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Authoring the Nation: Madame de Staël and the Literary Origins of the State

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Abstract: For a reflection on the role of literature in the construction of constitutionalism within the Anglosphere, the writings of a French salon-hostess in the late eighteenth and early nineteenth centuries might not seem the obvious choice. And yet, to exclude Germaine de Staël from the constitutional dialogue taking place in the Anglosphere at this time is to erase a crucial site of inter-pollination between the Franco and Anglo worlds that, so often, defined themselves in opposition to one another. In re-establishing these ties and cross-border conversations, we can see that de Staël, a prolific writer of both constitutional theory and fiction, makes an excellent candidate for an investigation into the role of literature in constitutionalism. To explore the interrelationship between literature and constitutional theory in de Staël's thinking, this article reads across her literary texts and political treatises. Firstly, the article situates de Staël within the Anglosphere as a unique commentator on English constitutionalism. It then explores in more detail the co-constitutive role of literature and politics in de Staël's theories of constitutionalism, and the central role she stakes out for literature in the construction of "the nation."

Keywords: Madame de Staël; *Corinne*; constituent power; nation; French revolution

1 Introduction

For a reflection on the role of literature in the construction of constitutionalism within the Anglosphere, the writings of a French salon-hostess in the late eighteenth and early nineteenth centuries might not seem the obvious choice. And yet, across her work and political life, Madame de Staël developed "extended commentaries on England,"[1] the English constitution, and the crucial formative influence of literature

1 John Claiborne Isbell, "The Painful Birth of the Romantic Heroine: Staël as Political Animal, 1786–1821," in *Staël, Romanticism and Revolution: The Life and Times of the First European*, ed. John Claiborne Isbell (Cambridge: Cambridge University Press, 2023), 10.

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in the construction of the nation. These commentaries are found within her works of fiction, such as *Corinne ou l'Italie* (1807) and "The Mannequin: A Dramatic Proverb in Two Acts" (1811),[2] as well as in her lesser-known historical-theoretical works, including *Essai sur les fictions*, *De la littérature* (1795) and *Des circonstances actuelles qui peuvent terminer la revolution* (1798).

De Staël was born in France on 22 April 1766 – and christened Anne Louise Germaine Necker. Brought up in the 1770s, she was from a Swiss, Protestant, and bourgeois background. Her father was the famous banker who would stand as one of Louis XVI's finance ministers and play an integral role in the beginning of the Revolution. In 1786, Germaine married Eric Magnus de Staël–Holstein, the Swedish ambassador in France. Her resulting status as *ambassadrice* gave her privileged access to the royal court in the advent of the Revolution and to its opening events. Up until 1792, she hosted her own salon in Paris at the Rue de Bac,[3] that would develop into a centre for moderate and constitutional monarchist thought. She would resist, first, the rising Jacobins, and second, the Napoleonic hegemony that would emerge following 1799. Such was the determination of her resistance against Napoléon that Victorine de Chastenay would famously remark: "There were three great powers struggling against Napoleon for the soul of Europe – England, Russia, and Madame de Staël."[4]

De Staël's opposition to Revolutionary extremism and Napoleonic imperialism led her, both politically and physically, to enter the Anglosphere. She took refuge in England first in 1793 as the Terror loomed on the horizon, and again in 1811 as the Napoleonic empire reached its zenith. Bulletins from English periodicals and newspapers show that her literary works – such as *Delphine* (which, admittedly, was not well-received in England)[5] and *Corinne*,[6] and her short-stories, such as *Zulma*[7] –, as well as her political treatises,[8] were both on sale in England and actively

2 Though her previous works such as *Delphine* (1802) and *Zulma* (1794) were read as part of the research and influenced the writing of this article.

3 Glenda Sluga, "Madame de Staël and the Transformation of European Politics, 1812–17," 37.1 (2015), *The International Historical Review*, 142, 144.

4 James Blake Wiener, 'Madame de Staël – Enemy of Napoleon' (Swiss National Museum, 21st April 2021).

5 Petra Bianchi, "Daughter of th'Italian heaven!' Madame de Staël's Corinne in England," *Journal of Anglo-Italian Studies* 6 (2001): 233–242, 234.

6 "Corrina, or Italy", Morning Post (June 18, 1807).

7 H. Colburn, "Madame de Stael's Works," (London) *Morning Chronicle* (23 September 1813).

8 "On the Influence of the Passions, By Madame de Stael," (London) *Le Belle Assemblée, or, Bell's Court and Fashionable Magazine Addressed Particularly to the Ladies* (September 1, 1813) 107; "Books Published this Day," (London) *The Times* (June 25, 1818).

discussed.[9] *On Germany* (1813), itself one of her most famous and influential pieces, could only be published in London due to the Napoleonic censorship that reigned across the European mainland. In its preface, de Staël takes relish in relaying the hapless letters of the French censor to her readers, lionising the freedoms enjoyed by the English press in comparison. Alongside publishing her literary works, she maintained an extensive correspondence with leading political figures of the Anglosphere. She was friends with Edward Gibbon and met with Lord Byron; she wrote to Thomas Jefferson concerning the war against Napoléon; and also pleaded for France with the Duke of Wellington during the allied occupation. English newspapers during the late eighteenth and early nineteenth centuries demonstrate that she was a "celebrity,"[10] with reports on the parties she attended[11] and even her travel plans.[12]

