

THE OLL READER: AN ANTHOLOGY OF THE BEST OF THE OLL

No. 73: Benjamin Constant, "On Freedom of Thought" (1815)
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"by authorizing the government to deal ruthlessly with whatever opinions there may be, you are giving it the right to interpret thought, to make inductions, in a nutshell to reason and to put its reasoning in the place of the facts which ought to be the sole basis for government counteraction. This is to establish despotism with a free hand."



Benjamin Constant (1767-1830)

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Editor's Introduction

Benjamin Constant (1767–1830) was born in Switzerland and became one of France's leading writers, as well as a journalist, philosopher, and politician. His colorful life included a formative stay at the University of Edinburgh; service at the court of Brunswick, Germany; election to the French Tribunate; and initial opposition and subsequent support for Napoleon, even the drafting of a constitution for the Hundred Days. Constant wrote many books, essays, and pamphlets. His deepest conviction was that reform is hugely superior to revolution, both morally and politically. To Constant it was relatively unimportant whether liberty was ultimately grounded in religion or metaphysics—what mattered were the practical guarantees of practical freedom—"autonomy in all those aspects of life that could cause no harm to others or to society as a whole."

Constant wrote this book soon after the overthrow of Emperor Napoleon and before the restored monarchy of Louis XVIII had fully re-established its control over France. Constant hoped that this book would influence the way in which the new regime would draw up its constitution, with limited and defined powers for the King and guarantees to protect the liberties of the people. This hope was in vain as Louis had no intention of doing this but rather to fully restore the power and privileges of the elites which had existed under the old regime before the Revolution of 1789 changed everything.

In the *Principles of Politics* Constant outlined the main freedoms which he believed all governments should respect, such as freedom of speech, religion, the rule of law, protection of property, and economic activity. In Book VII he discusses "Freedom of Thought" which we include here. It has been edited for length.

"All defenses—civil, political, or judicial—become illusory without freedom of the press. The independence of the courts can be violated in scornful mockery of the best-drafted constitution. If open publication is not guaranteed, this violation will not be checked, since it will remain covered by a veil. The courts themselves can prevaricate in their judgments and overthrow due process. The only safeguard of due process is, once again, open publication. Innocence can be put in irons. If open publication does not warn the citizens of the danger hovering over all their heads, the dungeons, abetted by the universal silence, will retain their victims indefinitely. Persecution can be for opinions, beliefs, or doubts, and when no one has the right to call public attention to himself, the protection promised by the laws is only a chimera, another danger. "

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Chapter One: *The Object of the Following Three Books*

In the following three books we are going to deal with freedom of thought and of the press and with legal safeguards.

Political freedom would be a thing of no value if the rights of individuals were not sheltered from all violation. Any country where these rights are not respected is a country subjected to despotism, whatever the nominal organization of government may otherwise be.

Till a few years ago these truths were universally recognized. Lasting errors and a long oppression, under wholly contrary pretexts and quite opposite banners, have thrown all ideas into confusion. Questions one would think worked to death if one judged the case in terms of eighteenth-century writers, will seem never to have been the object of human meditation judging by most of the writers of today.

Chapter Two: *On Freedom of Thought*

"The laws," says Montesquieu, "have responsibility for the punishment of external actions only." The demonstration of this truth might seem unnecessary. Government has nevertheless often failed to recognize it.

It has sometimes wanted to dominate thought itself. Louis XIV's dragonnades,² the insane laws of Charles II's implacable Parliament, the fury of our revolutionaries: these had no other purpose.

At other times the government, renouncing this ridiculous ambition, dresses up its renunciation as a voluntary concession and a praiseworthy tolerance. An amusing merit, this granting what you cannot refuse and this tolerating what you do not know about.

As to the absurdity of any attempt by society to control the inner opinions of its members—a few words on the possibility of the idea and on the means available are enough.

There is no such possibility. Nature has given man's thought an impregnable shelter. She has created for it a sanctuary no power can penetrate.

The means employed are always the same, so much

so that in recounting what happened two hundred years ago, we will seem to be saying what happened not long ago under our eyes. And these unchanging means always work against their purpose.

