

The aim of the dissertation is to clarify concept of nature in the major work of Montesquieu, *The Spirit of the Laws*. In fact we cannot fully comprehend political theory of the author without a proper understanding of his conception of human nature. The majority of interpreters treating this question regard Montesquieu as a follower of the modern school of natural law, mainly Grotius and Pufendorf, and they focus their attention on concepts of "natural right" and "natural law". Nevertheless, Montesquieu employs these terms rarely and he prefers to speak simply of "nature"; moreover, he does not offer a systematic analysis of the concept of natural right, neither any elaborate theory of human nature. The general notion of "nature" enables us to explore the scientific meaning of this term covering theory of climate, as one of the central points of author's political theory.

The first part of dissertation analyses the scientific meaning of the concept of nature. Through his activities at Bordeaux Academy Montesquieu was not only a spectator of the scientific revolution but he played the role of an active participant in this field. We focused on the author's attitude to the new idea of nature, mainly with regard to his attempt to understand human body. Montesquieu shares the Cartesian mechanistic conception of nature and together with the iatromechanists he conceives human body as "a machine". By examining his position towards the muscular contraction and sensorial excitation, we tried to show that Montesquieu follows the eclectic position of Herman Boerhaave and not that of Italian iatromechanists. For the Dutch scientist correct understanding of human body is the necessary condition for the study of any kind of illnesses; Montesquieu, on the other hand, examines how the external causes affect our passions and characters by modifying the fibres of our bodies. He finds inspiration in the classical theory of "six things non-natural" (where climate is one of the six causes), developed in the 18th century mainly by British physicians. In the second chapter of the book XIV of the *Spirit of the Laws*, taken word by word from his *Essai sur les causes qui peuvent affecter les esprits et les caractères*, never

published in his life, Montesquieu on the example of sheep's tongue illustrates how the temperature of air affects the tissue of animal skin. In his essay Montesquieu examines also other causes that modify the quality of fibers and liquors of human body but in his political theory he concentrates on the consequences of climate as its effects are more general. The explanation adopted by Montesquieu is entirely mechanistic. While the cold climate of Nordic countries strengthens the fibers and slow down the circulation of the liquors which produce courageous and independent people attached to their freedom, the hot Asian climate makes the fibers more sensitive and delicate, and this leads to the inactivity and timidity that allow the imposition of despotism. To be able to answer the question of possible determinism in the Spirit of the Laws, perceived not only by the censorship of the time but by some modern interpreters as well, it is necessary to complete the study of external causes on human body with the author's conception of human nature.

In the argument with Hobbes Montesquieu defends the existence of natural justice preceding positive laws and he assumes the basic arguments of the school of modern natural law. But his conception of natural right follows Roman classical tradition proclaiming a natural right shared by men and animals. Thus Montesquieu adopts the stoic concept of *oikeiōsis* and unlike Grotius and Pufendorf he refuses to draw a sharp distinction between men and other animals. Clearly he believes that reasoning is a unique human ability but in his view men acquire the capacity of knowledge only gradually and they are often dominated by their own passions. Due to the weakness of reason, morality is expressed by sentiments founded in passions proper to men, for example modesty (*pudeur*) or pity. Montesquieu does not want to cast doubt on the importance of reason but he demonstrates that the essential trait of human nature is its flexibility which means a possibility to lose the very awareness of it due to the external causes. The external causes' limits can be best understood by the study of slavery and polygamy. Without any hesitation Montesquieu holds an anti-slavery position: he rejects

not only classical arguments justifying slavery but the effects of climate as well. These must be counterbalanced by appropriate moral causes. The same applies for modesty that surpasses notion of a feminine virtue because it is the very condition of life in society.

Montesquieu takes up the mechanistic explanation only for the external causes, not universally as does Hobbes who tries to establish political science on mechanics. Montesquieu is deeply interested in the study of human body but he does not believe that mechanics could be the base for political science. Flexibility of human nature implies the necessity to study the effects of various causes that must be taken into account by legislator because they are a part of political science. But the hobbesian conception regarding man as an assembly of mechanical forces is a despotic logic that makes men beasts. Man is a creature at the same time reasonable and passionate and reason is not a simple capacity to calculate but the ability to conceive the reality in its entirety.

Montesquieu does not make a clear distinction between the scientific and moral sense in the very concept of nature as Pufendorf does, because the two meanings are both present in man. He neither shares the Hobbes's position of mechanical understanding of politics. In Montesquieu's view all possible meanings of "nature" are present in man; through the concept of human nature we can seize a certain unity of the term. With regard to flexibility of human nature, it is essential to conceive every meaning of nature to be able to establish a moderate political regime where men can live in freedom. Montesquieu calls the assembly of the causes modifying human nature 'the general spirit of a nation'. Political science must be based on study of human nature which is not a given fact but a composite and changing unity. This does not mean that human nature as a concept has no place in Montesquieu's political theory. Montesquieu only tries to say that we have to take into account flexibility of men and that it is necessary to reinforce the fundamental characteristics of human nature appropriately to

be able to avoid the danger of despotism.