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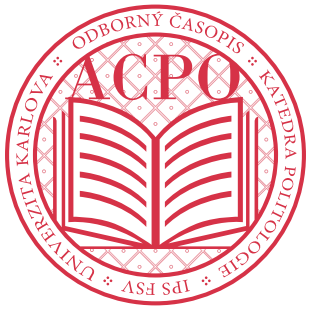



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# Benjamin Constant and the Ideas of Republicanism

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## Abstract:

*Benjamin Constant is considered as a classical liberal thinker due to his conviction that men establish political authority in order to protect their pre-existing rights, his theory of limited sovereignty and the modern concept of liberty described as a possibility to enjoy our private pleasures. Throughout his life Constant defended his liberal views; at the same time, while persuaded of the progress of mankind and therefore of the impossibility to revive the ancient conception of liberty, he was clearly aware of the dangers of modern society made up of solitary individuals and of the need of a social bond so that the liberal constitution could be maintained. The aim of this paper is to show that through his effort to overcome the atomisation of modern society, Constant comes in some respects close to the ideas of civic republicanism as developed for example by Pettit or Spitz; in the republican tradition, he stresses the need to overcome our selfish passions and to create a legal framework so that we may enjoy our freedom. In his famous speech distinguishing two forms of liberty, Constant emphasizes the importance of combining both kinds of liberty as well as the necessity of political participation. Nonetheless, the preservation of liberty may require more than that. Constant refuses modern moral theories based on the notion of self-interest and utility and demonstrates that the selfishness and passivity they promote may lead to despotism. Liberty is so precious because it enables the full development of human dignity of individual human beings as well as mankind as a whole. Morality that buttresses liberty, according to Constant, must be individual and based on our passions. The virtuous and disinterested deeds that make human greatness possible are based on "religious sentiment"—a moral sentiment that can be expressed in the public sphere as "patriotism". Thanks to this sentiment, we are capable of overcoming the selfishness of modern sensibility dominated by calculation as well as of offering sacrifices that liberty sometimes demands. Moreover, thanks to this sentiment, we can accomplish our destiny as moral beings.*

**Key words:** *B. Constant; Mme de Staël; A. De Tocqueville; political theory; liberalism; liberty; French revolution; civic republicanism; virtue; patriotism*

## Introduction: Constant, a classical liberal?

Together with Alexis de Tocqueville, Benjamin Constant is regarded as a major French political thinker of liberalism. Liberty was, in his own words, the principle he defended throughout his life both in his public engagements[2] and his theoretical works:

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[2] The life of B. Constant was rather turbulent and erratic; in France he was publically active as a member of the Tribunat (1799–1802) but was forced to withdraw by Napoleon. He became the leading figure of liberal opposition after the Restauration in the Chamber of Deputies (1819–1830). For more, see Kloocke 1984.

> *"For forty years I have defended the same principle, liberty in everything, in religion, in philosophy, in literature, in industry, in politics; and by liberty I understand the triumph of individuality not only over authority that would like to govern through despotism but also over the masses claiming the right to subordinate minority to majority"* (Constant 1997: 623).[3]

In his leading political treatise *Principes de politique* (*Principles of Politics*, 1806),[4] Constant outlines the fundamental characteristics of liberal government, where in the centre of his analysis we find man with his rights, whereas political authority is conceived merely as an instrument established by society to preserve these rights. The role of the government is, according to Constant, minimal: it should guarantee the protection of individuals within the state and the defence of the state from the possibility of external attacks (1980: 19). Pierre Manent (1999: 74) characterizes Constant's philosophy as *"libéralisme d'opposition"* while Lucien Jaume (1997: 19), in describing Constant's political theory, speaks of *"libéralisme de sujet"* or *"libéralisme contre l'Etat"*, placing him in the same category as Mme de Staël and Alexis de Tocqueville. These authors privilege individuals over political authority, regarding government merely as an external power created by men in order to protect their natural rights. According to Jaume, classical liberal theory may be roughly summarised in the following four principles: (i) the central role of individual and his rights, which implies the search for limitation of political power; (ii) liberty seen as the supreme good, a value in itself and not merely means to achieve other goals. Only the individual decides how and for what purposes he practices his liberty. (iii) The political power is only an instrument and expression of society. (iv) The final point and the consequence of the first three principles is the existence of a neutral public sphere accomplishing the division between the public and the private (Jaume 1997: 12–13). As we shall see, Constant shares without hesitation only three of these principles and his conception of liberty is rather complex: liberty is undoubtedly the chief value of human life; nevertheless, it would be too simplifying to understand it as the supreme goal of our existence without any regard of how we use it.[5]

In his famous speech "*The Liberty of the Ancients compared with that of the Moderns*" (1819), Constant praises the modern times dominated by commercial activities and cultivated manners where people understand liberty as the subjection to laws, as a right

[3] The translations from *Principes de politique*, *Mélanges*, *Commentaire sur l'ouvrage de Filangieri* and *De la religion* are ours; the translations from the *Spirit of the Conquest and usurpation* and from the speech *The Liberty of the Ancients compared with that of the Moderns* are by B. Fontana (Constant 2003).

