



## LIMITED GOVERNMENT, UNLIMITED LIBERALISM. OR, HOW BENJAMIN CONSTANT WAS A KANTIAN AFTER ALL

*In this month's discussion Alan S. Kahan, Professor of British Civilization at the Université de Versailles/St. Quentin, argues that [Benjamin Constant](#), like [Immanuel Kant](#), analyzed politics from a double perspective. Kant divided his *Metaphysics of Morals* into what he called the "Doctrine of Right," about how human behavior affects other people, which is the business of the state, and the "Doctrine of Virtue," which relates to human beings' internal obligations, their motives and duties, which are not the state's business. In Constant this double perspective takes the form of strictly limiting the sphere in which it is legitimate for the state to act, the equivalent of Kant's doctrine of right, and of close attention to human moral and religious development, the equivalent of Kant's doctrine of virtue. For both Kant and Constant the state's sphere of action must be strictly limited. But the limits they impose on the state do not limit the scope of their commentary on the relationship between politics and religion and morals. Indeed, for Constant at least, a limited state must rest on a broad religious/moral foundation to survive. Alan Kahan is joined in the discussion by Aurelian Craintu, professor of political science at Indiana University, Bloomington; Bryan Garsten, professor of political science and humanities at Yale University; and Jacob T. Levy, Professor of Political Theory in the department of philosophy at McGill University.*

### LIMITED GOVERNMENT, UNLIMITED LIBERALISM. OR, HOW BENJAMIN CONSTANT WAS A KANTIAN AFTER ALL

by Alan Kahan

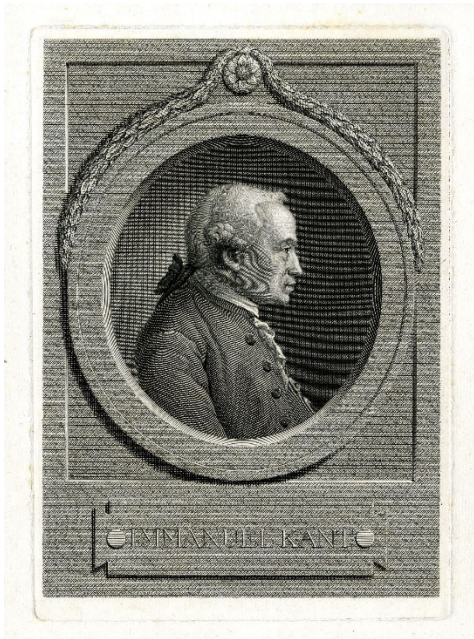
In this essay I want to suggest that Benjamin Constant, like Immanuel Kant, analyzed politics from a double perspective. Kant divided his *Metaphysics of Morals* into what he called the "Doctrine of Right," about how human behavior affects other people, which is the business of the state, and the "Doctrine of Virtue," which relates to human beings' internal obligations, their motives and duties, which are not the state's business. In Constant this double perspective takes the form of strictly limiting the sphere in which it is legitimate for the state to act, the equivalent of Kant's doctrine of right, and of close attention to human moral and religious development, the equivalent of Kant's doctrine of virtue.

For both Kant and Constant the state's sphere of action must be strictly limited. But the limits they impose on the state do not limit the scope of their commentary on the relationship between politics and religion and morals. Indeed, for Constant at least, a limited state must rest on a broad religious/moral foundation to survive.

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The irony is that Kant and Constant are usually linked as opponents, rather than fellow-travelers, because of the well-known controversy between them over whether lying can ever be justified. Constant argued that circumstances might justify, indeed require, telling a falsehood, and Kant responded in "On the Supposed Right to Tell Lies from Benevolent Motives" that lies are never acceptable.<sup>[1]</sup> Kant and Constant are also usually

held to be divided by Kant's rejection of a right to resistance against governments that overstep their bounds, while Constant supported at least passive resistance to such governments, although here the differences between them are less than first meet the eye. Kant, after all, found his way to supporting the French Revolution, albeit not the execution of Louis XVI. (Constant was anti-regicide as well.)



*Immanuel Kant*

Constant's double perspective enabled him to criticize governments' usurpation of power, to create strict theoretical limits on the authority of the state, especially in matters of faith and morals, while insisting that the right kind of faith and morals were necessary to a free state. 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.

Constant's double vision is embodied in his book on Roman polytheism, in what he called "two moralities." The first ignores people's motivations and is limited to forbidding evil actions. This is the negative morality appropriate for the state to enforce through law. This stressed in the Conclusion to his *Commentary on Filangieri's Work*: "the functions of government are negative: it should repress evil, and let the good take care of itself."

The second morality is all about individual feelings and motivations (Kant's doctrine of virtue) and is none of the state's business. In 20th-century terms the government should remain neutral about differing conceptions of the good life. In Constant's terms, even the imposition of moral truths by the government "is not only useless but harmful, *truths as much as error*," because it denies our intelligence and makes us "wretchedly passive creatures." "Even were the protection of government never granted save to virtue, I would still hold that virtue would be better off independent" -- just as Kant says in "What is Enlightenment?" Constant rejects any official positive morality, whether imposed directly by the government or indirectly through a state religion.<sup>[2]</sup>

Nevertheless, negative morality, in Constant's view, is not enough to prevent despotism, even though it is all that can be legally required. One cannot simply let people pursue their own self-interest, with the state interfering only when that pursuit harms others in illegitimate ways, and assume this will be enough to maintain freedom. Or rather, while the government must let people pursue their self-interest, if that is all that people do, while looking at their government in a purely instrumental, utilitarian way, then the government will not survive, at least not a free government. Self-interest alone, a purely utilitarian ethic, is not enough.

Looking at government or indeed anything *solely* in terms of utility is self-defeating, according to Constant. For example, if you defend religion solely because it is a useful institution, not because it is true, this will weaken religion and thus lessen its utility. In Constant's view, such an ethics of self-interest led France to political "indifference" and "servility" (under the Empire). Such a society is like a collection of "industrious beavers," ruled by nothing but prudence and an "arithmetic morality" (a jab at Bentham), and is morally incapable of preserving freedom. Thus the first kind of morality, even if it is the only kind that the state can enforce, is not enough to preserve a free state.<sup>[3]</sup>

Thus Constant requires the second kind of morality: "All moral systems can be reduced to two: one assigns interest as our guide and well-being as our goal. The other

proposes improvement [*perfectionnement*] as our goal and inner sentiment, the abnegation of ourselves and the faculty of sacrifice as our guide." This second morality, of individual elevation and perfection, is crucial to the existence of a free state, even though the government cannot play a role in it. In the end for Constant, freedom becomes a moral gospel within the bounds of reason and modern society: "All that is beautiful, all that is intimate, all that is noble, partakes of the nature of religion."

The best way to get this elevated morality, for Constant, is through religion. Hence the apostle of *laissez faire* is also the apostle of and apologist for the religious spirit. For Constant the state may not enforce or require a religion, but the existence of a state, and especially a free state, is dependent on the existence of religion.<sup>[4]</sup>



Constant's liberalism, it has been observed, is always informed by religious values. In 19th-century Europe, liberals generally regarded religion and freedom as both compatible and mutually reinforcing, provided it was the right kind of religion, duly separated from the state, or at least defanged, as in England. While liberals wanted the *government* to be neutral towards religion, that did not mean that *liberals* were neutral towards religion. Constant certainly was not.<sup>[5]</sup>

Religion is the royal road to elevating human souls, in Constant's view, a multilane highway to perfection. It also has its vulgar utility, helping to repress theft, murder, and so on, but it is not needed for this: "there is a common morality, based on calculation, interest, and security, which can, I think, at a pinch do without religion." But the second and greater kind of morality needs religion: "It is for the creation of a more elevated morality that religion seems desirable to me. I do not invoke it to

repress gross crimes but to ennoble all the virtues." Religion, like politics, raises people above the "habits of common life" and the "petty material interests that go with it." A nation without it "would seem to me to be deprived of a precious faculty and disinherited by nature."<sup>[6]</sup>

Crucially, religion enables modern people to engage in self-sacrifice. "Liberty nourishes itself on sacrifices.... Liberty always wants citizens, and often heroes. Do not let fade the convictions that ground the virtues of citizens and that create heroes, giving them the strength to be martyrs." The need for religious conviction is both political and personal. As the liberal state needs religion, so does the liberal individual: "The more one loves freedom, the more one cherishes moral ideas, the more high-mindedness, courage, and independence are needed, the more it is necessary to have some respite from men, to take refuge in a belief in a God." This is why "among all peoples, religious institutions always have intimate ties with political liberty, and whenever religion itself has the liberty that it deserves, the liberty of nations is firmly in place."<sup>[7]</sup>

It is not one particular religion that does this, according to Constant, although it is also not every religion that does this. Constant is a ferocious anticlerical, and his vision of religion as ennobling and perfecting character owes much to German Pietism, as he himself recognizes. He detests any religious system which does not adopt "the priesthood of all believers," dear to Martin Luther. Hence the priests of Ancient Egypt share in the same condemnation as those of the Roman Catholic Church. (Constant does not discuss Anglicanism at length, possibly because the multitude of religions in England makes its clerical hierarchy less dangerous.) Partly as a result of this Protestant perspective, Constant thinks it is better to have many religions than few. Like Adam Smith, Constant worries that in a society with only one religion, religion will become a powerless form. Unlike Smith, Constant approves of the fact that new sects tend to distinguish themselves by a more stringent morality. If up to now the advent of new sects has been accompanied by "strife and misfortune," this is because the government



has gotten involved. Keep church and state separate, and the proliferation of sects will result in "mutual checks," and the government won't have to worry about the degeneration of one religion or the combats of two or three because each of the innumerable sects will be too weak to disturb the peace. As Constant puts it at the end of his study of religion, "Divide the torrent, or, rather allow it to divide itself into a thousand rivulets. They will fertilize the earth that the torrent would have devastated."[\[8\]](#)

