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# V.9 How the laws are relative to their principle in monarchy

- The Spirit of Law - Book V. That the laws made by the legislator must be relative to the principle of the government -

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## V.9 How the laws are relative to their principle in monarchy

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Honor being the principle of this government, the laws must relate to it.

They must contribute to maintaining the nobility, the honor of which is, so to speak, the child and the father.

They must make it hereditary, not to serve as the boundary between the power of the prince and the weakness of the people, but as the bond between the two.

The substitutions that keep property within families will be very useful in this government, although they are not appropriate in the others.

The lineage right of redemption will return to noble families the lands which the prodigality of a relative might have alienated.

Noble lands will have privileges, as do the persons. The dignity of the monarch cannot be separated from that of the kingdom, nor can the dignity of the noble ever be separated from that of his fief.

All these prerogatives will be peculiar to the nobility, and will not then apply to the people, so as not to attack the principle of the government, and diminish the strength of the nobility and of the people.

Substitutions are an obstacle to commerce : the lineage right of redemption necessitates endless lawsuits, and all the estates of the realm that are sold are at the least in a sense without a master for a year. Prerogatives attached to fiefs confer a power that is very onerous to those who bear them. These are particular drawbacks of nobility, which disappear in the face of the general utility it provides ; but to communicate them to the people is needlessly to attack all the principles.

In monarchies, leaving most of one's property to just one child can be allowed ; only there is such permission good.

The laws must favor all the commerce that the constitution of this government can enable, [1] so that the subjects may without perishing satisfy the perpetually renewed needs of the prince and his court.

They must put a certain order into the manner of levying tributes, so it will not be even more burdensome than the charges.

The weight of the charges first produces labor ; labor, dejection ; and dejection the spirit of sloth.

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[1] It allows it only to commoners. See the third law in the code *De commerciis et mercatoribus* ['On commerce and merchants'], which abounds in good sense.