http://montesquieu.ens-lyon.fr/spip.php?article3060

XXVI.21 mat one must not decide by political laws things that belong to the law of nations

- The Spirit of Law - Book XXVI. On laws in the relation they must have with the order of things on which they bear -Date de mise en ligne : vendredi 7 septembre 2018

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Political laws require that every man be subject to the criminal and civil tribunals of the country where he is, and to correction by the sovereign.

The law of nations has willed it that princes send ambassadors to each other, and reason drawn from the nature of the thing has not allowed these ambassadors to be subject to the sovereign of the country to which they are sent, nor to his tribunals. They are the word of the prince who is sending them, and that word must be free ; no obstacle must prevent them from acting ; they can often annoy because they speak for an independent man ; they could be framed for crimes if they could be punished for crimes ; debts could be imputed to them if they could be arrested for debts : a prince who has a natural pride would speak through the mouth of a man who would have everything to fear. We must therefore follow, with respect to ambassadors, the reasons drawn from the law of nations, and not those that derive from political law. Should they abuse their representative character, a stop is put to it by sending them home ; they can even be accused before their master, who thereby becomes their judge or their accomplice.