code.

Throughout the work, Ghachem provides important historical examples of the way Montesquieu's ideas seeped into other works of that time that directly impacted the laws in French colonies. He describes the work of Abbé Raynal and Malouet, who wrote *Essai Sur L'Administration de Saint-Domingue*, which simplified the culture of creole society to "frankly racist levels," saying that the colonies were better off living under French rule than subjected to the inevitable despotism waiting for them if free.²⁰ In addition, Ghachem cites the extremely close links between Montesquieu's ideas of climate and mores and the work of Michel René Hilliard-d'Auberteuil, an author and colonial jurist. He again illustrates the historical impact of the particularistic undercurrents of Montesquieu's work, demonstrating how the work was used to legitimate French colonial rule. Ghachem's historical tracing of the impact of Montesquieu's idea of mores provides an important perspective, focusing on the dangers of a work that often actively seeks to obscure its true message. Ghachem describes the elements of the work which allowed for the historical misuse: the complexity of the treatise and the idea of mores.

First, Ghachem identifies two complexities within the work that made it susceptible to misuse: the structure and the multiplicity of types of slavery. The structure of the treatise, "chopped up as it is into so many digestible sections, false-starts and half-baked ruminations," allows for a "selective" reading.²¹ Thus, those seeking to use Montesquieu's work to legitimate their colonial ends could select passages out of context, disregarding Montesquieu's own entreaty to "approve or condemn the book as a whole, and not some few sentences."²² Montesquieu's various types of slavery also creates some significant ambiguity. Montesquieu defines "two sorts" of slavery: real and personal.²³ Real slavery is slavery connected to the cultivation of the land, and personal slavery is service in the house and relates "to the person of the master."²⁴ Montesquieu also speaks of political, civil, and domestic slavery throughout part three of the treatise. His variety of types of slavery allows for equivocation on the severity and legitimacy of the different types. Ghachem argues that the medley of types of slavery allowed colonists to exploit Montesquieu's ideas, because "political servitude was not the same thing as civil or domestic slavery, though all three tended to reinforce each other in the state of despotism."²⁵

Next is Ghachem's discussion of mores and the harmful impact of its "intimate connection" to the idea of customary laws, common in the "Continental tradition."²⁶ Ghachem often uses the phrase "ideology of custom" when discussing mores, the idea that each different people has a unique and un-corruptible essence of their particular culture. Ghachem defines mores as "pre-political and hence immune to sudden changes and excessive tinkering by the science of legislation."²⁷ He connects mores directly to climate, saying that they "were a function of the climate and terrain of a region."²⁸ Thus, while "slavery was contrary to both nature and civil law," it was perhaps understandable based on cultural ground in those places where the negative effects of climate or terrain were not mitigated.²⁹ Here, Ghachem discusses the biggest allowance toward slavery that Montesquieu makes.

²⁰ Malick W. Ghachem, "Montesquieu in the Caribbean: The Colonial Enlightenment between 'Code Noir' and 'Code Civil,'" *Historical Reflections / Réflexions Historiques* 25, no. 2 (Summer 1999): 196-197.

²¹ *Ibid.*, 191.

²² Montesquieu, *The Spirit of the Laws*, xliii.

²³ *Ibid.*, 254.

²⁴ *Ibid.*

²⁵ Ghachem, "Montesquieu in the Caribbean," 192.

²⁶ *Ibid.*, 191.

²⁷ *Ibid.*

²⁸ *Ibid.*

²⁹ *Ibid.*, 192.

Ghachem indicates that the danger in Montesquieu's idea of mores is the mechanistic determinism of elements such as climate that contribute to it. When defining mores, Ghachem makes the distinction between sources of mores and natural mechanistic causes, emphasizing that the distinction between the two must be maintained. While climate and terrain impact the mores of a people, they are not entirely deterministic because mores, which seem to meld into custom for Ghachem, can be slowly shifted -- by the people, or by the good legislator. Since people do have some agency over mores and custom, they are not entirely slave to the elements, even in despotic conditions. However, the issue is that there may still be environmental causes that cannot be entirely tempered by the impacts of society or political structures.

To support this idea about the "loophole" of custom, Ghachem cites one of the more confounding passages in Montesquieu's discussion of climate and slavery: "There are countries where heat enervates the body and weakens the courage so much that men come to perform an arduous duty only from fear of chastisement; slavery there runs less counter to reason, and as the master is as cowardly before his prince as his slave is before him, civil slavery there is again accompanied by political slavery."³⁰ The significance of this passage is that it seems to be an admission by Montesquieu that there may be countries where the determinist impact of heat is so compelling that despotic government is inevitable. If men can only be induced to work through "fear," which, critically, is the principle of despotic government, then despotism will inevitably follow, and so will political slavery, which fosters all other forms of slavery.³¹ Thus, this quote supports the idea that Ghachem traces about the loophole of environmental determinism emerging through the idea of mores.