One can deploy against mute public opinion all the resources of an inquisitorial nosiness. One can scrutinize consciences, impose oath after solemn oath, in the hope that he whose conscience was not revolted by an initial act, will be so by a second or a third. One can strike at people's consciences with boundless severity, surrounding obedience the while with relentless distrust. One can persecute proud and honest men, reluctantly letting off only those of flexible and obliging spirit. One can show oneself equally incapable of respecting resistance and believing in submission. One can set traps for the citizens, invent far-fetched formulae to declare a whole nation refractory, place it outside the protection of the laws when it has done nothing, punish it when it has committed no crimes, deprive it of the very right to silence, and finally pursue men into the sorrows of their final agony and the solemn hour of death.

What happens? Honest men are indignant and feeble ones degraded. Everyone suffers and no one is won back. Enforced oaths are an invitation to hypocrisy. They affect only what it is criminal to affect: frankness and integrity. To demand assent is to make it wither. To prop up an opinion with threats invites the courageous to contest it. To offer seductive motives for obedience is to condemn impartiality to resist.

Twenty-eight years after all the abuses of power devised by the Stuarts as a safeguard, they were driven out. A century after the outrages against the Protestants under Louis XVI, the Protestants took part in the overthrow of his family. Scarcely ten years separate us from revolutionary governments which called themselves republican, and by a fatal but natural confusion the very name they profaned cannot be spoken save with horror.

Chapter Three: *On the Expression of Thought*

Men have two ways of showing what their thinking is: speech and writing.

There was a time when speech seemed worthy of the total surveillance efforts of government. Indeed, if we consider that speech is the indispensable instrument of all plots, the necessary precursor of almost all

crimes, the means of communication for all criminal intentions, we can agree that it would be desirable if we could circumscribe its use, in such a fashion as to make its disadvantages disappear while it retained its usefulness.

"experience has shown that the measures necessary to achieve this produced ills worse than those one was wishful to remedy. Espionage, corruption, informing, calumnies, abuse of confidence, treason, suspicion between relatives, dissensions between friends, hostility between unconcerned parties, a commerce in domestic infidelities, venality, lying, perjury, despotism: such were the elements constituting government interference with speech."

Why, then, have all efforts to achieve this very desirable goal been renounced? It is because experience has shown that the measures necessary to achieve this produced ills worse than those one was wishful to remedy. Espionage, corruption, informing, calumnies, abuse of confidence, treason, suspicion between relatives, dissensions between friends, hostility between unconcerned parties, a commerce in domestic infidelities, venality, lying, perjury, despotism: such were the elements constituting government interference with speech. It was felt that this was to pay too dearly for the advantage afforded by surveillance. In addition, we learned that it was to attach importance to what should have none. Keeping a record of imprudence turned it into hostility. Stopping fugitive words in flight was to lead to their being followed by bold actions, and it was better, while coming down hard on the deeds which speech might perhaps have led to, to let that which had no results at all just evaporate. Consequently, except in some very rare circumstances—some obviously disastrous eras or very touchy governments which do not disguise their tyranny at all—society has introduced a distinction which renders its jurisdiction over the word softer and more legitimate. The declaration of an opinion can in a special case produce an effect so infallible that such an opinion must be regarded as an action. Then, if the action is culpable, the utterance must be punished. But it is the same with writings. Writings, like speech, like the most simple movements, can be part of an action. They must be judged as part of that action if it is criminal. But if they do not constitute part of any action, they must, like speech, enjoy complete freedom.

This answers both those men who in our times

singled out certain wise heads and prescribed the need to cut them off, justifying themselves by saying that, after all, they were only expressing their opinions; and those others who want to take advantage of this delirium in order to subject all expressions of opinion to the jurisdiction of government.