[4] The book of 1806 is a manuscript version, published for the first time in 1980 thanks to the editorial work of E. Hofmann (in two volumes, the first one being a study of the text). It is a much more detailed and audacious version than the treatise finally published under the same title in 1815; it presents a coherent political theory of the author. Constant used this text in his later work, so the same quotation or passage can be found in several places, sometimes slightly modified. This difficulty is explained more in detail by other interpreters. See for example Kloocke 1984: 5–6.

[5] Perhaps the most one-sided interpretation of Constant as a purely liberal author may be found in I. Berlin's *Four Essays on Liberty* (Berlin 1975). Though Berlin does not analyse in detail Constant's conception, the quotation of Constant opens the book and his name appears in several passages. According to Berlin, Constant is one of the fathers of liberalism, who defended the protection of private sphere and liberty in its negative sense. The distinctions between Berlin's concept of positive and negative liberty on one hand, and Constant's understanding of the liberty of the Ancients and of the Moderns on the other are analysed in detail by Květina: 2013.

to dispose of their persons and property, to have their fundamental rights guaranteed and as a possibility to enjoy calmly their private pleasures and inclinations (2003: 310–311). Surely, political liberty seen as active participation in common affairs is not entirely absent from modern society, but men do not regard their involvement in politics as the condition of fulfilment of their humanity any longer and the time of self-sacrifice is over. In antiquity, citizens asked for participation in political decisions, while we demand independence against political power in order to pursue our private goals (1980: 432).[6]

In spite of his defence of individual liberty, Constant has doubts about the possibility of happiness and fulfilment in modern society. In antiquity, politics and morality formed unity, while in modern times, the relation between citizens and the state is only instrumental and utilitarian (people organize themselves politically in order to protect their interests). Constant believes in the progress of humanity[7] and does not advocate any return to ancient virtues. Nonetheless, he fears the deep break between the governors and the governed as well as the loss of solidarity among men that arises from their passivity and ultimately threatens liberty itself. His depiction of the atomisation of society and the transformation of men into soulless automata is captivating and chilling:

> *"These individuals, separated from the place of their birth, without any contact with the past, living only in a hasty present and cast as atoms onto a monotone plain, losing interest in a homeland they do not see anywhere, and to which all of them have become indifferent, since their affection cannot rest on any of its parts"* (Constant 1980: 389).[8]

Constant remains perhaps the most lucid author of his time in perceiving the dangers of modern liberal society that arise die to the absence of any common goal and the lack of any firm bond uniting citizens. His novel *Adolphe* depicts vividly the tensions and hesitations of the moderns who concentrate above all on themselves.[9] Overall, Constant's writings provide resources to examine several moral tensions in our own modern life. As he is persuaded that emotions dominate men,[10] we will turn our attention specifically to two concepts developed by Constant, that of patriotism and that of religious sentiment, relating these to questions of morality and liberty. To that end, we will first briefly outline Constant's characteristic of a liberal state based on representation, including his arguments in favour of the modern conception of liberty against the ancient one. In the second part, we will analyse how Constant perceives the role of self-interest as the impetus of human action and present his arguments against utilitarianism and his rejection of the idea of "*self-interest properly understood*" (*intérêt bien entendu*). Finally, we will examine how Constant

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[6] "*The liberty of the modern times is everything that guarantees the independence of citizens against power.*" Constant 1980: 432.

[7] Together with Mme de Staël, Constant shares the 18th century notion of human perfectibility and the progress of humankind. He develops this idea in discussing the uselessness of war in modern times. See Constant 2003a ch. 1–3.

[8] We find an almost identical quotation in Constant 2003: 76.

[9] Holmes writes: "*Adolphe is in many ways a prototype of the liberal individual, and his story is a commentary on the human emptiness of negative freedom*." Holmes 1984: 13.

[10] See Fontana 1991: 115.

understands "*patriotism*" and "*religious sentiment*". The goal of outlining these ideas is to say something about how Constant might see modern republicanism, including the notions of republican virtue and sacrifice.

When speaking of republican theory, we refer mainly to the "*Roman tradition*" of political thought, which is associated above all with the name of Cicero and later, in Renaissance Italy, with that of Machiavelli. This line of thought can be traced afterwards not only in England (J. Harrington, A. Sidney) but also in 18th century France (Montesquieu). It was examined in detail by prominent scholars such as J. G. Pocock (1975), Q. Skinner (1978) and P. Pettit (1997). For Pettit, the distinctive feature of the republican tradition is its definition of liberty as *non-domination,* which he distinguishes from both conceptions of liberty presented in Berlin's famous essays on freedom, that is liberty as self-mastery and liberty as non-interference. Liberty as non-domination is a freedom "*that requires that no one is able to interfere on arbitrary basis—at their pleasure—in the choices of the free person*" (Pettit 1997: 271).[11] This conception of freedom is compatible with pluralistic society, and it demands democratic participation for its realization. J.F. Spitz, who defends a similar position, stresses the importance of the rule of law. According to Pettit, the restriction of a fair system of law is compatible with freedom seen as non-domination and not non-interference; Spitz develops the same idea and states that only under the system of civil laws creating the space of right can people be free because nature does not produce right but only force and domination (Spitz 1995: 50). For republicanism as defined by Spitz, the characterization of liberty as men's capacity to be masters of their own destiny is fundamental; to enjoy liberty, people need to overcome their selfish passions and to create a legal framework wherein they are equal and subject to law (Spitz 1995: 51–52).

