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V.17 On presents

- 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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It is customary in despotic countries never to approach anyone above yourself, even kings, without giving him a present. The emperor of Mogol [1] does not receive the petitions of his subjects unless he has received something from them. Such princes go so far as to corrupt their own clemency.

It must be so in a government where no one is a citizen, in a government where everyone is imbued with the idea that the superior owes nothing to the inferior, in a government where men believe themselves bound only by the punishments which some apply to others, in a government where there is little business, and it is rare that anyone needs to appear before one of the greats to make requests of him, and even less complaints.

In a republic, presents are something repugnant, because virtue has no need of them. In a monarchy, honor is a more powerful motive than presents. But in the despotic state, where there is neither honor nor virtue, one can be moved to action only by expectation of the amenities of life.

In his thoughts on the republic that Plato [2] would have those who receive presents for doing their duty be punished by death. "One should accept none," he said, "neither for good things, nor for bad."

It was a bad Roman law [3] that allowed magistrates to accept small presents [4] provided they not amount to more than one hundred crowns in the whole year. Those to whom nothing is given desire nothing ; those to whom a little is given soon desire a little more, and then much more. Besides, it is easier to convince the man who is supposed to take nothing but takes something, than the one who takes more when he should take less, and always finds pretexts, excuses, and plausible causes for doing

[1] *Recueil des voyages qui ont servi à l'établissement de la Compagnie des Indes* (vol. I, p. 80).

[2] Book XII of *Laws*.

[3] Leg. 5, § *ad leg. Jul. repet.*

[4] *Munuscula*.