While de Staël may not have been a native anglophone speaker, her involvement with England ran deep. To exclude de Staël from the constitutional dialogue taking place in the anglosphere at this time is to erase a crucial site of inter-pollination between the Franco and Anglo worlds that, so often, defined themselves in opposition to one another during this time.[13] In re-establishing these ties and cross-border conversations, we can see that de Staël, a prolific writer of both constitutional theory

9 "Arts and Culture," (London) *Telegraph* (January 23, 1797); "Business," (London) *Whitehall Evening Post* (July 19, 1800); "Madame de Stael's Work," (London) *The Times* (November 12, 1813); "Madame de Stael's Work (Continued)," (London) *The Times* (November 13, 1813); "Principal Events of the French Revolution," (London) *Le Belle Assemblée, or, Bell's Court and Fashionable Magazine Addressed Particularly to the Ladies* (January 1, 1818).

10 For a discussion on her celebrity status, see Catriona Seth, '"One of the First, if Not the Very First Woman of Her Age": Germaine de Staël and her Literary Posterity" in *The Palgrave Handbook of Transnational Women's Writing in the Long Nineteenth Century*, Claire Emilie Martin and Clorinda Donato eds. (Palgrave Macmillan, 2024): 621–639 622.

11 "News," (London) *Telegraph* (August 24, 1795); "Marchioness of Salisbury's Converzatione," (London) *Morning Post* (June 30, 1813); "Sunday's Post," (Bury Saint Edmund's) *Bury and Norwich Post* (July 21, 1813); "Fashionable World," (London) *Morning Post* (February 19, 1814); "Fashionable World," (London) *Morning Post* (March 18, 1814); "Fashionable World," (London) *Morning Post* (March 23, 1814).

12 "To the Editor of the Morning Chronicle," (London) *Morning Chronicle* (June 22, 1813); "London" *Salisbury and Winchester Journal* (January 9, 1815).

13 Richard Whatmore presents de Staël as one of the few people who continued to embody enlightenment ideals as both Britain and France become increasingly intolerant and xenophobic. He sees, in particular, *On Germany* as de Stael's response to create a Europe beyond the failure of the Enlightenment. Richard Whatmore, *The End of Enlightenment: Empire, Commerce, Crisis* (Allen Lane, 2023), 297.

(and arguably of constitutions themselves)[14] and fiction, is an excellent candidate for an investigation into the role of literature in constitutionalism.

For de Staël, literature and politics are co-constitutive. The "nation," to her mind, is constructed iteratively over-time through interactions between society, culture and political institutions. There is an "interdependence of institutions and literature."[15] For de Staël, it is this iterative "nation" that has the constituent power to alter constitutional governance. Yet, unlike her contemporaries, who constructed a divide between political institutions and the nation, de Staël constructed a "dialectical relationship."[16] To understand how she constructs this relationship, it is necessary to read across both her political and fictional works. John Isbell argues that her "fiction and non-fiction [should be read] as one continuous text."[17] Yet, as Susanne Hillman argues, "her oeuvre is best examined as a unified, though certainly inconsistent, whole."[18] It is these inconsistencies between her political theory and how this is explored in the fictional texts that this article unpacks. Reading across de Staël's "oeuvre" in this way gives insight into how de Staël understood literature and politics as co-constitutive.

This article is divided into three strands. The first strand of the article locates de Staël as a key commentator on constitutionalism in the Anglosphere as it compares her nuanced views on English constitutionalism with those of her contemporaries. This section resituates de Staël in the contemporaneous debates that demonstrate the interplay between French and English constitutional exceptionalism, and the role this dynamic had in the construction of constitutionalism. Two further strands explore the co-constitutive role of literature and politics in de Staël's theories of constitutionalism in more detail. Whilst one strand focuses on de Staël's theories of constituent power, the other considers the role of literature in the construction of "the nation." But before developing these three strands, the article will first articulate what is meant by 'literature' when working with de Staël's corpus.

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14 John Claiborne Isbell, "When the Light of Reason Fails: De l'influence des passions sur le bonheur des individus et des nations, 1796," in *Staël, Romanticism and Revolution: The Life and Times of the First European*, ed. John Claiborne Isbell (Cambridge: Cambridge University Press, 2023): 51–57, 57.

15 Karyna Szmurlo, "Germaine Necker, Baronne de Staël (1766–1817)," in *French Women Writers*, eds. Eva Martin Sartori and Dorothy Wynne Zimmerman, (University of Nebraska Press, 1994): 463–472, 466.

16 Szmurlo, "Germaine Necker, Baronne de Staël," 466.

17 John Isbell, "Introduction," in Madame de Staël, *Corinne, or Italy* [1807], trans. Sylvia Raphael (Oxford: Oxford University Press, 2008), xiv.

18 Susanne Hillman, "Men with Muskets, Women with Lyres: Nationality, Citizenship, and Gender in the Writings of Germaine de Staël," *Journal of the History of Ideas* 72.2 (2011): 231–254, 233.