Let me suggest that Constant's modern moral substitute for ancient freedom, the way in which we can combine the benefits of ancient and modern liberty, is modern religion, freed from priestcraft. At the end of Constant's famous speech on ancient and modern liberty, after he has told his audience that ancient liberty with its exalted politics is impossible in the modern world, and that attempts to revive it, as during the French Revolution, can lead only to terror and anarchy, Constant suddenly doubles back. Having told his audience that modern people are devoted to private pleasure, the pursuit of their personal interests, and civil freedom, the things that can best be secured by a limited state enforcing only a negative morality, he suddenly reminds them that this is not, after all, enough. There is the danger that the tendency of modern civilization to encourage private pleasures will lead to the moral diminution and degradation of humanity.[\[9\]](#) "Is it so evident that happiness, of whatever kind, is the only aim of mankind? If it were so, our course would be narrow indeed, and our destination far from elevated.... It is not to happiness alone, it is to self-development that our destiny calls us." We therefore need the second, positive kind of morality as well. Yes, this positive morality of self-development can be derived from "political liberty," "the most powerful, the most effective means of self-development that heaven has given us." But this claim comes after Constant has just given a series of lectures on religion, in which religion performs this role. And if people will have to be trained to appreciate the beauties of political participation, the instinct to worship is always available in every human breast, according to Constant. Thus even more than the right kind of political participation, the

right kind of religion is necessary to enable a liberal, limited state to survive. Unlimited moral commitments are essential to Constant's liberalism.



***Benjamin Constant***

Constant's views on politics and religion can be combined easily enough. For Constant political freedom is one dogma of a religion of liberty in which, for Constant as for most 19th-century liberals, God also has a role to play.[\[10\]](#) For Constant, as for Kant, we live in two worlds at once, material and spiritual. To be indifferent to either one of them is to be doomed to moral failure in both. By all means limit the state and appeal to *laissez faire*. The state's usurpation of individual rights will otherwise diminish the person and lead to despotism. But if that is *all* you have to say, your appeal will be futile. If there is going to be a receptive audience for the gospel of liberalism in modern society, it will be one previously formed by what Constant called the "religious faculty." Jules Ferry, patron saint of *laïcité*, would have agreed – but that's another story.

#### Endnotes

[\[1\]](#) Constant has generally been perceived as the victor in this skirmish. But see Helga Varden's valiant effort to rescue Kant, "Kant and Lying to the Murderer at the Door ... One More Time: Kant's Legal Philosophy and Lies to Murderers and Nazis" *Journal of Social Philosophy*, Vol. 41 No. 4, Winter 2010, 403–21.

[2.] Constant, *Commentary on Filangieri's Work*, 248; Stephen Holmes, *Benjamin Constant and the Making of Modern Liberalism* (New Haven, CT: Yale, 1984), 9; Constant, cited in Helena Rosenblatt, *Liberal Values Values: Benjamin Constant and the Politics of Religion* (Cambridge: Cambridge University Press, 2008), 129; Constant, *Principles of Political Thought*, 307, 134-35 and elsewhere.

[3.] Constant, cited in Rosenblatt, *Liberal Values*, 194; Constant, cited in Rosenblatt, *Liberal Values*, 193, Jennings, "Constant's Idea of Modern Liberty," in Helena Rosenblatt, ed. *The Cambridge Companion to Constant* (Cambridge: Cambridge University Press, 2009) 71.

[4.] Gerald Izenberg, "Individualism and Individuality in Constant," in *Companion*, 223-24; Constant, cited in Bryan Garsten, "Constant on the Religious Spirit of Liberalism," in *Companion*, 298.

[5.] Laurence Dickey, "Constant and Religion: 'Theism Descends from Heaven to Earth,'" in *Companion*, 313; Garsten, "Constant on the Religious Spirit," *Companion*, 296.

[6.] *Principles*, 141, 142, Rosenblatt, *Liberal Values*, 136, Constant, cited in Rosenblatt, *Liberal Values*, 173, *Principles*, 133.

[7.] Constant, cited in Garsten, "Religion and the Case Against Ancient Liberty: Benjamin Constant's Other Lectures," *Political Theory* 38(1) 2010, 21; *Principles*, 131; Constant, cited in Garsten, "Religion and the Case Against Ancient Liberty, 4.

[8.] Rosenblatt, *Liberal Values*, 194, Garsten, "Constant on the Religious Spirit," *Companion*, 296; *Principles*, 137-39; Constant, cited in Todorov, "Religion According to Constant," *Companion*, 285.

[9.] *Principles*, 323, 317, 326 ; Constant, "Speech on Ancient and Modern Liberty," in Constant, *Political Writings*, ed. Biancamaria Fontana (Cambridge: Cambridge University Press, 1988), 327; Constant, *De la religion*, cited in Rosenblatt, *Liberal Values*, 228.

[10.] Constant, "Speech on Ancient and Modern Liberty," in Constant, *Political Writings*, ed by Biancamaria Fontana (Cambridge: Cambridge University Press, 1988), 327.

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## BEYOND INDIFFERENCE AND DOUBT: CONSTANT ON THE INDESTRUCTIBLE POWER OF THE RELIGIOUS SENTIMENT

by Aurelian Craiutu

Benjamin Constant (1767-1830) is recognized today as one of the most original and important modern liberal thinkers in continental Europe. Yet the complexity of his political thought and the strategies he used to promote liberty defy any single interpretation. Many of his important works remain untranslated into English, above all *Fragments d'un ouvrage abandonné sur la possibilité d'une constitution républicaine dans un grand pays* (1802), in which he took up the long-debated issue of the compatibility between a large state and a republican regime. Cambridge University Press and Liberty Fund have published excellent English translations of the two versions (1806-1810 and 1815) of Constant's arguably most important political book, *Principles of Politics*. Nonetheless, neither of these works was seen by Constant as his most original contribution. Instead, toward the end of his life, he singled out his five-volume *De la religion* (1824-1831) as "the only consolation" of his life. Constant believed he was "destined by nature" to write it and devoted a considerable amount of time and energy to completing it.

We should be grateful, then, to Liberty Fund for having published the first complete English translation of Constant's *On Religion*, with a foreword by Pierre Manent<sup>[11]</sup>. It is a true achievement that will undoubtedly make this important book better known to a wide audience in the English-speaking world. It comes in the footsteps of the publication of another important book by Constant, *Commentary on Filangieri's Work*, translated by

our lead essayist here, Alan Kahan, a well-known and respected historian of political thought and specialist in French political thought.[\[12\]](#)

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Kahan's present essay reminds us that anyone studying Constant's political thought must also address his religious ideas and should take seriously into account his Protestant outlook. Kahan is right to insist that "in 19th-century Europe, liberals generally regarded religion and freedom as both compatible and mutually reinforcing." This applies, *inter alia*, to thinkers as diverse as Jacques Necker, Alexis de Tocqueville, and, to a lesser degree, Germaine de Staël. If some may have embraced a form of civil religion *sui generis*, others defended a more robust view of religion. If we fail to do acknowledge this point, we get only a truncated view of their political liberalism.

In Constant's case, the scholarly consensus is that we need to start from his moral and religious vision if we want to better understand his conception of liberty as a means of self-development. That vision can be found in *On Religion*, but traces of it can also be detected toward the end of Constant's famous 1819 lecture on the liberty of the moderns compared to the liberty of the ancients.[\[13\]](#) As Helena Rosenblatt argued, it was a decidedly Protestant vision. Constant introduced the term "private judgment"—a key term with a long history in Protestant theology[\[14\]](#)—into his political writings around 1806, when he drafted the first version of his *Principles of Politics*. He believed that religion could serve as a means for creating an elevated form of morality, and he stressed the right and duty of individuals to improve themselves by using their reason.

Yet Constant was no conventional rationalist or believer. As Kahan reminds us, Constant criticized the concept of self-interest as an insufficient foundation of a free society.

In his view the higher vocation of all human beings is to instruct and enlighten themselves, which could not happen if they relied only on their narrow self-interest. He believed that a higher morality can be achieved only through religion, but one that is not reducible to a simple form of civil religion such as the one recommended by Rousseau in Book IV of *On the Social Contract*. Kahan draws a parallel with Kant here and argues that Constant was "a Kantian after all." This may be so, but Constant sought to chart a new way of studying religion that went well beyond Kant's rationalistic approach.

The relationship between morality and religion was a commonplace in the writings of that period. It loomed large in Necker's *De l'importance des opinions religieuses* (1788), an important book that Constant had certainly read, since Necker had been a close friend and mentor. (Necker also paid off Constant's massive gambling debts.) Yet Constant's approach had little in common with Necker's sober emphasis on the social utility of a religion and Supreme Being destined to serve justice on earth. Constant must also have been familiar with Chateaubriand's Romantic apology of Christianity in *Génie du Christianisme* (1802), a best-seller during that time. Yet, again, Constant's method departed from that of the famous writer, who gave to faith a memorable definition to include all the noble sentiments, including friendship, patriotism, and love. While Chateaubriand adopted a warm and enthusiastic tone that gave his book an undeniable religious sincerity, Constant's tone remained cold throughout the entire text of *De la religion*; his book may convince its readers but does not seduce them. What sort of religion did Constant embrace then?