At the end of his piece, Ghachem criticizes Montesquieu for having established an analytical structure with "first the condemnation of slavery in the name of *jus natural*, then its qualified defense in the name of environmental 'necessity' and local custom."³² However, Montesquieu not only universally condemns slavery based on natural right, he also demonstrates how it is antithetical to his political project. Montesquieu's treatise, as Krause explains, is largely centered around despotism as a "negative foil," and thus his message is anti-slavery at the highest level.

Ghachem's discussion also does not recognize the overarching role of despotic government as the most significant cause of all types of slavery. Ghachem states that the various types of slavery "reinforce" each other in the state of despotism. This is true but it does not go far enough. Montesquieu explains that "in despotic countries.... the condition of the slave is scarcely more burdensome than the condition of the subject;" demonstrating that the issue that he is most focused on as the greatest of evils is despotism.³³ Montesquieu makes this fact more explicit, stating, "in every despotic government, it is easy to sell oneself: there political slavery more or less annihilates civil liberty."³⁴ While there is risk of civil or domestic slavery creeping into a free state, as Montesquieu discusses in book 15, political slavery is the main and most dangerous form. This is because it is not simply political servitude that despotism engenders, but servitude of all kinds because the nature and principle of despotism makes men unfree. This most serious cause of slavery ought to be understood and addressed so as to be prevented by the legislator. This is why Montesquieu spends a portion of book 15, specifically chapters 12-19, providing constructive advice to legislators on the topic of slavery: how to prevent it, and how to address the other forms of it that may spring up in a free state.

The Power of Environmental Determinism

Ghachem is not alone in his identification of the issue of physical determinism of warm climates in *The Spirit of the Laws*. Ana Samuel expertly continues the discussion of this issue in her piece entitled "The Design of Montesquieu's 'The Spirit of the Laws.'" She recognizes that one of the most important themes throughout the work is the tension between freedom and determinism, and that Montesquieu's end is to promote human freedom under all conditions.

Samuel uses an idea that Diana Schaub introduces in *Erotic Liberalism*: that book 19, which is the midpoint of the work, is a critical transition point away from despotism and towards liberty.

³⁰ Ghachem, "Montesquieu in the Caribbean," 192; Montesquieu, *The Spirit of the Laws*, 251.

³¹ Montesquieu, *The Spirit of the Laws*, 251.

³² Ghachem, "Montesquieu in the Caribbean," 197.

³³ Montesquieu, *The Spirit of the Laws*, 246.

³⁴ *Ibid.*, 251.

Samuel agrees with Schaub's view and states that it holds "the key" to Montesquieu's aim of "achieving human freedom over determinism," and that the earlier books in part three highlight different threats of material determinism and build toward book 19.³⁵ Montesquieu himself seems to call for this understanding of a dialectic within part three, which culminates in book 19. He begins book 19 by stating "In this crowd of ideas that present themselves in my spirit, I shall be more attentive to the order of things than to the things themselves" -- implying that the previous chapters have discussed important pieces that contribute to and culminate in the general spirit and mores of a nation.³⁶ This passage is an important hint about the connection between climate and mores.

Samuel augments Ghachem's ideas and provides a helpful discussion about what she identifies as Montesquieu's concession for when slavery occurs. There are two compelling cases that she discusses where Montesquieu says that slavery may be understandable. Samuel argues that both are caused by climate. The first case that she identifies is book 15 chapter six where Montesquieu argues that it is preferable to become the slave of a civilian who opposes a ruling despot than to be "free" under a tyrant. The second case that she identifies is book 15 chapter seven, the same passage that Ghachem identifies in his discussion of the ideology of custom. Samuel explicitly argues that forced labor is required because of the determinism of heat; she summarizes her argument by stating that "Both of Montesquieu's explanations for natural slavery, then, can be traced back to the determinism of heat, which either predisposes people to despotic government or makes them resistant to labor."³⁷ Samuel goes on to discuss persuasively how the determinism of climate can be overcome, and to argue that Montesquieu is attempting to offer a framework that promotes freedom from determinism.

