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## SISMONDI'S SYSTEM OF LIBERTY\*

BY H. O. PAPPÉ

Present-day political and social discourse has its roots in previous periods; it is derived from the experiences and thought of Athens, Jerusalem, Rome, and the Middle Ages. However, it has been part of an uninterrupted, ongoing debate since the Enlightenment, i.e., predominantly since the eighteenth century. The underlying structural processes of agricultural reform and industrialization with their ensuing changes in social stratification have merely been intensified since the eighteenth century, but basically they are long-term movements whose essential qualities have been discernible and have been debated ever since. This continuity can be observed in social, economic, and political developments as well as in the growth of the social sciences including historiography. The conflict of liberty with equality, the impact of technology upon industrial society, the rise of new nations, the emancipation of the proletariat, the precarious balance between mass society and individual initiative, the function and limits of state intervention—these causes and anxieties disturbed the minds of the thinkers of the late eighteenth century and early nineteenth century as much as they agitate our own. Sismondi has been a key figure in this debate; he has made seminal contributions to it. His overriding concern was with the means of preserving and widening human liberty, while correcting its abuses. An examination of the sources of his thought and of his own analysis offers a contribution to both the history of ideas and social philosophy.

Jean Charles Léonard Simonde de Sismondi was born in 1773 and died in 1842. He grew up as a disciple of the Enlightenment, but his own *oeuvre* was contemporary with and partly anticipated the currents reacting against the eighteenth century, namely, romanticism, *Historismus*, and socialism. Moreover, he was a European and cosmopolitan rather than a national spokesman. He was a son of Geneva which in the eighteenth century was, not quite without reason, called a “modern Athens” and the “protestant Rome.” After his youth in his home-city he spent formative years in England and Italy, and later for some decisive years he lived in Paris. Moreover, he acquired an adequate knowledge of German thought as well as an insight, based on a knowledge of their languages, into Spanish and Portuguese literature. All through his life he kept up his close connection with Italy, where he

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had lived for the last five years of the eighteenth century. His English wife, coming from a distinguished family, made him the brother-in-law of Sir James Mackintosh and Josiah Wedgwood II, and the uncle of Charles Darwin. Born into a patrician family, he suffered the fate of a refugee during the revolutionary and Napoleonic periods; the financial losses inflicted on his family at the time familiarized him, as was the case later with Saint-Simon, with the need to earn his own, sometimes precarious, living. Thus Sismondi constituted a bridge between the eighteenth and nineteenth centuries, between ancient and post-revolutionary Europe, among its individual national sub-civilizations, and between the old declining and new emerging classes.

Sismondi was not a genius in the romantic sense. In Diderot's terminology he was a Locke rather than a Shaftesbury, one of Bacon's bees who uses and transforms truth rather than presuming to invent it. The peculiar gift of Sismondi was to coordinate, simplify, and unify areas of thought which were fragmented or had merely reached the classificatory stage. In this sense he was a great innovator, the founding-father of modern historiography in France and Italy and of the Historical School of Economics as well as one of the creators of the history of literature and of *Sozialpolitik*. Though the term "social science" had been used by Bentham and the legislation of the French Revolution, Sismondi was the first to write systematically on the subject. His work made a deep impact on such thinkers as, *inter alios*, Auguste Comte, Michelet, the Christian Socialists, Niebuhr, Jacob Burckhardt, Marx, and John Stuart Mill.

In the English-speaking world Sismondi is best known as the historian of the idea of liberty and, in this respect, is the forerunner of Michelet, Hegel, Acton, and Croce. Liberty is, however, an elusive concept; as Montesquieu remarked,<sup>1</sup> it is as easy to claim overmuch for it as to restrict it unduly and thus render it meaningless. How did Sismondi acquire and develop his notions concerning liberty, and what was his final position in this regard?

Most biographers and commentators have described Sismondi's conception of liberty as constitutionalism. According to this view the constitution and the laws determine the character of a people and its citizens. A liberal constitution, either a republic or a constitutional monarchy, would result in free, educated, and virtuous citizens; a despotic government, including foreign usurpation, would stunt and degrade men. However, this conventional consensus does not do justice to the width and depth of Sismondi's contribution to the debate on liberty.

We have today detailed knowledge of Sismondi's sources and experiences. He grew up in a republican city-state in which the question of

<sup>1</sup> *Esprit des Lois*, livre XI, ch. 2.

political liberty, the right to participate in government, had been a traditional issue. The ideal of popular participation had been recognized since Calvin and confirmed by Geneva's great jurist, Jean-Jacques Burlamaqui (1694-1748), and by Rousseau, both of whom conceived of sovereignty as residing in the people. The modern history of Geneva had indeed been one of successive popular rebellions, with the aim of widening the political rights of the lower orders. As a bright youngster Sismondi witnessed one of the most momentous upheavals in 1782, when a successful uprising could only be crushed by the ruling elite with the help of foreign intervention. Although his family belonged to the aristocratic side, they were closely connected with some intellectual leaders of the revolt, including Sismondi's uncle Jacob Vernes, a friend of Voltaire and Rousseau, and Pierre Vieusseux, the father of Sismondi's pupil and friend Gian Pietro Vieusseux, that great figure of the Italian intellectual *risorgimento*. The experience of 1782 permeates Sismondi's first major piece of writing, *Consigal* (1785). The 12-year-old boy asserted:

In all states which are free and more or less democratic, there exists a recognized and sacred right of the people to make laws by the majority of the voters or their representatives. Even in Geneva where the Aristocracy has just achieved victory, it has not dared to deprive the people of their sacred right. The election of the magistrates, the making of the laws, everything depends still on the people.<sup>2</sup>

This youthful work reveals not only the influence of Thucydides and Tacitus, but also of the Genevan ambience which may be characterized as that of the Protestant ethic and capitalistic spirit, Calvinism tempered by eighteenth-century tolerance, cosmopolitanism, and a moralistic version of utilitarianism, not unlike that of Adam Smith's *Theory of Moral Sentiments* (1759). Political participation was, however, not the only mode of freedom in Sismondi's early experience. His enlightened parents had planned his education on the lines of Rousseau's *Emile* without, however, the intellectually abstemious diet recommended in that work. Sismondi grew up with a strong sense of responsibility and human dignity, with the habit of questioning and critical reasoning, so much in fact that he was never to feel happy under regimentation, whether at school or as an apprentice or even as a university teacher.

