Conversations with Bill Kristol

Guest: Harvey Mansfield,
Professor of Government, Harvard University

Taped November 22, 2019

Table of Contents

I: Montesquieu's Political Philosophy 0:15 – 37:04

KRISTOL: Welcome to CONVERSATIONS. I'm Bill Kristol joined today by my friend and teacher, Harvey Mansfield, Professor of Government at Harvard.

MANSFIELD: Always a pleasure.

KRISTOL: Always a pleasure to have you. And our topic today is Montesquieu, someone you've been doing some work on recently and extremely influential on the American Founders. I think slightly neglected, I would say, by students of political philosophy, but we can correct that today.

MANSFIELD: Yes, we'll do our best.

KRISTOL: So Montesquieu, his real name, his full name, I guess is Charles-Louis de Secondat, Baron de La Brede et de Montesquieu, always known as Montesquieu for some reason. Lived 1689 to 1755 and maybe that's enough biographical information. Well, his major works –

MANSFIELD: Wrote three works, three major works. One is *The Persian Letters*, a kind of epistolary novel. Then a shorter work on the greatness and decline of the Romans. And then his great work, *The Spirit of the Laws*, *De l'esprit des lois*, The Spirit of the Laws. We can try to work out that title maybe a little bit later.

KRISTOL: Good.

MANSFIELD: That's the book which had the great influence on the founders.

KRISTOL: Right, 1748, I think.

MANSFIELD: 1748, you're right.

KRISTOL: So the middle of the 18th century. And quoted, I think, several times in the – quoted directly in *The Federalist* and he himself cited as "the celebrated Montesquieu," I remember, from *The Federalist*.

MANSFIELD: Right.

KRISTOL: So let's begin with that. Why celebrate, why was *The Federalist* so interested in Montesquieu?

MANSFIELD: Celebrated, and at the same time called "an oracle." Oracles are enigmatic and that certainly applies to Montesquieu. He's not easy to understand. This book, *The Spirit of the Laws*, is very long and very complicated and it treats, it doesn't treat anything thematically, really.

And so everything gets treated in different places very much scattered. And one of the passages that I'm going to talk about later is really from almost at the end of this book. So very complicated.

And he was cited by the Federalists as you said, but also by the Anti-federalists. Both of them thought that Montesquieu was on their side. And the issue was should a republic be large or should it be small? Small and homogenous, close to the people, the popular government. This was the view of the anti-Federalists who were the opponents of the Federalist, so-called, supporters of the new Constitution.

There was an argument over the ratification of that Constitution. So the Anti-federalists supported a rather small republic view. They wanted a union, but it was to be a league of small colonies, then states, rather than a unified union that the Federalists wanted.

And they cited Montesquieu because Montesquieu in the first eight books – his book is divided into books of *The Spirit of the Laws* – discusses republics, but rather ancient and modern republics. The ancient republic because republican virtue began under the ancients. The republican virtue is a kind of passion. And it's a passion for patriotism to your country; but also a passion for equality, those two things together. So republican virtue is essentially something democratic.

Anyway, in these first eight books, Montesquieu becomes quite critical of ancient republican virtue. Because in fact, he says, they tried so hard to bring people together that they made them martial. That the main virtue that the passion of equality led to was a warlike desire to defend yourself; and to defend yourself in such a way that you even began to attack others.

So he ends his treatment of republics by making a distinction between defensive war and offensive war. And the ancient republic was so small and so unified and so proud of itself that it had a tendency to move from self-defense into aggrandizement and to become something large, which it couldn't support.

So it is, Montesquieu's first treatment of republics is rather critical. And the Anti-federalists fixed on this smallness of republics, not really appreciating that smallness was being criticized and that virtue too was being criticized. So the Federalists, I think, therefore had a better understanding of Montesquieu. But it is interesting that Montesquieu was on both sides of the –

KRISTOL: The small republic is sympathetic enough that the Anti-federalists could find something in it to defend the kind of more classical type republicanism.

MANSFIELD: Right.

KRISTOL: But I guess separation of powers is what the Federalists cite Montesquieu for more than anything else.

MANSFIELD: It is, right. So separation of powers is a complication of power. And this is characteristic of Montesquieu. He was against any concentration of power because power had a tendency to – now he uses this word which is very famous in *The Federalist*, to "encroach." The tendency of power to encroach.

KRISTOL: I didn't know that directly comes from Montesquieu.

MANSFIELD: Right. And so it tends to get larger and more powerful than what it needs to be. And if you compare this to Aristotle who also has a view of republican virtue, Aristotle speaks of the best regime in a way that Montesquieu never does.

And the best regime also has a tendency towards imperialism because if you're better than someone else, why shouldn't you have a right to govern that other person? So when the best regime encounters a less good regime on its borders, perhaps, it's tempted, you might say, by the principle that the best should rule to become imperialistic.

