

**Charles de Gaulle Memorial luncheon:  
“Benjamin Constant and the spirit of Liberty”**

Before I start, I would like to thank Professor Rita Seabra Brito and Professor Joao Espada for this invitation. I am particularly upset not being with you in person in Estoril to enjoy the company of old friends, the possibility of making new ones and to reflect, in a particularly civilized fashion, on how to “structure a New Alliance of Democracies” in our increasingly conflicted world.

Even though this is the Charles de Gaulle Memorial luncheon, I am not going to talk about him today but I have decided to address something which was very much at the heart of de Gaulle’s life, that is the spirit of Liberty and the ways in which this spirit needs to be constantly rekindled in our Democracies.

I hope you will follow me in going back to the Franco-Swiss writer and thinker of the French classical liberal tradition: Benjamin Constant (1767-1830). I could easily have chosen Tocqueville but Constant, I think, creates the canvas on which Tocqueville was later able to paint his own set of Liberal ideas within the democratic background of the USA. Constant was more than a political thinker of the end of the 18<sup>th</sup> century and the beginning of the 19<sup>th</sup> century. He was both an ardent defender of commercial societies – greatly inspired by the Scottish Enlightenment after spending some time in Edinburgh before 1789<sup>1</sup> – and a constitutionalist who believed in the rule of law, the separation of powers and a liberal constitution which sets limits to the power of the State. In this sense, he is at a crossroads because he defended both the idea of the development of civil liberties through the law (in a rational way) and commercial societies which produced, through self-interest, civil liberties which could then be guaranteed by the law (in an empirical way).

He was also “un grand amoureux” – the translation “a great lover” does not mean the same thing in English – “un grand amoureux”, then, in the sense of being a romantic in his life who also poured it into his novels and into his political ideas. Of course, his relationship with the celebrated Germaine de Stael is the great love story of his life but this is not what I want to talk about today.

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<sup>1</sup> Benjamin Constant spent time in Scotland from 1783-1785.

I wish to reassess his famous speech, “The Liberty of Ancients Compared to the Liberty of the Moderns”<sup>2</sup>, given in 1819 at the time of the Restoration of the Bourbon monarchy (with Louis XVIII, 1815-1824).

This speech which I have no doubt many of you know very well is certainly the most enlightening work on what it means to be a citizen in a modern world. I can imagine you thinking: “What can be left to say about this speech which has not already been said by the great political thinkers of the 20<sup>th</sup> and 21<sup>st</sup> centuries?”. I would answer that everything may have been said but not by everyone, in every way and in 2021.<sup>3</sup>

In fact, in May 2018, a number of intellectuals took part in a symposium<sup>4</sup> on “Limited Government, Unlimited Liberalism”<sup>5</sup> related to Constant. The occasion was the translation in English of Constant’s first volume of *On Religion* (published in five volumes between 1824 and 1831).<sup>6</sup> In the symposium, the speech is often quoted as well as the relationship between politics, religion and morals. Having just studied the speech again, I have been reflecting on the impact it has on the reader, especially the effect it has at another level than on the strictly theoretico-political.

What I would like to talk about is really the spiritual impact of liberty in Constant. Related to this, there are three aspects I want to focus on: firstly, the odd ending of the speech itself, secondly, what Constant is really saying and thirdly, what this spirit of liberty means for us in our modern secular democracies.

## 1. The odd ending of the speech

The speech is a long reflection on what went wrong with the French Revolution – and especially the episode of the Terror (from Sept. 1793-July 1794) which unleashed forces that nearly destroyed France. At the time of the speech, in 1819, Constant was in a perfect position to look back at the whole situation with the benefit of hindsight. The 1789 revolution had gone full circle in 1819 – from the beheading of Louis XVI in Jan. 1793, to the Terror, the consulate

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<sup>2</sup> *De la liberté des anciens comparée à celle des modernes*, given at the Athénée Royal. Free online version at <https://oll.libertyfund.org/titles/constant-the-liberty-of-ancients-compared-with-that-of-moderns-1819> (consulted on 1 October 2021).

<sup>3</sup> A particularly good podcast analysing the speech is the “Talking Politics – History of Ideas” podcast of David Runciman, see: <https://www.talkingpoliticspodcast.com/history-of-ideas-1> (consulted on 4 October 2021).

<sup>4</sup> This Victorian idea of starting a printed debate with a lead essay followed by responses and critiques.

<sup>5</sup> Alan Kahan, “Limited Government, Unlimited Liberalism. Or, How Benjamin Constant was a Kantian after all”, Liberty Fund, May 2018, <https://oll.libertyfund.org/page/liberty-matters-alan-kahan-benjamin-constant-immanuel-kant-limited-government> (consulted on 6 October 2021).

<sup>6</sup> Benjamin Constant, *On Religion*, translation Paul Seaton Jr., Indianapolis, IN: Liberty Fund, 2018.

(1799-1804), the first Empire (1804-1814), the fall of Napoleon (18 June 1815) and then the return of the monarchy in 1815 (up to 1830).