A few years after *Consigal* the French Revolution cast its shadows

<sup>2</sup> Jean-Daniel Candaux, "L'Histoire de la République de Consigal, Premier Ecrit de Sismondi (1785)," in *Atti del Colloquio Internazionale sul Sismondi*, Accademia Nazionale dei Lincei (Rome, 1973), 156. The boy Sismondi added prophetically: "If in other countries near us the people do not enjoy this privilege, how do we know if in France, for example, the people will not soon enforce the right for its representatives to change the laws and to make new ones." (My translation.)

over Geneva. The exiled leaders of the 1782 revolt returned, including Mirabeau's associates Etienne Dumont and Du Roveray, and master-minded the revolution at Geneva in December 1792. They soon lost control of the events, and in another coup in July 1794, power passed into the hands of the radical *Montagnards*. The *terreur* descended on Geneva with death and jail sentences for the former ruling class and its followers. Sismondi and his father were thrown into prison, deprived of a large part of the family fortune, and exiled. They experienced the nature of radical democracy and its impact on individual liberty. After his imprisonment and banishment Sismondi lived in Tuscany until he was imprisoned and exiled once more at the turn of the century, this time by the counterrevolution. Obviously, these experiences left their mark on his insight into the political process; they sharpened his understanding of the problems of liberty and equality, that is, of liberalism and democracy.

In an epic poem in eight cantos, *La Mairie*,<sup>3</sup> probably written in Geneva in 1792 and dealing with the conflict between a French *émigré* aristocrat and his retainers, Sismondi revealed an attitude more skeptical towards political liberty than was the youthful idealism of *Consigal*. His ideas were more clearly formed and formulated during his and his family's stay in England between February 1793 and the end of April 1794. He had been no stranger to English thought as *Anglophilie* was a significant element in Genevan society; his father had previously paid a visit to England where he had formed valuable friendships, and the family had long been used to reading the great Scottish historians, especially Dr. William Robertson (1721-93) as well as that honorary eighteenth-century Scot, Edward Gibbon (1737-94). Apart from developing a lasting interest in agricultural reform and the history of literature, Sismondi used his time in England thoroughly studying law and politics. Amongst the works which he excerpted and commented upon, were Blackstone's *Commentaries on the Laws of England* and Delolme's *Constitution de l'Angleterre*;<sup>4</sup> both these works were to be of lasting influence upon Sismondi's *œuvre* and his conception of liberty.

Blackstone combined in his work jurisprudence, history, and politics. He brought system into English law, just as Sismondi was to establish a measure of unity in Italian history. Blackstone was the precursor of the Historical School of Law; Sismondi was to lay the groundwork for the Historical School of Political Economy. In Blackstone, Sismondi met a treatment of liberty quite unlike the Aristotelian notion of a cit-

<sup>3</sup> Unpublished manuscript, Biblioteca Comunale di Pescia.

<sup>4</sup> The MSS of Sismondi's *précis* are in the Biblioteca Comunale di Pescia. Blackstone's *Commentaries* were first published in 1765-69; Sismondi used the 11th edition of 1791. Delolme's book was published in Amsterdam in 1771, but Sismondi made use of an English translation of 1790.

izen's privilege to take an active part in the government of his city.<sup>5</sup> Blackstone distinguished between natural and political or civil liberty. The former was a Hobbesian "wild and savage liberty," which Sismondi was later to recognize in the ideas and customs of the Germanic, and especially Norman, invaders of Italy. Natural liberty required to be "restrained by human law (and no farther) as is necessary and expedient for the general advantage of the public."<sup>6</sup> The distinction was not peculiar to Blackstone, but he gave expression to it as part of a social philosophy which Sismondi studied and absorbed. There were now three facets of liberty familiar to him: first, natural, chaotic liberty to do as you please; second, the privilege of participation in sovereign government; and third, the right to live in peace and happiness, the *liberté anglaise*, as the *Encyclopédie*, in the spirit of Voltaire and Montesquieu, had called it.<sup>7</sup>

Delolme opened up another dimension for Sismondi. Blackstone had dealt with the formal institutions of the law and the constitution rather than their underlying reality. He was no sociologist who asks how people actually do behave, and how constitutions actually work. He failed to examine the psychological and sociological aspects which the eighteenth-century science of man, following Hobbes, Locke, Mandeville, Hume, Adam Smith, and their friends, had brought into being. In particular, the English constitution had been made a subject of sociological scrutiny by two foreign observers, Montesquieu and Rousseau. It was against the background of their work that Jean-Louis Delolme (1740-1806) wrote his searching examination of the *Constitution de l'Angleterre* in 1771. Like Sismondi and Rousseau he was a son of Geneva; he had taken part in the fight for civic liberties in his native city as an advocate of the popular cause.<sup>8</sup>

Delolme rejected Rousseau's view in the *Contrat Social* that liberty was identical with legitimate sovereignty, the participation of each citizen in the legislative process. Rousseau had condemned the representative system of the English constitution which deprived most citizens of a share in their government. They were, he said, "free only when they are electing members of parliament . . . (afterwards) they revert to a condition of slavery. . . ." The English constitution perpetuated feudalism and perverted the liberty which the ancient republics had enjoyed. Delolme held that Rousseau's conception of liberty did not correspond with political and social reality. There was no evidence of the existence of a

<sup>5</sup> *Politics*, Bk. VI, ch. II. <sup>6</sup> *Commentaries*, Bk. I, ch. I, 125. <sup>7</sup> Article "Liberté."