And so Montesquieu is against this. He's also against the simplicity of power which makes you think that "power after power," that men are never satisfied: they always have a restless desire for "power after power." Now that's a quotation from Thomas Hobbes, a 17th century writer.

But Montesquieu wants to have power counteract power. So he admits the necessity of power, but then does his best to turn it against itself. Power turned against itself, I think that's – in Madison's quotation or his remark, which is frequently quoted in *Federalist* 51, "ambition must be made to counteract ambition." It comes directly from Montesquieu in the spirit of Montesquieu: complication.

The Anti-federalists opposed the Constitution for two reasons. They said it was too concentrated and they also said it was too complicated. That was a kind of contradiction. If you don't want concentration, you need to have complication. So that's what Montesquieu brings to the American Founders.

And if you want a remedy against imperialism, the Aristotelean tendency of the best regime to want to impose itself on less good regimes, he has an answer for that. And it's an answer also for the martial character of the ancient republic, and that is commerce.

So he is perfectly willing to see a republic expand, but to expand in the way of commerce. So he was very interested in commercial republics, like Carthage in ancient times, and Venice and Holland in modern times. And this too becomes a part of America.

But the theme is complication; it's also the theme of our Constitution. You might say that the Declaration of Independence is based on not so much Thomas Hobbes as John Locke. It has simple principles: All men are created equal. This results in the right to consent to government. And the right to consent to government results in the right to withdraw your consent or the right to revolt, the right of revolution.

So all of that is simple, but needs to be put into an actual working structure. So that you could say then that the Constitution is a work of Montesquieu, and the Declaration the work of John Locke. I think that would make some sense, although the Constitution, the very idea of Constitution, can also be traced back to Locke.

KRISTOL: And Locke is friendly to commerce and to sort of separation of powers. So some of that is Montesquieu maybe.

MANSFIELD: Yes.

KRISTOL: Extending Locke's liberalism, maybe.

MANSFIELD: Yes, that's right. So Montesquieu brings complication to America's liberalism, to America's form of government, and to its – even to its society. And I think that's his great contribution. So he is justly celebrated, though somewhat by our founders, and deserves to be by us.

KRISTOL: But maybe a little neglected, it seems to me, just from my observing courses in political philosophy, because Locke's maybe a little easier to teach.

MANSFIELD: That's right, he is.

KRISTOL: And you can then skip over and get right to Rousseau and the rebellion against liberalism. And somehow Montesquieu gets a little bit neglected there maybe.

MANSFIELD: Yes, that's right, he does. The easiest of all modern liberal philosophers to teach is Hobbes. So every political theorist has sort of – at least an article, if not a book, on Hobbes. That's an exaggeration, but you get the idea. And Locke is almost as easy.

But Locke's *Second Treatise of Government* is, as he says, on the principles of political right. And Montesquieu never has any such thing. *The Spirit of the Laws*. So what does that mean? Now, spirit makes you think of the essence or the gist or the essential feature of a thing. And that's one way of looking at politics, in terms of essences. Political science today is divided between political scientists who treat in essences – that's people like me, the theory types, and then others, the empirical ones they call themselves. And they use this nice expression: They are data-driven.

KRISTOL: Right.

MANSFIELD: So, data means things that are given. We theorists are not driven by data because we're dissatisfied with what is given. We want to examine and analyze and improve on it. But people who are data-driven present themselves as not having ideas that they pursue or which inspire them, but by being almost receptacles of facts and countable facts that they receive, and merely present to us scientifically so they have a greater claim to be scientific.

And Montesquieu in his title of the book has something of the essentialist when he uses the word spirit, but then something of the data-driven when he refers to laws. So, he's not so interested in the definition of law, as in a variety of different laws as circumstances. And he describes them. His erudition is unbelievable. He's not read every philosopher, every historian, but so much in the way of early law, the development of law, both Roman law, Frankish law. China, Japan – he's looked through the whole world. And his book is therefore difficult to read and, as you say, to teach.

KRISTOL: Fun to read, because it's full of interesting –

MANSFIELD: That's right. It's fun, but it's difficult.

KRISTOL: But difficult to put together, and doesn't have that maybe slightly fake, but nonetheless clarity that Locke pretends to have at least, of deduction from principles and so forth.

MANSFIELD: That's right.

KRISTOL: And why does Montesquieu want to avoid presenting his political philosophy the way Locke chose to or Hobbes, the kind of deduction from principles? That must be part of his intention.

MANSFIELD: Yes, it clearly is. So he comes in the second wave of modern political philosophy. After the 17th century ones like – well, Machiavelli comes first, but then Hobbes and Spinoza, Locke. The first ones, and they do have much simpler principles. They simplify. And that's to make their political science more powerful, more capable so that you have fewer inhibitions or hesitations in reading it, or in applying it. And they want to be "clear and distinct." That's a – you could say a phrase from Descartes, and clear and distinct enables you to be more powerful with your words.

