CAMBRIDGE TEXTS IN THE HISTORY OF POLITICAL THOUGHT

# 贡斯当政治著作选

Constant Political Writings

Edited by
BIANCAMARIA
FONTANA

中国政法大学出版社

### BENJAMIN CONSTANT

## 贡斯当政治著作选 Political Writings

TRANSLATED AND EDITED BY BIANCAMARIA FONTANA

中国政法大学出版社

#### 图书在版编目(CIP)数据

贡斯当政治著作选/(法)贡斯当著,—北京,中国政法大学出版社, 2003.5

剑桥政治思想史原著系列(影印本)

ISBN 7 - 5620 - 2404 - 9

Ⅰ. 贡... Ⅱ. 贡... Ⅲ. 政治思想史—法国—近代—英文 IV. D095. 654

中国版本图书馆 CIP 数据核字(2003)第 051862 号

书 名 《贡斯当政治著作选》

出版人 李传敢

经 销 全国各地新华书店

出版发行 中国政法大学出版社

承 印

清华大学印刷厂 开 本 880×1230mm 1/32

印 张 11.625

2003 年 7 月第 1 版 2003 年 7 月第 1 次印刷 版 本

ISBN 7 - 5620 - 2404 - 9/D · 2364 书 号

0.001 - 2.000印 数

定 价 26.00 元

北京市海淀区西土城路 25 号 邮政编码 100088 社 址

(010)62229563 (010)62229278 (010)62229803 电 话

zf5620@ 263, net 电子信箱

http://www.cupl.edu.cn/cbs/index.htm XX 址

亩 眀 1. 版权所有,侵权必究。

2. 如发现缺页、倒装问题,请与出版社联系调换。

### CAMBRIDGE TEXTS IN THE HISTORY OF POLITICAL THOUGHT

## BENJAMIN CONSTANT Political Writings

原书由剑桥大学出版社于 1988 年出版,此 影印本的出版获得剑桥大学出版社财团(英国 剑桥)的许可。

### © Cambridge University Press 1988

This book is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press.

### 剑桥政治思想史原著系列

### 丛书编辑

Raymond Geuss 剑桥大学哲学高级讲师

Quentin Skinner 剑桥大学近代史讲座教授

在政治理论领域,"剑桥政治思想史原著系列"作为主要的学生教科丛书,如今已牢固确立了其地期本人书旨在使学生能够获得从古希腊到20世纪期五百年,在政治思想史方面所有最为重要的原著。它又扩展了电影,但与此同时,它又扩展了出出现完了,以便能够纳入范围广泛。不那有过现完大了,以便能够的作为,以为事情,以是一个事情,以是一个事情,以是一个事情,以是一个事情,以是一个事情。本丛书的最终目的是,为西方的是有人,这是一个事情。本丛书的最终目的是,为西方思想的整个发展脉络提供一个清晰的轮廓。

本丛书已出版著作的书目,请查阅书末。

### CAMBRIDGE TEXTS IN THE HISTORY OF POLITICAL THOUGHT

Series editors

RAYMOND GEUSS

Lecturer in Philosophy, University of Cambridge

QUENTIN SKINNER

Regius Professor of Modern History in the University of Cambridge

Cambridge Texts in the History of Political Thought is now firmly established as the major student textbook series in political theory. It aims to make available to students all the most important texts in the history of western political thought, from ancient Greece to the early twentieth century. All the familiar classic texts will be included, but the series seeks at the same time to enlarge the conventional canon by incorporating an extensive range of less well-known works, many of them never before available in a modern English edition. Wherever possible, texts are published in complete and unabridged form, and translations are specially commissioned for the series. Each volume contains a critical introduction together with chronologies, biographical sketches, a guide to further reading and any necessary glossaries and textual apparatus. When completed the series will aim to offer an outline of the entire evolution of western political thought.

For a list of titles published in the series, please see end of book

### Acknowledgements

Etienne Hofmann's work on Constant's early political manuscripts has been of great assistance in preparing the annotation to this volume. My greatest debt, in completing this translation of Constant's political writings, is to John Dunn, who first encouraged me to undertake this project and assisted me throughout its realization; and to George St Andrews, whose patience, literary skill and sensibility have proved invaluable in disentangling the most intricate passages of Constant's prose. I am very grateful to Anthony Pagden, Pasquale Pasquino, Quentin Skinner and Sylvana Tomaselli who read and commented on the Introduction. Finally, I wish to thank Jimmy Burns, John Burrow, Judith Shklar, Gareth Stedman Jones and Salvatore Veca for their help and encouragement during the preparation of this work.