Samuel's perspective of *The Spirit of the Laws* as a dialectic between deterministic causes and political liberty allows her to see what others do not: that the work is a treatise centered around the prevention of despotism and the promotion of liberty. Thus, she recognizes that Montesquieu's discussion of issues such as climate must be viewed with an understanding of the way they fit into his larger framework for liberty. She does, however, put too much emphasis on climate as the causal factor for slavery. Samuel discusses book 17, where Montesquieu states that "political servitude depends no less on the nature of the climate than do civil and domestic servitude."³⁸ She argues that climate is a causal factor for despotism. But in fact, it is not that despotism is an inevitable result of hot climate. Rather, it is despotic government, with its inability to mitigate the effects of climate, that is the underlying problem. In despotic government, "ought gives way to *is* and *must*," there is no apparatus that can temper the negative effects of climate.³⁹ This is the danger that Montesquieu identifies: the threat of people made slavish by despotism.

Manjeet Ramgotra, who strongly critiques Montesquieu for his colonial impulses in her piece "Republic and Empire in Montesquieu's *Spirit of the Laws*," agrees with Samuel that Montesquieu "relates political servitude to climactic conditions."⁴⁰ She grounds her argument in another passage of Montesquieu's: "As all men are born equal, one must say that slavery is against nature, although in certain countries it may be founded on a natural reason, and these countries must be distinguished from those in which even natural reasons reject it, as in the countries of Europe where it has so fortunately been abolished."⁴¹ This section that Ramgotra identifies directly follows the one that both Ghachem and Samuel discuss. Again, on the surface Montesquieu appears to be making allowances for slavery, suggesting that there may be certain countries where it is founded on "a natural reason." However, the wording here implies that Montesquieu is talking about a natural deterministic cause, such as climate, and not making a universal statement about natural right; he explicitly says natural *reasons* (plural), which indicates he is referring to *causes*.

³⁵ Ana J Samuel, "The Design of Montesquieu's 'The Spirit of the Laws': The Triumph of Freedom over Determinism," *The American Political Science Review* 103, no. 2 (2009): 306.

³⁶ Montesquieu, *The Spirit of the Laws*, 308.

³⁷ Samuel, "The Design," 311.

³⁸ Montesquieu, *The Spirit of the Laws*, 278.

³⁹ Krause, "Despotism," 248.

⁴⁰ Manjeet Kaur Ramgotra, "Republic and Empire in Montesquieu's *Spirit of the Laws*." *Millennium: Journal of International Studies* 42, no. 3 (August 2014): 801.

⁴¹ Montesquieu, *The Spirit of the Laws*, 252.

Ultimately, Montesquieu does seem to make a concession that perhaps there are places where the impact of climate is so strong that no government could be constructed to mitigate its effects: “Natural slavery must be limited to certain particular countries of the world. In all others, it seems to me that everything can be done by freemen, however arduous the work that society requires.”⁴² There is no doubt that Montesquieu’s equivocation in book 15, chapters 7-8, is the section that holds his strongest impulses toward allowances for slavery. However, even this section is highly ambiguous in that respect. Furthermore, it seems that this section is simply a reflection of Montesquieu’s observed views about the state of the world as it is; it is not a reflection of his own moral values. To recognize the realities of the world is critical to creating an effective political apparatus to meet them. In book 15, chapter 8, Montesquieu expresses emotion, and reveals his own moral perspective, as a means of subtly emphasizing an important argument. Montesquieu impassionedly states, “I do not know if my spirit or my heart dictates this point. Perhaps there is no climate on earth where one could not engage freemen to work. Because the laws were badly made, lazy men appeared, because these men were lazy, they were enslaved.”⁴³ This passage makes quite clear Montesquieu’s moral views on the issue of slavery. The rare expression of sentiment by Montesquieu makes this section, and the moral argument against slavery, especially powerful. It also, critically, explicates the tricky relationship between climate and despotism. Ultimately, poor laws are the cause of slavery.

The Connection Between Climate and Mores

Mores are one critical factor that promote human liberty in the face of deterministic elements such as climate. They are particularly critical in despotisms where laws are not a source that can promote liberty. There are many factors that government men. Samuel cites social, moral, historical and political factors and argues that “the key is for men to heighten the role that these other causes (or orders of laws) have in human life, so as to downplay or check the force of the physical laws,” and thus, foster greater human freedom.⁴⁴ In despotisms, the political factors are not there to govern men so factors of society and morality are all the more important.

Samuel’s recognition of the structure of part three as the beginnings of a blueprint for freedom informs a critical connection between climate and mores. Montesquieu begins book 14 with its “general idea” that “the character of the spirit and the passions of the heart are extremely different in the various climates,” thus providing the first connection between the climate and the character of a people.⁴⁵ Montesquieu begins to trace how climate impacts the internal nature of humans, the “internal” nature that contributes to mores.⁴⁶ It is important to note that while book 14 begins with a discussion of the negative impacts of heat on the nature of men, a subtle tone shift occurs throughout the book, and by the end, Montesquieu lauds the positive impacts of hot climates as well.