If you once grant the need to repress the expression of opinion, either the State will have to act judicially or the government will have to arrogate to itself police powers which free it from recourse to judicial means. In the first case the laws will be eluded. Nothing is easier than presenting an opinion in such variegated guises that a precisely defined law cannot touch it. In the second case, by authorizing the government to deal ruthlessly with whatever opinions there may be, you are giving it the right to interpret thought, to make inductions, in a nutshell to reason and to put its reasoning in the place of the facts which ought to be the sole basis for government counteraction. This is to establish despotism with a free hand. Which opinion cannot draw down a punishment on its author? You give the government a free hand for evil-doing, provided that it is careful to engage in evil thinking. You will never escape from this circle. The men to whom you entrust the right to judge opinions are quite as susceptible as others to being misled or corrupted, and the arbitrary power which you will have invested in them can be used against the most necessary truths as well as the most fatal errors.

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When one considers only one side of moral and political questions, it is easy to draw a terrible picture of the abuse of our rights. But when one looks at these questions from an overall point of view, the picture of the ills which government power occasions by limiting these rights seems to me no less frightening.

What, indeed, is the outcome of all attacks made on freedom of the pen? They embitter against the government all those writers possessed of that spirit of independence inseparable from talent, who are forced to have recourse to indirect and perfidious allusions. They necessitate the circulation of clandestine and therefore all the more dangerous texts. They feed the public greed for anecdotes, personal remarks, and seditious principles. They give calumny the appearance, always an interesting one, of courage. In

sum, they attach far too much importance to the works about to be proscribed.

In the absence of government intervention, published sedition, immorality, and calumny would scarcely make more impact at the end of a given period of complete freedom than spoken or handwritten calumny, immorality, or sedition.

One reflection has always occurred to me. Let us suppose a society before the invention of language, making up for this swift and easy means of communication with other less easy and slower ones. The discovery of language would have produced in this society a sudden explosion. Gigantic importance would surely have been attached to sounds which were still new and lots of cautious and wise minds might well have mourned the era of peaceful and total silence. This importance, however, would gradually have faded. Speech would have become a medium limited in its effects. A salutary suspiciousness, born of experience, would have preserved listeners from unthinking enthusiasm. Finally everything would be back in order, with this difference: now social communication and consequently the perfecting of all the arts and the correcting of all ideas would have gained an extra medium.

It will be the same with the press wherever just and moderate government does not set about struggling with it. The English government was not at all unnerved by the famous letters of Junius.⁸ It knew how to resist the double force of eloquence and talent. In Prussia, during the most brilliant reign, to add luster to that monarchy, press freedom was unlimited. Frederick II in forty-six years never once directed his authority against any writer or writing. This in no way upset the peace of his reign, though it was shaken by terrible wars and he was embattled with the whole of Europe. Freedom spreads calm in the souls and reason in the minds of the men who enjoy this inestimable good, free from anxiety. What proves this is that when Frederick II's successor adopted the opposite course, a general unrest made itself felt. Writers got into conflict with the government, which also found itself abandoned by the courts. If the clouds which rose all around this horizon, formerly so peaceful, did not culminate in a storm, this is because the very restrictions that Frederick William tried to impose on the expression of thought were influenced by the wisdom of the great Frederick. The new king was held in check by the memory of his uncle, whose magnanimous shadow seemed still to watch over Prussia. His edicts were drafted more in a style of apology than menace. He gave homage to freedom of thought in the preamble to the very edicts aiming to repress it,⁹ and measures which were in

principle abuses of power were softened in execution by a tacit moderation and by the tradition of freedom.