Now, Montesquieu comes in the next century and he's, to some extent, reacting against this first wave which promotes simplicity and revolutionism. He and Hume, you could say also, in the 18th century, a contemporary of Montesquieu. And so he doesn't – he thinks that to simplify leads to a glorification of power, as most obviously in Hobbes. That what you consent to is the sovereignty of an absolute sovereign. And that sovereign can become very despotic.

So, Montesquieu is most concerned with preventing despotism. He sees despotism arising from the desire to be too good, like Plato and like Aristotle. And also from the desire to be too powerful and simple, like especially Hobbes, also Locke.

He begins his *Spirit of the Laws* with an analysis of the state of nature, which is a fundamental principle that Hobbes really invented, and Locke accepted and followed. And he does it differently. So he thinks that in the state of nature there is two kinds of laws; natural physical laws which operate with necessity and then human laws.

Human laws are made by human beings and that's because human beings don't operate efficiently, with necessary predictable results. And so they have to make for themselves laws which counteract their waywardness. And what you can say is their desire for freedom, their desire to run their own lives, instead of – and the rest of nature is content with being bossed around by nature, by necessary laws of physics.

So there is a discrepancy between the laws of non-human nature and the laws of human nature and this is more like Aristotle, and less like Hobbes. Hobbes wants you to think that the simplicity of his scheme, his political scheme, makes it more scientific than it would be otherwise.

So Montesquieu agrees with Plato and Aristotle that human beings are different, and that their laws are different from the laws of non-human nature, but he doesn't think that there can be one reason which unites them or one general moving principle. This is in Aristotle, 'archaea', he called it, which combines the intelligibility of nature with the intelligibility of human nature.

And so he worries that human beings – Montesquieu worries that human beings will give themselves up to blind fatality, which is to live according to the simplicity of natural laws, physical laws. And therefore he understands human laws as different and they're different because they're based on a reaction of human beings to what is given.

So in this way, though he's a writer with much data, many data, he sees that human beings are not determined by what is given to them by nature, but they react against it. So that a principle of human action is what he calls a *"ressort",* which means a spring. A spring is you react against something. It's not taking you in a certain direction.

And so that's, in a way, his principle of teaching as well. He tries to speak indirectly. He thinks that a legislator can often make a greater impression not by going directly, passing a law directly on what he wants, but by showing, by getting an indirect effect.

So for example, he wants to make political life more equal. And I think that's, in this way more republican, as he said. But he criticizes an ancient legislator named Phaleas, who is discussed in Aristotle's *Politics*, and who lived in Chalcedon. He criticizes him for trying to make a republic more equal just by passing a law that requires everyone to be equal. And he says what that does in fact is create a civil war between the poor and the rich. So you have to find some way of finding a principle that will bring the poor and the rich together, without directing them to do so; and that could be something like commerce. Or today we would say the free market in which everyone can participate, in a way equally because you have equal opportunity, even if the results are unequal.

And that's a way of making our society more equal, without forcing it. Without trying to level the – bringing the poor up and the rich down. So that would be just one example of doing something indirectly.

And also, Montesquieu wants to be less direct by opposing the notion that government should be based on fear. And that was, of course, the great principle of Thomas Hobbes. That you would consent to what was reasonable if you were properly afraid of what would happen if you didn't. And then the state of nature in Hobbes was designed to put you in a frame of mind so that you would see that what would happen, the fear you would have, if there were no laws and no government.

And Montesquieu wants to replace this with a sense of security, or comfort. And here again this is something quite modern which we recognize today. And the way to give security is not so much to actually pass laws, pass criminal legislation against criminality, but as to affect the opinion that people have of security. So you want to feel secure; maybe it doesn't matter whether you actually are secure, but we human beings need to feel that way. And that's very important to us. And so our government mustn't put us in fear. The criminal legislation must be relaxed or that with much lighter punishment than in the past or in the tradition. And so there's a whole book of *The Spirit of the Laws* on punishment and how it must be more light, less fearful. And this goes together with a government which is constitutional rather than concentrated. So in this he follows Locke as against Hobbes. But it's a way of making your government less scary.

And the separation of powers, the main principle, the main part of the feature of the separation of powers that he praises, is the independence of the judiciary. And the independence of the judiciary especially contributes to the opinion of security because it separates the punishing of people from the rest of the government. So that those who govern you are not the ones who actually enforce it or punish it. That's something separate.

And so the harsh, the dark side of government – and even free government or popular government, has to punish – that, he agrees with, but if it's done sort of separately and legally, by judges who appear to be impartial because they are separate from the rest of the government, then that's the way to make people feel, have an opinion, that they are secure.

KRISTOL: Yeah but due process, I suppose, and procedural safeguards, that's in the spirit of Montesquieu for the citizens to feel that it's not arbitrary. That's important.