2 What is Literature?

Understanding the co-constitutive role of literature in constitutionalism requires interrogation of de Staël's understanding of what is included within the term "literature." For de Staël, "literature" is a broad category. In her only explicit book on the subject, *De la littérature* (1799), de Staël analyses literature in its "widest sense," encompassing philosophical treatises and pieces of the "imagination." As she puts it: literature encompasses "all that concerns […] the exercise of thought in writing."[19] Over the course of *De la littérature*, she examines poetry, novels, as well as philosophical and political treatises. Demarcating the scope of "literature" is not clearcut, and de Staël makes distinctions between different types of fiction (fantastical, historical, and realistic),[20] and different types of text (as will be explored below, journals are largely absent from *De la literature*). Firmly excepted from this category, however, are the works of the physical sciences.[21]

The reasoning for this exclusion of the physical sciences, however, is not elaborated upon by de Staël. A probable explanation is that it simply flows from a casual assumption that science, and the scientific empirical method, are different in-kind from the wider canopy of human writings. Be that as it may, it should be noted that de Staël, sometimes, expresses skepticism concerning the efficacy of science in resisting political tyranny and reforming "religion, mores, and laws." While the spread of enlightenment will, eventually, undermine the despot, many of them, de Staël tells us, have been able to maintain themselves for no small measure of time, using the very products of science to solidify their prestige and power.[22] This may hint that the physical sciences encompass a different sort of "thought" that de Staël ascribes to the other branches of writing, and that it is this differentiation that informs (or at least contributes to) her understanding of "literature." However, nothing so definite is stated by de Staël and such conjectures must remain speculative.

Another important aspect of de Staël's thinking concerning literature, and in particular fiction, is that it has an educational function. In her *Essai sur les fictions* (1795),[23] she outlines the educative role that fiction plays in advancing enlightenment thinking. Realistic fiction, that presents life in its rawness, is proffered by de Staël as

19 Madame de Staël, *De la littérature* [1800] (Paris: Flammarion, 1991) 66.

20 Madame de Staël, "Essai sur les fictions [1795]" in *Oeuvres Completes de Madame La Baronne de Staël-Holstein*, Tome I (Paris: Chez Firmin Didot Frères, 1861): 63–72.

21 de Staël, *De la littérature*, 66.

22 de Staël, *De la literature*, 79–80. De Staël considers part of the issue the type of character exhibited by the physical scientist. The commitment and study of such issues often leads the researchers in question to be disconnected from the wider world. Their obsession in obtaining peace for studies often leads them to acquiesce to existing powers.

23 Madame de Staël, "Essai sur les fictions," 62.

the most useful form. Novels, to the extent that they can play on the passions of the reader, have the ability to influence the morals of their readers. She criticizes "philosophical novels" that make their message too explicit to the reader, arguing that such an approach risks undermining the pedological effect of the novels. As such, she argues that novels should be more subtle in their messaging. This educative function is part of the fundamental role de Staël assigns literature in the building of the nation, and it should be kept in mind when reading her novels, such as *Corinne*.

Taking this broader approach to "literature," this article reads across the following literary texts – *Corinne* and "The Mannequin" – and the following political treatises – *Essai sur les fictions* (1795)*, Des circonstances actuelles qui peuvent terminer la revolution* (1798)*, De La Littérature* (1799)*, On Germany* (1813), and *Considérations sur les principaux évènements de la Révolution française* (1818). To explore how de Staël's thought might have been received within England and the Anglosphere during this time, this article draws on contemporary newspaper reports and periodicals. Although *Considerations* and "The Mannequin" were unpublished during her lifetime, the culture of the salons that de Staël hosted means that ideas contained within these unpublished works would have been discussed with attendees, and many of those attendees were key political figures and commentators in Europe and the Anglosphere.

With these methodological points clarified, we can now turn to the first strand of our analysis: de Staël's commentary on the 'English' constitution.

3 Views on English Constitutionalism

Regardless of the conflicts (sometimes cold, more often hot) that bedevilled the relationship between France and England over the late eighteenth and early nineteenth centuries, the two nations, nevertheless, looked at each other, and wrote about each other, with great interest. They could, mutually, represent a source of inspiration, or serve as a foil, as authors and political actors from both countries reflected on constitutional and enlightened governance. De Staël was no exception to this. She was fascinated by the English and their constitution and wrote about them extensively. This section maps out de Staël's theorisation of the "English constitution" (as it was colloquially referred to). This not only situates de Staël as a commentator of constitutionalism in the Anglosphere but also serves as an ideal entry point into her broader constitutional thought, and the crucial role of literature within that thinking.

To briefly contextualise de Staël's intervention into this debate, at the beginning of the eighteenth century, the English constitution was typically praised by the French intelligentsia. As is well known, in setting out the contours of a regime that

took liberty as its guiding principle, Montesquieu used Great Britain as his example.[24] This benign image of Albion, however, did not last long.