Anyway, government has the same means of defending itself as its enemies have for attacking it. It can enlighten public opinion or even seduce it, and there is no reason to fear that it will ever lack adroit and skillful men who will devote their zeal and talent to it. The government's supporters ask nothing better than to make themselves out to be courageous and to represent government apologies as difficult and dangerous. In support of their claims they choose the example of the French government, overthrown, they say, in 1789, because of freedom of the press.¹⁰ In fact it was not freedom of the press which overthrew the French monarchy. Press freedom did not create the financial disorder which was the real cause of the Revolution. On the contrary, if there had been freedom of the press under Louis XIV and Louis XV, the insane wars of the first and the costly corruption of the second would not have drained the State dry. The glare of publicity would have restrained the first of these kings in his ventures, the second in his vices. They would not have left the unfortunate Louis XVI with a realm which it was impossible to save. It was not press freedom which inflamed popular indignation against illegal detentions and lettres de cachet.¹¹ It was on the contrary popular indignation which, to counter governmental oppression, grasped not press freedom but the dangerous resort to satire, something which all the precautionary measures of the police never manage to take away from the enslaved people. If there had been freedom of the press, on the one hand there would have been fewer illegal detentions, and on the other, people would not have been able to exaggerate them. The imagination would not have been struck by suppositions whose plausibility was heightened by the very mystery surrounding them. Finally, it was not press freedom which brought about all the infamies and lunacy of a revolution all of whose ills I acknowledge. It was the long deprivation of press freedom which had made the common people of France credulous, anxious, and ignorant and thereby often savage. It is because for centuries we had not dared to demand the rights of the people that the people did not know what meaning to attach to these words suddenly pronounced in the middle of the storm. In everything people see as freedom's excesses I recognize only the instruction servitude gives.

Governments do not know the harm they do themselves in reserving to themselves the exclusive privilege of speaking and writing on their own acts. People believe nothing affirmed by a government which does not permit one to reply to it and everything said against a government which does not tolerate

scrutiny.

It is these detailed and tyrannical measures against writings, as though they were hostile phalanxes, these measures which, attributing to them an imaginary influence, enlarge their real influence. When men see whole codes of prohibitive law along with hosts of interrogators, they must think attacks repulsed in this way very formidable. Since so much trouble is being taken to keep certain writings away from us, they must say to themselves, the impression they would have on us must probably be a very profound one. They probably contain compelling facts.

The dangers of freedom of the press are certainly not prevented by government means. The government does not succeed in its ostensible aim. The end it does achieve is to curb the thinking of all timid or scrupulous citizens, to deny all access to the complaints of the oppressed, to let abuses become deep-rooted, without any representation being made, to surround itself with ignorance and darkness, to sanctify despotism in its lowest agents, against whom people dare publish nothing, to drive back into men's inner thoughts bitterness, vengeance, resentment, to impose silence on reason, justice, and truth, without its being able to require the same silence from the audacity and exaggeration which defy its laws.

These truths would be incontestable even in the event that we agreed about all the disadvantages attributed to press freedom. How will matters stand if a deeper analysis leads us to deny these drawbacks and if it is shown that the calamities with which freedom of the press is reproached have for the most part been the result only of its enslavement?

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Ordinarily, at the very moment when a dominant faction exercises the most scandalous despotism over the press, it directs this instrument against its opponents and, when by its own excesses this faction has brought about its fall, the inheritors of its power argue against press freedom, citing the ills occasioned by mercenary writers and authorized spies. This leads me to a consideration which seems to me to weigh very heavily in the question.

In a country still vigorously contested by various groups, when one of these manages to restrain press

freedom, it has much more unlimited and formidable power than ordinary despotisms. Despotism governments do not allow freedom of the press; everybody, however, governors and governed, keeps equally quiet. Public opinion is silent; but it remains what it is. Nothing leads it astray or causes it to deviate. But in a country where the reigning faction has seized the press, its writers argue, invent, and calumniate in one direction the way one could do it in all if there were freedom to write. They discuss as though it were a question of convincing. They lose their temper as if there were an opposition. They insult people as if there were a right of reply. Their absurd calumnies precede barbarous persecutions. Their ferocious jests are a prelude to illegal condemnations. The public, far removed, takes this parody of freedom for freedom itself. It draws its opinions from their mendacious, scurrilous satires. It is persuaded by their show of attack that the victims are resisting, just as from afar the war dances of savages might make one believe they are fighting against the unfortunates they are about to devour.

In the large-scale politics of modern times, freedom of the press, being the sole means of publicity, is by that very fact, whatever the type of government, the unique safeguard of our rights. Collatinus could expose Lucretia's body in the public square in Rome and everybody was apprised of the outrage done to him.¹² The plebeian debtor could show his indignant fellow citizens the wounds inflicted on him by the greedy patrician, his usurious creditor. In our era, however, the vastness of states is an obstacle to this kind of protest. Limited injustices always remain unknown to almost all the inhabitants in our huge countries. If the ephemeral governments which have tyrannized France have drawn on themselves public detestation, this is less because of what they have done than because of what they have owned up to. They bragged about their injustices. They publicized them in their newspapers. More prudent governments would act silently, and the public outlook, which would be disturbed only by dull rumors, intermittent and unconfirmed, would remain uncertain, undecided, and fluctuating. No doubt, as we have already remarked, the repercussive explosion would be only the more terrible, but this would be one ill replacing another.