It is impossible to know whether Constant was ever a true believer or not. He stopped short of embracing a specific religious doctrine, and his views on religion were unconventional. First, the name Jesus Christ was conspicuously absent from *On Religion*, a surprising absence for anyone interested in the history and doctrine of Christianity. Second, Constant's understanding of religion had a decidedly Romantic tone, free from the weight of priestcraft. He may have been an idiosyncratic mind, but he strongly believed that life would be empty

without a genuine religious dimension. As a beautiful fragment from chapter 17 of the 1815 edition of *Principles of Politics* shows, Constant looked for—and found— "religion" in places where conventional believers might not have searched. For him, there was "religion" in the impression of a dark night and ancient forest as well as in the emotion caused by a great work of art or literature. In sum, "there is religion at the bottom of all things." Constant admitted that religion represents "the permanent tradition of everything that is beautiful, great and good across the degradation and iniquity of the ages."<sup>[15]</sup> What mattered above all for him were the sentiments of the sublime, the pure emotions and uplifting feelings that, Constant believed, could not (and should not) be confined by any doctrinal or institutional form.

It is not difficult then to figure out why devout believers and radical atheists might not be pleased with Constant's ideas on religion. He may be accused of espousing a purely sentimental and individualist form of religion, if one remembers the broad definition of religion mentioned above. His seminal distinction between religious sentiment and religious forms, which looms large in the first books of *On Religion* and is discussed in Kahan's essay, might also raise more than a few eyebrows. Once religion is regarded purely as a sentiment and the principle of authority in religion is denied, can there really be any principle of authority left in the realm of politics? Or would anarchy be the inevitable outcome of this development?



### *Benjamin Constant*

This, I would like to argue, was the question that Constant took seriously. It was a particularly salient question in the context in which the first volume of *On Religion* appeared in 1824. The last decade and a half of Constant's life was an age of transition in which nothing was fixed or stable and everything was in flux and up for grabs. It is not a mere accident that the term *individualisme* gained wide currency in the 1820s in France.<sup>[16]</sup> Many of Constant's contemporaries saw themselves as engaged in an adventurous voyage at sea, without a firm compass or doctrine. The older ones were concerned about the growth of indifference in matters of religion and the gradual loss of faith in general. The younger ones were equally restless, for they were searching for a new doctrine to give meaning to their lives.

I would like to bring into our discussion two names that might be relevant to the issues discussed here. The first is Félicité Robert de Lamennais (1782–1854), who published an influential *Essai sur l'indifférence en matière de religion* in four volumes between 1817 and 1824. Lamennais's *Essay* provided a thorough critique of modern individualism, a sacred principle for Constant and other Protestant liberals, from a Catholic and



conservative perspective. It outlined the profound transformation at work in modern society, the roots of which could be traced back to Descartes and the *philosophes*. As such, Lamennais's book offered a trenchant critique of the philosophical and individualistic foundations of modernity that, in his mind, paved the way for universal doubt and social anarchy. It is safe to assume that Constant was familiar with Lamennais's *Essay*, the last volume of which appeared the same year as the first volume of *On Religion*.

The second name is Théodore Jouffroy (1796-1842), who belonged to the generation of younger liberals who came of age in the 1820s and for whom Constant served as a mentor *sui generis*. They may not have felt the same anxiety as Lamennais, but they too were restless. For them the old dogmas and beliefs held little appeal. The whole future seemed wide open as there was deep uncertainty about the new beliefs that could replace the old ones. Jouffroy was the author of a famous essay entitled *How Dogmas Come to an End* (1823), which illustrates well the mixture of restlessness, hope, and anxiety that characterized his generation. In his view the young generation could no longer embrace the faith of their parents, which seemed an indifferent routine, observed ritualistically and with indolence. But that generation could not fall into apathy and indifference either.



*Félicité Robert de Lamennais*

The hypothesis that I take the liberty of advancing here is that Constant's book sought to offer an answer to Lamennais's argument about the dangers of atheism and the imminent dissolution of society into indifference. It also offered a valuable suggestion and inspiration to Jouffroy's concerns about the dissolution of old dogmas. In this regard, Constant's message was not much different from Tocqueville's a decade later: religious sentiment (or, to use Tocqueville's term, faith), not doubt, is the permanent state of mankind. As such, Constant's book on religion could have conveyed an important message to his anxious contemporaries. The danger was neither indifference nor excessive doubt as many of them feared. If old dogmas had no authority anymore and could no longer command allegiance, the answer was not the absence of religion; nor was despair the only other available solution. It was a new and better form of religion which alone could give the "presentiment of a new and better faith"<sup>[17]</sup> and could rekindle enthusiasm and genuine convictions among the younger generation. *De la religion* made this point brilliantly by reminding its readers of the power of the religious sentiment, that indestructible and universal sentiment" that "triumphs over all interests" and passions.<sup>[18]</sup>

#### Endnotes

<sup>[11.]</sup> Benjamin Constant, *On Religion*, trans. Paul Seaton Jr. (Indianapolis, IN: Liberty Fund, 2018).

<sup>[12.]</sup> Benjamin Constant, *Commentary on Filangieri's Work*, trans. Alan S. Kahan (Indianapolis, IN: Liberty Fund, 2015).

<sup>[13.]</sup> "Speech on Ancient and Modern Liberty," in Constant, *Political Writings*, ed. Biancamaria Fontana (Cambridge: Cambridge University Press, 1988).

<sup>[14.]</sup> See Helena Rosenblatt, *Liberal Values: Benjamin Constant and the Politics of Religion* (Cambridge: Cambridge University Press, 2008), 128-14.

<sup>[15.]</sup> Constant, *Political Writings*, 279.

<sup>[16.]</sup> Konraad W. Swart, "'Individualism' in the Mid-nineteenth Century," *Journal of the History of Ideas*. Vol. 23, No. 1 (January-March 1962): 77-90.



[17.] Théodore Jouffroy, "How Dogmas Come to an End," in *Philosophical Miscellanies of Cousin, Jouffroy, and B. Constant*, trans. and ed. George Ripley, vol. II (Boston: Hilliard, Gray, and Company, 1838), 135.

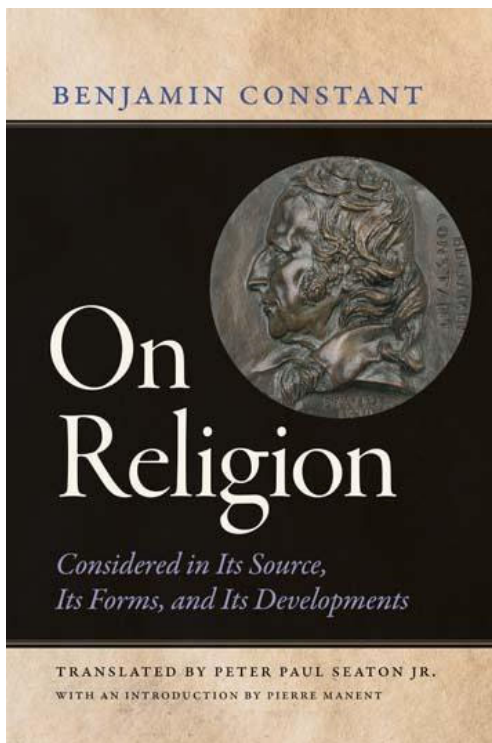
[18.] Constant, *On Religion*, 24.

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## WHAT IS 'MODERN LIBERTY' FOR?

by Bryan Garsten

Today a great deal of discussion about liberalism concerns the question of whether it is anything more than a protection racket for neoliberalism, the overzealous expansion of economic markets into more spheres of human activity. It is often assumed that liberals are either insincere or naive when they claim to prefer limited government and individual rights for any reason other than to secure the personal property of those who have wealth and comforts to enjoy.



Benjamin Constant's *De la religion*, now translated into English for the first time in a wonderful edition by the Liberty Fund, begins with a vigorous argument that

liberals can and must offer a nobler purpose for their positions than self-interest. Constant was famous for his commitment to "modern liberty" and individual rights, but he was never satisfied with the abstractness of rights. He wanted to know what the spheres of freedom that rights protected could be used *for*, and what would make a human life lived in such freedom worthwhile. The answer he gave, drawing from Rousseau, from early German Romanticism, and from Protestant Pietism, was that modern liberty offered space for the *self-development* of the individual and, therefore, for the improvement of the human species as a whole. Self-development was meant to be a moral and spiritual project with a dignity that the egoistic and utilitarian pursuit of property could not offer.

