

## **U.S. Government Enlightenment Political Philosophers**

### ***Baron de Montesquieu: The Spirit of the Laws (1748)***

*With the possible exception of John Locke, probably no philosopher had more influence on, or was more frequently cited by, the American founders than the French philosopher the Baron de Montesquieu. His most important work was The Spirit of the Laws, first published in 1748. Montesquieu's work ranged over a wide variety of topics, and he had the keen eye of an observer who paid close attention not only to political science, but also to history, sociology, and geography.*

“...Democratic and aristocratic states are not in their own nature free. Political liberty is to be found only in moderate governments; and even in these it is not always found. It is there only when there is no abuse of power. But constant experience shows us that every man invested with power is apt to abuse it, and to carry his authority as far as it will go. Is it not strange, though true, to say that virtue itself has need of limits?

To prevent this abuse, it is necessary from the very nature of things that power should be a check to power. A government may be so constituted, as no man shall be compelled to do things to which the law does not oblige him, nor forced to abstain from things which the law permits...In every government there are three sorts of power: the legislative; the executive in respect to things dependent on the law of nations; and the executive in regard to matters that depend on the civil law...When the legislative and executive powers are united in the same person, or in the same body of magistrates, there can be no liberty; because apprehensions may arise, lest the same monarch or senate should enact tyrannical laws, to execute them in a tyrannical manner.

Again, there is no liberty, if the judiciary power be not separated from the legislative and executive. Were it joined with the legislative, the life and liberty of the subject would be exposed to arbitrary control; for the judge would be then the legislator. Were it joined to the executive power, the judge might behave with violence and oppression.”

**John Locke: *Various writings late 1600s***

*John Locke is considered one of the first of the modern philosophers. Combining the rationalism of René Descartes with the empiricism and inductive scientific method of Francis Bacon, Locke gave the Western world the first distinctly modern theory of human nature. Locke, an English philosopher, medical doctor, educator, politician, and occasional revolutionary, wrote about the power of reason and about fundamental rights of life, liberty, and property. More than any other English philosopher, he inspired the framers of the U.S. Constitution.*

"This equality of men by nature . . . [is] the foundation of that obligation to mutual love amongst men on which he builds the duties they owe one another."

"The great and chief end, therefore, of men's uniting into commonwealths, and putting themselves under government, is the preservation of their property."

"The end of law is not to abolish or restrain, but to preserve and enlarge freedom. For in all the states of created beings capable of law, where there is no law, there is no freedom."

"Men being, as has been said, by nature, all free, equal, and independent, no one can be put out of this estate, and subjected to the political power of another, without his own consent."

## **Jean-Jacques Rousseau: *The Social Contract* (1762)**

*Jean-Jacques Rousseau was one of the most influential thinkers of the Enlightenment. A writer of amazing breadth and depth, his works of social and political theory, as well as musical criticism, novels, and even a successful opera, continue to be relevant. His ideas inspired the architects of the American and French revolutions and encouraged the rise of Romanticism. Rousseau denounced most government, saying that human beings were born free and equal, government by kings was unnatural and unjust, and the only legitimate laws were those that expressed the common will of the people.*

“The social pact, far from destroying natural equality, substitutes, on the contrary, a moral and lawful equality for whatever physical inequality that nature may have imposed on mankind; so that however unequal in strength and intelligence, men become equal by covenant and by right.”

“What, then, is the government? An intermediary body established between the subjects and the sovereign for their mutual communication, a body charged with the execution of the laws and the maintenance of freedom, both civil and political.”

“Usurpers always bring about or select troublous times to get passed, under cover of the public terror, destructive laws, which the people would never adopt in cold blood. The moment chosen is one of the surest means of distinguishing the work of the legislator from that of the tyrant.”