Montesquieu first makes it appear as if hot climates are inferior because they foster people who “are timid like old men,” but as the chapter progresses Montesquieu’s tone subtly shifts.⁴⁷ He is critical of the impact of the cold climate on the spirit of the English when he states in chapter two that “in cold countries, one will have little sensitivity to pleasures” -- a reference to his discussion that, while England has political liberty, he does not believe that the English know how to “enjoy” that liberty.⁴⁸ By the end of the chapter, Montesquieu’s tone toward warm climates has fully shifted. “Happy is the climate that gives birth to candor in mores and produces gentleness in laws,” he states when discussing the Indies, hinting that warm climates may be better suited for fostering moderation.⁴⁹ This tone shift throughout the chapter indicates that Montesquieu does not hold some bias toward the European countries of cold climates. Rather, it reveals that Montesquieu is simply concerned with the impacts that both warm and cold climates have on individuals. A subtle reading makes clear that warm climates do have positive effects on the mores of a people, so long as they are properly moderated.

⁴² Ibid.

⁴³ Ibid., 253.

⁴⁴ Samuel, “The Design,” 313.

⁴⁵ Montesquieu, *The Spirit of the Laws*, 231.

⁴⁶ Ibid., 317.

⁴⁷ Ibid., 232.

⁴⁸ Ibid., 166, 233.

⁴⁹ Ibid., 245.

The Impact of Women on Mores

Montesquieu's discussion of climate and mores unquestionably contains an evaluation of the role that women have in shaping mores and enlivening society. Montesquieu's introduction of "the woman question" in book 14 demonstrates that the strengthening of mores and culture is an important tool to combat despotism, and one what is wrought by the people themselves.⁵⁰

In *Erotic Liberalism*, Schaub argues that Montesquieu was discontented with the Enlightenment because, in its drive toward individualism and reason, it did not recognize the profound impact of passions between the sexes in the private sphere. Schaub believes that Montesquieu saw a philosophy that did not recognize the importance of the private sphere as "inadequate" for developing a full understanding of human life.⁵¹ She writes that Montesquieu's own philosophy was "more aware of the pivotal role of women, more appreciative of sexual differences, and at the same time more impressed with the difficulties of harmonizing the domestic and political realms" than previous Enlightenment thinkers.⁵² Under despotism, there is subjugation in the political, civil and domestic realms. The ability for women to move freely outside the domestic realm promotes liberty in all spheres of society.

Schaub's work crucially highlights Montesquieu's unique sensitivity to the connection between the political sphere and the domestic sphere. In chapter 14, entitled "Other effects of the climate," Montesquieu delves into a discussion of women and the laws. He states that "when a Germanic nation moved to Spain, the climate required quite different laws" and that the laws of the warmer climates thus "gave an extreme attention to the two sexes."⁵³ In addition, in chapter two, Montesquieu discusses how in hot countries, "the soul" is moved always toward "all that is related to the union of the two sexes," while in cold climates sex holds very little prominence in personal, social, or political life.⁵⁴ With this discussion of climate, Montesquieu is alluding to the important role that the relations between the two sexes should play in any political philosophy. He is complimentary of those states, often warmer and in the south, that are less deeply impacted by Enlightenment ideas and that thus have a stronger "politics of sex."

The oblique way that climate allows Montesquieu to introduce the themes of the domestic sphere and the role of women provides an example of the connection between the climate and mores. Schaub explicates this important connection. She traces how the "feminine" character of French society is reflected in a positive light throughout the treatise.⁵⁵ Schaub also cites a section discussing (what must be) France where Montesquieu describes a nation with a "sociable humor, an openness of heart; a joy in life."⁵⁶ Of this society, Montesquieu then speculates, "one could constrain its women, make laws to correct their mores, and limit their luxury, but who knows whether one would not lose a certain taste that would be the source of the nation's wealth and a politeness that attracts foreigners to it?"⁵⁷ Here, Montesquieu demonstrates a sensitivity to women's "influence on all aspects" of French culture, and makes it clear that when women are free to engage in commerce and society it makes the society more free, too.⁵⁸

Mores as a Source of Change

Mores are a powerful element of Montesquieu's political philosophy. The will of the despot, enforced through fear, is the overwhelming power in a despotism. However, mores are a critical element that governs people in this lawless state. In his discussions of climate in books 14 and 15, Montesquieu begins to demonstrate the power that the people, particularly women, have in shifting mores. Book 19 makes more explicit the power that the people themselves have in changing "manners and mores."