Constant was at a juncture in the history of France and was able to pin point the gravest mistake of all, that is that the idealized vision of Greek democracy had been used as a framework for 1789. If like Rousseau, Constant did focus on the sovereignty of the people, he did not, however, defend unlimited popular sovereignty and he believed that all legitimate power had to be delegated to citizens.

So, in the speech, Constant denounces the errors of the revolutionaries and their theorists because they used ancient liberty as an ideal. Constant makes clear that such a liberty could not work in a modern state made of 28m or so inhabitants. Ancient liberty (the one of Athens and Sparta, but Rome too) was collective, linked to war (through collective self-defense) and expressed publicly. To be a citizen was to live a public life which was both noble and brave. Modern liberty, in comparison, expressed itself differently: it was private, based on individuals who were free from any type of arbitrary power (whether from the Church, the State or others), on trade (to get out of war) but also superficial. In the modern world, a new type of liberty needed to be devised and this is what Constant was doing.

However, at the end of the speech, when one expects Constant to embrace modern liberty, he suddenly changes track and declares: “far from renouncing either of the two sorts of freedom which I have described to you, it is necessary, as I have shown, to learn to combine the two together”.<sup>7</sup> The reality is that you need both. To be a modern citizen you need to “take part, to be informed, to force yourself to join public life”<sup>8</sup> and this is demanding. Before Tocqueville’s soft despotism, Constant perceives the danger of a comfortable private sphere to which the individual retreats giving his power of decision away to a state which invariably ends up being arbitrary.

## 2. Constant’s message

In itself, we all understand this simple message but it is the effect the end of the speech has on those who study it which puzzles me. Some sentences are not to be taken lightly, such as: “Institutions...must accomplish the destiny of the human race; they can best achieve their

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<sup>7</sup> Benjamin Constant, *The Liberty of Ancients Compared with that of Moderns* (1819), Online Library of Liberty <https://oll.libertyfund.org/titles/constant-the-liberty-of-ancients-compared-with-that-of-moderns-1819>, p. 15.

<sup>8</sup> David Runciman on Constant *op.cit.*

aim if they elevate the largest possible number of citizens to the highest moral position”.<sup>9</sup> If as Constant repeats a few lines later, “Institutions must achieve the moral education of the citizens”<sup>10</sup> then it is because “modern liberty” is not enough”<sup>11</sup> and, in a sense, not worth defending on its own. You can have a representative government but to be a citizen means to take part in the sense of ancient freedom.

But, perhaps more profoundly, the message means that we share a responsibility towards each other and that is not enough to prevent the State from despotism. The very last paragraph ends with the following encouragement:

“By respecting [the citizens’] individual rights, securing their independence, refraining from troubling their work, [institutions] must nevertheless consecrate their influence over public affairs, call them to contribute by their votes to the exercise of power, grant them a right of control and supervision by expressing their opinions; and, by forming them through practice for these elevated functions, give them both the desire and the right to discharge these”.<sup>12</sup>

Therefore, Constant nudges us, helped by liberal institutions, to find a form of elevated morality within ourselves, for the common good – and not to expect an ersatz of it via the education of the state to citizenship (through a form of civic ethic for example). He is not saying, plagiarizing Rousseau, that “the State can force us to be free” but that we can be shown the road and hear the call.

This is where the message becomes more complicated because the best way for Constant to get this elevated morality is through religion.<sup>13</sup> At this point, we need to remind ourselves that “in 19<sup>th</sup> century Europe, liberals generally regarded religion and freedom as both compatible and mutually reinforcing”<sup>14</sup>. It is only today that we shy away from talking about the relationship between the two. In France especially, where the separation of the State and the Church of 1905 has marked our ways of doing politics and thinking politics, there is something suspicious in bringing the subject up, verging on proselytism. Nevertheless, we cannot do justice to Constant’s message without taking into account his religious heritage – in his case, the influence of his Protestant – and more to the point his Calvinist – background on his political ideas.

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<sup>9</sup> Benjamin Constant, *The Liberty of Ancients Compared with that of Moderns* (1819), *op.cit.*, p. 15.

<sup>10</sup> *Ibid.*

<sup>11</sup> David Runciman on Constant, *op.cit.*

<sup>12</sup> Benjamin Constant, *The Liberty of Ancients Compared with that of Moderns* (1819), *op.cit.*, p. 15.

<sup>13</sup> Alan Kahan concludes: “Hence the apostle of laissez-faire is also the apostle of and apologist for the religious spirit”. Alan Kahan, Lead Essay: “Limited Government, Unlimited Liberalism. Or, How Benjamin Constant was a Kantian after all”, *op.cit.*

<sup>14</sup> *Ibid.*

Over the last two centuries, Constant's message has been confused precisely because this has been left aside and we can thank a whole new generation of intellectual thinkers (from Helena Rosenblatt to Jeremy Jennings to Alan Kahan) for digging the true Liberal Constant out of history. Misunderstandings of Constant's message have been made though, no less so than by another great thinker of liberty, Isaiah Berlin himself, in his famous 1958 lecture "Two concepts of liberty"<sup>15</sup>. Berlin falls into the trap of equating Constant's speech with a pure defense of negative liberty.<sup>16</sup> In the words of Kahan, "Rather than being limited to a laissez-faire doctrine of freedom from state coercion, Constant's liberalism has a positive vision of human development which is essential to his conception of modern freedom"<sup>17</sup>.