<sup>8</sup> Delolme (or de Lolme) has often been described as a mere disciple of Montesquieu, possibly because of his book's motto: *ponderibus librata suis*. However, his work forms part of the utilitarian tradition; he strongly influenced Bentham and James Mill as well as exciting Carlyle's ire.

<sup>9</sup> *Contrat Social*, Bk. III, ch. XV (World Classics ed.) 373.

general will or community of purpose. On the contrary, the sovereignty of the multitude could easily destroy that of the individual since the interests of individuals tended to be opposed to each other. The individual was "submerged in the crowd"<sup>10</sup> and in need of protection of his person and the fruits of his industry. His liberty depended upon constitutional and legal safeguards against arbitrary interference by the government as well as by other citizens. Participation in legislation was not liberty; "it is a means of establishing liberty." Liberty, said Delolme, consists in living in a state where equal and reliable laws safeguard the individual from arbitrary constraint. Liberty in this sense was modern, whereas popular sovereignty had been practised already in the ancient republics.<sup>11</sup> Modern or negative freedom from constraint, according to Isaiah Berlin, took its rise first at the time of the Renaissance and Reformation.<sup>12</sup> Delolme traced its origins back to the time of the Norman Conquest. Sismondi too, though he arrived at an interpretation of his own, was to locate the roots of negative freedom in the late tenth century.

There was another point in which Delolme's assessment of the English Constitution deviated from the judgments of Montesquieu and Rousseau. These authors held with Aristotle<sup>13</sup> that all constitutions were liable to corruption; eventually the English state "will lose its liberty, it will perish."<sup>14</sup> Delolme rejected that view. Previous constitutions, he said, were based upon civic virtues which could be debased, but the English Constitution was subject to and capable of perpetual renewal and change because it rested on the pursuit of self-interest and happiness by each citizen. English citizens saw their interests protected by their representatives in Parliament, by trial by jury, *habeas corpus*, and other maxims of the rule of law, including the checks and balances of the Constitution. English liberty gave the individual self-interest of the citizen as much scope as was socially feasible, and thus served his happiness and that of the public. Sismondi did not share Delolme's optimism. But he acknowledged the pursuit of happiness as being one, though not the only, end of liberty.

The young Sismondi excerpted and annotated Edward Gibbon's *Decline and Fall* (as well as various other works) in the same careful

<sup>10</sup> "noyé, pour ainsi dire, dans la foule;" (1771 ed.), 188. The image of the lonely individual submerged in the crowd, that is, cramped by public opinion and the "tyranny of the majority," has become famous through Tocqueville and John Stuart Mill.

<sup>11</sup> Delolme's distinction was taken up in 1783 by Sismondi's teacher Pierre Prevost, *L'économie des anciens Gouvernemens comparée à celle des Gouvernemens modernes* (Berlin, 1783), 39-40. Cf. Benjamin Constant, *De la liberté des anciens comparée à celle des modernes* (Paris, 1819).

<sup>12</sup> I. Berlin, *Four Essays on Liberty* (Oxford, 1969), 129. <sup>13</sup> *Politics*, Bk. V.

<sup>14</sup> *Esprit des Lois*, livre XII, ch. VI; *Contrat Social*, livre III, ch. XI.

manner as he had done with Blackstone's and Delolme's books. Moreover, he and his family, even before their stay in England, had been avid readers of Hume's and Robertson's historical works, including the latter's *Charles V* with its great introductory essay, "View of the Progress of Society in Europe . . .," one of the first modern treatments of the Middle Ages. Sismondi knew these and other Scottish writers well, including Hugh Blair, Adam Ferguson, and John Millar. He took many of their works with him to Italy. Moreover, while in Italy and later, he was constantly being reminded of their work (and of contemporaneous English literature in general) by reading the periodical *Bibliothèque Britannique* which his former teachers and friends published in Geneva from 1796. That remarkable and astonishingly comprehensive periodical aimed at preserving the connection of the French-speaking world with the best English writing despite the increasingly rigid isolation of the Continent under revolutionary and Napoleonic rule. Its editors made themselves the mouthpieces of the "immortels ouvrages" of "les Hume, les Robertson, les Smith, les Ferguson . . .," and they stated that "le principe d'UTILITÉ . . . sera notre boussole constante."<sup>15</sup> For these Scottish writers, whose influence on European historiography and social philosophy can hardly be exaggerated, history was the history of the struggle for liberty, the history of the conditions under which individual liberties, representative government, the rise of the middle classes and the rule of law had been achieved.<sup>16</sup> The greatest single work (apart from Hume) of the Scottish school, which combined history, sociology, and economics, was Adam Smith's *Wealth of Nations*: it came to permeate all of Sismondi's writings after his youthful attempts at writing fiction.<sup>17</sup> What he learnt from Smith in the specific context of liberty was the need to set human initiative free so that the individual could develop innovative or creative faculties. A person was the product of nature and social position but, given freedom, could, within limits, change circumstances and create them anew. "Man," as Adam Ferguson put it, "is susceptible of improvement, and has in himself a principle of progression and a desire of perfection."<sup>18</sup>

The Scottish influence was powerfully confirmed by the writings of

<sup>15</sup> *Bibliothèque Britannique* (1796), I,6; II, 409. See H. O. Pappé, *Sismond's Weggenossen* (Geneva, 1963), 34, 58 ff.