Within Britain itself, critical voices took increasing aim at the corrupting influences of the mercantilist, commercial interest dominating the state. A good example of this trend is that of Lord Shelburne, and the literary circle he formed around him, who were all too concerned by the corrosive effects of Britian's relentless pursuit of wealth on its political freedoms.[25] More radical again were those polemists and essayists, like Thomas Paine and Thomas Price, who redescribed the English constitution as little more than a tyranny. In his explosive pamphlet, *Common Sense* (1776), Paine likened the pretensions of a monarch to "popery."[26] This mounting intellectual hostility to the British system was not without its echoes in France. Anne Robert Jacques Turgot (an enlightened reformer and, while short-lived, finance minister to Louis XVI) enthusiastically agreed with the literature being produced by Shelburne's network of authors.[27] Authors like Denis Diderot and Anquetil Duperron, in turn, were scathing in their critiques of European imperialism across the world – and the activities of the British, in particular.[28]

With the clock sounding down to the calling of the Estates General, some minds in France did still turn to the constitution of their neighbour for guidance.[29] Nevertheless, such voices were quickly attacked by the growing tide of thinly veiled republican literature. A famous and influential example is that of Emmanuel Sieyès in his *What is the Third Estate?* (1789). Towards the end of his pamphlet, the abbé takes the opportunity to reflect upon the argument that France should follow the model set out by Britain. Making some initial remarks concerning the essential differences between the two countries, and the ways in which Britain's bicameral system would exacerbate the divisions occasioned by France's privileged orders,[30] Sieyès quickly turns to attack the British system. Deriding the "*l'esprit d'imitation*" he sees afflicting his contemporaries, he cooly states that it is little wonder that a nation, its eyes just opened to "*la lumière*," would turn to its near neighbour's constitution for guidance.[31] The abbé, however, expresses his scepticism that this "masterpiece," so

24 Montesquieu, *De l'esprit des lois* [1748] (Paris: Flammarion, 2013), Book XI.

25 See: Whatmore, *The End of* Enlightenment, Chapter 3.

26 Thomas Paine, *Rights of Man, Common Sense, and Other Political Writings* (Oxford: Oxford University Press, 2008) 15.

27 Richard Whatmore, *The End of Enlightenment: Empire, Commerce, Crisis* (Allen Lane, 2023) 78–82.

28 See: Anthony Pagden, *Lords of All the World: Ideologies of Empire in Spain, Britain and France 1500–1800* (Yale University Press, 1995), Chapter 6.

29 In the Estates general, royalists like Maury and Malouet would try to counter-act the republican radicals, pushing for a bicameral system modelled from that of England.

30 Emmanuel Sieyès, *Qu'est-ce que le tiers état ?* [1789] (Champs classiques, 2018), 100–106.

31 Sieyès, *Qu'est-ce que le tiers état ?*, 107.

vaunted, will be able to support an impartial examination according to the principles of "true political order."[32] The British system, he tells us, is more a product of chance than of reflection – a monument of "gothic superstition."[33] In a kinder tone, Sieyès allows that the English constitution was remarkable for its time,[34] but times had moved on. As such, he admonishes his readers, it behoved France to surpass the work of the British.[35] Rather than be satisfied with a copy – an imitation – of the true principles of political good, he stakes out the ambition of seizing those principles in their essence, and for France to serve *herself* as the exemplar to other peoples.[36]

With that, the tone was set for the remainder of the Revolution. Those figures who, during the Constitutive Assembly, advocated for an English-styled solution, were rapidly outmanoeuvred by progressive voices, in and out of the Assembly, such as those of the Comte de Volney, the Comte de Mirabeau, the Marquis de Condorcet, and Camille Desmoulins.[37] A second chamber was roundly rejected, and the monarchy itself, pushed to the brink by radical republican activism, would fall in 1793. The rising power of the Jacobin "Mountain" and Robespierre (so called because they inhabited the highest benches of the Assembly), in turn, would move the young Republic away from the representative democracy of the Girondin towards a form of Rousseau-inspired populism. The convoluted system of the Directory that followed in the wake of 1794 and Thermidor, would, admittedly, institute a bicameral system, but the working of the constitution bore scant resemblance to that of Britain.[38] Once in power, Napoléon himself would frequently deride the "oligarchy" of England and the tyranny it had established over the seas and across the world.

While it is true that the experience of French Revolutionary imperialism and the Terror provoked some of the bitterest critics of England to soften their position,[39] it is remarkable to observe how de Staël, in the midst of widespread, intellectual Anglophobia, supported the adoption of the English constitution in France from the very beginning of the Revolution.[40] Across her active political life (and, indeed, up to her death in 1817), she unflinchingly defended the English constitution and its

32 Sieyès, *Qu'est-ce que le tiers état ?*, 107

33 Sieyès, *Qu'est-ce que le tiers état ?*, 107–108.

34 Sieyès, *Qu'est-ce que le tiers état ?*, 108.

35 Sieyès, *Qu'est-ce que le tiers état ?*, 111.

36 Sieyès, *Qu'est-ce que le tiers état ?*, 111.

37 See: Jonathan Israel, *Revolutionary Ideas: An Intellectual History of the French revolution from the* Rights of Man *to Robespierre* (Oxford: Princton University Press, 2015), Chapter 3.