'Pourquoi, je vous prie, m'accuser d'un caractère faible? C'est une accusation à laquelle tous les gens éclairés sont exposés, parce qu'ils voient les deux, ou pour mieux dire, les mille côtés des objets, et qu'ils leur est impossible de se décider, de sorte qu'ils ont l'air de chanceler tantôt d'un côté, tantôt de l'autre.'

Constant to Mme Nassau

Acknowledgements Introduction	ix 1
THE SPIRIT OF CONQUEST AND	
USURPATION AND THEIR RELATION	
TO EUROPEAN CIVILIZATION	
Bibliographical note	44
Preface to the first edition	45
Preface to the third edition	46
Foreword to the fourth edition	48
Part I · The spirit of conquest	
1 The virtues compatible with war at given stages of social	
development	51
2 The character of modern nations in relation to war	52
3 The spirit of conquest in the present condition of Europe	55
4 Of a military race acting on self-interest alone	56
5 A further reason for the deterioration of the military class	
within the system of conquest	59
6 The influence of this military spirit upon the internal	
condition of nations	60
7 A further drawback of the formation of this military spirit	62

	8 The effect of a conquering government upon the mass of the nation	6.
	9 Means of coercion necessary to supplement the efficacy	63
	of falsehood	66
I	o Further drawbacks of the system of warfare for enlightenme	ent
	and the educated class	68
I	The point of view from which a conquering nation today	
	would regard its own successes	69
	2 Effect of these successes upon the conquered peoples	71
•	3 On uniformity	73
I	The inevitable end to the successes of a conquering nation	79
15	Results of the system of warfare in the present age	81
	Part II · Usurpation	
I	The specific aim of the comparison between usurpation	
	and monarchy	85
2	Differences between usurpation and monarchy	87
3	One respect in which usurpation is more hateful than	•
	absolute despotism	95
4	Usurpation cannot survive in this period of our civilization	97
5	Can usurpation not be maintained by force?	101
6	The kind of liberty offered to men at the end of the last	
	century	102
7	The modern imitators of the republics of antiquity	105
8	The means employed to give to the moderns the liberty of	3
	the ancients	110
9	Does the aversion of the moderns for this pretended liberty	
	imply that they love despotism?	114
0	A sophism in favour of arbitrary power exercised by one man	1115
I	The effects of arbitrary power upon the different aspects of	,
	human existence	118
2	The effects of arbitrary power upon intellectual progress	120
3	Religion under arbitrary power	127
4	Men's inability to resign themselves voluntarily to arbitrary	,
	power in any form	129
5	Despotism as a means of preserving usurpation	132
6	The effect of illegal and despotic measures on regular	J
	governments themselves	124

<ul> <li>17 Implications of the preceding considerations in relation to despotism</li> <li>18 Causes which make despotism particularly impossible at age of our civilization</li> <li>19 As usurpation cannot be maintained through despotism, since in our days despotism itself cannot last, usurpation has no chance of enduring</li> </ul>	138 this 140
Additions to The spirit of conquest and usurpat	ion
Chapters added to the fourth edition:	
<ul><li>I On innovation, reform and the uniformity and stability of institutions</li><li>2 Further reflections on usurpation</li></ul>	149
On usurpation  5 Answer to an objection which could be drawn from the example of William III	165
PRINCIPLES OF POLITICS APPLICABLE TO A REPRESENTATIVE GOVERNMENTS	ALL
Bibliographical note	170
Foreword	171
On the sovereignty of the people	175
2 The nature of royal power in a constitutional monarchy	183
3 On the right to dissolve representative assemblies	194
4 On a hereditary assembly and on the importance of not	
limiting the number of its members	198
<ul><li>5 On the election of representative assemblies</li><li>6 On the conditions of property</li></ul>	201
7 On discussion in the representative assemblies	213
8 On the right to initiate legislation	221
9 On the responsibility of ministers	225
10 On the declaration that ministers are unworthy of public trust	227
11 On the responsibility of subordinates	242
12 On municipal power, local authorities and a new kind of federalism	244
icacialism	251

13 On the right to declare war and make peace	255
14 On the organization of armed forces in a constitutional state	
15 On the inviolability of property	261
16 On the liberty of the press	272
17 On religious liberty	274
18 On the liberty of the individual	289
19 On judicial guarantees	295
20 Final considerations	302
THE LIBERTY OF THE ANCIENTS	
COMPARED WITH THAT OF THE MODERNS	
Bibliographical note	308
Bibliography	329
Index	344