<sup>16</sup> See, e.g., Duncan Forbes, Introduction to Hume's *The History of Great Britain* (Pelican Classics), esp. 22, 39. Cf. Herbert Butterfield, *Man on his Past* (Cambridge, 1955), 27: ". . . by the early seventeenth century our antiquarians had formulated our history as a history of liberty."

<sup>17</sup> H. O. Pappé, "Sismondi et Adam Smith," *Sismondi Européen. Actes du Colloque international tenu à Genève les 14 et 15 Septembre 1973* (Geneva and Paris, 1976), 13-34, 107-12.

<sup>18</sup> *An Essay on the History of Society* (1767) ed. Duncan Forbes (Edinburgh, 1966), 8. See also David Hume, *Treatise of Human Nature*, Bk. III, Part II, Sect. VII: "[Men] cannot change their natures. All that they can do is to change their situation."



the Italian eighteenth-century historians and economists whom Sismondi studied during his first sojourn in Tuscany, especially Muratori, Carlo Denina, and Pietro Verri.<sup>19</sup> On the other hand, the acquaintance with Alfieri's writings served to buttress Sismondi's ideas *e contrario*, just because Alfieri as "poet of freedom" aspired to an unrealistic and absolute liberty irrespective of the social order; Sismondi perceived him "to be confounding the dissolution of all the bonds of society with the freedom after which he sighed."<sup>20</sup>

The stage was now set for Sismondi's first major treatise on the subject, *Recherches sur les Constitutions des Peuples Libres* (1796-99), which could not be published at the time owing to the revolutionary upheaval in Europe. The work was designed as

l'histoire de la liberté elle-même, de son origine en Grèce, de ses progrès, de ses transformations, de sa chute avec celle de la République Romaine, de sa renaissance chez les barbares du Nord de l'Europe, des différens principes sur lesquels ces peuples s'établirent dans leurs grands Empires et dans leurs Cités, enfin des perfectionnemens que les nations plus modernes ont ajouté [*sic*] à des systèmes qui nous sont venus des forêts.<sup>21</sup>

The work, "far from being a polemic work . . . is rather philosophical, and still more historical . . . an enquiry into the nature of freedom and into that of government . . . written according to english [*sic*] principles . . . I have in general taken for my model your Gibbon. . . ."<sup>22</sup> The book concentrated in particular on the constitutional history of the Italian Republics. Sismondi detailed domestic (natural), democratic (positive), civil (negative), and political liberty which consisted in legal and constitutional safeguards of the ends of a good constitution; these ends were the happiness of the people, liberty, virtue, and order. For Sismondi democratic liberty aimed at the sovereignty of the enlightened intelligence, an elite chosen either by means of a pluralist vote or as members

<sup>19</sup> Sismondi became an active member of the *Accademia dei Georgofili* and found friends amongst Tuscan *illuministi*, *riformatori*, *giansenisti*, and *giacobini*, including Giovanni Fabbroni, one of the great Tuscan Leopoldine reformers. For a general picture of the background see esp. Franco Venturi's writings.

<sup>20</sup> *De La Littérature du Midi de l'Europe* (Paris, 1813), Vol. II, ch. XX, 438 (Engl. transl. London, 1846 [2nd ed.], Vol. I, 569). Sismondi knew Alfieri well when he wrote the *Recherches*.

<sup>21</sup> *Recherches sur les Constitutions des Peuples Libres* (1799), ed. Marco Minerbi (Geneva, 1965), 80.

<sup>22</sup> Sismondi's letter of 18 June 1802 to Dr. William Moodie, moderator of the Church of Scotland and a leading Anti-Jacobin, quoted by Minerbi, *op.cit.*, 19, without, however, identifying the addressee. Sismondi tried in vain to have the book published either in France or in England. Benjamin Constant endeavoured in 1801 to find a publisher in Paris for the manuscript, a fact of some relevance considering his own treatises on the subject of liberty in 1814 and 1815; Minerbi, *op. cit.*, 17.

of a second chamber. He rejected Rousseau's egalitarian principles in the *Contrat Social* while he referred approvingly to that author's practical maxims in the *Lettre de la Montagne* where a constitutional aristocracy had been recommended.<sup>23</sup> Civic or negative liberty designated the area within which the individual should be left free to choose. Political liberty served the reconciliation of interests and the protection of minorities. This conception of the political aspects of liberty was to remain basically the same all through Sismondi's life. He applied it in his practical political activity in Geneva after the defeat of the French Revolution, in his draft (with Benjamin Constant) of a constitution, the *Acte additionnel aux Constitutions de l'Empire*, in the France of 1815, and in his numerous articles on political and constitutional subjects.<sup>24</sup>

However, there were three areas of doubt which increasingly found expression in Sismondi's work. If a good constitution was to promote happiness, the question had to be asked what happiness consisted of. It was "d'une nature peu connue"; it was easier to proclaim as the end of civil society than to give it content. It required exploration.<sup>25</sup> Secondly, the *perfectionnement des hommes* or virtue was another possible end of society which had been the ideal of Greek thinkers and legislators from Lycurgus to Plato. However, their experiments had failed because they had aimed at regimenting their citizens according to rules which were not in keeping with true religion, sober mortality, or good philosophy. State-controlled virtue, being incompatible with the autonomy of the individual, was liable to perversion and a puritanical narrowing down of choices. Finally, there was a limit to what the legislator could do: "un grand nombre de circonstances indépendantes du législateur . . . ont souvent plus d'influence sur le caractère et le bonheur d'un peuple que tout ce que peut faire le gouvernement."<sup>26</sup> Sismondi's later work was largely a working out of these questions, but though his views remained substantially unchanged, a new perspective came to be added to what may be called the Scottish Enlightenment core of Sismondi's thought.

