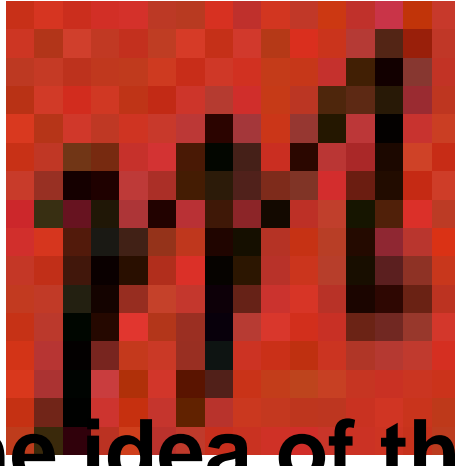


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# XII.1 The idea of this book

- The Spirit of Law - Book XII. On laws that constitute political liberty in its relation to the citizen -

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## XII.1 The idea of this book

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It is not enough to have dealt with political liberty in relation to the constitution : we must examine it in its relation to the citizen.

I have said that in the first case it is defined by a certain distribution of the three powers ; but in the second we must consider it from a different point of view. It consists in security, or in the sense one has of one's security.

It can happen that the constitution will be free, and the citizen not. The citizen might be free, and the constitution not. In these cases, the constitution will be free by right and not in fact, the citizen will be free in fact and not by right.

Only the disposition of the laws and even of the fundamental laws constitutes freedom in its relation to the constitution. But in the relation to the citizen, morals, manners, and established examples can give rise to it, and certain civil laws favor it, as we shall see in the present book.

Moreover, in most states, freedom being more constrained, contested, or crushed than their constitution requires, it is well to speak of the particular laws which in each constitution can assist or contest the principle of the liberty to which each of them lends itself.