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XV.11 The abuse of slavery

- The Spirit of Law - Book XV. How the laws of civil slavery relate to the nature of the climate -

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XV.11 The abuse of slavery

In Mohammedan states one is not only master of the life and possessions of the women slaves, but also of what is called their virtue or their honor. [1] It is one of the misfortunes of those countries that the greater part of the nation is born only to serve the sensuality of the other part. Such servitude is rewarded by the indolence such slaves are allowed to enjoy, which is yet another misfortune for the state.

It is this indolence that makes these Oriental seraglios into places of delight for the very persons against whom they are created. [2] People who fear only work can find their happiness in these tranquil places. But it is clear that even the spirit of the establishment of slavery is thereby belied.

Reason would not have the master's power extend beyond things related to his service ; slavery must be for utility, and not for sensuality. The laws of modesty are part of natural law, and should be evident to every nation on earth.

Now if the law that preserves the modesty of slaves is good in states where unlimited power makes a mockery of everything, how good will it be in monarchies ? How good will it be in republican states ?

There is a provision in the Law of the Lombards that appears good for all governments : "If a master seduces the wife of his slave, those slaves shall both be free" [3] : an admirable adaptation for preventing and checking the incontinence of masters without too much severity.

I do not find that the Romans had a good policy on this matter. They unleashed the incontinence of masters ; they even more or less deprived their slaves of the right of marriage. They were the basest part of the nation, but however base, it was good that they should have morals ; and besides, by denying them marriages, they corrupted those of the citizens.

[1] See Chardin, *Voyage de Perse*.

[2] See Chardin, vol. II, in his description of the market of Izagour [II, 3-5].

[3] Book I, tit. 32, §5.