Jacob Burckhardt has called Sismondi the "mouthpiece of utilitarianism." Sismondi himself, however, never fully accepted the moral philosophy of the utilitarians of his time. Bentham and Godwin contributed much of his understanding of economics, but he and his Genevan friends drew the line at their methodology and moral theory. Dumont had pointed out in the *Bibliothèque Britannique* that Bentham rejected the historical method of Adam Smith which he wanted to replace by his own

<sup>23</sup> *Ibid.*, 181, Note 3.

<sup>24</sup> Sismondi made this point himself in his article "Du Prince dans les Pays libres ou du Pouvoir Exécutif," written, and suppressed by order of the Holy Alliance in 1823 and published in the *Revue Mensuelle d'Economie Politique* of October 1834 (Extrait, deuxième partie, 2 Note 1).

<sup>25</sup> *Recherches sur les Constitutions des Peuples Libres*, 93-96.

<sup>26</sup> *Ibid.*, 96.

analytical and experimental approach.<sup>27</sup> Bentham and his associates, the Genevans felt, extolled self-interest at the cost of “cette simpatie qui crée et anime toutes les vertus sociales.”<sup>28</sup> Theirs was, in Pierre Burgelin’s terms, *la religion de Genève*, a Christianity in pursuit of *le bonheur et la sagesse*, tolerant, liberal, and compassionate, “le champion,” as Sismondi expressed it, “de la double liberté civile et religieuse.”<sup>29</sup> Actually, Sismondi could have accommodated his regard for virtue and the exercise of moral choice within the utilitarian position, since Bentham and his associates did not expressly proscribe the subjective morality of the agent with which, in fact, they did not concern themselves. In particular, Sismondi could have felt at home with Adam Smith’s moral philosophy which was based upon interest as well as sympathy, on the usefulness of the act as well as on the probity of the agent.<sup>30</sup> The limitations of this paper do not permit me to speculate further on this matter. Suffice it to say that most of Sismondi’s friends, like his teachers, were opposed to utilitarian moral thought as they saw it. In particular, Madame de Staël’s polemic in *De l’Allemagne*<sup>31</sup> and the *Dissertation on the Progress of Ethical Philosophy*<sup>32</sup> by Sismondi’s brother-in-law, Mackintosh, formulated, in a more uncompromising form, these objections to the principle of utility. Sismondi felt the need for a complementary moral philosophy which he found in Kant.<sup>33</sup>

<sup>27</sup> *Bibliothèque Britannique* (Littérature), 7 (1798), 106-07.

<sup>28</sup> *Ibid.*, VI.

<sup>29</sup> Pierre Burgelin, *Rousseau et la Religion de Genève* (Geneva, 1962); Raffaello Ramat, *Sismondi e il Mito di Ginevra* (Florence, 1936), ch. I; Sismondi, *Considérations sur Genève dans ses rapports avec l’Angleterre* (London, 1814). It may be worth remembering in this context that Kant had learnt from Rousseau to treat man as an end in his own right. *Bemerkungen zu den Beobachtungen über das Gefühl des Schönen und Erhabenen* (1764), MS Nachlass, *Werke*, XX, 44.

<sup>30</sup> The cardinal maxims of utilitarianism are 1) pursue your happiness as long as you don’t hurt the interests of others; 2) if, as is usually the case, you can’t foresee the consequences of your acts, follow universal rules of human experience and understanding. These maxims correspond practically with the Kantian precepts to treat people as ends rather than means, and to act so that the maxim of one’s will can become the universal rule for all rational beings. Cf., i.a., D.D.Raphael’s and Philip P. Wiener’s contributions to *Hume and the Enlightenment*, ed. W. B. Todd (Edinburgh & Austin, 1974), 14-29 and 43-51. There is a considerable literature dealing with the relationship between Smithian and Benthamite utilitarianism and Kant’s moral philosophy from writers such as Pierre Prevost, Degerando, and Dugald Stewart to August Oncken, Walter Eckstein, David Baumgardt, and R. F. Harrod.

<sup>31</sup> *Troisième partie*, ch. V, XV, esp. Note 1, end of ch. XII.

<sup>32</sup> Edinburgh, 1830; also in Vol. I of the 7th ed. of the *Encyclopedia Britannica*. The work as well as Macaulay’s polemic in the *Edinburgh Review* (March, June, Oct. 1829) caused James Mill to give utilitarian thought its definitive statement in his *A Fragment on Mackintosh* (London, 1835).