MANSFIELD: Yeah, that's right. Yes. And the due process of many different places. And so he doesn't have one view of what due process consists in. But every legal system, and there are many, has its own variety and its own eccentricities. So you must look always at circumstances.

And there is one model constitution, the English constitution which he gives, but he doesn't give it in such a way as to demand that everyone imitate it or follow it. And in fact he denies that, partly because he's French and he doesn't want to get himself in a situation where a Frenchman demands of France that it model itself on its historical enemy right across the Channel. So that's a bit of a difficulty for him. And he has a separate view, I think, of what to do for England and what to do for France.

So, all this means that you must look at the whole of the world, and not just European countries, but South America, Australia, China, Japan. Everywhere that Europeans had traveled and there was sent back there was a kind of travel literature – the 18th century especially. And so Montesquieu has read all that, as well as all their legal documents or whatever that might exist. Anything that could be read and that tells you about different peoples, different ways in which human beings live and govern themselves, he did his best to capture and accommodate and put in his book with its hundreds of footnotes. So it's really something.

And he's very famous too for emphasizing the influence of climate. And there's a whole book on that. And the influence of terrain, the importance of knowing or considering population. So all these, I think is said, books on religion, the oddities of different religions and different places, and how they are connected.

So that's what he's interested in this, to use a modern word: "system." Or "network" is another. So he said, in French he says, *tout suis tient* – everything holds together. But not obviously and not under some ruling principle.

KRISTOL: And not in some doctrinaire or dogmatic way.

MANSFIELD: No, that's right, or simplistic way.

KRISTOL: Right. Sociological point of view you might say.

MANSFIELD: That's right, yes.

KRISTOL: In the best sense.

MANSFIELD: So our freedom consists in variety and circumstantiality. In the data and in the – but in the eccentricity of the data, not trying to gather it all together under one thought or one principle. And so, he's not a fan of founding. So this really distinguishes him from America or Americans. He doesn't really – to him a founding is really more a result of a historical development.

And his book ends with a description of ancient law of France that developed into the modern monarchy. And how that very gradually changed as a result of accidents and sort of various legislation of different kings, and influences from different places so that he could be taken as a founder of a school of 19th century political thinking called Historical Jurisprudence. So the principles, that would be the jurisprudence of a country that it developed over time, must be understood historically. And that is how they developed, how they were changed. It's from looking at this way that they were developed that you can see methods of reform, or how things might be changed. And also how – the bad way of how not to change.

So this historical jurisprudence becomes a kind of lesson in practical politics. And all this is opposed to the notion of having a founding and trying to start off with something simple, like America's Declaration of Independence, you could say.

KRISTOL: Right. So that sounds a little bit like Burke and even Tocqueville afterwards, right? The kind of emphasis on circumstance and historical development and skepticism about too simple an application of principle or doctrine or – . And they were both influenced by – well, Tocqueville I think praises Montesquieu very highly, right?

MANSFIELD: He does. Yes, and so does Burke.

KRISTOL: And Burke too, I didn't know. So they are.

MANSFIELD: Oh, yeah.

KRISTOL: So that's sort of a strain of liberalism that feels a little bit different from Hobbes, Locke, deductive –

MANSFIELD: Burke gives great credit to Montesquieu. "A Frenchman who told the British of the beauties of their own Constitution better than they knew themselves."

KRISTOL: That's high praise.

MANSFIELD: That is high praise.

KRISTOL: So he thinks it's friendlier to liberty on the one hand, not that excessive ancient pride, I suppose you'd say on the one hand, or –

MANSFIELD: Yes.

KRISTOL: – or maybe religious pride too. But on the other hand not too much of the modern fear that debunks the pride, but by itself could also lead to a kind of failure to defend liberty, I suppose, or to appreciate liberty.

MANSFIELD: Yeah. And the comforts of liberty then. The consolations and the comforts. The blessings of liberty, put it like – the blessings of liberty are not obvious in the philosophy of Thomas Hobbes.

KRISTOL: Right. So that's a pretty interesting kind of liberalism, that I suppose isn't as fashionable. One reason maybe it's not as popular is that it's too complicated and not an "-ism" – not a doctrine, not a –

MANSFIELD: That's right. It doesn't. I mean Hobbes knew what he was doing if you want to create a revolution: keep it simple.

KRISTOL: Yeah. And maybe that was a century before, or maybe there's different circumstances, you know?

MANSFIELD: Yeah, right. But Montesquieu says that kind of revolution will lead to despotism. Which it did, you could say.

KRISTOL: With a different kind, yeah.

MANSFIELD: Yeah. Maybe not in – and not in England just because they kept things complicated in England. And Locke helped in that.

KRISTOL: Right.