⁵⁰ Diana J. Schaub, *Erotic Liberalism* (Lanham, Md.: Rowman & Littlefield, 1995), 41-42.

⁵¹ Schaub, *Erotic Liberalism*, 41.

⁵² *Ibid.*, x.

⁵³ Montesquieu, *The Spirit of the Laws*, 243.

⁵⁴ *Ibid.*, 233.

⁵⁵ Schaub, *Erotic Liberalism*, 139.

⁵⁶ *Ibid.*

⁵⁷ Montesquieu, *The Spirit of the Laws*, 310.

⁵⁸ Schaub, *Erotic Liberalism*, 41-42.

In book 19, chapter 12, “On manners and mores in the despotic state,” Montesquieu makes a critical statement: “It is a maxim of capital importance that the mores and manners of a despotic state must never be changed; nothing would more promptly be followed by a revolution. For, in these states, there are no laws, so to speak; there are only mores and manners, and if you overturn them, you overturn everything.”⁵⁹ On the surface, the connotation of this quotation seems negative. Montesquieu seems to be warning against the changing of manners and mores because it would lead to the destruction of the despotic state. Yet, in his discussion of the principle of each form of government, Montesquieu makes it clear that “The principle of despotic government is endlessly corrupted because it is corrupted by its nature.”⁶⁰ Despotism is already corrupt. To corrupt it further does not have the typical negative effect. To “corrupt” the already corrupt principle of despotism is an opportunity for freedom. Mores are key to this, and with the proper “genius of the people,” there is a possibility for change under a despotism.

The language Montesquieu uses becomes more oblique as chapter 12 progresses, but the discussion is still clearly about despotisms, as the title indicates. He discusses how “one is less communicative” in despotic countries because each man “suffers an arbitrary power” and that the result of this is that manners and mores are changed “less” in them.⁶¹ The important role women play in shifting mores emerges again here when Montesquieu explains that women are “ordinarily enclosed” and “have no tone to give” in despotisms but that if they do have some social mobility and discourse with men then “manners change every day”.⁶² The impact women can have on increasing communication and shifting views in despotisms is another example of the hope that mores provides for freedom under despotism.

Book 19, chapter 14 is another section where Montesquieu indicates that the people must be involved in order to bring about proper change. He again connects climate to the changing of the mores and discusses how “people are very attached to their customs.”⁶³ Indeed, Montesquieu argues that “one must not change their customs;” rather, one must “engage the people to change them themselves.”⁶⁴ This section reveals the hope imbedded in the idea of mores that in some instances people living under a despotic structure can redeem it. As the people have the means to shift the mores and manners, and the mores and manners are the only elements existent in despotism, then there is hope that individuals can make change under despotism. In the preface of *The Spirit of the Laws*, Montesquieu states that one of his aims is to make it so that men are “able to cure themselves of their prejudices... what makes one unaware of oneself.”⁶⁵ Despotism obscures people from their nature and makes them unaware of their equality. Montesquieu indicates that mores are one of the ways that people have to cure themselves, through their own power and agency, of the prejudices that can plague them under despotism.

Despotism poses a great threat to the character of peoples. It cannot temper deterministic causes of slavery, and even worse, it infuses states with all forms of slavery and worsens these forms. Montesquieu cannot be completely exonerated on his ideas around slavery, nor should the historical impact of his work be overlooked. However, it would be a mistake to allow past misuses of Montesquieu’s work to obscure the important warning against despotism that his treatise holds. Montesquieu demonstrates the great threat that despotism poses to the character of individuals. The decline toward despotism can be slow and unclear. Political slavery can ensnare a people without their recognizing. Montesquieu’s work makes clear the incredible threat posed by political servitude under despotism; despotism results in the “erosion of human excellence.” It is a lesson pertinent to every age and to all peoples. Yet, even with the threat of slavish characters under despotism, and the challenge of environmental determinism, Montesquieu provides some hope in the potential shifting of the mores by the people in a despotic structure. In doing so, he addresses the primary and most pressing cause of slavery. As Samuel states, thus “the force of the climate has been taken into account and incorporated into the project of advancing human freedom.”⁶⁶

⁵⁹ Montesquieu, *The Spirit of the Laws*, 310.

⁶⁰ *Ibid.*, 119.

⁶¹ *Ibid.*, 314.

⁶² *Ibid.*

⁶³ *Ibid.*, 316.

⁶⁴ *Ibid.*

⁶⁵ *Ibid.*, xlv.

⁶⁶ Samuel, “The Design,” 314.

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