All defenses—civil, political, or judicial—become illusory without freedom of the press. The independence of the courts can be violated in scornful mockery of the best-drafted constitution. If open publication is not guaranteed, this violation will not be checked, since it will remain covered by a veil. The courts themselves can prevaricate in their judgments and overthrow due process. The only safeguard of due process is, once again, open publication. Innocence can

be put in irons. If open publication does not warn the citizens of the danger hovering over all their heads, the dungeons, abetted by the universal silence, will retain their victims indefinitely. Persecution can be for opinions, beliefs, or doubts, and when no one has the right to call public attention to himself, the protection promised by the laws is only a chimera, another danger. In countries where there are representative assemblies, national representation can be enslaved, mutilated, and calumniated. If printing is only an instrument in the hands of the government, the whole country will resound with its calumnies, without truth finding a single voice raised in its favor. In sum, press freedom, even if it were accompanied by no legal consequence, would still have an advantage in a number of cases, such as when senior members of government are ignorant of the outrages being committed, or in others when they may find it convenient to feign such ignorance. Press freedom meets these two difficulties. It enlightens government and prevents it deliberately closing its eyes. Forced to learn of the facts which happen unbeknown to it and to admit it knows of them, it will less often dare to legitimate the abuses it finds convenient to permit, seemingly in ignorance of them.

All the thoughts just presented to the reader apply only to the relations of government to the publicizing of opinion. Individuals whom this publicity offends, either in their interests or their honor, always retain the right to demand reparation. Every man has the right to invoke the law in order to repulse the ill done to him, whatever weapons it employs. Individual campaigns against calumny have none of the disadvantages of government intervention. No one has an interest in claiming he has been attacked nor in having recourse to strained interpretations in order to aggravate the charges directed against him. Trial by jury would moreover be a guarantee against these abuses in interpretation.

Chapter Four: *Continuation of the Same Subject*

In the previous chapter we dealt with press freedom only in a rather administrative way. More important considerations, however, in connection with politics and morality, demand our attention.

Today, to restrain the freedom of the press is to restrain the human race's intellectual freedom. The press is an instrument such freedom can no longer do without. Printing has been made the sole means of publicizing things, the only mode of communication between nations as much as between individuals, by

the nature and extent of our modern societies and by the abolition of all the popular and disorderly ways of doing this. The question of press freedom is therefore the general one about the development of the human mind. It is from this point of view that it must be envisaged.

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In countries where the populace does not participate in government in an active way, that is, everywhere there is no national representation, freely elected and invested with significant prerogatives, freedom of the press in some degree replaces political rights. The educated part of the nation interests itself in the administration of affairs, when it can express its opinion, if not directly on each particular issue, at least on the general principles of government. When, however, a country has neither press freedom nor political rights, the people turn away from public affairs. All communication between governors and governed is broken. For a while, the government and its supporters can regard that as an advantage. The government does not encounter obstacles. Nothing impedes it. It acts freely, but this is simply because it is the only living thing and the nation is dead. Public opinion is the very life of States. When public opinion is not renewed, States waste away and fall into dissolution. There were institutions in the past in all the countries of Europe, which, though involved in many abuses, nevertheless, by giving certain classes privileges to defend and rights to exercise, fostered in them a level of activity which saved them from discouragement or apathy. It is to this cause that we must attribute the energy certain individuals possessed until the sixteenth century, an energy of which we no longer find any trace. These institutions have been destroyed everywhere or been modified to such an extent that they have lost their influence almost entirely. But around the very same time they collapsed, the discovery of printing furnished men with a new means of discussion, a new motor of intellectual movement. This discovery and the freedom of thought which resulted from it have over the last three centuries been favored by certain governments, tolerated by others, while yet others have smothered them. Now, we are not afraid to say that the nations in which this intellectual activity has been encouraged or allowed are the only ones which have conserved force and life, and those whose leaderships have imposed silence on all free opinion have gradually lost all character and energy. The French under the monarchy were not