MANSFIELD: But yes that's right. That's Montesquieu and his complication. He is difficult to appreciate and so that he was celebrated was impressive, I think. He makes these canny remarks which attract one's attention. So that could be the way to lead to an appreciation, or the reason why one celebrates.

KRISTOL: That reminds me of Tocqueville who many, many people liked and enjoy reading and appreciate particular comments of, without putting it together really, the way one should ultimately. Maybe there was some of that with Montesquieu too.

MANSFIELD: Yeah. And Burke since you mentioned him. Those are three political philosophers who are difficult to put together and perhaps deliberately so.

KRISTOL: Purposely so, yeah. And Machiavelli also, whom you've –

MANSFIELD: Yes. Right, now let me say –

KRISTOL: And so another person who isn't so easy to put together.

II: Interpreting *The Spirit of the Laws* (37:04– 1:12:00)

MANSFIELD: Now let me say something about Machiavelli. And to do this I wanted to give an analysis of just one short chapter, in Book 29, Chapter 19, of *The Spirit of the Laws*. And let me just read it to you if I can.

KRISTOL: Okay.

MANSFIELD: So here's what Montesquieu says. And the title of this chapter is "Of Legislators." And when you read it –

KRISTOL: A weighty title.

MANSFIELD: Yes, a weighty title, but only seven sentences long. And it turns out that only philosophers are named. And so he says, "Aristotle sometimes wanted to satisfy his jealousy of Plato, sometimes his passion for Alexander. Plato was indignant at the tyranny of the people of Athens. Machiavelli was full of his idol, Duke Valentino. Thomas More, who spoke rather of what he had read than of what he had thought, wanted to govern all states with the simplicity of a Greek town."

And there's a footnote – *Utopia*. If you didn't know that book that Thomas Moore had written, he tells you.

"Harrington saw only the republic of England, while a crowd of writers found disorder wherever they did not see a crown. The laws always meet the passions and prejudices of the legislator. Sometimes they pass through and are tinctured; sometimes they remain there and are incorporated."

KRISTOL: And that's it, that's "Of Legislators"?

MANSFIELD: Yes. Those are the seven sentences, and that's it. And the only – there. So, five philosophers are named. So, philosophers, and it's rather shocking to see philosophers treated so cavalierly by another philosopher, but he doesn't mind shocking you in this instance. He is shocked by those people who are impressed by philosophers.

So that now he's following tradition, both ancient and modern, when he calls philosophers 'legislators.' That philosophers can't just address other philosophers, because they need to protect themselves against people who don't like or don't understand or who disagree with what they're teaching philosophically. And this begins with Plato's *Apology* of Socrates, in which he gives a defense of Socrates against the charges – capital charges – and for the sake of which he was actually punished and killed in Athens. So that's the importance of legislation for philosophers, they want to defend themselves, protect themselves against the political thoughts or the political objections to what they say and do.

But another reason might be that philosophers want to learn something from politics. And you can see that is clear in Montesquieu since he speaks of the human reaction, human resistance to nature. That non-philosophers, people who aren't philosophers, have a reaction, a resistance, to being bossed around by philosophers.

KRISTOL: Right.

MANSFIELD: Who are more intelligent than they, but somehow remote and not very sympathetic often. So you can, as a philosopher, you can learn from the resistance of non-philosophers to philosophy. And that's, I think, what he's trying to teach you here. Philosophers are human beings too.

KRISTOL: Right.

MANSFIELD: And they have passions, and passions which deflect them, or which give a tincture to the laws which they propose and announce. So, let's look at each of these philosophers that he names. He starts with Aristotle, for some reason Aristotle ahead of Plato.

KRISTOL: Yeah. Out of order really.

MANSFIELD: Yeah, out of order for sure. So he says, Aristotle was jealous of Plato, and he had a passion for Alexander. Jealous of Plato, his teacher for – his revered teacher of twenty years. This is especially unfair of Montesquieu because Aristotle is very well-known. One of the most famous passages in all of Aristotle is, in the beginning of the *Ethics* where he disagrees with Plato, but precedes his disagreement with an apology. And he says, very famously, "I love Plato, but I love the truth more than my friend and perhaps because the basis of friendship is truth." And so now to call him jealous of Plato seems especially unfortunate and unfair.

"But he had a passion for Alexander." Alexander was his student and Alexander wanted to conquer the world. I think the insinuation is that Aristotle wanted to conquer the world like his student. If you go by one of the principles of Machiavelli that we'll come to in a moment, the effectual truth of something. That the truth of a thing can be known better from what it results in, the outcome. Then you could say that the truth of a philosopher is better shown in his students, than what they actually do, than what they say or intend.

And so already Montesquieu has said that the real truth of Plato is to be found in Sparta. That very harsh, virtuous republic that spent its life, its common life, in warfare and in education for warfare. And now he's saying, suggesting of Aristotle, that the effectual truth of him is to be seen in his student Alexander. He wants to conquer the world because he wants to rule over the world. And he's a philosopher who's a legislator.