38 See: Patrice Gueniffey, *Le dix-huit brumaire: l'épilogue de la Révolution françaises (9–10 novembre 1799)* (Gallimard, 2008) 45.

39 Burke and Wollstonecraft are two such examples.

40 Much of de Staël's enthusiasm for England was sown by her father, the finance minister Necker. He would try to convince Louis XVI to seize the initiative by implementing an English-styled constitution, but was quickly undone by court intrigue.

applicability to France – often blaming the violence of the Revolution on the very failure to adopt such a system. Regardless of the vicissitudes of French political life, she maintained that the real wish of the French people was, and had always been, an English-styled constitution. In a characteristic passage of her memoir on the Revolution, de Staël insists that the "true public opinion," existing above factional intrigue, had remained the same for 25 years' worth of upheavals.[41] The ephemeral quality of each Revolutionary regime is proof to her eyes that such experiments were merely "factious" and the product of corruption.[42] While the rest of the Revolutionary milieu had been *girouettes* (weathercocks, moved by whatever political wind happened to blow), the defenders of an English-styled constitution are lyrically lionised by de Staël. These are the true faithful, constant for two decades, bowing to neither terror nor interest, only ceding to death itself.[43] Notwithstanding how hagiographical and ideological de Staël may appear in such passages, and however unconvincing her assertion of knowing the true will of the French people sounds to a modern ear, her defence of the English constitution is more nuanced than it first appears. To get some purchase on this deeper theory, a useful place to start is de Staël's commitment to a wider philosophy and framework of human progress.

For de Staël, there was nothing accidental in the advent of the Revolution: it was a necessary product of the advance of the enlightenment.[44] This advance, at least in the context of Europe, had moved through three distinct epochs: feudalism, despotism, and representative government.[45] The final stage of representative government is characterised by government driven by the consent of the governed and their represented interests. For de Staël, England was the sole of the "*grandes empires de l'Éurope*" to have accomplished the transition to this final epoch of development.[46] Be that as it may, she does not view the adoption of the British system as *necessary*. To explain this, it is useful to look at what precisely she means by "representative government."

To begin, de Staël carefully disassociates democracy from representative government. Democracy may have existed in Athens, where the citizens of the polis all deliberated together in public, but in a country where "30 million men are governed by 750 deputies," there can be no democracy.[47] As such, she does not consider that the

41 Madame de Staël, *Considérations sur les principaux événements de la Révolution française* [1818] (Paris: Charpentier, 1843)109.
42 de Staël, *Considérations*, 109.
43 de Staël, *Considérations*, 97.
44 de Staël, *Considérations*, 1.
45 de Staël, *Considérations*, 3–8.
46 de Staël, *Considérations*, 8.
47 Madame de Staël, *Des circonstances actuelle qui peuvent terminer la révolution et des principes qui doivent fonder la République en France* [1798] (Paris: Librairie Fischbacher, 1906), 162.

essence of representation can be indexed to a quantitative proportion between deputies and population, and that the freedom of a country might be doubled by doubling the number of its representatives.[48] To the contrary, such a course of action would merely establish "confusions, factions, divisions, and, inevitably, despotism. The effects of representation will have been destroyed."[49] Rather than anything numerical, de Staël bases the essence of representation on *interests*. That is to say, a government is representative when "it is the interests of the nation, and not those of the individuals that compose it, that are represented."[50]

As when hiring any individual to pursue your interests you would employ the best agent available to you, so de Staël thinks representative government aims to ensure that the best ("*les meilleurs*") should be those called upon to direct the state.[51] It is a "natural aristocracy," de Staël tells us, as opposed to the "artificial aristocracy" created under the *ancien régime*. Indeed, a regime with hereditary, political interests could not be representative, for de Staël, as those specific interests would provide their possessors with an interest apart from that of the nation's interests.[52] "Public opinion" should be the "sovereign power" of the state,[53] and the challenge of representative government is ensuring that particular interests and passions do not obscure the process of selecting those representatives – the best – who have the interests of the nation most at heart and are most able to manage them to satisfaction.

While de Staël presents elections for legislative representatives as one of the surest gauges of public opinion,[54] she nevertheless contends that no single model or system of representation is demanded by natural law. While the progress towards a representative system is staked out by human reason, this is merely an end point: the means of travel towards that point may vary.[55] The way forward, for de Staël, is to apply to politics all the reasoning which "guide happily and sagely all men in daily transactions where they invest in others their own interest," and to vary this combination according to the grandeur of the country, the character of the inhabitants, its commercial relations, and so forth.[56] Some commentators, de Staël notes, may call

48 de Staël, *Des circonstances actuelle*, 172.
49 de Staël, *Des circonstances actuelle*, 172.
50 de Staël, *Des circonstances actuelle*, 16.
51 de Staël, *Des circonstances actuelle*, 170.
52 de Staël, *Des circonstances actuelle*, 19–20. Here, de Staël follows the theory of Sieyes quite closely. See: Lucia Rubinelli, *Constituent Power: A History* (CUP, 2020), Chapter 1.
53 de Staël, *Des circonstances actuelle*, 21.
54 Though not a necessary one. In the same text, de Staël allows a non-elected upper-house to still embody the public interest.
55 de Staël, *Des circonstances actuelle*, 19–20.
56 de Staël, *Des circonstances actuelle*, 21.

