


COSIMO CLASSICS

[HISTORY]



The Spirit
of Laws
Volume I

BARON DE MONTESQUIEU

The Spirit of Laws by Montesquieu

Montesquieu

"Ey büyük Montesquieu! Senin gökyüzündeki ruhunu kutsamaktan ötürü şeref kazanırsam, ne mutlu bana! Ya siz, ey akıl, gerçek in sessiz ve kimseyle konuşup görüşmeyen bekçileri! Size de sevinç ve mutluluk verebilirim, ne mutlu olurum! İnsanlık savunucuları sesini duyurmakta etken olan istek ve heyecan, duyarlı ruhlara üfleyebilsem dünyalar benim olurdu! İnsanlık kutsal hakları savunan ve yenilmez gerçek in taraf tutarak, sesimi yükseltmekle, zulmün ve bazen de aynı derecede tiksiniç bilgisizliğin pençesinde çürümüş kara yazgı kurbanlarından birkaçını çekip kurtarabilirim, bunlardan sadece bir tek günahsız dualar ve döktüğü sevinç gözyaşları bile, bütün diğer insanlar hakkı suçlamalarına ve acı hakaretlerine karşı beni yatıştırır ve avutturdu!" Beccaria Bir kitap için bunca dedikodu, bunca savaş neden? Ne vardı bu kitabın içinde? Yazarın yirmi yıl üzerinde çalıştığı, o çaba göre bir bilgi kaynağı sayılmaz gereken kitap neden bu kadar göze battı? Neden yazar, kitabın yerenerle, düşüncelerine cephe alanlarla savaşmak, kendisini de kitabın da savunmak zorunda kaldı? Neden aslında eserin neredeyse dörtte biri kadar kalın bir savunma dosyası yazmak zorunda kaldı? Tarihçilerin Fransız ihtilalini hazırlayanlar arasında çok önemli bir rol oynadığını iddia ettikleri Montesquieu'nün Kanunların Ruhu Üzerine adlı eserini okurken, bu soruların da cevaplarını arayacak ve yazarın durmadan kitâhilerin ehtilâinden söz ettiğini, hürriyetin insanların en doğal haklarından biri olduğunu, kanun karşısında bütün insanların eşit sayılması gerektiğini ve toplumların ancak bu anlayış sayesinde mutluluğa ulaşabileceklerini ileri sürdüğünü göreceksiniz.

i urge one favour of my readers, which I worry aren't granted me; this is, that they're going to no longer pass judgement on by way of a couple of hours examining of the labour of twenty years; that they're going to approve or condemn The Spirit of Laws the ebook entire, and never a number of specific phrases. Reviewing big, outdated tomes like this is often difficult, in part simply because they conceal loads ground, and partially simply because no matter what there's to assert approximately them has already been said. but i used to be usually stunned via what i discovered during this book, and accordingly imagine it worthy to assemble my impressions into a few type of coherent order. First, his style. I quick acquired the influence that Montesquieu used to be aiming for a wide audience. His style, even supposing stately and elegant, can also be relatively common and straightforward to digest. He subdivides each one of his arguments into little atoms of thought; each paragraph makes one element and one element only, after which the philosopher strikes on. This procedure can also be utilized in the bankruptcy and publication divisions, that are equally laconic and The Spirit of Laws lapidary. a few of Montesquieu's chapters are so brief that they just occupy part a page—sometimes less. This makes for a a bit of strange interpreting experience. For you will assimilate the topic of 1 of his paragraphs or chapters; yet, as those little atoms of proposal circulation by, like autumn leaves drifting down a stream, it's also effortless to lose focus. The issues are so smartly divided as to often appear unconnected; and this made it a tribulation of focus to learn the publication for lengthy sessions of time. As a thinker, Montesquieu is huge instead of deep. He is based almost always on his huge studying and strong universal sense. in comparison with Hobbes, Locke, or maybe Rousseau, his arguments nearly look cursory; he goals to persuade the reader through

the sensibleness of his maxims, instead of the ingenuity of his mind. he's not one for deep analysis, yet for a large synthesis. Thus, he strikes from subject to topic, now discussing taxes, now liberty, now Roman history, The Spirit of Laws now climate, now slavery. And as we stick to Montesquieu on his highbrow peregrinations, we come upon either reliable feel and nonsense. At times, Montesquieu is penetrating and prophetic. In phrases instantly widely used to a latest reader, he describes the elemental plan of the United States government, successfully filling in any gaps left via Locke. He additionally has really glossy principles on legal justice, really on due approach and the tailoring of punishments to the severity of crimes. yet in a few ways, Montesquieu's most unusual contribution to sociological concept is his emphasis at the effect of weather on culture. The Spirit of Laws To a contemporary reader, the specifics The Spirit of Laws of Montesquieu's theories will appear silly. A chilly air constricts the extremities of the exterior fibres of the body; this raises their elasticity, and favours the go back of the blood from the extraordinary elements to the heart. It contracts these very fibres; consequently, it raises additionally their force. at the contrary, a hot air relaxes and elongates the extremes of the fibres; of course, it diminishes their strength and elasticity. Nevertheless, foolish as this seems, the impression of weather at the future of countries has been proven to be tremendous; Jared Diamond's recognized e-book is, in essence, Montesquieuan. but Montesquieu does frequently veer into the straightforwardly foolish. seeing that he doesn't cause from particular principles, yet extra usually is determined by his universal sense, he's apt to make assertions with no evidence, which to us look (to say the least) far-fetched. If there's no extra recognize for outdated age, there'll be none shortly for parents: deference to husbands might be likewise thrown off, and submission to masters. This licentiousness will quickly turn into general, and the difficulty of command The Spirit of Laws be as fatiguing as that of obedience. Wives, children, slaves, will shake off all subjection. not will there be the sort of issues as manners, order, or virtue. Furthermore, nice chunks of this e-book stray thus far off subject as to be hardly ever worthy reading. i discovered the various treatises at the historical past of French legislation rather soporific. In those sections, Montesquieu presupposes loads of wisdom which i don't possess; besides, his kind is little suited for history, when you consider that heritage will depend on narration, and Montesquieu's writing is relentlessly aphoristic. as a result of this, I frequently discovered myself skimming, and infrequently skipping chapters, given that i used to be not able to extract whatever of worth from those digressions anyway. The Spirit of Laws This booklet is, perhaps, a main candidate for an outstanding abridgement; Montesquieu filled every thing he knew and notion into this volume, and never it all is worthy your while. For my part, I remorse now not choosing up Montesquieu: chosen Political Writings, placed out by way of Hackett Classics, rather than dedicating the various weeks and teach rides it took to get to the tip of this work; yet what is performed is done, and maybe I discovered whatever within the process. To sum up Montesquieu as most sensible I can, I say that he was once a guy now not extraordinarily original, now not astoundingly brilliant, now not splendidly eloquent; he was, rather, a guy eminently sensible, a guy generally learned, and a guy with adequate independence of brain and diligence of inspiration to place jointly here, with all its flaws and infelicities, what's in reality a enormous summation of Enlightenment political thought. So if we are, as Montesquieu asks, to pass judgement on the booklet entire, and never quite a few specific phrases, we needs to The Spirit of Laws pronounce it a super success.

The Spirit Of Laws

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