And you could say this is a necessary thought that would arise from his ambition to give good advice to legislators. Later on, or rather before this in another chapter, Montesquieu speaks against Aristotle. He says Aristotle didn't understand monarchy. He didn't understand that the power of a monarchy could be better, more effective and better directed, if it were divided into three powers. And so this suggests that Aristotle needed to learn from Montesquieu about the separation of powers.

Then we go to Plato, who was indignant against the tyranny of the Athenian people. He was indignant against them because they killed Socrates.

KRISTOL: Right.

MANSFIELD: So that is probably a reasonable principle on which to inspire the indignation. But Plato used just one person in his *Dialogues* to represent philosophy. So Socrates was kind of a one – represented the one representative of philosophy. This, Montesquieu I think is hinting, makes it too despotic in its effect. It suggests that philosophy is concentrated in one person and one person alone, who is the best. So, that I think is something he wants to reprove.

He himself refers to many philosophers throughout his book. He does refer just once to Socrates in a footnote. But one interesting philosopher that he never mentions, whom I've already mentioned, and who was his companion you might say in influencing America, he never mentions John Locke. It's very striking – his fellow liberal.

KRISTOL: Right.

MANSFIELD: It's an obvious comparison there. So, Montesquieu has many philosophers. Then Machiavelli. So there are five philosophers mentioned and Machiavelli is the third, the central figure of those who are mentioned. And he says Machiavelli was full of his idol, Duke Valentino or Valentine – Valentino. Idol. An idol is an image of a false god, or a false image of god. Image of a false god.

Well if you look carefully at Machiavelli, this is in Machiavelli's *Prince*, he does refer to the Duke Valentino. But he mainly refers to Cesare Borgia. Whom he says had another name, Duke Valentino, a name that was given to him by the people, or by the vulgar.

So in *The Prince*, this is the only – Cesare Borgia is the only person with two names. That makes me think of Jesus, who had two names. And so that when Machiavelli says that he wants to imitate the doings and exercises of Cesare Borgia, that means I think that he wants to imitate the wonderful success of Christ, who was the one unarmed prophet, and most obvious unarmed prophet, in Machiavelli's day who succeeded or came to success. Machiavelli likes to say that unarmed prophets never succeed. But he was armed in a certain way. He had a powerful doctrine that he was able to propagate – propaganda. This was a main force and power that Christianity had. It conquered the world, like Alexander, but it did so surreptitiously or subversively, not by conquering peoples and killing people, or taking over territories like Mohammed and Moses and David. But indirectly, so with propaganda. So Montesquieu, I think, sees this perfectly well when he refers to Duke Valentine instead of Cesare Borgia.

KRISTOL: Right.

MANSFIELD: He sees that perfectly well, and understands that this is what Machiavelli is up to in *The Prince* and especially chapters 7 and later 18 in *The Prince*. And so, this raises, I think, a more general question of the debt of Montesquieu to Machiavelli.

And I think he, in the first place, learned from Machiavelli, and in the second place disagreed with Machiavelli. What he learned from Machiavelli was the principle of effectual truth that I've already spoken of. This occurs in the 15th chapter of Machiavelli's *Prince*. And he says, I want to go to the effectual truth of the thing, rather than to the imagination of it. And he immediately applies this to morality, he says, and politics. He speaks against the imaginary republics and kingdoms that the ancient writers had spoken of, like Plato's *Republic*, or St. Augustine's *City of God*. And he uses this phrase, *verita effetuale*, means effectual truth. That the truth of a thing is in its effect.

And strangely, very strangely, Machiavelli uses this phrase only once in all of his writings. Not just in this one book, *The Prince*, but anywhere. He doesn't use it in a letter or any of his ambassadorial writings. It's really amazing I think that so important a thing would be left to this single expression. And if you look in the Italian Renaissance, I argue this elsewhere, you've seen this phrase, 'effectual truth,' never. And it seems that Machiavelli invented the word 'effectual', and especially the combination of the two, effectual truth. That it doesn't seem to have any source or previous –

And so this is what Montesquieu picked up from Machiavelli, the importance of the effectual truth. Of, for example, understanding philosophy through the passions of human beings, as he's doing in this chapter and all the way through.

So the effectual truth of a thing is what it reduces to. It's a principle not only of morality but also of science, of modern science. And morality, an example would be if someone says to you, "I love you," the effectual truth is, "I want something from you." And in science the effectual truth is that the only real cause is the cause that produces an effect, what Aristotle called the efficient cause. And in modern science the only – it speaks only of effects, of the causes that produce effects, and not formal or final causes, that are for the sake of some end or purpose. So this, effectual truth, is sort of scientific reductionism that applies to human affairs as well.

