

Contents

<i>Acknowledgments</i>	xiii
<i>Abbreviations</i>	xvii
PROLOGUE	
Why Moderation?	1
Moderation in France?	1
The Main Questions	3
How Should We Study Moderation?	6
Outline of the Book	8
PART I	
VISIONS OF MODERATE GOVERNMENT	
ONE	
In Search of a Lost Archipelago	13
The Many Faces of Moderation	13
The Skepticism toward Moderation	15
Moderation in the Classical and Christian Traditions	19
Early Modern Faces of Moderation	26
Two	
The Architecture of Moderate Government:	
Montesquieu's Science of the Legislator	33
The Highest Virtue	33
The Complex Nature of Moderation	35
Moderation and Mixed Government	36
Moderation and Political Liberty	40
Penal Moderation and Montesquieu's Theory of Jurisprudence	43
Fiscal Moderation	46
The Constitutional Framework of Moderate Government	48
The Good Legislator and the Spirit of Moderation	54
How Can Democratic and Aristocratic Regimes Be Moderated?	60
Moderation, Pluralism, and Commerce	62
Helvétius' Warning	66
THREE	
The Radical Moderates of 1789: The Tragic Middle of the French Monarchiens	69
Who Were the Monarchiens?	69
Mounier, Montesquieu, Rousseau, and Sieyès	72

“ <i>Le marasme du modérantisme</i> ”	76
“Fixing” the French Constitution	79
The <i>Declaration of the Rights of Man and of the Citizen</i>	85
The Elusive Balance of Powers: The Debates on Bicameralism and the Royal Veto	91
The Dialogue between the Monarchiens and Burke	98
The Limits of Moderation in Revolutionary Times	103

PART II

MODERATION AND THE LEGACY OF THE REVOLUTION

FOUR

Moderation and the “Intertwining of Powers”:

Jacques Necker’s Constitutionalism	113
A Modern Cato?	113
The Impossible Reform of the Old Regime	116
Necker’s Trimming Agenda	119
The Consequences of Immoderation	126
A Missed Opportunity: The Constitution of 1791	131
Necker’s Critique of the Constitutions of 1795 and 1799	136
Overcoming Rousseau’s Spell: “Complex Sovereignty” and Necker’s Critique of Equality	146
Beyond the Separation of Powers: <i>L’entrelacement des pouvoirs</i>	150
The Failure of Virtuous Moderation?	154

FIVE

Moderation after the Terror: Madame de Staël’s

Elusive Center	158
Was the Revolution of 1789 Inevitable?	160
The Constituent Assembly and the Constitution of 1791	163
The Anatomy of Political Fanaticism	166
The Elusive Center	169
Rebuilding Representative Government: The Constitution of 1795	176
The Failure of Moderation and the Rise of Napoleon	183
The Charter of 1814 and England’s “Happy Constitution”	189
An Enthusiastic Moderate	194

SIX

Moderation and “Neutral Power”: Benjamin Constant’s

<i>pouvoir modérateur</i>	198
An Enigmatic Character	198
Constant’s Middle Way during the Directory	200

Moderation and the Republic of the “Extreme Center”	208
Limited Sovereignty and Individual Liberty	215
The Architecture of Representative Government	220
Neutral Power as <i>pouvoir modérateur</i>	227
Benjamin “Inconstant” and the Paradoxes of Moderation	234
EPILOGUE	
Moderation, “the silken string running through the pearl-chain of all virtues”	238
“Animated Moderation”	239
The “Decalogue” of Moderation	240
<i>Notes</i>	251
<i>Index</i>	319