completely deprived of political rights until after Richelieu. I have already said that defective institutions which nevertheless endow the powerful classes with certain privileges they are ceaselessly busy in defending have, in their favor, amid their many disadvantages, the fact that they do not leave the whole nation to degradation and debasement. The beginning of the reign of Louis XIV was still disrupted by the war of the Fronde, a puerile war in truth, but one which was the residuum of a spirit of resistance, habituated to action and continuing to act almost without purpose. Despotism grew greatly toward the end of this reign. The opposition still maintained itself, however, taking refuge in religious quarrels, sometimes Calvinists against Catholicism, sometimes between Catholics themselves. The death of Louis XIV was the period when government was relaxed. Freedom of opinion gained ground each day. I do not at all want to say that this freedom was exercised in the most decent and useful way. I mean only that it was exercised and that in this sense one could not put the French, in any period up until the overthrow of the monarchy, among those peoples condemned to complete servitude and moral lethargy.

This march of the human spirit finished, I agree, with a terrible revolution. I am more willing than anyone to deplore the evils of this revolution. I think I have shown elsewhere that it had many other causes than the independence and the airing of thought. Without coming back to this matter here, however, I will say that those who in their bitterness blame freedom of the press have probably not thought of the effects the complete destruction of that freedom would have produced. People can see very well in every instance the evils which took place, and they believe they can see the immediate causes of these evils. They do not notice as clearly, however, what would have resulted from a different chain of circumstances. If Louis XIV's successor had been a tetchy prince, despotic and skillful enough to oppress the people without making them rebel, France would have fallen into the same apathy as neighboring monarchies, formerly no less formidable and populous. But the French have always maintained an interest in public affairs, because they have always had, if not the legal, at least the practical right to be interested in them. In recent years the temporary humbling of France during the Seven Years War and during the years just prior to the Revolution has been much exaggerated.¹³ But it would be easy to show that this decline, for which the philosophers are stupidly blamed, resulted from bad government, from bad appointments made, to my mind, not by philosophers but by mistresses and courtiers. This decline did not stem from a lack of energy in the nation. France proved this when she had

Europe to battle with.

Spain, four hundred years ago, was more powerful and populous than France. This realm, before the abolition of the Cortes, had thirty million inhabitants. Today it has nine. Its ships plied all the oceans and commanded all the colonies. Its fleet is now weaker than those of the English, the French, and the Dutch. Yet the Spanish character is energetic, brave, and enterprising. Whence comes then the striking difference between the fortunes of Spain and France? From the fact that when political liberty had vanished in Spain, nothing came to offer the intellectual and moral activity of its inhabitants a new lease of life. Probably people will say Spain's decadence is due to the faults of its government, to the Inquisition which controls it, and to a thousand other immediate causes. All these causes, however, relate to the same root. If thought had been free in Spain, the government would have been better, because it would have been enlightened by the intelligence of various individuals. As for the Inquisition, everywhere you have freedom of the press, the Inquisition cannot happen, and everywhere there is no press freedom, there will always be creeping around, in one shape or another, something very like the Inquisition.

Germany furnishes us with a very similar and even more striking comparison, in view of the disproportion between the two objects compared. One of the two great monarchies which share that country was formerly a colossus of power. She grows weaker each day. Her finances are deteriorating and her military strength leaking away. Her internal activities are powerless against the decay which undermines her. Her foreign activities are ill-coordinated and her setbacks inexplicable. For all that, her cabinet has often been presented by the political writers as a model of ongoing prudence and secrecy. There is in that realm, however, neither political freedom nor intellectual independence. Not only is the press there subjected to severe restrictions, but the introduction of any foreign book is strictly prohibited. The nation, separated from the government as by a thick night, takes only a feeble part in its proceedings. It is not within the government's power to have the people slumber or bestir itself according to government convenience or passing fantasy. Life is not something you can by turns take away and give back.