Modern interpreters often stress that Constant defended the necessity to combine both types of liberty—liberty in pursuing our private goals as well as liberty as political participation—to counter the threat of losing liberty altogether (Jaume 1997: 84). The aim of this paper is to demonstrate that Constant actually goes further and that his position could be more aptly described as republican rather than liberal. The emphasis he puts on the disinterested actions and "*virtuous*" behaviour reminds of the ideas of civic republicanism.[12] Moreover, Constant shares with the modern republicans the conviction that man's personality cannot be reduced to his economic activities and his virtue considered uniquely as a private quality. As we shall see, according to Constant, we can be fully human only through liberty, while liberty needs for its survival public engagement that goes sometimes beyond usual political participation. Together with the authors of republicanism, Constant also believes that citizens have an obligation towards society that overcomes their individual inclinations and that to preserve liberty they must be prepared to offer a sacrifice.

[11] Pettit stresses the difference between non-interference and non-domination: at some moments a slave can enjoy his life without any actual interference (because his master is kind or because he is cunning); nevertheless, there is always a shadow of possible domination hanging over his head *"even if no arm is raised against them [the individuals]"* (1997: 5). For Pettit, it is the uncertainty that is fundamental; we may here evoke Montesquieu's definition of liberty in the terms of security, as a subjective feeling that we are safe against any arbitrary power or violent action of other men. See Montesquieu, *De l'Esprit des Lois*, XI, 6.

[12] Some interpreters argue that Constant cannot be seen as a purely liberal theorist and maintain that in several aspects his theory is close to the republican conception as defined above. See among others Květina 2013.

## The need for limited sovereignty and representative government

As with other thinkers of his generation, for Benjamin Constant the French Revolution was the key political experience–not only from a practical but also a theoretical point of view. Constant was clearly aware of the necessity to rethink the key concepts of political theory as the unfolding situation of the Revolution had in many respects been a complete break with the past, challenging what men were accustomed to. One of the most significant pieces of evidence for this rupture was the changed nature of sovereignty. As Constant states, there are only two kinds of political authority: political authority expressing the general will, which is legitimate, and authority based on force, which is tantamount to oppression (1980: book I). Nevertheless, the outcome of the revolution of 1789—i.e. universal suffrage—resulted in the cruellest tyranny ever imagined. The main reason for this, according to Constant, was the unlimited nature of political authority. In *Principes de politique,* Constant bases his political theory on Rousseau's principle that political authority must be the expression of general will. Nonetheless, against Rousseau, he also clearly limits the scope of this authority. There is always a part of human existence preceding society and external to it (Constant 1980: book II, chapter 1).

For Constant, the main characteristic of modern liberal regime is representative government based on limited sovereignty. Constant is in favour of representative government,[13] not only because of the size of modern states[14] but also because human interests in modernity lie mainly in private sphere. The role of government in this conception is strictly limited: it must protect its citizens from dangers both internal and external, and it must guarantee political equality—i.e. the equality of rights (Constant 1980: book IV, chapter 2).[15] The reason for such a limited role of the state is rooted in Constant's deep mistrust towards rulers. Those who govern pursue their own interest from the very moment they become governors. Their own interests differ rather sharply from those of the governed, and they are never just and impartial enough to protect the interests of the governed (Constant 1980: 73). Furthermore, those who govern want their subjects to have only limited knowledge and freedom of thought, so it is not in their interest to fully expand and protect the liberty of their subjects. Therefore, according to Constant, we cannot let the rulers control this part of human existence (1980: 366–367), as only the full development of human thought and knowledge assures human dignity. The government, therefore, has to protect individual rights without interfering with those rights. Constant never actually offers

[13] Constant speaks in general of a *"système représentatif"* when he talks about the modern liberal state and it can have either a monarchical or republican form of government. For Rousseau, the representative government meant the end of people's sovereignty, but Constant shares and develops the idea of his friend Mme de Staël, defending the representative system (Staël 1979: 14–17). In his famous speech concerning the liberty of the Moderns, Constant states: "*this form of government [representative], the only one in shelter of which we could find some freedom and peace today*" (2003: 309).

[14] "*Today, the mass of citizens is only illusory called for the exercise of sovereignty. The people can be only slave or free; it never governs*" (Constant 1980: 421).

[15] Throughout his writings, Constant emphasizes that the less an authority interferes with people's affairs, the better. In the Conclusion to his late work *Commentaire sur l'ouvrage de Filangieri*, we read: "*I finish here this Commentary, imperfect without doubt, but in which I tried to fix a major idea that applies to everything, as it seems to me, and without which we will never achieve anything useful or lasting. The idea is that the tasks of government are negatives; the government has to suppress the bad and let the good act by itself*" (Constant 2004: 316).

a specific definition of natural rights; rather, he avoids the term,[16] preferring simply to list these rights, the most important ones being freedom from arbitrary arrest, freedom of thought, freedom of the press and religious freedom. As he believes the rulers want to extend their power and control indefinitely, the danger of the abuse of power is permanent. Therefore, we can entrust political authority only with minimal tasks.

