

<http://montesquieu.ens-lyon.fr/spip.php?article2804>



XIV.10 On laws related to the sobriety of peoples

- The Spirit of Law - Book XIV. On the laws in their relation to the nature of the climate -

Date de mise en ligne : jeudi 6 septembre 2018

Copyright © Montesquieu - Tous droits réservés

XIV.10 On laws related to the sobriety of peoples

In warm countries, the aqueous part of the blood is largely dissipated through perspiration [1] ; therefore equivalent liquid must be substituted. Water is excellent for this purpose ; strong liquids would coagulate the globules of the blood [2] that remain after the dissipation of the aqueous part.

In cold countries, little of the aqueous part of the blood is exhaled through perspiration ; it remains in great abundance. Spirituous liquids can therefore be used without the blood coagulating. The body has no want of humours ; there strong liquids that give movement to the blood can be appropriate.

The law of Mohammed which forbids the drinking of wine is thus a law of the Arabian climate, and before Mohammed water was the common beverage of the Arabs. The law [3] which forbade the Carthaginians to drink wine was also a law of the climate ; indeed the climate of these two countries is about the same.

Such a law would not be good in cold countries, where the climate seems to impel people to a certain national inebriation very different from that of the person. Inebriation is established everywhere in the world in proportion to the coldness and humidity of the climate. Go from the equator to our pole and you will see inebriation increase with the degrees of latitude. Go from the same equator to the opposite pole and you will find inebriation going southward, [4] just as on this side it had gone northward.

It is natural that where wine is contrary to the climate, and consequently to health, its excess should be more severely punished than in countries where inebriation has few harmful effects for the person, few for society, and where it does not make men mad but only dim-witted. Thus the laws [5] which have punished a drunken man both for the infraction he was committing and for drunkenness were applicable only to the inebriation of the person, and not to national inebriation. A German drinks by custom, a Spaniard by choice.

In warm climates, the slackness of the fibers produces a great loss of fluids, but the solid parts dissipate less. The fibers which have only a very weak activity and little force show no wear ; little nutritive juice is needed to restore them, thus people eat very little.

It is the different needs in the different climates which have brought about the different manners of living, and these different manners of living have brought about various kinds of laws. In a nation where men are in close communication, certain laws are called for ; others are called for among a people who do not communicate.

[1] Mr. Bernier, travelling from Lahore to Kashmir, wrote : "My body is a sieve ; scarcely have I drunk a pint of water than I see it coming like dew from all my members down to the tip of my fingers ; I drink ten pints a day, and it does me no harm." (Bernier, *Travels in the Mogul Empire*, vol II, p.261.)

[2] In the blood there are red globules, fibrous parts, white globules, and water in which all those things swim.

[3] Plato, book II of *Laws* ; Aristotle, *Rconomica* ; Eusebius, *Præparationes evangelicæ*, book XII, ch. xvii.

[4] We can see this in the Hottentots and the peoples at the tip of Chile who are farthest south.

[5] As did Pittacus, according to Aristote, *Politics*, book II, ch. iii. He lived in a climate where inebriation is not a national vice.