In this opposition to utilitarianism we can find the clearest vindication of Alan Kahan's claim that Constant was close to Immanuel Kant in basic philosophical orientation. Kant virtually defined morality as independence from the claims of pleasure that utilitarian philosophers regarded as normative. Constant's calls for "sacrifice" in the introduction to *On Religion* loosely followed Kant's famous argument that we could only be sure that our actions were moral when they followed the demands of duty against our inclinations. Constant did not link rational autonomy and morality in the way that Kant did, but he regarded our ability to act against inclinations as crucial to our capacity to improve ourselves. In his essay "On the Perfectibility of the Human Race," Constant explored the human capacity to act according to "ideas" rather than "sensations" or "inclinations":

[T]here exists in human nature a disposition, by which it is always enabled to sacrifice the present to the future, and consequently a sensation to an idea. The process is the same in the laborious workman who wearies himself with toil to support his family; in the miser who endures cold and hunger to preserve his gold; in the lover who braves fatigue and tempest to win the heart of his mistress; in the ambitious man who rejects sleep or neglects a wound in the service of his

country; in the noble-minded citizen who watches, combats and suffers, for its safety. There exists in all the possibility of sacrifice; there exists in all, in a word, the dominion of ideas over sensations.<sup>[19]</sup>

The "sacrifice" that Constant credited the religious sentiment with inspiring in *On Religion* was the same psychological capacity described in this passage. In pleading for a sympathetic understanding of even the earliest historical form of religion, fetishism, he pointed to its ability to inspire this sort of self-sacrificing action.

Constant never fully explained precisely why he thought the ability to distance ourselves from our sensations and inclinations was so closely linked with the "religious." Sometimes I suspect that the "religious" for Constant simply *was* the shadowy, not rationally explicable, sense that egoism was not enough – what he called, in the most dramatic moment of his famous speech on ancient and modern liberty, "that noble disquiet which pursues and torments us, that desire to broaden our knowledge and develop our faculties."<sup>[20]</sup> If we place proper emphasis on this moment in his speech, and if we link it to his work in *On Religion*, we can see that he found in the need to protect the religious sentiment a justification of his preference for modern liberty.

It is true that the speech on liberty pointed to the individualism and commercial habits of modern peoples as a sign that they would not accept the priority of the public good demanded by ancient Spartans. If we ask, however, why these distinctly modern conditions were *worth* preserving, we do not find a simple answer. In particular, Constant offered no theory of natural rights as Locke did, nor did he suggest that the right to property was fundamental to human happiness at all times. Instead, he claimed that modern liberty was suitable for modern peoples and he assumed what he had announced elsewhere, in previous lectures as well as in essays and other writings – that modernity itself was the result of a *progressive* history.<sup>[21]</sup> His defense of modern liberty depended on his account of progress.

Constant seems to have conceived of *On Religion* as his effort to tell that progressive history of the human spirit.

In the end, in spite of having devoted intense intellectual effort to the project over many years, he was only able to tell the early part of the story. The book ended before Christianity arose, even though elsewhere Constant portrayed Christianity as a crucial source of moral progress and credits it with having introduced the idea of equality and the unacceptability of ostracism and slavery. *On Religion* was concerned not to race towards this stage of history, but instead to explore two fundamental theoretical distinctions that govern its structure: a distinction between religious sentiment and religious form, and a distinction between priestly religions and free ones.

The distinction between sentiment and form was Constant's answer to the question of how a religious sentiment that he claimed was inherent in human *nature* could have a *history* at all. The religious sentiment, he argued, manifested itself in different ways at different moments. The sentiment, precisely because of its only diffusely understood substance, could inspire many sorts of social organization and institutional embodiment. These institutions were the religious *forms*. The thrust of Constant's argument was to show that any particular form was historical and therefore not essential to the religious sentiment itself. A form would arise because it suited a certain stage of human development, but after a time it would become constraining on further development and had to be cast off in favor of a new form. Those enlightenment or liberal critics who saw religion as static and stultifying were mistaking the forms for the sentiment. Constant's distinction between form and sentiment was his effort to show how religion, so often seen in France as a counterrevolutionary force, could be associated with the dynamism of progress.

The principal impediment to progress in the story told in *On Religion* was the power of priests. Their claim to have a monopoly on religious insight led them, Constant argued, to impose a false stability on the religious sentiment, to impede its natural development and therefore the free development of human culture more generally. He portrayed ancient Egypt as the epitome of

priestly domination and contrasted it with ancient Greece. The absence of priestly authority in Homer's *Iliad* and *Odyssey* demonstrated, Constant thought, the key fact about Greek religion – its relative freedom.



**Homer**

Constant was a Swiss Protestant of some kind, and it is easy to notice how readily his opposition to priestly authority transfers from ancient Egypt to modern Catholicism. But he also saw broader implications to the argument against priests, since he saw liberals and socialists of his day falling into what we might call the priestly temptation – the desire to legislate one form or another of civic religion as a way of uniting society. The postrevolutionary plans to inculcate republican virtues in the French citizenry by imitating the educational methods of monasteries struck him as "Egyptian" in their sensibility. This is why his warnings against efforts to imitate ancient Spartan liberty so often emphasized the importance of *religious* freedom.

Limited constitutional governments of the kind that Constant spent his life defending can be understood as efforts to restrain priestly authority from wielding power over political society as a whole. Those governments do not permit themselves to mold the religious beliefs or institutions of their citizens. On Constant's view, this is good not because the religious aspects of our lives do not matter morally or politically, but because the free play of

our religious sentiment allows each of us to develop our highest capacities and therefore is the fundamental force insuring that the history of humanity will be a progressive one.

We still face the dangers that Constant had in mind: the priestly temptation in politics, understood broadly, remains strong in certain ways, and liberalism always threatens to decay into utilitarian egoism. Whether Constant's remedies are compelling for us may depend on whether we can find our way back to his belief in historical progress and on whether we share his view that freedom of religion makes a crucial contribution to that progress.

#### Endnotes

[19.] Benjamin Constant, "On the Perfectibility of the Human Race," in George Ripley, ed., *Specimens of Foreign Literature* (Boston: Hilliard, Gray and Company, 1838), 351-52.

[20.] Benjamin Constant, "The Liberty of the Ancients Compared with that of the Moderns," in *Political Writings*, Biancamaria Fontana, ed., (Cambridge: Cambridge University Press, 1988), 327.

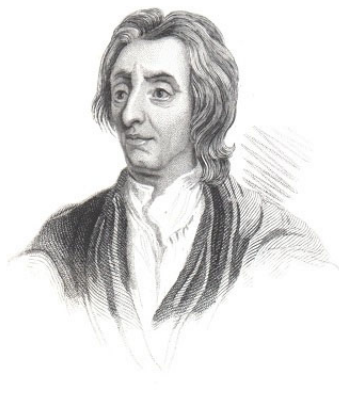
[21.] See Bryan Garsten, "Constant on the Religious Spirit of Liberalism," in *The Cambridge Companion to Constant* (Cambridge: Cambridge University Press, 2009) and Garsten, "Religion and the Case Against Ancient Liberty: Benjamin Constant's Other Lectures," *Political Theory* 38 (2010).



## DOES LIBERALISM REQUIRE THE RIGHT KIND OF RELIGION?

by Jacob T. Levy

Immanuel Kant and Benjamin Constant both wrote philosophically important defenses of liberalism centered on rights and liberty, and both wrote much else besides. Constant devoted most of his life to his distinctive contribution of theoretically informed political action and action-guiding political theory, but still (at least sometimes) regarded his philosophical and comparative study of religion as his most important work. Kant's political writing was a small fraction of his philosophical work and not the centerpiece even of his moral and social theory. Kant's and Constant's central political concern with liberty and rights should not be mistaken for their whole accounts of the good human life. Alan Kahan is right to emphasize that they shared not only a concern for the positive ethical good that surpasses negative juridical and political justice, but also a belief that a liberal political order could only thrive with a citizenry who pursued that good. And they shared, moreover, a sense that the religious impulse was a key, maybe *the* key, to elevating our moral sights toward that pursuit.



LOCKE.

*John Locke*

In this, Kant and Constant were in agreement with the mainstream of thought in the classical liberal tradition and its predecessors. More idiosyncratic, but not entirely so, was their specific association of the relevant religious impulse with the individualist and egalitarian strand of Protestantism that grew out of the Pietist movement. While the specific theological resources at hand varied over the decades, we see similar religious sensibilities in thinkers from Locke to Montesquieu. As social thinkers sought to understand and entrench the civil peace that followed the Wars of Religion, they often offered up some idealization of a simplified Christianity that all could endorse as a shared foundation of morality, sometimes so stripped down as to shade into unitarianism or deism.

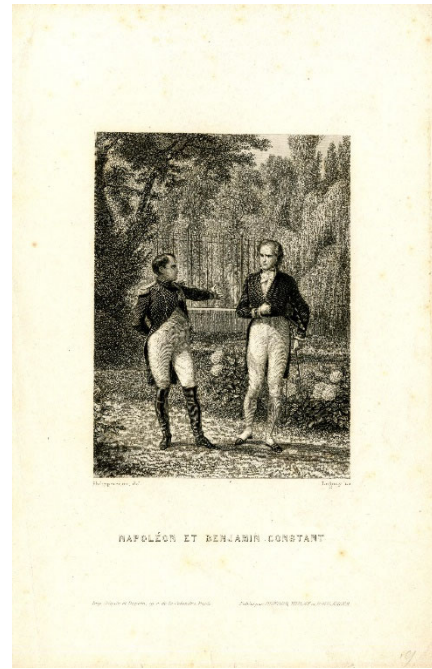
The idea endured after Constant's time as well. While Constant's successor as the intellectual leader of French liberalism, Alexis de Tocqueville, did not write about religion in nearly the same depth, I suspect his *Democracy in America* is the canonical source to which this association of religious morality and a free society is most frequently attributed. In 20th-century conservative and classical liberal thought, mentioning Tocqueville in this context became a common way to claim a kind of seriousness, against the supposed moral shallowness of really existing liberalism.