As we have seen in the quotation above, Constant was clearly aware of the danger of a type of society made up of isolated and solitary individuals. Yet, this was the only free society possible, as the ancient conception of liberty stood in opposition to what he thought of as men's character in his own time. In his speech "*The Liberty of the Ancients Compared with that of the Moderns*", Constant shows that the Jacobin government failed precisely because it had forced people to live within the antique form of liberty understood as collective participation in political decisions, which needed to be sustained by high civic virtues. Modern citizens, in contrast, understood liberty as absence of any constraint, where they were left to enjoy their private pleasures.[17]

Constant enumerates several differences between the condition of the ancient and the modern nations (1980: book XVI). Apart from the size of the territory, which alone makes representative government necessary (the ancient republics were much smaller), the nature of war has also changed; in contrast to antiquity, war is no longer seen as an opportunity to accomplish virtuous deeds, it has become a source of passion only for the leaders and a source of misery for all the others.[18] Modern nations aim towards peace, largely thanks to the development of commerce, which has completely transformed the relations among nations. Along with the authors of the Enlightenment (including Montesquieu and Hume),[19] Constant shares the conviction that commercial activity brings peace among nations and softens the manners (*doux commerce*). Finally, slavery in antiquity contributed to the ferocity and cruelty of men. Throughout the centuries, man's character has changed: we are now weaker than the ancients, but at the same time we are more open to the feelings of sympathy and pity.

## Arguments against the morality based on self-interest

While he regards the morality of the Ancients as strange to us, Constant also rejects modern moral theories based on self-interest and more specifically Bentham's teaching that founds morality on the notion of utility.[20] The happiness of the subject is a legitimate goal of every

[16] Which Biancamaria Fontana describes as "*the natural entitlement of all human beings to self-preservation and to a sphere of practical and spiritual autonomy*" (Fontana 1991: 22).

[17] This distinction appears in the manuscript work of Mme de Staël, *Des Circonstances actuelles*… on which Constant collaborated. See Staël 1979: 111–112.

[18] The idea of the inappropriate character of war in modern times is fully developed in Constant's later work *The Spirit of Conquest and Usurpation and their Relation to European Civilization*, which is largely drawn from the manuscript of *Principles of Politics*.

[19] Montesquieu, *De l'Esprit des lois*, books XX, XXI; D. Hume, *Political Essays*, "*Of the Populousness of Ancient Nations*", "*On Commerce*".

[20] Constant's critique of Bentham's teaching is analysed more in detail by numerous interpreters (Holmes 1984: 125–127; Spitz 1995: 64–65; Jaume 1997: 91–95). We also find the refutation of Bentham's doctrine in the chief work of Mme de Staël, *De l'Allemagne* where the author rejects the idea of morality based on calculation and, inspired by Kant, evokes the notion of duty ("*devoir*"). But the treaty dates from 1810 and in *Circonstances actuelles…*, written in 1798–1799, Mme de Staël regards utilitarianism rather favourably.

human association, and morality based on "*utility*" may assure the happiness of men, as well as morality based on the concepts of "*justice*" or "*natural right*".[21] Nevertheless, the notions of "*justice*" and "*right*" evoke obligations, while "*utility*" evokes the notion of profit (Constant 1980: 60). Utility should be the result of an action, not the principle of it. The principle of action should be justice and, as principle, justice cannot be instrumental (1980: 60). Constant reiterates his rejection of Bentham's theory while discussing obedience to law; he criticises the opinion that men should obey the law without examining it just because it is law (1980: book XVIII, chapter 4).[22] Bentham wants to avoid the vague notion of "*nature*" in defining criminal action, so he builds his definition uniquely on the notion of "*law*".[23] Nonetheless, as Constant argues, the notion of "*law*" is equally ambiguous and while the notion of "*nature*" at least evokes among men more or less the same thing, the term "*law*" may comprise completely contradictory meanings (1980: 59). If we abuse the notion of law in order to commit evil actions in its name, we establish tyranny; if legislation is the source of morality, the power of political authority becomes unlimited, since morality has no limits.

In spite of his refutation of Bentham, Constant acknowledges the role of self-interest in modern times and its prevalence in human behaviour.[24] For Constant, self-interest is a "*natural instinct*" necessary for our personal conservation, albeit one which becomes a ferocious and destructive passion if sustained by authority instead of the sentiments of pity and sympathy (2004: 320).

Before describing in greater detail the role of these "*moral*" sentiments in Constant's thought,[25] we have to look at Constant's conception of general interest. Constant describes

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See Staël 1979: 25–31. As for Bentham (Harrison 2004: 164), his famous principle "*it is the greatest happiness of the greatest number that is the measure of right and wrong*" uses the term of "*happiness*", not "*utility*" but Bentham himself explains that the notions of "*utility*", "*pleasure*", "*happiness*" mean the same thing. Constant also does not share Bentham's idea of the possibility of establishing a complete flawless code of law. For Constant, the perfectibility of humankind means at the best a slow progress towards better laws as a never-ending process. (Constant 2003: 156).