### Introduction

It is surprising that this should be the first English translation of Benjamin Constant's political writings – indeed of any of his writings with the exception of the novel Adolphe. It is surprising if only because Constant is one of the few continental thinkers to have gained admission to the eminently Anglo-Saxon sanctuary of the fathers of modern Western liberalism. It is even more surprising since Constant himself, who was educated in Scotland and spoke excellent English, was greatly influenced by, and felt deep affinities with British culture. His friend Madame de Staël mockingly immortalized this Anglophilia when she cast him in the role of the admirable, if somewhat splenetic, Lord Oswald Nevil in her novel Corinne by

Adolphe was first translated into English during Constant's lifetime by his Edinburgh friend Alexander Walker: Adolphe: an anecdote found among the papers of an unknown person, and published by M. Benjamin de Constant (London, 1816). For a modern translation see: Adolphe, translated by L. Tancock (Harmondsworth, 1964), repr. 1080.

Some of Constant's pamphlets were translated into English in the early 19th century:

The Responsibility of Ministers (De la responsabilité des ministres), London, 1815 (The Pamphleteer, vol. 5)

On the Liberty of the Press (De la liberté des brochures), London, 1815 (The Pamphleteer, vol. 6)

- On the Dissolution of the Chamber of deputies (De la dissolution de la Chambre), London, 1821 (The Pamphleteer, vol. 18)
- 'At 25 he despaired of life. His spirit judged everything in advance, and his wounded sensibility was dead to the illusions of the heart. Nobody was kinder and more devoted to his friends than he was, whenever he could be of assistance to them. But nothing caused him any pleasure, not even the good he did to others. He sacrificed readily and easily his tastes to those of others. Yet generosity was not the only explanation for his total lack of egoism. This was rather due to a kind of sadness that prevented him from taking any active interest in his own fate.' A. L. G. de Staël, Oeuvres complètes (17 vols., Paris, 1820), vol. 8, p. 4. See also the portrait in Delphine of Henri de Lebensei: A Protestant gentleman from the Languedoc', who 'had been educated at Cambridge and had undoubtedly been spoiled by English manners.' Ibid., vol. 5, p. 287.

We have to turn to the current French editions of Constant's works to realize that being considered a prominent political theorist does not in itself constitute a claim on the reader's attention. During Constant's life, and in the decades following his death, the changing political landscape, combined with his heirs' and survivors' anxieties, kept from the public various segments of his *oeuvre* and correspondence. In the 1950s Constant won a place amongst the classics of the Pléiade. But he was promoted mainly in virtue of his literary gifts, and the political writings in the collection are poorly annotated. More than a hundred and fifty years after his death, there is still no proper French edition of his collected works: a recent move in this direction is due to Swiss scholarship rather than to a French national or celebratory initiative.

The reasons for this unsatisfactory presentation of Constant's writings to the French reading public are apparent enough. They are connected with the highly controversial nature of the historical reflection on the French revolution of 1789 and its impact upon French politics to our day. As François Furet has vividly suggested, throughout the nineteenth and twentieth centuries the revolution has remained the mirror and the constant point of reference for French political debate. It has been impossible at any particular moment in the history of modern France to talk about Jacobins and Girondins, legitimists or Thermidorians, without committing oneself to some current doctrinal cause: revolution or reform, socialism or catholicism, the empire, the Commune or the presidential republic.

In this obsessive re-enactment of the drama of 1789, with its heavily ideological and celebratory atmosphere, Constant could hardly be expected to find a comfortable place. Perhaps his having changed sides in at least one crucial historical circumstance – when he turned from being a vociferous opponent of Napoleon to being his constitutional adviser during the hundred days – may have been forgiven; and even

François Furet, Penser la révolution française (Paris, 1978); English trs., Interpreting the French Revolution (Cambridge, 1981).

Benjamin Constant, Oeuvres, ed. by Alfred Roulin (Paris, 1957). Roulin's edition uses, for the Principes de politique, the nineteenth century annotation by Edouard Laboulaye. On the unsatisfactory presentation of Constant's work to the French reading public, see Marcel Gauchet, 'Benjamin Constant: l'illusion lucide du libéralisme', Preface to: De la liberté chæ les modernes (Paris, 1980), pp. 9-91. There are on the other hand several good editions and translations of Constant's works both in German and Italian. See in particular: Benjamin Constant, Werke, ed. by A. Blaeschke and L. Gall, trs. by E. Rechel Mertens (4 vols., Berlin, 1970-2). Benjamin Constant, ed. by C. Cordié (Milan, 1946). Benjam Constant, Conquista e surpazione, trs. by Carlo Dionisotti, Preface by Franco Venturi (Turin, 1944), repr. 1983.

#### Introduction

his consistent political moderation, though somewhat lacking in charm, could have been tolerated, as the distinctive feature of the 'liberal mind'. But the peculiar combination of his sceptical pessimism, mistrust for ideology and genuine cosmopolitanism inevitably placed Constant on the margins of the competition for a French national political identity.