Notwithstanding that long continuity, I think there is an interesting break around the early 19th century, with Kant on one side and Constant on the other. (Maybe Adam Smith subscribed to the 19th-century version.) Before that time, the worry about people who lacked religion or aspirational ethics was a general one about social stability, sometimes with an overlay of talk about republican virtue. Afterward, it was about the emerging new phenomena of bureaucratized, impersonal, democratic, and capitalist society -- *mass society*, as it has sometimes been called. And the worry was less often about general immorality and depravity than about the pursuit of base material interests and pleasures, and about the stupefaction of human faculties. Kahan has offered a book-length treatment of this latter worry in his *Aristocratic Liberalism*.<sup>[22]</sup> I am surprised not to see any mention of that earlier work in

the present essay or to hear whether Kahan thinks his argument there applies to either Kant or Constant or both.

Kant had a general concern about humanity's immaturity and a teleological hope for its growth. But Constant shared with Tocqueville and Mill a specifically *modern* worry, a concern that the new kind of political and economic orders emerging in his lifetime would stunt our moral and intellectual growth rather than encourage it. Like Smith before him and Mill and Tocqueville after, he worried that this stunting might deprive us of the tremendous benefits those orders had to offer. Modern liberty, political democracy, and commercial growth were great social goods, but they might carry internal contradictions such that they bred citizens who could not sustain them. We moderns with our valuable private lives and commercial opportunity might accept the cynical offer of a Bonaparte: to protect our property from the mob and relieve us of the burden of governing ourselves.

The slight resemblance here to 17th- and 18th-century civic republicanism is misleading: Constant fundamentally *approves* of modern commerce and doesn't view it as *intrinsically* politically or morally corrupting. Moreover, what Constant thought Bonaparte offered the middle classes was not what the classical demagogues offered the masses: bread and circuses at public expense, an alliance of the one with the many against the few, with the one eliminating the few as power rivals and the many sharing the few's goods. Instead Bonaparte offered them protection against the many, security for their goods: things they wanted for good and legitimate reason. Where civic republicans had been entirely unsympathetic to the material interests that could corrupt a citizenry and open the door to demagoguery, Constant wanted to shore up and protect the modern commercial economy and liberal polity against their internal contradictions.



### *Napoléon Bonaparte and Benjamin Constant*

Kahan is right to identify relationships among these themes in Constant's philosophy. The selfishness that could lead us to neglect positive democratic liberty connects to the utilitarian pleasure-seeking encouraged by modern commercial prosperity. In modern mass society, my vote counts for little and my potential pleasures are vast, so why not prioritize the latter? And it is plausible that Constant always considered at least *part* of the solution to be an aspirational morality that could be found in religion of just the right sort.

But I'm not sure that we can say anything much more specific than that these ideas were *related* for Constant. While he had a historical hopefulness about moral improvement in religion, away from priestcraft and superstition and toward a full appreciation of the worth of each soul, he nowhere suggested that liberal political reform needed to wait for that improvement. And even in the concluding paragraphs of "Liberty of the Ancients and the Moderns" he makes the political point that property and modern liberty aren't secure under a dictator before and distinct from his rousing call to care about self-development and lofty moral characters for their own sake. And so I think Kahan stretches Constant's point further than the text will bear when he writes, "[T]he right kind of religion is *necessary* to enable a liberal,

limited state to survive. Unlimited moral commitments are *essential* to Constant's liberalism" (emphasis added). Constant probably hoped for a virtuous cycle among moral, religious, and political improvement, but he never -- never, across many political moments in his long career -- suggested that France was not ready for liberty *at that moment*. And this, although "the right kind of religion" was mostly absent from a France divided between a Catholic majority and an anti-religious minority. The view that tempted his *Idéologue* friend Antoine-Louis-Claude Destutt de Tracy -- that liberty would have to wait until after a coercive reeducation had cured the population of their Catholicism -- never held any appeal to Constant.



*Antoine-Louis-Claude Destutt de Tracy*

And so much the better for Constant that it didn't. Those witnessing the transition to modern constitutional liberal democracy and to modern liberal capitalism were often too quick to be too sure about the precise conditions that could make that transition possible and about the precise conditions that would allow the new order to succeed in the long term. There are things that we know the early generations were wrong about, such as the idea that political parties would be inimical to the new order. (In fact they are essential to it.) And there are many things that we still don't know for sure; the relationship of individual moral characters to the complex extended order is one of them.

Expanding one's moral vision beyond selfish pleasures is fully compatible with giving oneself over to destructive

and anti-liberal kinds of social altruism: subordinating the self to the race, the nation, the class, the party, or for that matter the crusading church. Selfishness is not simply the opposite of political virtue, and the desire to find meaning in a whole that transcends the self has often been a source of danger to the liberal order. And, on the other hand, religious commitment can be a call to quietism and withdrawal from the fallen political world. If liberalism depended on a very fine-tuned Goldilocks kind of moral and religious sensibility -- not a touch too collectivist, not a touch too quietist, but *just right* -- then we would expect the liberal commercial democratic order never to have gotten off the ground at all.

Instead, we find that there has been rather a lot of liberal commercial democracy over the two centuries since Constant's time. Not *enough*, and not always stable, and never immune to threat -- but a lot. And we find it in a variety of religious and irreligious cultural settings. Even in the current moment of crisis for the liberal order, we should be impressed by how successful it has been in societies that are Protestant, Catholic, Jewish, Hindu, Shinto, and Buddhist over the last three-quarters of a century. It is true that liberalism and democracy have been both rarer and more fragile in the Islamic greater Middle East than elsewhere and that before Vatican II, one would have said the same about Catholicism. And yet the gradual transformation of much of western Europe from Christianity to irreligion didn't seem to destabilize the liberal order there. The current crisis doesn't show any religious pattern in Europe; it's not as though the more religious societies have proven more immune to populist nationalism. I think there is good reason why such different 20th-century liberals as Hayek, Rawls, and Shklar all avoided the mapping of statecraft onto soulcraft that characterized so much of the earlier liberal tradition. They all tried to analyze the norms of the arm's-length impersonal order on the assumption that they could, indeed maybe had to, differ quite markedly from the norms of personal moral excellence.

As I said: there is a lot that we don't know. But this is a domain in which intellectual humility would serve us well -- as, I think, it served Constant better than Mill's



certainty served him a few decades later. Even as we appreciate the seriousness of the current challenges faced by the liberal order, we should take seriously how successful it has been -- and how much *more* successful it has been than one would have expected if just the right kind of religion were *necessary* to enable a liberal, limited state to survive.

#### Endnotes

[22.] Alan S. Kahan, *Aristocratic Liberalism: The Social and Political Thought of Jacob Burckhardt, John Stuart Mill, and Alexis de Tocqueville* (New York: Oxford University Press, 1992).



*Adam Smith*

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## RELIGIOUS, YES, BUT WHAT KIND?

by Alan S. Kahan

First of all, I would like to thank Aurelian Craiutu, Bryan Garsten, and Jacob Levy for taking the time to respond to my essay and the many interesting questions they raise, not all of which I can address here.

I would like to begin by discussing some of the issues about the history of liberalism and Constant's place in it raised by Prof. Levy. I confess to a certain discomfort relating my discussion of Constant and Kant to the questions I discussed in *Aristocratic Liberalism* in relation to Burckhardt, Mill, and Tocqueville, but Levy is right that the question of periodization is important, although I think he is wrong about where he draws the lines.

Liberals always worried about the masses. Adam Smith examined how commercial society affected them. For Smith, they benefited by it materially but not necessarily morally, hence Smith's famous discussion of the deleterious effects of industrialized pin-making on those who no longer made pins but only small parts of them.[23] Kant did not focus on the historical sociology of commercial societies, but in *What Is Enlightenment?* he lamented that the mass of humanity, out of laziness and cowardice, was not interested in thinking for itself and was perfectly content to do without the critical thinking he equated with maturity and self-development. Constant historicized and generalized the problem of the *hoi polloi* by attributing particular moral tendencies to commercial society, regardless of social position, including a preoccupation with purely private pleasures, both material and nonmaterial (the tenderness of the modern family vs. that of the ancients). These tendencies extended to all social strata – and here Constant's criticism of the moral failings of commercial society is perhaps closer to Kant's criticism of human immaturity than to Smith since it applies to everyone, not just pin-makers.

What separates Kant and Constant from the next generation of liberals, including Tocqueville and other aristocratic liberals, is that the middle classes are not a

concern for them, hardly even a phrase. This is particularly striking in Constant's case. The famous speech on ancient and modern liberty talks a great deal about "commerce." There is not a single reference to the middle classes.<sup>[24]</sup> *The Principles of Politics* contains one reference to the middle classes – in a quotation from Smith! And no, "bourgeois/bourgeoisie" is no more common. The two references to them in *Principles* are simply to the inhabitants of Zurich. The dislike/distrust of the middle classes which makes the aristocratic liberals aristocratic is simply impossible for Constant. It is beyond his linguistic/intellectual horizon. It is only among younger liberals, the generation of Guizot and the Doctrinaires who get going in the 1820s, that the middle classes as such become a focus, for better or worse, of liberal thought.