And it's quite striking the way in which Machiavelli anticipates modern science, and the way in which Montesquieu makes use of some scientific sort of understanding of the nerves and how nerves can produce an effect, instead of – and that's a factual truth, effectual truth, of what you think you're thinking as a thought. Thought may be just motion of your nerves.

So, this, again this is what Montesquieu learned from Machiavelli. But what he disagreed with was the notion that Machiavelli had, that in order to protect yourself and to understand yourself you had to try to become dependent on no one but yourself. So the freest person is the more powerful person then because the most powerful person is not – doesn't depend on other people. And if you depend on other people, it's the same thing as depending on chance because you can't be sure how they're going to treat you, or how they react to you.

So for Machiavelli the goal, you might say, of human action is to become one alone – *uno solo*, in Machiavelli's phrase. And in *The Prince* several times he speaks of it, and in *The Discourses* too. The need for not just a politician, but anyone to put himself in a situation where he is '*uno solo'*. But *uno solo* is really a tyrant, that is, a tyrant is a person who can call on anything or everything and is dependent on nothing, or thinks he is, or tries to become that way.

KRISTOL: Or a god.

MANSFIELD: Yeah, or a god. Yeah, God is by himself. So, Montesquieu picks up this phrase, *uno solo*, and puts it in French, '*un seul*' – one alone. And he repeats that throughout *The Spirit of the Laws*, in many contexts. And it's always something that produces despotism.

So it's the power of things which results in – its effectual truth is to make one person powerful and it applies to philosophers as well as to just politicians or to ordinary folk. So you see this, I think, throughout Montesquieu, his acceptance of the effectual truth, and his denial of – you might say the effectual truth of the effectual truth, which is despotism.

So, Machiavelli understands the need of every human being as acquiring. You have to acquire. You can never take for granted what you inherit, or what you already have. You have to acquire because other people are after you. Essentially other people are eager enemies. Even your friends will betray you or put themselves first. So you have to acquire. And he uses this sort of economic word in a political sense, too. So you can acquire the world, or you can acquire the State, when you would expect the word conquer – *conquistare*. And so he uses it politically as well as economically and Montesquieu replaces that with commerce.

Commerce is the spirit of acquisition, but made moderate in such a way as to prevent despotism. So commerce is, as has been said, bloodless killing. But it's also without despotic concentration of power. And at the same time it makes you richer and more powerful and the things that riches can give you. So that's Machiavelli.

And now Thomas More, the fourth legislator who "spoke of what he read, and not what he thought and who wanted to govern all States with the simplicity of a Greek town." And that was *Utopia*, that Greek by which More meant Plato's *Republic*.

KRISTOL: Right.

MANSFIELD: His *Utopia* was a kind of redoing of Plato's *Republic*, which is again you see the oneness, that is a philosopher who was also king. The simplicity is in general, bad. The simplicity of a Greek town because it leads to the mastery of one – of one.

And then also he leaves out the fact that – oh, he says that Thomas More spoke of what he read rather than he thought. So which did he read? Did he read Plato's *Republic*, or did he read the other thing that he might have read, namely the Bible?

KRISTOL: Right.

MANSFIELD: And then Thomas More is famous for being Sir Thomas More and St. Thomas More. Because as a Christian martyr in his time, only recently after Montesquieu, made a saint. So he was one person. But which was he? Was he a philosopher-politician, or a martyr for God?

And then last, we've got Harrington and this crowd of Royalists. And so now Harrington wrote a book called *Oceana*, which was an imaginary England. And so he focused entirely on England. And Harrington is mentioned one other place in Montesquieu's book, and criticized that he said he built Chalcedon – that was a famous city in Asia Minor – right on the coast in the view of the coast of Byzantium.

So Byzantium is really England. This is what Montesquieu says at the end of his chapter praising the English constitution and Harrington's attempt to improve on it. So, Byzantium is really England he said. And he tried to build something else to be more beautiful, but next to this beautiful city.

KRISTOL: Right.

MANSFIELD: So he tried to make an improvement on something that was much better than his imitation. And so this is what his view of Harrington. And what he did was to make England totally republican, and with no monarchy, no monarch. No *one* again.

And then the royalist writers, they wanted a crown but they didn't care about the rest, the republican side of things. And so Montesquieu, so once again it's a question of *one* that in each of these cases the philosopher makes his mistake by not understanding the dangers from the rule and the thought of 'one'.

And Montesquieu now brings up the need to have a kind of 'one' in a republic, an executive, a powerful monarch who is an executive. This would be as a strong president in the American Constitution. But at the same time in company with republican features, popular features so that it was not just a monarchy that royalist writers might approve of or might require.

So this is Montesquieu. He is for effectual truth, but opposed to the concentration of power in one. He himself is, you can say therefore, an embarrassed or prudent, inconspicuous philosopher who wants to stay behind the scenes and not present himself in such a way that he is not just celebrated but worshiped or followed, without hesitation. So I think he is not a revolutionary, but he would be happy to be celebrated.

