

Department of French

FR2801: Justice and freedom

Constant — Professor Patrick O'Donovan

Classes 21 to 24

1. **A context for Constant.** Constant's account in 1829 of his guiding political principle: 'liberté en tout [...] et par liberté, j'entends le triomphe de l'individualité' (*Écrits politiques*, p. 623). The context for this claim is threefold: the events of the Revolution; the intellectual and social framework of late eighteenth-century France; the development of French politics since the Revolution (see chronology). A conceptual issue: the plurality of freedoms under conditions of modern life. The freedom of the moderns as individual freedom of choice. Why the social conditions of the modern world predispose Constant to argue for representative government as the political system best suited to it.
Sources: Constant, 'De la liberté des anciens comparée à celle des modernes'; *Écrits politiques*; Mark Lilla, 'Introduction: the legitimacy of the liberal age'; Dorinda Outram, *The Enlightenment*; D. M. G. Sutherland, *France 1789–1815*
2. **The distinctiveness of the freedom of the moderns.** The modern era as the era of commerce: Constant and Smith's 'four-stage' theory of society. Specific social conditions: the population of France in 1819. The public–private distinction and its implications for the contrast between the freedom of the ancients and the freedom of the moderns. Conceptual aspects of the freedom of the moderns: interdependences between the public and the private. Freedom as 'garanties'; freedom as 'liberté individuelle'; 'liberté politique' and 'liberté civile'. To what extent these conceptions map on to the ideas of positive and negative freedom.
Source: Isaiah Berlin, *Two Concepts of Liberty*; Smith, *Lectures on Jurisprudence*
3. **Constant contra Rousseau.** The freedom of the moderns and the conditions of civil society. Constant on Rousseau on 'le pouvoir social'. Rousseau, Smith, Constant: an argument about modern culture. Implications for the reader of today: in what ways has the range of freedoms been extended? Two examples: sexual freedoms; the political freedoms of the child.
Texts for discussion: Rousseau, *Du contrat social*; Smith, *The Theory of Moral Sentiments*; *The Wealth of Nations*; Keith Michael Baker, 'Defining the public sphere in eighteenth-century France: variations on a theme by Habermas'
4. **Freedom and its discontents.** Constant on the drawbacks of the freedoms of the moderns. Conflicts between political freedom and individual freedom of choice. Why the freedom of the ancients still matters: the problem of over-privatization. A non-utilitarian position. How viable is Constant's account of the balance between the public and the private? Why this continues to be an issue in political theory. An example from today: smoking and the public–private distinction (Amartya Sen versus Martin Wolf in the *Financial Times*). Freedom and the 'government' of the subject; see Foucault. The private over the public — even in the public domain; see Hannay.
Sources: Alastair Hannay, *On the Public*; Ross Harrison, *Democracy*; Nikolas Rose, *Governing the Soul; Powers of Freedom*; Albert O. Hirschman, *Shifting Involvements*