for the adoption of a federalist republic as set out in the American constitution, but this is not a given to her mind. The Americans were a "new people" with no *ancien régime*, privileged cast or monarchy to manage – and nor was it set within a hostile Europe of absolute monarchies.[57] Only Britain had offered an example of this problem being resolved – of a European monarchical state becoming free.[58] While not being prescribed by natural law, "human sagacity has found nothing up to our days," de Staël argues, superior to the English constitution for ensuring the maintenance of social order in a large state, set within Europe.[59]

Focusing on de Staël's intervention highlights how her thought cuts across the sharp antagonism between France and Britain present in the later writings of figures like Burke and Gibbon. From her continuing commitment to the Enlightenment, she saw the two countries as treading a similar path, and that one could still learn from the other. The intolerant ideology that grew over the course of the Revolution is absent from de Staël's analysis. Her defence of the English constitution, while fulsome, is, when set within the broader structures of her theory of representative government, very much a pragmatic one. While certainly grounded in a heavy dose of natural law and progress theory, de Staël is alive to regional sensitivities and political realities. Systems of elections and the organisation of executive powers can vary from people to people. It just so happens that, for de Staël, the organisation of the British system seems the best for a large state with no small amount of historical baggage. This sensitivity to sociological and political topography leads us to a second dimension of de Staël's political thought: her engagement with constituent power. It is here that we begin to see, explicitly, the crucial role of literature in de Staël's thinking about constitutionalism and the state.

4 The Literary in Constituent Power

While considering (rightly or wrongly) the "English Constitution" as one of the great successes in the progress of reason, de Staël was no stranger to constitutional experiments gone awry. A key witness to the excesses of the Terror and the onset of Napoleonic hegemony, she was frequently exiled for her political opposition. In these periods of exile (some of which were spent in London and its environs), de Staël had ample opportunity to reflect on why constitutional order was seemingly able to settle in England while being continually, and disastrously, elusive in France. de Staël's

57 de Staël, *Considérations*, 141–142. De Staël, it must be observed, is seemingly blind to the native population of American.

58 de Staël, *Considérations*, 141–142.

59 de Staël, *Considérations*, 166.

answer is found within her theorisation of constituent power. This section unpacks her sociological framing of constituent power and how it builds significantly upon the work of her contemporary, Sieyès. Within her sociological approach, de Staël carves out a decisive place for literature in realising the conditions for a stable constitutional order.

Sieyès played a signal role in the emergence and development of the Revolution,[60] and his writings are often the touchstone for modern constitutional scholarship on constituent power. In his *What is the Third Estate?*, he argues that public powers can be divided into two categories. The first, "constituent power," was that which resided with the nation. It was the non-institutional power to create a constitutional order. The latter, "constituted powers," are those created by the constitutive moment, and which depend upon, for their very existence, the constitutional instrument.[61] A typical example would be the legislative powers, or the various organs of government established in a given constitutional text.

Sieyès would encounter his own difficulties with the Revolution, and the drift in his thinking about constituent power from 1789 to the later days of the French Directory and Brumaire is well known.[62] But the important thing for our purposes is how de Staël agrees with, departs from, or builds upon his initial theorising. Across her works, she demonstrates a clear familiarity with the thought of Sieyès. Many of her comments concerning the separation of powers, for example, display a marked affinity with his own.[63] That there are these points of synergy between the two thinkers should come as little surprise, as she was herself a voracious reader and well abreast of the literature of her time, as well as the hostess of a prominent political salon, of which Sieyès was a regular visitor.[64] Notwithstanding these coincidences, de Staël provides an important development upon Sieyès' framing of constituent power through tying the establishment, and maintenance, of "the nation" to sociological factors. Amongst these factors, literature plays a privileged role.

This is made immediately clear in her introduction to *De le littérature*, where de Staël maps out the influence of literature in the preservation of liberty and representative democracy. Part of this importance concerns the constituted powers (to put it in Sieyès' parlance) and the proper institutional functioning of democracy. As she

60 The importance of the role of Sieyès in the French Revolution is most powerfully asserted by Bredin. See: Jean-Denis Bredin, *Sieyès: La clé de la Révolution française* (Paris: Editions de fallois, 1988).

61 For a recent discussion of Sieyès' theory of constitutive power, see: Lucia Rubinelli, *Constituent Power: A History* (CUP, 2020).

62 See: Erwin Sommerer, "Sieyès et le Directoire: une trajectoire post-révolutionnaire" in *Le Directoire: Forger la république*, ed. Loris Chavanette (Paris: CNRS Editions, 2020): 213–228.