<sup>33</sup> Kant’s influence on Sismondi was first suggested by Raffaello Ramat in his

In general Sismondi was impervious to the German metaphysics, aesthetics, and the *Historismus* of the period. In a memoir<sup>34</sup> which he worked out for his own benefit, while he was engaged on the *History of the Italian Republics*, he scoffed at German aesthetic thought, Schelling's philosophy, and Kant's metaphysics. The only German authors, apart from Kant, who exerted a discernible influence on Sismondi, were Johannes von Müller and Friedrich Bouterwek; both condemned the transcendental and critical philosophy.<sup>35</sup> However, Kant's moral philosophy appeared to Sismondi to be quite independent of his metaphysics. It was "vraiment beau," it prepared the ground for a "science qui conduit l'homme au but pour lequel il a été créé, et ce but c'est le perfectionnement infini de ses facultés, soit comme individu, soit surtout comme espèce." Sismondi accepted Kant's distinction between the noumenal and the phenomenal, between liberty and necessity, as represented in man's two natures, one animal, the other moral; the first aiming at happiness and its conditions, health, wealth, and external liberty, while the second resided in man's distinctive qualities, *le raisonnement et la liberté*, which enabled him to choose between good and evil. Henceforth Sismondi aimed at combining Kant's formal criterion of moral autonomy with the concrete, empirical search of the utilitarians for the conditions which made liberty possible. Whilst avoiding Kant's pejorative connotation of happiness as well as the neglect by the utilitarians of subjective morality, he came to understand liberty in a wider sense to reside both in the pursuit of happiness and the autonomous endeavor of the individual to make the right choices.<sup>36</sup>

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brilliant book quoted above in Note 29; his conjecture was however based upon purely internal evidence. Ramat's assumption that Sismondi was influenced by Fichte and German philosophy in general has proved to be untenable. An alleged German element in Sismondi's thought has been given prominence in the literature centering around Madame de Staël's *cercle de Coppet* to which Sismondi belonged, first by Carlo Pellegrini, *Il Sismondi e la storia della letteratura dell' Europa meridionale* (Geneva, 1926), ch. II, though Kant is not mentioned. Benjamin Constant commented in this context that Sismondi and August Wilhelm Schlegel "se regardent mutuellement comme des fous: la philosophie française qui ne connaît que l'expérience, et la nouvelle philosophie allemande qui ne raisonne qu'a priori ne peuvent, je ne dis pas, s'entendre, mais ne peuvent pas mêmes s'expliquer." *Journaux intimes*, May 25, 1804, *Oeuvres*, ed. Alfred Roulin (Paris, 1957), 310. It is appropriate here to remind the reader of the rejection of conventional metaphysics by the Vienna Circle and others as well as of modern attempts to develop a new, more acceptable, metaphysics. See, for instance, E. Topitsch, *Vom Ursprung und Ende der Metaphysik* (Vienna, 1958).

<sup>34</sup> *Quelques Remarques sur la Philosophie Allemande*, unpublished manuscript, Biblioteca Comunale di Pescia.

<sup>35</sup> Johannes von Müller, *Briefwechsel mit J. G. und Caroline Herder*, ed. E. K. Hoffmann (Schaffhausen, 1952), 42, 289; Friedrich Bouterwek, *Geschichte der Poesie und Beredsamkeit seit dem Ende des dreizehnten Jahrhunderts*, Vol. I (Göttingen, 1801), p. XI.

<sup>36</sup> *Histoire des Républiques Italiennes*, 5th ed. (Brussels, 1839), Vol. 8, ch. XIII, 488.

However, Sismondi's discovery of Kant did not lead to any substantial changes in his views. Raffaello Ramat has claimed that Sismondi's rejection of democracy in favor of constitutional republicanism was derived from Kant's argument in *Zum Ewigen Frieden*<sup>37</sup> that democracy was incompatible with the separation of powers. This claim is however untenable as Sismondi had held the same view in the *Recherches*, written between 1796 and 1799, when he had no detailed knowledge of Kant's work. What he owed to Kant was merely a confirmation of the ethical stance inherent in the *religion de Genève* as he understood it, namely a combination of the utilitarian pursuit of happiness with a desire for self-development and self-perfection. While sharing some of Kant's opinions about the scope and limitations of liberty, he never became a Kantian.<sup>38</sup> His concern was with the historical genesis and the practical conditions of liberty rather than with metaphysical speculations, with individuals' liberties rather than with abstract Liberty.

In this pursuit he made use of the resources of the historian as well as all the variables at the disposal of the social scientist. A few careless formulations in his writings have caused superficial commentators to impute to Sismondi a belief in the all-powerful competence of legislation as a force in determining national and individual character. However, all the substantive evidence of Sismondi's work controverts this view. The relevant passage in the *Recherches* of 1799 has been quoted above. The *History of the Italian Republics* was concerned with the "influence de l'ordre social sur le caractère du citoyen" rather than with that of formal legislation; "pour comprendre l'organisation des peuples libres, il fallait les voir agir plutôt qu'étudier leur législation."<sup>39</sup> In 1823 Sismondi stated that "la formation du pouvoir social est une oeuvre du temps qui ne dépend guère du législateur."<sup>40</sup> In fact, both the *Histories* of Italy and France contain long passages and many chapters devoted to a sociological examination of the various causes which have a bearing on national character and thus on the degree of liberty a people enjoys. These causes include the social order, the class struggle, agricultural morphology, and cultural sociology, a broad investigation, in fact, as Sismondi himself was to put it, into received habits, rooted prejudices, opinions dominant in a certain age, points of honor proper to a particular people, the modes of agriculture and of manufacturing industry, the servile, paid or independent condition of the inferior classes of

<sup>37</sup> (1795) Zweiter Abschnitt, Erster Definitivartikel.

<sup>38</sup> A close comparison of Sismondi's memoir with Charles Villers's *Philosophie de Kant* (Metz an IX, 1801) makes it clear that Sismondi, like many French and English-speaking readers at the time, owed his understanding of Kant to Villers, although Villers had devoted only a small part of his book to Kant's "doctrine morale" and had concentrated on the *Critique of Pure Reason*, which held no message for Sismondi.

<sup>39</sup> Vol. I, *Post-Scriptum* to Introduction.