[21] Constant appreciates the work of Bentham, but he criticizes his vocabulary ("*a difference in stylistics*"); its impact may be according to Constant serious and threatening (Constant 1980: 60).

[22] The question of obedience to law is one of the most important in Constant's thought as it opens the problem of individual responsibility and in general, of human liberty. Constant analyses the responsibility of agents of administration in the published version of *Principles of politics* (chapter XI, called "*On the responsibility of subordinates*"). Men must obey only the laws they consider to be just: "*A clear obligation every time a law seems to be unjust, is not to become its executor*." (Constant 1980: 486). In the *Spirit of Conquest and Usurpation*, he stresses the moral dimension of the source of obedience to law: "*The inherent merit of the laws is, let us dare assert, far less important than the spirit with which a nation subjects itself to its laws and obeys them. If it cherishes them and observes them because they seem to it derived from a sacred source, the legacy of generations whose ghosts it venerates, then they fuse themselves intimately with its morality, they ennoble its character, and even when they are faulty, they produce greater virtue, and consequently greater happiness, than would be better laws that rested only upon the orders of authority.*" (Constant 2003a: 75).

[23] Bentham refuses the theory of natural laws because, as he argues, a law needs a legislator who is the author of a sanction, as without a sanction, there is no real duty. Natural rights are merely reasons for these rights to be established; for example, a natural right to property means there is a reason for the establishment of a right of property, and it is up to government to establish the right as law and to put a sanction on its transgression. (Harrison 2004: 167).

[24] Constant values the self-interest in the economic sphere as was common in his time (1980: 309–310).

[25] Constant was influenced in his thought both by Rousseau's sentimentalism and by the Scottish Enlightenment (he spent eighteen months in Edinburgh in his youth). See Fontana 1991: 117.

how the general interest comes into existence through particular interests while discussing the problem of unity of political body:

> *"What is general interest, if not a transaction that exists among all the particular interests? What is the general representation, if not the representation of all the partial interests that have to arrange themselves concerning the objects that are common to them? General interest is without any doubt distinctive from the particular interests but it is never in contradiction with them. Men always speak as if general interest gained if the particular interests lose. General interest is only a result of these combined interests"* (Constant 1980: 391).

Jaume argues that this passage offers a solution to the problem of political unity in representation through deliberation. Representation in and of itself cannot assure unity of political body. Rather, this unity can be achieved through discussion among different individual interests, thanks to a sort of "*arbitrage*". According to Jaume, Constant's individualism does not lead to the disintegration of society; on the contrary, it helps to reanimate the social bonds through the concept of general interest conceived as an outcome of deliberation (1997: 81).[26] On the other hand, Thierry Ménissier points out that the vocabulary which Constant uses on this occasion is economic; according to Ménissier, therefore Constant's effort is fruitless: it pushes him back to the economic realm of calculation that Constant wanted to avoid in the sphere of politics and morality (2010: 132). The fact is that the deliberation takes place only among the representatives rather than the citizens. This may be the reason why Constant does not develop this idea elsewhere in the book; we do find it neither in the passage that describes the need for political participation and the exercise of political liberty in order to fulfil human dignity, nor in his famous speech comparing two kinds of liberty or his later works.[27]

Apart from Bentham's philosophy founded on self-interest as the chief impetus of human action, Constant criticises with vehemence the idea of "*self-interest properly understood*" as destroying our liberty and leading us to despotism. He thus rejects the notion which, a few years later, Alexis de Tocqueville would expose in his *Democracy in America* (1835, 1840) as the only possible basis for morality in a democratic age. In the well-known chapter entitled "*How the Americans combat individualism by the doctrine of self-interest properly understood*", Tocqueville shows how Americans restrict themselves in such a way to favour the general interest, largely because they realize it is useful for them to sacrifice part of their private interest to the welfare of the state in order to enjoy a better society. They do not ask themselves whether the public virtue is good because they know that for them it is useful: "*They therefore do not deny that each man can follow his own interest, but they do*

[26] Jaume shows how the unity of political body can be achieved according to Constant by deliberation creating genuine general interest, while the sacred notions of "*general interest*", "*general will*", "*sovereign people*" were fallacious and deepened the rupture between the nation and its governors. Jaume calls these notions "*hypostases*".

[27] Constant employs the term of "*transaction*" once before in his book while speaking about the discussion among different opinions but without developing it further: "*They [the decision of majority] are formed by a transaction among different opinions*" (Constant 1980: 50).