It is so true that we must attribute the misfortunes of the monarchy I am talking about to this defect in its domestic life, that the region which has always furnished the best troops and most zealous defenders is a country which, formerly free, has retained its sense of loss, its memories, and a certain show of freedom. The

heredity of the throne was not recognized in Hungary until the Assembly of 1687, amid the most bloody executions. The energy of the Hungarians has been sustained under the Austrian government only because that government has not borne down on them for more than a century and a bit. Note that this country is at the same time the most malcontent part of the monarchy. Malcontent subjects are still worth more to their masters than subjects lacking zeal because they lack interests.

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Prussia, on the contrary, where public opinion has never been completely smothered and where this opinion has enjoyed the greatest freedom since Frederick II, has successfully struggled against many disadvantages, all the less easy to surmount because they were inherent in her situation and local circumstances. Until about the beginning of the last century, the era of her elevation to the status of monarchy, Prussia showed the effects of the upheaval that the Reformation wrought in all German thinking. The Electors of Brandenburg had always stood out among the chiefs of the league formed to support freedom of religion, and their subjects had joined them in word and deed in that great and noble enterprise. The warlike reign of Frederick William had not weakened that outlook when Frederick II replaced him. He left thought the widest possible latitude, permitting the examination of all political and religious questions. His very dislike of German literature, of which he knew little, was itself very favorable to the complete freedom of German writers. The greatest service government can do to knowledge is not to bother with it. *Laissez faire* is all you need to bring commerce to the highest point of prosperity; letting people write is all you need for the human mind to achieve the highest degree of activity, cogency, and accuracy. Frederick's conduct here was such that his subjects identified themselves with him in all his undertakings. Although there was in Prussia no political liberty, no cast-iron safeguards, a public spirit took shape, and it was with this spirit, as much as with his troops, that Frederick repulsed the European coalition against him. During the Seven Years War he experienced frequent reverses. His capital was taken and his armies dispersed; but there was some kind of moral elasticity which communicated itself from him to his people and from his people to him. The Prussians had something to lose by the death of their king, for they would have

forfeited their freedom of thought and of the press and that indefinable but real share that the exercise of these two faculties gave them in his undertakings and administration. They lent him their best wishes; they had a good reaction on his army; they gave him the support of a kind of climate of opinion, a public-spiritedness, which sustained him and doubled his strength. I do not in writing these lines seek to conceal the fact that there is a class of men who will see in them only a cause for derision and mockery. Whatever the cost, these men want there to be nothing moral or intellectual in the government of the human race. They set such faculties as they have to proving the futility and impotence of these faculties. I will ask them, however, to reply to the examples I have cited and tell us why, of the four remaining monarchies, the two strongest formerly, having smothered all intellectual activity and development in their subjects, have gradually fallen into an ever growing weakness and lethargy, and why the other two, of which the first has tolerated, mostly despite itself, the existence and force of public opinion and the second favored it, have raised themselves to a high degree of prosperity and power. I repeat that arguments based on the faults and inconsistencies of the governments in these two first monarchies would not be admissible. This is because they would have committed fewer faults if freedom had surrounded them with more enlightenment, or if, even when they had committed these faults, their nations had conserved some energy just by exercising disapproval, however impotent. Then their nations, like the French nation, would have been ready to revive at the first signal.

I did not want to base my case on the English example, though it would have been much more favorable to it. However one judges England, it will, I think, be agreed that she has a stronger and more active national spirit than any other people in Europe. But one could rightly have attributed England's energy to her political constitution, and I wanted to show the advantages of press freedom independently of any constitution.

Had I wished to multiply the evidence, I could have spoken again about China. The government of that country has contrived to dominate thought and transform it wholly into a tool. Sciences there are cultivated only by its orders, under its management and authority. No one dares to cut out a new path for himself nor to deviate in any way from prescribed opinion. The result is that China has been persistently conquered by strangers less numerous than the Chinese. To arrest the development of people's minds it has been necessary to break in them the energy which would have served them in standing up for themselves

and their government.