<sup>40</sup> "Du Prince . . .," part 2, p. 2; see Note 24 above.

society.<sup>41</sup> There is room here merely to indicate Sismondi's three most important contributions in this respect:

1. The last chapter of the *History of the Italian Republics* was devoted to "the causes which had changed the Italian character since the enslavement of their republics," i.e., their gradual loss of liberties since the end of the Middle Ages. In a brilliant sociological display Sismondi named religion, education, legislation, and the prevailing notion of honor as the decisive factors in this process. Far from detailing merely institutional changes Sismondi investigated the interaction of organizational, ritual, and doctrinal religious features and their impact on the population. His educational sociology is concerned with both the substance and the methods of socialization. Legislation in this context does not deal with constitutional matters, as in Delolme and his predecessors, but with the significance of the content and procedure of the criminal and civil laws for the preservation of civic virtues, communal, and family relationships. This part establishes a sociology of law for which there were few precedents at that time.<sup>42</sup> The fourth element treated was that of acculturation, namely, the importation, directly and by means of the Castilian invaders, of the Arab point of honor into Italy, that is, an obsessive regard for the chastity of woman,<sup>43</sup> the belief in the *machismo* of a "male vanity culture," and the quasi-religion of ruthless vengeance, qualities which, Sismondi said, had left a legacy of general distrust behind them.<sup>44</sup> All these phenomena were the products of historical, structural changes which had altered the contingent circumstances of Italian life. These changes were however not necessarily permanent. The reign of law and the publicity of administration and judicature could be and were being, restored; hierarchies and shackles on thought, education, and religion were being removed. These reforms would permit the traditional qualities of the Italian people, namely liberty, compassion, justice, and courage, to assert themselves.

2. Sismondi continued his exploration of the conditions of liberty in an article on "Prejudice," written for Dr. Brewster's *Edinburgh Encyclopedia*, which he had first published in the original French version in the *Revue Encyclopédique* in April 1819. The article was immedi-

<sup>41</sup> *The History of the French*, transl. W. Bellingham (London, 1850), I, xxxiii.

<sup>42</sup> Beccaria, Blackstone, Adam Smith, John Millar, Samuel Romilly, William Godwin, and possibly James Mill were among the authors known to Sismondi in this context.

<sup>43</sup> The position of women as a measure of civilization had been introduced by John Millar, *The Origin of the Distinction of Ranks*, 1771, ch. I; following him Bachofen and Engels. Cf. Daniel Lerner, *The Passing of Traditional Society* (Glencoe, Illinois, 1958).

<sup>44</sup> This interpretation of Arab qualities followed Gibbon's in the *Decline and Fall*, ch. 50. For Sismondi's general attitude in this context see his *Histoire de la Littérature du Midi de l'Europe*, ch. III.

ately hailed by Pietro Borsieri in the *Conciliatore* as an original sociological investigation.<sup>45</sup> It deals with the formation of opinions, the social and cultural forces which influence and may restrict the autonomous choices of the individual. The article may be described as a paraphrase of Montesquieu's notion of *préjugés* as "non pas ce qui fait qu'on ignore de certaines choses, mais ce qui fait qu'on s'ignore soi-même."<sup>46</sup> Besides the intellect, Sismondi took the human will, sensibility, and imagination into account. He widened his investigation so as to include social psychology; he was one of the first to transcend individual psychology and to analyze the mechanisms of socialization, social control, and cultural change from a point of view which today would be classified as methodological individualism. In other words, his subject-matter was the individual autonomous agent in his socially determined setting. The article places Sismondi in the developing tradition of Philosophical Anthropology with, *i.a.*, Smith, Rousseau, and Dugald Stewart among his precursors, Maine de Biran as a more searching contemporary, and James Mill and his son John Stuart Mill as links with the future.

3. Finally, there is one other field which, following Sismondi's lead, has come to occupy an increasingly central position in the debate on liberty, namely, man's place in the economic hierarchy. Economic independence provides one of the conditions of liberty; it gives the individual the power to make choices. However, Sismondi observed that in the early period of industrialization a new slavery came into being, that of the proletarians who owned nothing but their labor. He devoted himself increasingly to the examination of this novel situation and the remedies it called for. He felt that the large mass of the population, the proletarians, were deprived of the benefits of civilization, of elementary physical needs as well as the enjoyment of leisure, education, family life, and security. They had no part in government, and they were at the mercy of economic crises; they were not free. As early as 1798 Sismondi had written in an unpublished treatise on Tuscan industry: "Le contrat social n'est qu'une fiction cruelle pour l'individu qui meurt de misère"<sup>47</sup>; poverty led to vice. Sismondi was one of the first great economists systematically to investigate the processes of *machinofacture*, alienation, economic crises, pauperization, the awakening class-consciousness of the proletariat, and the need for industrial as well as political participation—in short all those tendencies which were to transform economics into the socially oriented political economy of J. S. Mill and

<sup>45</sup> *II Conciliatore*, Nos. 78, 84, 100 (1819), Reprint ed. Vittore Branca (Florence, 1953), Vol. II and III. Silvio Pellico judged Sismondi's article to be a "divino scritto! adora, adora Sismondi." Letter to his brother quoted *Ibid.*, III, 649 Note I.

<sup>46</sup> *Esprit des Lois*, preface.

<sup>47</sup> *Les Ressources de la Toscane*, Unpublished MS, Biblioteca Comunale di Pescia, 17; see also 14.

of Marx.<sup>48</sup> In particular Marx has been given credit for Sismondi's ideas by his zealous disciples, but "it is a striking fact that most of the important social ideas in the nineteenth century can be traced back to Sismondi's writings."<sup>49</sup> Without social and economic fair play there was no adequate scope for the exercise of liberty in Sismondi's eyes.