*their best to prove that the interest of each is to be honest*." (Tocqueville 2000: II, II, 8, 501).[28] Their interest is therefore not purely egoistic; it is an enlightened interest that strengthens the bonds of modern society. According to Tocqueville, we can no more demand the self-abnegation that existed in antiquity and aristocratic society; self-interest is the only solid basis for morality in modern times; it is the best we can hope for. It will not lead to "*great devotions*", but we will also avoid the reign of unbridled passions. Tocqueville is persuaded that "*self-interest properly understood*" is the leading moral principle in America, while the aristocratic vision of society still prevails in Europe. Yet, this aristocratic conviction is only pretended: "*among us, one still feigns great devotions every day that one has no longer*" (2000: 502).[29] The Europeans are not ready to admit self-interest being the impetus of their actions, which makes their self-interest more egoistic and destructive to liberty.

Constant, on the other hand, sees self-interest and utility as the leading opinion in France of his time.[30] He admits its importance, even in politics, but thinks its influence is often exaggerated and if not suppressed, bad.[31] In his ultimate work *De la religion* (1830), which he himself considered to be his masterpiece, we find a very harsh refutation of morality based on calculation; Constant uses here the same term as Tocqueville, "*intérêt bien entendu*". For Constant, 'self-interest properly understood' is based on calculation, meaning it tells us what is advantageous, but not what is good. It makes people interested only in themselves and makes them sink to the level of animals: Constant mentions a gathering of beavers or bees as an analogy. If we pursue only self-interest properly understood, we will condemn crimes, but we will not rise above or against them, and therefore we will prefer passivity and servility (1999: 31). It is true that this type of 'interest' restrains our low passions, such as greed, fury and vengeance, but it also supresses the noble ones. Men led by 'self-interest properly understood' take care of themselves or their families, but they do not accomplish any generous actions for their country. The image of society based on self-interest properly understood resembles the depiction of a liberal society devoid of public spirit and patriotism, as cited above: "*Its natural effect is that each individual is his own centre. But if everybody is his own centre, everybody is isolated. When everybody is isolated, there is nothing but dust. And when the storm comes, the dust turns into mud*" (Constant 1999: 33).

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[28] We use the term "*self-interest properly understood*" instead of "*self-interest well understood*" that we find in this translation (Reeve's translation, the oldest one, gives "*self-interest rightly understood*"). Convincing arguments in favour of this term are presented by A. Goldhammer. See Welch 2006: 144–148.

[29] Tocqueville adds that Americans are not always wholly absorbed in their self-interest and that they act generously albeit without acknowledging it: "*In this respect I think they frequently fail to do themselves justice; for in the Unites States as well as elsewhere people are sometimes seen to give way to those disinterested and spontaneous impulses that are natural to man; but the Americans seldom admit that they yield to emotions of this kind; they are more anxious to do honor to their philosophy that to themselves*." Ibid.

[30] "*Our century, that values everything according to its utility…*" (Constant 2003a: 55). It must be noted that while Tocqueville has in mind the French society under the regime of *monarchie de juillet* (after 1830), Constant's remark concerns the society during the Napoleonic Empire. Still, we are persuaded that the parallel can be made in so far as both authors refer to the new French society as it emerged after the French Revolution and the annihilation of *Ancien régime*.

[31] Constant mentions the exaggeration of the influence self-interest in two almost identical passages in *Principes de politique* (VII, 5, p. 145) and in the *Spirit of Conquest and Usurpation*: "*The influence of personal interest is generally exaggerated; personal interest needs opinion in order to act; the man whose stifled opinion languishes, is not excited for very long, even by his own interest; a kind of stupor comes over him*" (2003a: 122). As for the importance of public opinion, see later in the text.

Constant thought that both utilitarianism and the doctrine of 'self-interest properly understood' describe the general behaviour of the moderns, but he also thought that when these attitudes entirely dominate man's behaviour, liberty can no longer survive. 'Liberty' for Constant means not only the independence of our persons against political power. Liberty is also the goal of human existence as it enables thought as the highest expression of humanity: "*Liberty is of inestimable price only because it gives rightness to our spirit, strength to our character and elevation to our soul. All these benefits of liberty depend upon the fact that liberty exists in reality*" (1980: 492).[32] In another passage, he claims that liberty *"is the noblest thing in the world"* (1980: 79) since it is at the same time the goal of our existence and the instrument to its fulfilment. Only through liberty can we achieve dignity; the goal of our existence lies beyond pleasures: "*It is not to happiness alone, it is to self-development that our destiny calls us; and political liberty is the most powerful, the most effective means of self-development that heaven has given us*" (2003: 327). While Tocqueville considered liberty to be a goal in itself,[33] the highest value in human life, Constant speaks of the necessity to enjoy liberty in order to refine our souls as individuals and our destiny as mankind. He thus steps out from the classical liberal conception as defined by Jaume.

Furthermore, Constant believes that thought and thinking is by definition individual, and that the true happiness of man lies in the search for truth (1980: book VIII, chapter 3; book VIII, chapter 10),[34] even though the path is marked by errors. However, because these errors are ours, they help us in searching for the truth (1980: book XIV, chapters 2; 3). Therefore, a liberal government with limited sovereignty where each individual may lead its own way of life is the only possible regime if we are to preserve our liberty. At the same time, it is not sufficient to pursue our private pleasures; the conservation of our liberty and the fulfilment of our life as moral beings requires our participation in public sphere. It is therefore important to search for a source of morality in modern times that could support liberal constitution.