### 3. The lessons of Constant's message in a secular world

What is the lesson we can take for the modern secular democracies we are lucky to live in? I would say: Constant's spirit of liberty – which is also embedded in a romantic tradition, another term viewed with suspicion. Constant's romanticism is an "intellectual orientation" which puts an emphasis on the individual with all his contradictions. His short novel *Adolphe* (1816) characterizes the tensions he can see in men between strong emotions and senses over reason. But it is by turning in upon oneself, by listening to a sort of calling buried deep within us, that we can hear the message coming from the soul. Some are prepared to hear it and take it to heart; others will take their time and eventually hear it or never if it is not awakened. In this sense only can "freedom become a moral gospel within the bounds of reason and modern society"<sup>18</sup> and be freed from priestcraft too.

Constant implies that there needs to be more than personal responsibility to make liberty thrive, there needs to be a spark somewhere within the self to keep the spirit alive. In a secular world, saying such things is taboo but this spark need not be religious, it can also be revitalizing, a part of the ideal of virtue of the ancients, in which materialism did not dominate our lives. Saying this may sound "green in judgement" but when I talk about it with my students – who are now so much younger than I am – I can feel the little sparks rekindling. This is not denying

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<sup>15</sup> David Runciman on Constant, *op.cit.*

<sup>16</sup> In a later introduction to his *Four Essays on Liberty* Berlin further asserted that Constant "prized negative liberty beyond any modern writer." See: Jennings, Jeremy, "Constant's Idea of Modern Liberty" in: Helena Rosenblatt (ed.), *The Cambridge Companion to Constant*, Cambridge: CUP, Companions to Philosophy, 2009, pp. 69-91.

<sup>17</sup> Alan Kahan, Lead Essay: "Limited Government, Unlimited Liberalism. Or, How Benjamin Constant was a Kantian after all", *op.cit.*, p. 3.

<sup>18</sup> *Ibid.*

that Constant approved of commercial societies, but he did see the contradictions at work in our modern states.

In the end, what Constant warns against, without using the word, is what Kahan pinpoints as “Indifference”.<sup>19</sup> An indifference to others, and even sometimes towards ourselves, that creeps up on us. He understands that our comfortable habits in a representative government are dangerous politically (if one retreats to one’s individual sphere) but also, much more profoundly, morally. Indifference ends up corroding our sense of indignation and turning our back on others, which – in reality – means turning our back on ourselves.

His new type of liberty – a third type really – trains citizens into a form of “self-sacrifice”<sup>20</sup>. Nobody likes saying such things in a utilitarian world in which such an expression is not part of the political secular vocabulary we use. However, what this points to is that we need religion or a strong equivalent to have a liberal “as opposed to a merely democratic, state”<sup>21</sup>.

Now, I have no time to touch upon the fact that “for Constant religion was a source of moral elevation” and if spiritually only is enough to achieve the same aim. The Symposium on Constant ends with Alan Kahan wondering if a “vague spirituality will be enough to preserve our sense of the beautiful and the noble”.<sup>22</sup> I will assert that any spiritually, lived truly, can serve the same purpose.

## Conclusion

To conclude, perhaps the most intricate aspect of Constant’s speech is that liberals have always wanted their governments “to be neutral towards religion” but it does “not mean that liberals” themselves are “neutral towards religion”.<sup>23</sup> Constant proves that something akin to a form of religion needs to be preserved.

In truth, when I see the moment of understanding on some of my students’ faces each time they grasp the final page of the speech, I cannot help thinking that Constant is the greatest of all liberal thinkers precisely because of this revival in us of the real message of liberty. A message of nobility, of ideals, of a worthy public life well led helped by free institutions and

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<sup>19</sup> *Ibid.*

<sup>20</sup> Alan S. Kahan, “Critical Religion”, posted 30 May 2018, *op.cit.*, p. 25.

<sup>21</sup> Alan S. Kahan, “Something is Missing”, posted 15 May 2018, *op.cit.*

<sup>22</sup> Alan Kahan, “Religious, Yes, But what Kind?”, posted 8 May 2018, *op.cit.*

<sup>23</sup> Alan Kahan, Lead Essay: “Limited Government, Unlimited Liberalism. Or, How Benjamin Constant was a Kantian after all”, *op.cit.*, p. 3.

the rule of law, of understanding that the point is perhaps not an individual nor even a collective liberty but the quest for a liberty alive, inside the self, forever enlightening the rest of one's life and shining on others too.