Sismondi's conception of liberty can best be described, not as concerned with metaphysical and definitional insights, but with a complex system of individual liberties and corresponding constraints, the interplay of free agents within the framework of their potentialities and limitations.<sup>50</sup> Sismondi regarded this system of liberty as the valuable and vulnerable product of history and civilization, destined to mediate between the past and the future, and between individual autonomy and the mechanism of the social and cultural processes. It represents a tradition of critical awareness which has served the English-speaking world well for centuries by protecting it from the violent confrontations and convulsions which have bedevilled the European Continent.<sup>51</sup> Today, however, at a time of twilight, Sismondi's system of liberty and *incivillimento* is in grave danger of being submerged by the fashionable currents of irrational discontent with the values of civilization.

Brighton, England.

#### ADDENDA

1. I have restricted myself to one aspect of Sismondi's political, economic, and historical *oeuvre* and to selected sources of his thought. A more comprehensive treatment will be attempted in my forthcoming biography of Sismondi.<sup>52</sup>

2. I have emphasized the republican tradition of Geneva and *la liberté anglaise* as paradigms of that modern liberty which Sismondi and other thinkers of the Enlightenment visualized. It is only fair here to mention that the republic of Venice, too, has provided one of the models for an ideal constitution. Venice was regarded by many post-Renaissance thinkers as a prototype of pragmatism, tolerance, social conscience, and a constitution incorporating checks and balances, in short, as a well-balanced society based upon the free play of individual interests which, it was feared, though, might cause liberty to degenerate into license.

3. The limits allowed for a paper have prevented my discussing how the authors in question applied their general conceptions of liberty to the freedom of the press.

<sup>48</sup> Among Sismondi's precursors who influenced him in this respect were William Godwin, J.-B. Say, and Robert Owen; see my *Sismondi's Weggenossen*.

<sup>49</sup> Gide-Rist, *History of Economic Doctrines*, 2nd ed. (London, 1953), 208.

<sup>50</sup> See e.g., John Rawls, *A Theory of Justice* (Cambridge, Mass., 1971), 202.

<sup>51</sup> See Reinhart Kosellek's thoughtful *Kritik und Krise. Eine Studie zur Pathogenese der bürgerlichen Welt* (Freiburg und Munich, 1959 and 1973). I have endeavoured to give an outline of the alternative world view of the Scottish Enlightenment and that of the *Encyclopédie* of D'Alembert and the early Diderot in my article "Enlightenment" in the *Dictionary of the History of Ideas*, ed. Philip P. Wiener (New York, 1972), II, 89-100.

<sup>52</sup> "Prolegomena to a new biography of Sismondi," *Atti del Colloquio Internazionale sul Sismondi* (Rome, 1973), 159-71, and Introduction to my edition of Sismondi's *La Statistique du Département du Léman* (Geneva, 1971).



Blackstone held that "the liberty of the press is indeed essential to the nature of a free state; but this consists in laying no *previous* constraints upon publications, and not in freedom from censure for criminal matter when published. Every freeman has an undoubted right to lay what sentiments he pleases before the public . . . but if he publishes what is improper, mischievous, or illegal, he must take the consequences for his temerity. . . . A man . . . may be allowed to keep poisons in his closet, but not publicly to vend them as cordials." Summarizing, Blackstone said: "the press cannot be abused to any bad purpose without incurring a suitable punishment: whereas it never can be used to any good one, when under the control of an inspector."

Delolme dealt with the liberty of the press systematically and in great detail. He defined it as the right to print everything except what courts of law are bound to prosecute on grounds other than publication, and subject to trial by jury. The primary function of the liberty of the press is to act as a brake on government in its legislative and executive activities. It has led to the publication of daily, weekly, and monthly newspapers which have subjected the powers-that-be to constant scrutiny and have kept politicians, because of the thirst of power-seekers for praise and approbation, on a straight path. Moreover, there is an ancillary function of the press; it serves as vehicle of information and on-going public debate which gives the public the means of deciding what politicians to vote for and what to complain about. According to Delolme the liberty of the press does not supersede the right of resistance, that *ultima ratio* of citizens, but makes it superfluous.

Sismondi accepted Blackstone's and Delolme's views. All through his life he had been hampered by censorship. His first two books fell victim to it and were not published until our own time. The periodicals he was associated with were subjected to political restrictions and suppression. The earlier volumes of the *History of the Italian Republics* represented implicitly a manifesto against Napoleonic tyranny. Sismondi's heart was on the side of resistance to authority and of liberty, but he fully understood the dangers inherent in democracy, namely the oppression of minorities and libertinism. After his experience of the French Revolution and Restoration he came to feel worried about the motivations of the new professional intelligentsia, the emerging "fourth estate of the gentlemen of the press." In 1823, in a piece of shrewd sociological observation he pointed out a situation which has become obvious today:

"It is not for the advantage of the country, it is to gain readers that the journalist attacks the institutions of his country, that he brings authority into disrepute, that he turns every public career into a thorny ordeal, that he drives from public life all those who have not become brazen-faced through intrigue, that he spies on the secrets of the state, reveals its weakness and betrays its plans to the enemies of the country as much as to the subscribers of his paper."

In short, Sismondi was concerned with the proper balance between the greatest possible liberty and the security and stability without which we are doomed.<sup>53</sup>

<sup>53</sup> For comparable views of the period see Benjamin Constant, *De la liberté des brochures, des pamphlets et des journaux* (1814) and *Sur la liberté de la presse* (1814), *Oeuvres*, 1251-1305; Sir James Mackintosh, *Considérations sur la liberté de la presse* (Paris, 1814), and James Mill, "Liberty of the Press" (1821), Supplement to the *Encyclopedia Britannica*.