

Baron de Montesquieu: Separation of Powers

Charles-Louis de Secondat was born in France in 1689. He is better known by his title, the Baron de Montesquieu.

In his youth, Montesquieu attended a Catholic school. Later he became a lawyer. When his uncle died in 1716, Montesquieu inherited the title of baron along with his uncle's fortune. He also became president of the local parliament.

In 1721, Montesquieu achieved fame as a writer with a book called *Persian Letters*. The book described French society as seen by fictional travelers from Persia. It used humor to criticize French institutions, including the king's court and the Catholic Church. It quickly became very popular, and Montesquieu became an admired guest in the salons of Paris.

Montesquieu's most famous book was *The Spirit of Laws*, published in 1748. In this book, he described his theory of how governments should be organized.

Like John Locke, Montesquieu was concerned with how to protect political liberty. The best way to do this, he argued, was to divide power among three branches of government. In such a system, the legislative branch made the laws. The executive branch enforced the laws. The judicial branch interpreted the laws. The three branches should be separate but equal. In this way, no one branch would be too powerful. Montesquieu called this concept the *separation of powers*.

Montesquieu's theory reflected his admiration for the English system of government. In England, lawmaking was the job of Parliament. The king enforced the laws, and courts interpreted them. Each branch of government checked (limited) the power of the others. When powers were not separated in this way, Montesquieu warned, liberty was soon lost. Too much power in the hands of any one person or group led to despotism (tyranny).

Montesquieu's ideas had a powerful impact on later thinkers. Among them were the men who wrote the U.S. Constitution. They made the separation of powers a key part of the American system of government.

Questions

1. In his book *The Spirit of Laws*, Montesquieu described how he thought governments should be organized. What was the name of his idea, and how did it work?
2. According to Montesquieu, what might happen if governments did not use this idea?