This is true just as much in England or Germany as in France. The transition from a focus on "commercial society" to a focus on middle-class or bourgeois society is significant in the history of liberalism, as I will show in the history of liberalism I am currently writing. In the mid-19th century (call it post-1820), the middle classes take on a significance in liberal thought that superficially resembles that which the "middling orders" held in older republican thought, but which is quite other in its historical, social, and economic context. However, whether liberals praise the middle classes, like Guizot or Macaulay, or critique them, like J. S. Mill or Tocqueville, they build on the acceptance of commercial society that Prof. Levy rightly emphasizes as distinguishing Constant from his republican predecessors.<sup>[25]</sup>

Whether we are dealing with middle-class Philistines or merely the masses devoted to vulgar material pleasures, the need for some kind of spiritual uplift, most likely from a religious source, was clear to Constant as to just about every other liberal of his time, with rare exceptions such as Jeremy Bentham -- frequently the target of Constant's ire.



***Jeremy Bentham***

This brings us to the question of what kind of religious foundation for liberalism Constant had in mind.

The importance of religion and morality for Constant has been emphasized by recent scholarship. Religion is a key element, although not necessarily the only element, in the self-development of the individual character dear to his heart. This gives rise to two sorts of questions by the commentators: 1) what kind of religion did Constant espouse? and 2) what were the political consequences of his views on religion?

Prof. Garsten thinks Constant is not sufficiently clear about the work religion is supposed to do, or why: "Constant never fully explained precisely why he thought the ability to distance ourselves from our sensations and inclinations was so closely linked with the 'religious'.... I suspect that the 'religious' for Constant simply *was* the shadowy, not rationally explicable, sense that egoism was not enough." I think this is unfair to Constant. He was quite clear about many aspects of why egoism was not enough. In particular, egoism cannot, according to Constant, motivate self-sacrifice. Religion can, as Constant says in a number of passages with which Prof. Garsten is familiar: "Liberty nourishes itself on sacrifices.... Liberty always wants citizens, and often heroes. Do not let fade the convictions that ground the virtues of citizens and that create heroes, giving them the strength to be martyrs." The need for religious conviction

is both political and personal. As the liberal state needs religion, so does the liberal individual: "The more one loves freedom, the more one cherishes moral ideas, the more high-mindedness, courage, and independence are needed, the more it is necessary to have some respite from men, to take refuge in a belief in a God." This is why "among all peoples, religious institutions always have intimate ties with political liberty, and whenever religion itself has the liberty that it deserves, the liberty of nations is firmly in place."

It is true that Constant was disposed to describe *anything* that raised human beings above egoism and materialism as "religion." He states that "[a]ll that is beautiful, all that is intimate, all that is noble, partakes of the nature of religion." To be without religion, therefore, would be to be without beauty and nobility. But secular sources of beauty and nobility can also be sufficient for Constant. In the ancient world politics played this role, and in the modern world it is possible that it still can, albeit differently.<sup>[26]</sup>

Be that as it may, it is clear that Constant stresses religion as a source of moral elevation. "It is for the creation of a more elevated morality that religion seems desirable to me. I do not invoke it to repress gross crimes but to ennoble all the virtues." Religion raises people above the "habits of common life" and the "petty material interests that go with it." This leads to the questions raised by Levy and Craiutu as to what kind of religion can fulfill this purpose and whether it is a precondition for the establishment of a free society. As Levy points out, Constant "never, across many political moments in his long career, suggested that France was not ready for liberty *at that moment*," even though France never had the kind of religion Constant approved. The short answer is that good religion is not needed to found a republic, but it is necessary to keep it, something France has never managed well.<sup>[27]</sup>

What kind of religion? *Pace* Craiutu, there is a lot of Chateaubriand in Constant's Protestantism, right down to the common impressions caused by ancient forests. Surely Craiutu is right that Constant is also responding to Lamennais, reassuring his contemporaries (and ours)

about the fate of religion. The "believing without belonging," so common in Europe and increasingly in America today, goes far to proving him right, although it seems to be not so easy to disembarass humanity of priestcraft, whether of gurus or Popes -- something which would not surprise Kant. Whether that vague spirituality will be enough to preserve our sense of the beautiful and the noble is another question.

#### Endnotes

<sup>[23.]</sup> Smith was on the whole positive about the moral effects, but recognized drawbacks as well.

<sup>[24.]</sup> Perhaps an indirect reason for Marx's contempt for Constant, by contrast with his recognition of Guizot's brilliance?

<sup>[25.]</sup> Kant is at least not hostile to commercial society, as his admiration for Smith and occasional quotation from *The Wealth of Nations* indicates.

<sup>[26.]</sup> Constant, cited in Garsten, "Religion and the Case Against Ancient Liberty: Benjamin Constant's Other Lectures," *Political Theory*, 38:1 (2010), 21, *Principles*, 131; Constant, cited in Garsten, "Religion and the Case Against Ancient Liberty," 4; Constant, cited in Garsten, "Constant on the Religious Spirit of Liberalism," in Helena Rosenblatt, ed., *The Cambridge Companion to Constant* (Cambridge: Cambridge University Press, 1994), 298.

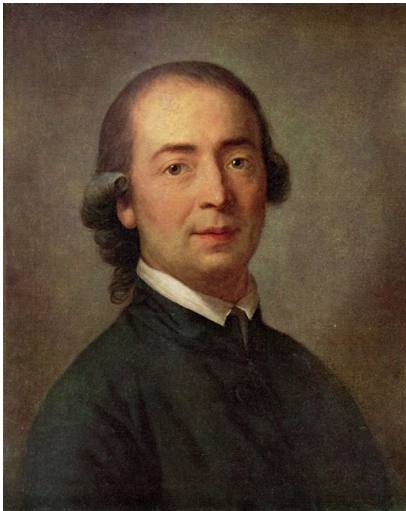
<sup>[27.]</sup> Constant, cited in Garsten, "Religion and the Case Against Ancient Liberty," 21; Constant, *Principles*, 131, cited in Garsten, "Religion and the Case Against Ancient Liberty," 4.



## CONSTANT AND CREUZER ON PRIMITIVE RELIGION

by Aurelian Craiutu

Alan Kahan is right to remind us of the importance played by German thinkers like Kant for Constant, who spent some time studying in Göttingen and became familiar with many German thinkers (Lessing, Herder, etc.). I should like to add the name of another German student of religion who, according to Paul Bastid's *Benjamin Constant et sa doctrine* (Paris: Armand Colin, 1966), was perhaps equally if not even more important than Kant for the evolution of Constant's ideas on religion. I have in mind here Georg Friedrich Creuzer, author of an influential book, *Symbolik und Mythologie der alten Völker, besonders der Griechen*, published between 1810 and 1814.



***Johann Gottfried Herder***

Creuzer's book is forgotten today; it doesn't even appear on the index of Helena Rosenblatt's *Liberal Values*. We know for sure that Constant was familiar with Creuzer and took great interest in the possibility of a French translation. The dialogue between the two is interesting for a very simple reason. I don't know if that is entirely correct, but one can say that Constant believed much more in reason than revelation or, at least, he thought that reason follows an independent course in history, sometimes furthered by what he called a "progressive

revelation." He also believed in mankind's capacity for constant improvement and devoted considerable attention to studying polytheism, which fascinated him in several regards.

Creuzer defended a thesis opposed to that. He believed that religion was, so to speak, the universal language of nature spoken by all primitive people. He also thought that subsequent developments affected and weakened this original religion, corrupting it in various ways (polytheism being, probably, one of them). As Bastid pointed out, it is unclear whether or not Creuzer defended an original form of monotheism or theism, but what is beyond doubt is that for him, the primitive world had a *superior* form of religious and moral culture than subsequent religions, including those of the Greeks and the Christian world.

Constant parted company with this view as he refused to locate this perfect religion in a supposed golden age and was reluctant to admit the idea of an original revelation. (He embraced instead the concept of progressive revelation.) To speak about the unchanged unity of religion, hidden to the eyes of the laymen, and to try to uncover an alleged unique and sacred language shared by all primitive people, Constant wrote, amounts to a "chimerical hope." This original kernel of religion, he believed, cannot be found in any such primitive symbols; it can be seen, however, in the nature of man. Worth noting here is the evolutionist and individualist foundation of Constant's views on religion. He shies away from the metaphysical heights of Creuzer and others and prefers to remain close to what he calls *la nature de l'homme*.

Whether or not that was sufficient to make him a real believer is hard to say. In a letter to his cousin Rosalie from November 15, 1829, he wrote: "*Je n'ai que des doutes et je suis trop sceptique pour être incrédule.*" I love the ambiguity of this line and prefer to let readers judge for themselves what kind of religion Constant embraced.

## A REPUBLIC? FRANCE HAS KEPT IT

by Jacob T. Levy

Alan Kahan writes: "The short answer is that good religion is not needed to found a republic, but it is necessary to keep it, something France has never managed well."

"THE SHORT ANSWER IS THAT GOOD RELIGION IS NOT NEEDED TO FOUND A REPUBLIC, BUT IT IS NECESSARY TO KEEP IT, SOMETHING FRANCE HAS NEVER MANAGED WELL."

I have a hunch that a thought like this lies behind some of Kahan's interest in Constant's judgments about religion and politics. And while the idea of French republican instability is a very familiar one, I think it's worth pausing on. The Fourth and Fifth Republics have governed for 73 years. The Third, Fourth, and Fifth have governed for all but five of the last 143 years.

For some purposes I'm happy to joke that 200-year old ideas, trends, or phenomena still count as recent, new, and basically untested, and that we shouldn't really trust anything less than 500 years old. But if we take Constant seriously about the distinctiveness of modern conditions, then the relevant era when there could have been liberal democratic republics in large states couldn't be any more than 250 years old.

