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# The Truth About Elections

They're not the hard part of democracy, as a Frenchman once taught America

**T**ALKING WITH REPORTERS RECENTLY ABOUT IRAQ'S ELECTIONS, President Bush bore witness to a quintessential American faith. "If people," he said, "are given a right to express themselves in a ballot in the ballot box, in the public square, and through a free and open press, it'll lead to peace."

To borrow a line from Hemingway, it would be pretty to think so. In fact, history teems with elections that have led to neither peace nor more democracy, from 1930s Germany to today's Haiti, Russia and Pakistan. Elections, if free and open, are a good thing. But, as our Founding Fathers understood, they're only part of the alchemy by which societies conjure up stability, security and happiness for their citizens.

However discordant things might often seem in our own electoral house, we Americans take solace in the fact that our republic has held together for more than two centuries. The wonder is how much of that past remains terra incognita to us—particularly the document mainly responsible for our republic's longevity: the Constitution.

Most Americans would be astounded to learn that during the drafting of that Constitution in 1787, its framers, searching for guidance, called on the ideas of no thinker more than those of a foreign (French, no less) nobleman who died three decades before they gathered—and, measured from our own day, 250 years ago next month. By now, few Americans know of Charles-Louis de Secondat, baron de La Brède et de Montesquieu. And that's too bad. Because Montesquieu still offers powerful guidance for our age.

A raft of recent books have toasted the Founding Fathers—particularly Thomas Jefferson, author of the Declaration of Independence. That open letter to the British Crown gave us our most eloquent enunciation of our belief in individual liberties. But it remains at core a historical document with no legal standing. It is, by contrast, through the Constitution—the governing instrument that Montesquieu inspired and James Madison nominally fathered—that we organize and regulate our hectic American works and days. So why is there so much clinking of fine crystal for Jefferson while Montesquieu has gone missing?

To be honest, Montesquieu's writing style has never helped

his case for a wide readership. His dense, often confounding 1748 masterpiece *The Spirit of the Laws* can seem a ramshackle mansion, honeycombed with a floor plan impossible to master; Voltaire called it "a labyrinth without a thread." Likewise, while our Constitution opens with a stirring preamble, "We the people . . .," it quickly settles into a tedious recitation of items, articles and sections, bulging in their seeming infinity like Harpo Marx's coat pockets, detailing all manner of governmental powers and functions—related to everything from dockyards to coinage. In fairness, how could anyone reasonably expect such a document to compete, in our romantic imagination, with another resounding with trumpet fanfares extolling life, liberty and the pursuit of happiness? Just as American conversations and American journalism will always prefer elections over governance, so Americans read the Declaration as poetry, the Constitution as prose.

But that's the rub.

Montesquieu understood that good government demands the dogged nurturing of a society of laws and an attention to the knotty details of governance. This philosopher, wary of zealotry, was no Utopianist. "Even virtue," he counseled, "has a need for limits." A studious lawyer and vintner from Bordeaux's village of La Brède, Montesquieu sought no leveling of society.

He proposed a system of checks and balances whereby the fiats and whims of France's Bourbon throne were limited by established laws and the countervailing powers of a vital, widely dispersed aristocracy.

To sanction their break with England, America's founders in 1776 invoked Voltaire, Locke and other philosophers more optimistic, even revolutionary, in spirit than Montesquieu. But it was from the warier sage of La Brède that the Constitution's framers learned how to fashion a lasting government. Under his sway, the framers insisted on a Judiciary separate from the other branches of government. And drawing on the Frenchman's ideas, the framers also designed a Legislative Branch of government with two houses, each to check the other.

Of late, we've been reminded by headlines from Iraq, Afghanistan, Ukraine—and, yes, Florida, Ohio and Washington State—of the difficulties of staging free elections. But, however vexing, voting alone cannot guarantee liberty's blessings. As Montesquieu knew, wise, enduring government involves more than setting up a ballot box and waiting for voters to fall in line. Perhaps, after all these years, a toast to the vintner from La Brède might finally be in order—a vintage Bordeaux will do nicely. ■