KRISTOL: And he's entitled to be unfair to these philosophers, which I believe you could say he is in these little dismissive, psychologizing judgments about them, because he wants to keep philosophy and philosophers in their place, I suppose.

MANSFIELD: That's right, in their place. And they have a place. Because after all, in "Legislators," he only mentions the philosophers.

KRISTOL: Right.

MANSFIELD: He doesn't contrast them with others that he might have brought up, like Solon or like –

KRISTOL: Yeah, you expect if you see something called "Of Legislators," doesn't one sort of expect Solon or something like that, or some more modern, or even a modern legislator?

MANSFIELD: Someone of that caliber, yes.

KRISTOL: Yeah, that's interesting. Am I wrong to think that the thing about Aristotle not appreciating that monarchy would be more powerful in three parts, that sounds like a Christian, also a comment on –

MANSFIELD: Exactly.

KRISTOL: – the Christian use of Aristotle.

MANSFIELD: Yes, that was very perceptive of you.

KRISTOL: I don't think it was that perceptive; kind of obvious. But anyway. Yeah, so that's somehow –

MANSFIELD: Right. Yeah, Aristotle didn't understand that he could be misinterpreted to support the Christian way of thinking.

KRISTOL: Which is a more powerful monarch, so to speak, yeah.

MANSFIELD: Yeah, which has.

KRISTOL: But that somehow is underlying this too, some discussion of Christianity and religion I suppose.

MANSFIELD: It is.

KRISTOL: And its need to be –

MANSFIELD: Kept in its place. That's right. And in that way he was still with the early moderns too, who had the same desire to bring Christianity to heel, to make it listen to the requirements of reason and peace.

KRISTOL: And does he – I don't even know – does he discuss Machiavelli explicitly elsewhere? Or is this – I mean he uses [inaudible] in ways that I'm sure you've –

MANSFIELD: Yes, that's right. There is another chapter in which he discusses both Aristotle and Machiavelli. And he makes this remark about Machiavelli: We are beginning to be cured of Machiavellism.

KRISTOL: Oh.

MANSFIELD: And so that I think is – that contains both the idea of effectual truth, as Machiavelli is now turned into Machiavellism. Which is, in other words, a kind of cynical, dirty trick politics and the idea of opposing 'one alone.' Because what he said Machiavellism was, in this case, was the use of great strokes of authority. Sensational executions, which are a feature of Machiavelli's political science. So, we're replacing the great strokes of authority, sensational, revolutionary, impressive appearances that will rule people and make them fear, by commerce, gradual change, constitutionalism.

KRISTOL: Separation of powers.

MANSFIELD: Separation of powers. Altogether goodbye to Machiavelli in his bitterest and strangest and most tyrannical moments. And you could criticize Montesquieu from this standpoint, I think. Reading this you wouldn't expect that human beings were capable of the terrible things, the terrible events of the 20th century.

KRISTOL: Though "beginning to be cured" sounds like you can't maybe be fully cured.

MANSFIELD: That's right.

KRISTOL: I mean there's always an element of Machiavelli so to speak.

MANSFIELD: Yes, that's right. And also of conditionality, or that it's still – it's not definite.

KRISTOL: Right.

MANSFIELD: But he thinks we're on the road to what Nietzsche called "the last man."

KRISTOL: Softening.

MANSFIELD: Yeah, right. To security and freedom. A moderate freedom.

KRISTOL: Yeah, that's interesting. Final words on Montesquieu? For this has hopefully encouraged people to take a fresh look and appreciate both *The Spirit of the Laws* and the other two works too, which are both – those two I'd say, having read them decades ago, they're not really easier I'm sure, but *seem* to be easier to read, and are fun reads really in a way, right?

The Persian Letters, not just novelistic, I guess it is actually a novel. And *The Grandeur and Decline of the Romans* is a kind of apparently breezy kind of walk through Roman history, kind of.

MANSFIELD: Yes. I would say Montesquieu is wonderfully French and wonderfully cosmopolitan. He has something to teach us all.

KRISTOL: So we should follow the founders in studying him.

MANSFIELD: Yeah. Not just celebrate him, but see why it is that he should be celebrated by reading his books.

KRISTOL: Yeah, I think they say 'justly celebrated' somewhere, right?

MANSFIELD: Yes, reasonably.

KRISTOL: Right, that's good. Well this has been great. And I'm sure many people will benefit from this and really go read Montesquieu where they haven't before, or read him more carefully certainly than they have before. So, thank you for teaching us about Montesquieu.

MANSFIELD: You're welcome. It's a pleasure always.

KRISTOL: Thank you, Harvey Mansfield, for joining me today.

And thank you for joining us on CONVERSATIONS.

[END]