## The need of virtue and sacrifice

Against self-interest properly understood and against the notion of utility, Constant opposes patriotism in the public sphere. He believes that patriotism may exist only in countries where the political body is penetrated by public spirit. Public spirit exists in its highest form in England, where "*liberty is well arranged*" and where public opinion is cultivated (Constant 1980: 218) In the *Preface* to the *Spirit of Conquest and Usurpation*, written in 1813, we read: "*that noble country, England, generous asylum of free thought and illustrious refuge of the dignity of mankind*" (2003a: 45) Constant describes the "*public spirit*" as a sort of movement seizing all parts of political body, therein giving it strength and health[35] and

[32] We find almost identical quotation in the *Spirit of Conquest and Usurpation*: (Constant 2003a: 110). See also: *"As if man, poor and malleable creature, was thrown into this world just to obey and procreate*" (Constant 1980: 318).

[33] *"The man who asks of freedom anything other than itself is born to be a slave*" (Tocqueville 1983: 169). According to Tocqueville, liberty favours material welfare, but to reduce liberty to this would be to walk straight to despotism. Liberty is the highest value in human life; it is the pleasure to speak and act freely.

[34] See also "*Thought is the basis of everything*." (Constant 2003a: 124).

[35] This description makes us think of Montesquieu and his depiction of England. See Montesquieu, *De l'Esprit des Lois*, XI, 6; XIX, 27.

making people consider the liberty and glory of a political body as a part of their own liberty, perhaps even as something they own. According to Constant, public spirit depends on the organisation of political authority, and not so much on its real functioning: despotic government may be at certain moments moderate, but nevertheless it can never create public spirit (1980: XIII, 4; XVIII, 4). Yet, there is a form of government even worse than despotism, a regime that Constant calls "*usurpation*". While despotism supresses liberty and does not let public spirit develop, usurpation is a sort of "*despotic*" regime that needs the acclamation of its subjects-slaves, and a sort of simulation of public spirit: "*Because the existence of public spirit is a danger for it [usurpation], while the appearance of one is necessity, usurpation strikes the people with one hand to stifle their true opinion, and subsequently strikes them again with the other to force them to simulate the appropriate opinion*" (2003a: 95). Usurpation does not only destroy public sphere, it perverts men's conscience: "*it pursues him into the most intimate sanctuary of his thoughts, and, by forcing him to lie to his own conscience, deprives the oppressed of his last remaining consolation*" (2003a: 96–97). Usurpation rather than despotism is the true opposite of constitution founded on liberty, the only one that can assure human life in its fullness. The despotism of modern times is not the one that suppress any expression of public spirit and obliges men to silence but a system that forces people to acclaim the regime enslaving them. The survival of a constitution founded on public spirit thus depends on our free participation in it. The government must support justice and political equality because only really popular elections can create public spirit (1980: book X, chapter 5).[36] Popular elections require also the liberty of speech and the liberty of the press.[37] These liberties are essential for the formation of public opinion, which is the necessary condition for the creation of public spirit.

Public spirit is maintained by patriotism,[38] which Constant defines as a noble sentiment rooted in local customs and traditions. Patriotism is a natural emotion, which Constant sees as distinct from the passion for an abstract being, or an idea which is void of all attachment as was the case during the Jacobin terror. This passion for an abstract being is promoted by rulers who like the ideas of uniformity and stability, and therefore it does not fit with Constant's view of liberty (1980: 385). Constant stresses the "*local*" character of patriotism, a sort of "*communal honour*" that depends on noble and detached sentiments and that joins virtue and pleasures (2003a: 76).[39] Patriotism enables people to feel as a part

[36] In this chapter, Constant explains that in France during the Revolution, the elections were never really "*popular*" because they were never entirely free and fair.

[37] Constant declares himself in favour of a large electoral basis so that people can choose their representatives and accomplish the act of public engagement through elections. He believes in the progressive enlargement of the electoral basis thanks to the progressive equalisation of properties.

[38] Constant rejects the so-called patriotism of Napoleon, which is for him rather a military fanaticism than a true patriotic feeling. He is close to the arguments of Mme de Staël, who rejects military patriotism and describes patriotism as a capacity to sacrifice oneself for a just cause. See Staël 1979: 147. We find the idea of patriotism in Rousseau's writings (*Considérations sur le Gouvernement de Pologne*, *Discours sur l'économie politique*) where Rousseau defines love of the fatherland as the love of the laws and of freedom (Rousseau 1989: 436). He also stresses the importance of customs. But for Rousseau, patriotism is a general passion of the nation, while for Constant the source of patriotism must be local; otherwise, we sink back to the "*hypostases*" of "*general interest*" and "*general will*" in the name of which individuals were sacrificed.

[39] Constant does not develop properly the concept of "*virtue*" as does for example Montesquieu in his considerations of political regimes, their principles and nature. For Constant, "*virtue*" is a synonym of a disinterested and noble feeling thanks to which men are capable of generous deeds and even sacrifices.

of a nation, of a political body, thanks to the local bonds, and to overcome the insignificance each individual feels faced with the size of it. At the same time, the feeling of affiliation to a greater unity is not only a pleasure but also a sort of virtue, as it awakes all the disinterested emotions men are capable of. Without patriotism and public spirit, liberty can no longer survive, as it lacks the support of citizens.