63 In particular, see: de Staël, *Des circonstances actuelle*, 126.

64 This is especially so during the period of the Directory. See: Bredin, *Sieyès*, 530.

comments, the public authority in a free state (that wishes to present itself as such) cannot dispense with the "true consent" ("*consentement veritable*") of the citizens.[65] In order to secure this consent, the eloquence that comes from the study of literature is crucial.[66] For if those called to direct the state do not have this gift of persuading, then what hope can they have of influencing the minds of free actors? The result, de Staël tells us, is that the nation will remain ignorant, and conserve received ideas and prejudices.[67] Without the ability to persuade, those who wish to rule will have to rely upon oppression.

But more profoundly than ensuring the success of democratic systems, de Staël considers literature as occupying a central role within the constituent power: it is literature that forms the necessary public opinion which new constitutional regimes need to take root. Continuing in the introduction to *De la littérature*, she declares that the establishment of new institutions must form an "*esprit nouveau*" in a country that it wishes to "liberate."[68] But, in order to affect this transformation in the mind and sentiments of the nation, she asks how one can aspire to achieve anything without the support of distinguished writers.[69] The desire to adopt the proposed institutions must be carefully inculcated through persuasion, rather than being demanded through coercion. As she puts it, "man has, in the secret of his thought, an asylum of liberty, impenetrable by the use of force" ("*L'homme a, dans le secret de sa pensée, un aisle de liberté impénétrable à l'action de la force*")[70] – only genuine conviction can change the former mores of a people. The inefficacy of force is demonstrated, for de Staël, in the historical fact that conquering nations have frequently adopted, in time, the customs of the conquered peoples.[71] As such, "it is by the progress of literature that the old prejudices and be effectively combatted."[72] It is literature, acting upon the minds of the people, that can excite curiosity, hope, and enthusiasm – in sum, all the creative sentiments, that "have given birth to everything that exists and to all that endures."[73]

This constitutive capacity de Staël gives to literature occupies a significant space in her diagnoses of the chronic instability of French Revolutionary regimes. As she

65 de Staël, *De la literature*, 77.
66 de Staël, *De la literature*, 77.
67 de Staël, *De la literature*, 77.
68 de Staël, *De la literature*, 77.
69 de Staël, *De la literature*, 78.
70 de Staël, *De la literature*, 78, 'man has, in the secret of his thought, an asylum of liberty impenetrable by force'.
71 This is no doubt a scarcely veiled critique of the Revolutionary spread of liberty through armed intervention.
72 de Staël, *De la literature*, 78.
73 de Staël, *De la literature*, 78.

explained in an earlier, unpublished work, *Des circonstances actuelles qui peuvent terminer la révolution et des principes qui doivent fonder la république en France* (1798), the level of enlightenment in France at 1789 was at that of a "temperate monarchy" ("*monarche tempérée*") – in which the adoption of the English constitution would have been ideal.[74] However, the Republican authors and thinkers wished to introduce a fully democratic regime before the *esprit publique* was sufficiently prepared.[75] The result of this premature action was a fatal disconnect between the constituted powers and the constitutive power of public opinion. Shorn of genuine popular support, each Revolutionary government was obliged to maintain itself through arbitrary, and illegal, means.[76] The mores and habits established by the *ancien régime* only rendered the subsequent violence even more ferocious. Through intense economic and educational inequality, the *ancien régime* had produced, for de Staël, a "depraved" class, who were driven by ignorance and vengeance – a desire to play the lord and exercise power over those to whom they were previously subjected.[77] Drawing power from such a disaffected class, the Revolutionaries of the Mountain had flattered the masses through the ideals of popular sovereignty, using it to erect the tyrannical apparatus of the Terror.

In this description of the origins of the Terror, one can see another fundamental feature of de Staël's theorisation of constituent power. While Sieyès drew a sharp conceptual distinction between constituent and constituted power, de Staël recognised the porousness of this divide. Constituent powers do erect the constituted order, but that order, in turn, influences the nature of the constituent power. This is very much a *reflexive* bond for de Staël. The nation is, formally, the constituent power, but the nation is shaped by the extant order. The *ancien régime* established a particular national character (or better, a particular set of social problems) that, when replaced by an alternative set of constitutional arrangements, lethally combined.

De Staël's solution to the instability afflicting France, therefore, straddles both constituted and constituent powers, and, importantly, hinges upon their interaction. On the one hand, she calls for stronger institutional control over the legislature, advocating for an institution bearing no small similarity to the British House of Lords, that would have control over constitutional amendments. But this greater institutional control is merely to secure breathing space for that other arm to take effect: the role of literature in creating the required *esprit publique*.[78] Through the

74 de Staël, *Des circonstances actuelle*, 33.
75 de Staël, *Des circonstances actuelle*, 34.
76 de Staël, *Des circonstances actuelle*, 35.
77 de Staël, *Des circonstances actuelle*, 36.
78 de Staël, *Des circonstances actuelle*, 163.

spread of literature, facilitated through the printing press, that submits the old prejudices to the rigors of reason, de Staël believes that, in the course of time, the public opinion will be sufficiently prepared for liberty. In making this argument, she displays an attitude very much in-keeping with the enlightenment epistemologies of the time, that superstition and chance would cede to reason with sufficient demonstration. In her terms, everything submitted to "calculation" is removed from the passions; and when certitude has gained any point that was the subject of dispute, the discussion ceases, "the passions abandon the post where reason has established itself."[79]