“The leaders of ignorant peoples have always finished,” says Bentham, “by being victims of their narrow and cowardly policies. Those nations grown old in infancy under tutors who prolong their imbecility in order to govern them the more easily, have always offered the first aggressor an easy prey.”¹⁵

Endnotes

2.

[The persecution of the Protestants by the dragoons. Translator’s note]

8.

“The Letters of Junius” appeared anonymously on 21 January 1769 in Woodfall’s newspaper, *Public Advertiser*. He published them in complete form in 1772, but other incomplete editions had already come out. The purpose of these letters was to discredit the policies of the duke of Grafton and Lord North. The anonymity of their author has never been definitively unmasked. The names of Gibbon, Burke, and Paine have been mentioned, but various clues permit us to believe it more likely that Sir Philip Francis was the author. These letters are still famous for their style, which constitutes them as a masterpiece of the pamphlet form. See the entry in the *Encyclopaedia Britannica*, vol. 13 (1973), s.v. Junius.

9.

Constant was probably familiar with the work of Louis-Philippe Ségur, *Histoire des principaux événements du règne de F. Guillaume II, roi de Prusse*, Paris, F. Buisson, an IX (1800), which gives the text of this Edict of Censorship (t. I, pp. 400–405) and gives a commentary (*ibid.*, pp. 62–64). Frederick William II declares indeed at the beginning of this text: “Although we are perfectly convinced of the great and diverse advantages of a moderate and well-regulated freedom of the press in terms of expanding the sciences and all useful knowledge [. . .] experience has shown us, however, the troublesome consequences of complete freedom in this regard.”

10.

Without being able to be categorical on this point, since he has not found the text to which reference is

made here, Hofmann thinks, nevertheless, that Constant is referring to the editors of the *Journal de l’Empire* or of the *Mercure de France*, men completely devoted to Napoleon. See the study by André Cabanis, “Le courant contre-révolutionnaire sous le Consulat et l’Empire” (in the *Journal des Débats* and the *Mercure de France*), *Revue des sciences politiques*, No. 24, 1971, pp. 33–40. Among these editors, there were Fiévée and Geoffroy, whose target was often the ideology of the Enlightenment and 1789 and who advocated all-powerful monarchy. One finds, in particular, in an article in the *Mercure de France* (No. 257, 21 June 1806, pp. 533–554) signed by De Bonald, this reflection which must have struck Constant: “Freedom of thought was only therefore freedom to act; and how could one demand from government an absolute freedom of action, without rendering pointless all the pains taken by the administration to maintain peace and good order, or rather, without turning society upside down?” (*ibid.*, p. 551). And the same author a little further on identifies “diversity of religious and political opinion” as “the main cause of the French Revolution” (*ibid.*, p. 552).

11.

[Lettres de cachet. Letters bearing the king’s seal, containing orders for imprisonment of individuals or their banishment without trial. Translator’s note]

12.

Titus Livy, *Histoire romaine*, I, 59, 3, éd. cit., t. I, p. 95.

13.

This reference has not been pinned down by Hofmann.

15.

Constant cut the citation in two; after *pusillanime* [cowardly], Bentham had written: “A nation kept in a constant inferiority by institutions who oppose any kind of progress became [*sic*] the prey of the people who had acquired a relative superiority.” Constant modified the original text at the end of the citation as well. Bentham said: “These nations . . . always offered an easy conquest and once captivated [or enthralled] they managed only to change the color of their chains.” *Ed. cit.*, t. III, p. 21. [Constant was working—excessively freely—from a French translation. His referencing cannot be deemed reliable on this occasion. Translator’s note]

Further Information



Source

Benjamin Constant, *Principles of Politics Applicable to all Governments*, trans. Dennis O'Keeffe, ed. Etienne Hofmann, Introduction by Nicholas Capaldi (Indianapolis: Liberty Fund, 2003). Book Seven: "On Freedom of Thought" </titles /861#1f2641_label_326>.

Further Reading on Constant

Other works by Benjamin Constant (1767-1830):

- </people/benjamin-constant>

School of Thought: 19th Century French Liberalism:

- </groups/28>.

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