The source of patriotism in the human soul is for Constant a religious sentiment which he contrasts with self-interest properly understood (1999: 33). Constant uses the term "*religious sentiment*", which he distinguishes from "*religious forms*" that include religious institutions.[40] He defines religious sentiment very broadly, as a hardly sizeable emotion, close to aesthetic sensibility or even human affectivity in general:

> *"A man of genius used to say that the sight of the Apollo Belvedere or of a painting by Raphael made him a better man. There is indeed in the contemplation of beauty of any kind something that detaches us from ourselves by making us feel that perfection is worth more than we are; and that, through this conviction, by inspiring us with a momentary disinterestedness, awakens in us the power of sacrifice, which is the source of all virtues. There is in emotion, whatever its cause, something which makes our blood flow faster, which communicates to us a kind of well-being which doubles the sense of our existence and our powers, and that, by doing so renders us capable of greater generosity, courage, sympathy, than we normally feel. Even a corrupt man is better when he is moved and as long as he is moved"* (Constant 1980: 159).[41]

Constant is persuaded that religious sentiment is the highest emotion of our heart, which develops in us the sentiments of commitment, dedication, pity, self-abnegation and sympathy (Constant 1999: 30–31). Religious sentiment is something detached, not about the self, while love, although sometimes noble, is a selfish emotion (Constant 1980: 159). Only when religious sentiment overcomes our self-interest are we fully human. When describing religious sentiment and the deeds it makes possible, Constant uses the term "*virtue*" (Constant 1999: 30–34).[42] He acknowledges that passions are often the source of bad or even evil actions; he has in mind particularly the atrocities committed during the French Revolution. At the same time, he believes passions are the origin of the greatest deeds we have ever achieved; if we let ourselves be guided by religious sentiment rather than self-interest properly understood, we will accomplish our destiny as moral beings, by overcoming

[40] With the same argument as Mme de Staël, Constant refuses to see religion as an instrument enabling the control of the masses. Constant argues in favour of complete religious freedom. For him, the role of religion is not to supress vile crimes by fear (a low morality based on calculation can do that), but to "ennoble all the virtues". Constant 1980: 169–171. See also Staël 1979: 221–224.

[41] Translated by B. Fontana (Fontana 1991: 101).

[42] "*Religious sentiment*" as Constant describes it may let us think of "*enthusiasm*" in the thought of Mme de Staël. Actually, Mme de Staël conceives "*enthusiasm*" as a sort of sentiment indicating to our conscience the good; it is the expression of the divine in morality: "*Enthusiasm joins the universal harmony; it is the love of the beautiful, the elevation of soul, the pleasure of devotion assembled together in one sentiment that has greatness and calm*" (Staël 1991: 301).

the selfishness that results from the modern sensibility being dominated by calculation.[43] He believes self-interest properly understood can lead us to despotism, because we limit ourselves to only our own welfare, while religious sentiment pushes us towards the sacrifices for others that liberty sometimes demands (Constant 1980: 34).

## Conclusion

Constant's description of self-abnegation made possible by religious sentiment in the Preface of *De la religion* may be read as a vigorous defence of virtuous republicanism. By the importance Constant gives to this emotion and its influence on relations among men, he overcomes the purely liberal vision of an atomised society. He shares with the civic republicanism the conviction that men can fully develop their humanity only in interaction with others and that liberty must be accompanied by justice and equality (Constant 1980: book XII, 11; book XVIII, chapter 4–5). He also thinks that a certain "*virtue*" is necessary if men are to fully develop their capacities, and furthermore he believes that their interests (even enlightened or 'properly understood') can never by themselves ensure liberty and happiness in society. In ordinary situations, morality based on calculation may be sufficient as may be political participation for the conservation of our liberty. Nevertheless, there are situations when this participation does not ensure the survival of liberal constitution and so the possibility of human life in its broadest sense. As Constant stresses in his famous speech, it is necessary to combine both forms of liberty: liberty in enjoying our private pleasures with the political liberty. But for the sake of liberty itself, its exercise may on some occasions demand sacrifices of our private pleasures and even of our persons.

At the same time, Constant does not believe that any "*public*" morality would be possible in modern times, so religious sentiment as a source of virtue is purely individual (Constant 1980: 100–101).[44] Yet one of the expressions of religious sentiment he values is patriotism—a public commitment found in the countries where men realize that "*liberty is nourished by sacrifices…[and] liberty always demands citizens, and sometimes even heroes*" (Constant 1999: 34).

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[43] As for atheism, Constant believes it may be an attitude adopted by some individuals having strong philosophical conviction but that a nation without religious sentiment is "*inherited by nature itself*" (Constant 1980: 163).

[44] "*The generous affections will always seek refuge in some solitary souls and there, outraged, they will ferment in silence … there will always exist men for whom justice is a passion and the defence of a weak person is a need.*" The individual dimension of morality in Constant's thought is stressed by B. Fontana (Fontana 1991: 117).

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