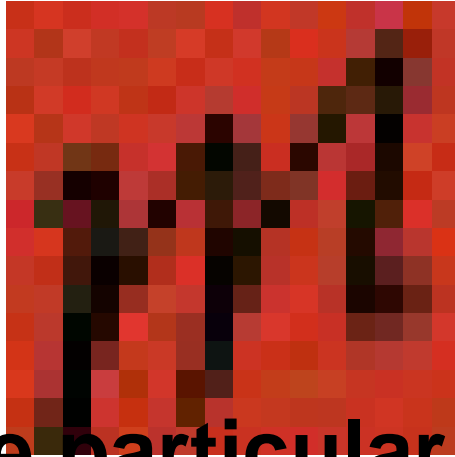


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XX.20 One particular reflection

- The Spirit of Law - Book XX. On laws in their relationship with commerce, considered in its nature and its distinctions -

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XX.20 One particular reflection

Some persons, struck by what is practiced in some states, think there ought to be laws in France to incite the nobility to engage in commerce. That would be the means of destroying the nobility without any benefit to commerce. The practice of this country is very wise : its dealers are not nobles, but may become nobles ; they can anticipate the acquisition of nobility without having its present disadvantage ; they have no surer means of rising above their profession than to practice it well or practice it successfully, a thing which is ordinarily attended by competence.

Laws which require everyone to remain in his profession and pass it on to his children are not and cannot be useful except in despotic states, [1] where no one can be or ought to have aspirations.

Let it not be said that everyone will exercise his profession better when he cannot leave it for another. I say that everyone will exercise his profession better when those who have excelled in it have hopes of acceding to another.

The acquisition one can make of nobility at a price provides much encouragement to merchants to put themselves in a position to achieve it. I do not examine whether it is good thing for us thus to give to wealth the prize of virtue : in certain governments that can be very useful.

In France the robed estate, which is between the great nobility and the commoners, which while lacking the splendor of the former has all its privileges ; that estate which leaves individuals in modest circumstances while the body, which is the repository of the laws, is glorified ; that estate in which again the only means of distinguishing oneself is through competence and virtue ; an honorable profession, but which always lets you see a more distinguished one : that most warlike nobility that thinks that whatever one's degree of wealth, he must make his fortune, but that it is demeaning to increase his wealth unless he first dissipates it ; that part of the nation that always serves with its own property as capital ; which, when it is ruined, yields its place to another part which again will serve with its own capital, which goes to war so no one will dare to say it has not been to war ; which, when it cannot hope for riches, hopes for honors, and when it fails to obtain them takes comfort because it has acquired honor : all these things have necessarily contributed to the greatness of this kingdom. And if in the last two or three centuries it has steadily increased its might, that must be attributed to the quality of its laws, and not to fortune, which does not know such sorts of constancy.

[1] Indeed it is often thus instituted there.