Throughout the nineteenth century the historiography of Constant resembled an ongoing trial, in which his advocates caused at least as much damage as his accusers, withdrawing or manipulating documentary evidence in an attempt to extract from the records either the final proof of his betrayal or some incontrovertible declaration of his faith.<sup>a</sup> Even when the age of the Sainte-Beuves was over, and intellectual historians got out of the habit of constructing political arguments out of people's personal eccentricities or temperament, the literature on Constant retained its accusatory or justificatory tone, while his supporters persevered in their painstaking exercise of ironing out all suspected inconsistencies and contradictions.

Things have considerably improved for Constant since 1945. The experience of the war and the return of despotic and conquering regimes into the heart of Europe revived the significance of his defence of liberty and representative government. More recently, in the last fifteen years or so, the crisis of socialist and liberal ideologies alike has given new meaning to his warnings against the deceptions of revolutionary cant on the one hand and excessive confidence in the resources of market society on the other. Constant's own doubts and oscillations have seemed less the sign of exceptional individual volatility than a reasonable response to the tormented present and uncertain future of modern democracies. As a result of this shift in general political perspective, Constant has been turned into the true representative of 'modern' liberalism, not the simple-minded, crudely utilitarian ideology of triumphant nineteenth-century capitalism, but a

Sainte-Beuve, who was close to the de Broglie circle (Mme de Staël's family) and to the doctrinaires group, was chiefly responsible for popularizing a damaging private and public image of Constant. See: Charles Augustin Sainte-Beuve, 'Benjamin Constant et Belle de Charrière, Léttres inédites', Revue des deux mondes, 14 NS, vol. 6 (15 April 1844), pp. 193-264; 'Benjamin Constant, son Cours de politique constitutionnelle' in Nouveaux lundis (13 vols., Paris, 1863), vol. 1, pp. 408-34; 'M. Coulmann, Réminiscences', vol. 9, pp. 135-60. See also: Pierre Deguise, Benjamin Constant méconnu: le livre 'De la religion avec des documents inédits (Geneva, 1966): 'Comment on crée une légende: Sainte-Beuve et Constant', pp. 3-37.

subtle, sophisticated and sceptical version of that ideology, better suited to the stagnation and gloom of the late twentieth century."

This new picture, if more sympathetic to Constant and his work, proves on closer inspection no less artificial, no more historically plausible than that of the pathologically Hamlet-like libertine depicted by Sainte-Beuve. From being the defender of the nebulous and eternal values of 'liberty', 'individual rights' and 'public opinion', Constant has become the symbol of the puzzled and impotent good will of some democrats of our days, unable to understand the world (let alone change it) but determined to uphold their own political respectability. Thus flattened out to a benevolent and ineffective stereotype, prophet by hearsay, Constant's position has considerably improved as far as documentary evidence is concerned. Some losses of course (like his correspondence with Mme de Staël, destroyed by her daughter, Albertine the Duchesse de Broglie, to protect her mother's respectability) will never be repaired. But in the 1970s significant additions have been made by the Constant family to the Lausanne archives. Etienne Hofmann's work on Constant's early political manuscripts offers us a much clearer and more complete picture of his intellectual development and pre-occupations. Moreover, the study and understanding of the French revolution of 1789 and its aftermath has been enriched in the last few years by a series of stimulating new insights and interpretations.

On the whole we are probably better equipped to read Constant than historians have ever been before, with perhaps the sole exception of his own contemporaries: it is a privilege which ought in itself to justify the exercise of our intellectual sympathy.

'I was born on 25 October 1767 at Lausanne, in Switzerland, to Henriette de Chandieu, who was from an old French family that had sought refuge in the region of Vaud for religious reasons and to Juste Constant de Rebeque, colonel in a Swiss regiment in the service of Holland. My mother died in childbed eight days after my birth.' With these words Constant began the account of his life in the famous autobiographical sketch known as the 'Red Notebook'. While Lau-

See for example: Larry Siedentop, 'Two liberal traditions' in Alan Ryan (ed.), The Idea of Freedom, Essays in Honour of Isaiah Berlin (Oxford, 1979), pp. 153-74; Stephen Holmes, Benjamin Constant and the Making of Modern Liberalism (New Haven, 1984).

Etienne Hofmann (ed.), Les 'Principes de Politique' de Benjamin Constant (2 vols., Geneva, 1980).

B. Constant, Le cahier rouge in Oeuvres, pp. 85-133, 87. For a list of biographical studies on Constant see below, pp. 335-6.