Anglophone historiography tends to emphasize French instability by contrasting it with a British constitutional order that hasn't had any formal ruptures since 1688 or the American that has maintained the same formal constitution since 1789. The British transition to fully inclusive liberal democracy (though not republicanism) was indeed comparatively smooth, but it was gradual -- very gradual. By the time the Third Republic with universal adult male suffrage began in France, Britain had only recently expanded its male franchise to about 60

percent of the adult male population. As was true in much of Europe, working-class suffrage awaited the pressures of World War I. In the United States the formal continuity of the Constitution is belied by the secession and Civil War that had just recently ended when the Third Republic was established -- and the universal adult male suffrage established after the Civil War was undone with the end of Reconstruction in 1876, not to be reestablished for 90 years. And it's not clear that the transition from the Fourth to Fifth Republic was any more of a crisis and rupture than the American events of 1937 or 1965, despite the formal change in the French case.

In short, France completed the transition to a broadly inclusive democratic republic relatively early, and once it did so, it did so pretty well once and for all. The Third Republic was not immune to the general crisis of the 1930s, and defeated and occupied France yielded a Vichy regime, while Britain was spared a Mosley regime. But if Vichy is the crux of the continuing notion that France can't keep republican government, well, I have a hard time believing that it was caused by the absence of Constantine religion. Majority-Protestant Germany had no shortage of obsession with the beautiful and the noble, and Germany's liberal Protestant neighbors weren't immune to the crisis of the 1930s or to German invasion either.

As a liberal I have plenty of complaints about the French *laïque* civic republican tradition. But instability and propensity to crisis isn't one of them. Across the decades when the kind of republicanism Constant hoped for under modern conditions has been possible, the French record doesn't bear that stereotype out.

There's good reason to believe that Constant believed religion of the right sort was necessary for the maintenance of free government. But it might be telling that we have to connect the dots between his political and religious works in order to support the claim; he didn't develop and support it in the kind of depth that he did do many of his other ideas in constitutional politics. It was relatively underdeveloped in his own mind, and it hasn't proven to be *prima facie* true in the way that would

drive us to mine him for insights. I think Constant's great works on religion and politics might not be improved by being tied too tightly together; their contributions might be most enduring and important when kept at some distance from each other.

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## SOMETHING IS MISSING

by Alan S. Kahan

When Jacob Levy says that "France completed the transition to a broadly inclusive democratic republic relatively early, and once it did so, it did so pretty well once and for all," he is referring to the period after the establishment of the Third Republic. Constant, of course, was long dead by then, and he had good reason to think of France as having had a particularly unstable political history for several decades or more, a politics whose historical decline into instability seemed to mirror the historical decline of religious belief among the elites. He was not the first or the only one to notice this, even among liberals, but he had a lot of reasons to take it seriously. Untying his work on religious and politics, as Levy suggests, does not make a lot of sense in context.



*King Louis XV of France*

Out of context? Since the death of Louis XV, France has not had a regime that survived defeat in war. Even Austria-Hungary had a better record than that. It is true that universal male suffrage (unlike female suffrage) arrived unusually early in France, in 1848, and aside from brief and usually ignored tribulations in 1851, it has never gone away. Democracy has been, in this sense, stable. Constitutions have not. And although Lamartine said that suffrage laws are the dynasties of modern politics, there is more to politics than who gets to vote. The history of the separation of Church and state in France in 1905, the Dreyfus Affair, and the *ralliement* of Leo XIII would doubtless be grist for Constant's mill.

But Levy's larger point remains: do modern societies really need religion or an equivalent to keep their character and morals up? Well, in C.E. 2018, it sure seems they need something they haven't quite got. Maybe that something is not high aspirations in and of themselves – lots of Nazis, fascists, and communists had high aspirations, as did the Spanish Inquisitors. Constant is the spokesperson for a liberalism that says you can have the aspirations without the Terror; in fact you must have them, if you want to keep a liberal, as opposed to a merely democratic, state. The problem is not *passé*.

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## ON CONSTANT AND LAMENNAIS

by Bryan Garsten

I would like to take up Constant's argument with one of the figures that Aurelian Craiutu has so usefully brought into the conversation, Félicité Robert de Lamennais. Professor Craiutu reminds us that Constant framed his defense of a sentimental, individualistic understanding of religion partly as a response to Lamennais's arguments in *Essai sur l'indifférence en matière de religion*. Lamennais's views were complicated and changed significantly during the course of his life, but when he wrote the *Essai* he offered an influential attack on the notion of *private judgment* that Constant, along with Germain de Staël, championed. Lamennais thought that the destructive



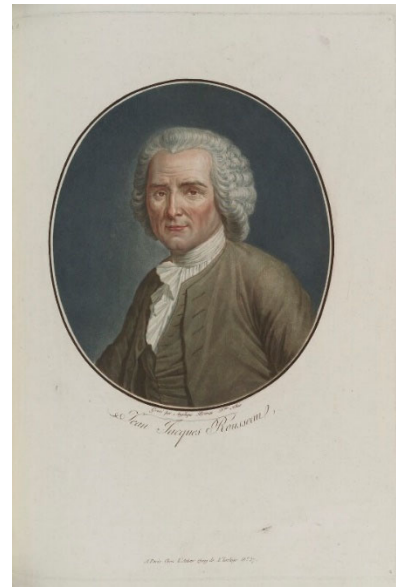
aspects of the Revolution had demonstrated the anarchic implications of allowing individuals to judge for themselves about moral and political matters. He opposed the Reformation in religion and Cartesian thinking in philosophy. He argued, instead, for deference to "authority." Constant regarded that as a recipe for priestly oppression.

Constant focused on Lamennais directly and by name in a very long footnote to chapter three of book one of *On Religion*, pages 48-53 in the Liberty Fund edition. The second and more interesting part of the note points us to some of Constant's most deeply held convictions, and to the basic structure of his thought about both religion and politics.

Constant zeroed in on Lamennais's argument that "one must discover a reason that cannot err, an infallible reason," which Lamennais located in the "reason of all" or the "general reason" as expressed by authority. Constant rejected the view entirely, declaring it impossible to find an infallible reason in this world:

To be sure, it [an infallible reason] can exist in the infinite being. It, however, does not exist in, or for, man. Endowed with a limited intelligence, he applies this intelligence to each object he is called upon to judge, on each occasion he is forced to act...This intelligence is progressive, and precisely because it is progressive it is not immutable; there is nothing infallible in what it discovers... (*On Religion*, 51-52).

What follows is an analogy crucial to understanding how Constant's religious thought was linked to his more famous thinking about politics: "It is the same with the infallible reason of the human race as it is for the unlimited sovereignty of the people" (p. 52). Constant's opposition to Rousseauian unlimited popular sovereignty was, for him, analogous to his opposition to the rule of priests.



***Jean-Jacques Rousseau***

Constant's liberalism – his principled attachment to individual rights and to systems of government that resisted consolidated control even by representatives of the people – was based in some way on the view that human intelligence was progressive. This meant that no opinion expressed today was finally authoritative, since that would leave no room for further improvement. The implication in religion was that no class of priests could claim final authority over divine matters, and the implication in politics was that no class of rulers, including "the people" as they exist at one point in time, could claim final authority over civic matters. Liberalism protected the freedom for individuals to exercise judgment and therefore to contribute to the processes that produce progress in morals and religion.

I would go one step further and suggest that the elusiveness of the precise content of the religious sentiment in Constant's writing (which I remarked upon in my first post) did not arise from a failure to write or think clearly. The sentiment of the divine or sublime that Constant usually described only in metaphorical terms was an abstraction meant to resist usurpation by authority, a feeling separate from all doctrinal and ceremonial constraints and therefore not easily corrupted into a means of domination. Constant wanted the moral and psychological force of religion to be wielded *against* authority rather than on its behalf; he

wanted it to sustain the political culture of criticism that was so central to his liberalism. In this way his approach to religion and politics was fundamentally different from many thinkers who concerned themselves with civil religion, including, I think, Tocqueville.

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## CONSTANT, TOCQUEVILLE, AND ERSATZ RELIGION

by Aurelian Craiutu

Given that Alan Kahan's most recent book (*Tocqueville, Religion, and Democracy: Checks and Balances for Democratic Souls* [Oxford: Oxford University Press, 2015]) analyzed Tocqueville's views on religion, and Bryan Garsten ended his last comment by invoking the author of *Democracy in America*, it might be in order to revisit how close or different Constant and Tocqueville were on the nature and role of religion in modern society. It goes without saying that they took religion quite seriously (albeit from two different perspectives, Catholic and Protestant); in this regard they joined other major French thinkers from Necker and Chateaubriand to Guizot. Both Constant and Tocqueville shared a similar concern that citizens living in modern democratic society might become entirely absorbed in material affairs; they also feared that people might thus come to neglect the spiritual and transcendent aspects of life. For both, religion was not an irrational relic of the past. On the contrary, they believed that we would have to reckon with religion in the future precisely because religious ideas and symbols would continue to fill our spiritual longings.



*Alexis de Tocqueville*

### **Alexis de Touqueville**

Yet there are also important differences between them on this point, and I would like to raise one of them here. Tocqueville claimed that in modern society equality and individual autonomy are held as dogmas and that faith in common opinion slowly becomes the new faith of democratic nations. "[The majority is the prophet](#); you believe it without reasoning," he wrote. "You follow it confidently without discussion.... The moral dominion of the majority is perhaps called to replace traditional religion to a certain point or to perpetuate certain ones of them, if it protects them. *But then religion would live more like common opinion than like religion.* Its strength would be more borrowed than its own.... This authority is principally called *religion* in aristocratic centuries. It will perhaps be named *majority* in democratic centuries, or rather *common opinion*." (*Democracy in America*, 2010, III: 720, note p; all emphasis added.)

