

<<论法的精神>>

图书基本信息

书名：<<论法的精神>>

13位ISBN编号：9787562023456

10位ISBN编号：756202345X

出版时间：2003-5

出版时间：中国政法大学出版社

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页数：757

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内容概要

The Spirit of the Laws is, without question, one of the central texts in the history of eighteenth-century thought, yet there has been no complete, scholarly English-language edition since that of Thomas Nugent, published in 1970. This lucid translation renders Montesquieu's problematic text newly accessible to a fresh generation of students, helping them to understand quite why Montesquieu was such an important figure in the early Enlightenment and why The Spirit of the Laws was, for example, such an influence upon those who framed the American constitution. Fully annotated, this edition should focus attention upon Montesquieu's use of sources and his text as a whole, rather than upon those opening passages towards which critical energies have traditionally been devoted, and a selected bibliography and chronology are provided for those coming to Montesquieu's work for the first time.

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作者简介

1689年1月18日，孟德斯鸠（1689—1775年）出生于法国波尔多市附近的拉勃烈德城堡一个达官显贵之家。

自幼受过良好教育。

19岁时获法学学士学位，出任律师。

1814年开始担任波尔多法院顾问。

1716年，继承了波尔多法院院长（他的祖父、伯父一直占有这个职务）职务，并获男爵封号。

1721年孟德斯鸠化名“波尔·马多”发表了名著《波斯人信札》。

1726年，他出卖了世袭的波尔多法院院长职务，迁居巴黎，专心于写作和研究。

漫游了欧洲许多国家。

1731年回到法国后，潜心著述。

1748年，他最重要的著作《论法的精神》发表。

这部书受到极大的欢迎，两年中就印行了22版。

1755年，他旅途中染病去世。

孟德斯鸠是与伏尔泰并驾齐驱的启蒙思想家。

他们两人的思想也颇相似，有反封建的一面，也有保守妥协的一面，同属大资产阶级的思想代表人物。

孟德斯鸠反对神学，提倡科学，但又不是一个无神论者和唯物主义者，他是一名自然神论者。

他最重要的贡献是对资产阶级的国家和法的学说作出了卓越贡献，他认为，“当立法权和行政权集中在同一个人或同一个机关之手，自由就不复存在”。

他指出，“专制政体的原则是恐怖”；“专制政体是既无法律又无规章，由单独一个人按照一己的意志和反复无常的性情领导一切”。

他在洛克分权思想的基础上明确提出了“三权分立”学说；他特别强调法的功能，他认为法律是理性的体现，法又分为自然法和人为法两类，自然法是人类社会建立以前就存在的规律，那时候人类处于平等状态；人为法又有政治法和民法等。

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Introduction
In a letter written in 1748 when *The Spirit of the Laws* was first published Montesquieu wrote, "I can say that I have worked on it my whole life: I was given some law books when I left my college; I sought their spirit, I worked, but I did nothing worthwhile. I discovered my principles twenty years ago: they are quite simple; anyone else working as hard as I did would have done better."
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