As far as I can see, the idea that modern democracy might become itself a new form of religion *sui generis* by displacing the locus of authority did not appear in Constant's works. Such an ersatz form of religion would have never satisfied his innermost longings.

## CONSTANT ON ATHENS AND JERUSALEM

by Bryan Garsten

Professor Kahan began by comparing Constant to Kant, and I'd like to follow his lead into a different area relevant to *On Religion* – the relation between reason and revelation, often glossed as the relation between Athens and Jerusalem. Kant may be said to have intensified the tension between reason and revelation by insisting that morality be understood as autonomy: if morality is a law that we must give ourselves, then a revealed law, obeyed *because* some superior power revealed it, cannot be moral. Morality and reason seem to fall on one side, revealed religion on the other, of an unbridgeable divide.



*Apostle Paul preaching at Athens*

Constant went in a different direction. *On Religion* emphasized a certain intertwining of religion and moral philosophy rather than an irreconcilable conflict between them. Some of the most interesting material occurs in [Book IV, Chapter 11](#), where Constant considered Judaism's place in the history of the religious sentiment. In the previous chapter he had remarked upon the contests over power that arose between priests and kings in the biblical book of Samuel, a development that he thought paralleled political struggles in other societies where priests claimed power. In chapter 11 Constant allowed himself a diversion into a more general account of Judaism, taking care to explain that monotheism was more fundamental to Judaism than were the political

struggles. What struck Constant was that the idea of a unitary divinity that was the source of morality appeared far earlier in human history than his understanding of the natural development of religiosity could explain. Constant remarked that there was no explanation other than revelation for the early appearance of this idea (p. 274). He argued that the fundamental idea of theism attached to human morality must have been divinely deposited in the Mosaic Law as a seed which then lay dormant for some 12 centuries, until human societies had evolved to a stage at which they were ready to cultivate and appreciate it.

The appropriation and improvement of this idea came in two stages, according to Constant: Plato "prepared minds" philosophically for theism, and Paul showed how incorporating Plato into Judaism could produce a fundamentally new and more mature religion -- Christianity. Constant summarized the contributions of Athens and Jerusalem in two sentences at the very end of the chapter:

[Without Moses](#), it is probable that all the efforts of philosophy would have only plunged mankind into pantheism or a hidden atheism. As we saw at the beginning of this chapter, this was where the philosophy and the religion of the Indians ended. Without Plato, it is possible, humanly speaking, that overcome by the efforts of Judaizing Christians, Christianity would have become a Jewish sect. [pp. 185-86]

Though Constant mentioned India when outlining the twin dangers to which philosophy was subject, pantheism and atheism, he thought these dangers were present in European culture too, perhaps exemplified by Spinoza (pantheism) and Voltaire (atheism). Constant did not view liberal Protestant Christianity – the sort he favored – as merely a stage to pass through on the way to atheism. Instead, he regarded it as a generative synthesis of philosophy and monotheism.

Was Constant's effort to bring Athens and Jerusalem together through the historical development of the religious sentiment philosophically coherent? A post-Kantian way of pursuing this question would be to ask

whether morality can be grounded in some way by revelation without collapsing into pure obedience, into what Kant called heteronomy. Does the Kantian dichotomy between autonomy and heteronomy stand in the way of a full appreciation of liberal religion? Has it obscured from our view a possibility that Constant saw?

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## CONSTANT ON RELIGIOUS FANATICISM

by Aurelian Craiutu

Before our conversation ends, it might be useful to add one final note about how Constant's defense of religion was also a strong indictment of fanaticism. Alan Kahan's original essay made a few remarks on this important topic, noting Constant's opposition to the unlimited power of the priesthood. Not only did Constant advocate "freedom of worship without restriction, without privilege, without even forcing individuals... to declare their preference for a particular form of religion" (*Principles of Politics*, 1988, p. 274); he also opposed any form of intolerance, regardless of the forms under which it seeks to disguise itself.

"NOT ONLY DID CONSTANT  
ADVOCATE "FREEDOM OF WORSHIP  
WITHOUT RESTRICTION, WITHOUT  
PRIVILEGE, WITHOUT EVEN FORCING  
INDIVIDUALS..."

For Constant, Rousseau's endorsement of a "purely civil profession of faith" in Book IV of *On the Social Contract* was a clear example of intolerance that sanctioned many "nefarious errors" (*Principles of Politics*, p. 275) leading to political and religious fanaticism. Exclusion, oppression, dogmatism, "crude fetishism," and discrimination will always be the inevitable outcome of fanaticism. The temptation to condemn sectarians and enforce a single set of principles explains why, in Constant's words, religion will always have "[its exiles, its](#)

[dungeons, its poison, or its pyres](#)" (*On Religion*, p. 914) if religious liberties are not observed.

No mystical autocracy can transform evil into good. Persecution will always be an evil as long as it seeks to force people to believe in a fixed and immutable religious doctrine. In Constant's view, religion should never serve as a pretext for the existence of a body charged with teaching and maintaining religious dogmas. Properly understood, religion is and will always remain perfectible and may be improved over time. Anyone who wants to properly honor religion "[must respect its progress](#)" (*On Religion*, p. 920).

That is why I believe that the Constant's conclusion remains as valid today as it was in his own time: "The complete and utter freedom of worship is as favorable to religion, as it is in accordance with justice" (*Principles of Politics*, p. 276). It is a powerful and noble message that deserves to be heard more in our age of increasing intransigence.

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## CRITICAL RELIGION?

by Alan Kahan

I would like to take up Bryan Garsten's invitation to differentiate Constant and Tocqueville's views on religion. As I take it, in his view "Constant wanted the moral and psychological force of religion to be wielded *against* authority rather than on its behalf; he wanted it to sustain the political culture of criticism that was so central to his liberalism", whereas, Garsten implies, Tocqueville at least in some contexts wanted religion to reinforce authority and restrain criticism.

I think this goes too far in both directions. One of the great things religion does, according to Constant, is to accustom us to self-sacrifice. The religious habit of self-sacrifice is, he thinks, directly transferable to politics, indeed it is politically indispensable. I pointed this out in my original essay, in part with citation taken from Garsten's excellent work. In this regard it does not seem



to me that Constant is ascribing a critical political function to religion so much as a supportive one.



*Alexis de Tocqueville*

On the other hand, I think that religion has a crucial role to play as moral critic in democratic societies in Tocqueville. Without going into the extensive evidence for this, I will cite my concluding remarks on the subject in *Tocqueville, Democracy, and Religion*:

For Tocqueville, religion and the state are like two adjoining houses which share a common wall, but have separate entrances. In the front hall of religion, one checks one's right of individual inquiry and decision and accepts dogmatic authority. In the front hall of politics, one hangs up one's religious dogmas and accepts the decision of the majority while retaining one's freedom of thought and action. The wall between religion and the state should be thin, however, so that the noise in one can be heard clearly in the other. Indeed, the moral expression of religion ought to be heard so clearly in the house of politics as to be able, if need be, to wake up its occupants in the middle of the night, and religion should never be allowed to be so indifferent to society as to be able to ignore a catastrophe happening next door.<sup>[28]</sup>

Endnote

[28.] Alan S. Kahan, *Tocqueville, Democracy, and Religion: Checks and Balances for Democratic Souls* (Oxford, 1995), 84-85.

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## ABOUT THE AUTHORS

[Alan S. Kahan](#) received his Ph.D. in history from the University of Chicago in 1987 and is currently Professor of British Civilization at the Université de Versailles/St. Quentin. He is the author of *Aristocratic Liberalism: The Social and Political Thought of Jacob Burckhardt, John Stuart Mill and Alexis de Tocqueville* (Oxford, 1992); *Liberalism in Nineteenth-Century Europe: The Political Culture of Limited Suffrage* (Palgrave, 2003); *Alexis de Tocqueville* (Bloomsbury, 2010); *Mind vs. Money: The War Between Intellectuals and Capitalism* (Transaction, 2010); and *Tocqueville, Democracy, and Religion* (Oxford, 2015). He is currently working on a long-term project, "The Three Pillars of Liberalism: Freedom, Markets, and Morals from the Enlightenment to the Present."

[Aurelian Craiutu](#) is a professor of political science at Indiana University, Bloomington. His latest book is *Faces of Moderation: The Art of Balance in an Age of Extremes* (University of Pennsylvania Press, 2017). He has written extensively on French thought from Madame de Staël and Alexis de Tocqueville to Pierre Manent and Raymond Aron.

[Bryan Garsten](#) is a professor of political science and humanities at Yale University. He is the author of numerous articles on Benjamin Constant's political thought as well as *Saving Persuasion: A Defense of Rhetoric and Judgment*. He is also the editor of *Robert Wokler, Rousseau, the Enlightenment, and Their Legacies*.

[Jacob T. Levy](#) is Tomlinson Professor of Political Theory, professor of political science in the department of philosophy at McGill University. He is the author of *The Multiculturalism of Fear* (Oxford 2000) and *Rationalism, Pluralism, and Freedom* (Oxford 2014), and editor or coeditor of *Colonialism and Its Legacies* (with Iris Marion Young), *Nomos LV: Federalism and*

*Subsidiarity* (with James Fleming), and the forthcoming *Oxford Handbook of Classics in Contemporary Political Theory*.

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