This epistemological commitment feeds into de Staël's commentary on the freedom of the press. Given the constitutive importance she gives to literature, it is little surprise that she considers the freedom of the press as a fundamental constitutional right.[80] But this right, and the literature it applies to, are carefully circumscribed. What she privileges are books and treatises; what she definitively excludes are the journals. This is not to say that de Staël under-appreciates the power of political and satirical journals in influencing public opinion. Rather, her exclusion of them is born out of the fear of their influence and how they interact with the social conditions established by the *ancien régime*. All too aware of how journals like Marat's *L'ami du peuple* had contributed to popular violence, and being a constant victim of slanderous articles herself, de Staël considers them as having acted as a "sword" rather than a "source of light."[81] Published by demagogues preying upon the ill-informed, these articles inflamed the spirit of *ressentiment* extant in the lower classes, directing it into increasingly violent acts. Produced by those of base motives and jealousy, she considers journals as undermining the foundations of representative democracy, preventing those of talent from rising to leadership roles and disrupting informed and reasoned dialogues. In a somewhat ironic passage, de Staël asks what person, rising to distinction, could survive the onslaught of the journals: even the glory of "Buonaparte" would eventually be darkened by slander.[82] Books and treatises embody the exercise and advance of reason that de Staël vaunts so much; pamphlets and journals are the stuff of passions. To counter their corrosive influence, she considers that journals should be subject to greater censorship controls than actual books. While recognising that Britian enjoys the absolute liberty of journals, her response is to draw attention to the different sociological conditions in the two countries. Accustomed to liberty for over 100 years and free from the turmoil of Revolution, Britian did not suffer from the vanity and inequality generated by the

79 de Staël, *Des circonstances actuelle*, 24.
80 de Staël, *Considérations*, 219.
81 de Staël, *Considérations*, 96.
82 de Staël, *Considérations*, 105.

ancien régime in France.[83] The publication of journals can be allowed a greater liberty because they are less likely to produce the anti-democratic forces de Staël sees in France.

As the constitutive role of literature (at least in the context of France) is in fighting old prejudices and passions, de Staël places the emphasis on philosophical literature.[84] While admitting the useful effects of the arts, and arguing that post-Revolutionary France should adopt a literature based upon experiences general to the nation (as opposed to the singular stories of aristocrats and knights),[85] she nevertheless contends that "works of imagination" do not permit the demonstrative analysis of reason, and so do not exercise an immediate influence on public opinion.[86] They are of a secondary influence. This position, however, is nuanced by one of her earlier pieces, *Essai sur les fictions*.

In this work, de Staël argues that humanity is divided between its reason and imagination.[87] Unlike in *Des Considerations*, she does not assign to reason an absolute power over imagination or the passions. She criticises certain "austere" moral theories for assuming that the "empire of morality" can be affected by the simple announcement of its duties. Nothing, she tells us, is less suited to the nature of man.[88] The "passions" of a person must be acted upon, so that they experience an exaltation in sacrifices and generous behaviour – even at the cost of their own happiness.[89] In managing the affective life of the individual (to put it in current terminology), de Staël considers works of fiction as capable of exercising a decisive influence. As noted in the previous section, this is part of the educational functions she ascribes to literature. While acknowledging that fiction can be used for good or ill, and that there are many examples of novels and plays being used for immoral ends,[90] it can be, when placed under the direction of philosophy, used to realise that which reason could not achieve on its own. It is dangerous medicine, but fictions can, through their ability to "seduce" and "move" a person,[91] buttress the creation and maintenance of the public mores and morality that de Staël considers so crucial for the stabilisation of a constitutional order.[92]

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83 de Staël, *Considérations*, 97.
84 de Staël, *De la littérature* 78.
85 de Staël, *Des circonstances actuelle*, 199.
86 de Staël, *De la littérature*, 79.
87 Madame de Staël, "Essai sur les fictions," 62–63.
88 de Staël, "Essai sur les fictions," 70.
89 de Staël, "Essai sur les fictions," 70.
90 While she cites no examples, the works of the Marquis de Sade would likely be a good illustration of this for de Staël.
91 de Staël, "Essai sur les fictions," 63.
92 de Staël, "Essai sur les fictions," 63–67.

De Staël's reflections upon literature and the state continued to develop following *Des Circonstances*. The following section considers de Staël's "science of nations" – her historising of European states and how their historical development is reflected within, and informed by, literature. This is, also, where her own works of fiction come to the foreground. The first of these is *Corrine*: the tragic love-story between the eponymously-named Italian poet, Corrine, and the English gentleman, Lord Nelvil (Oswald), set across Italy, Scotland, and France. The novel follows Oswald's choice between Corinne and the English-girl, Lucile. The second is "The Mannequin," a short play in which La Morliere (a French-exile in Germany) wishes for his daughter (Sophie) to marry a Frenchman. In order to prove the falsity of her suitor, Sophie tricks him into "falling in love" with a mannequin. In concentrating upon these pieces, we will consider how de Staël 'enacts' her science of nations in practice, how her fictional pieces build upon, or nuance, her theoretical positions, and what tensions might exist between these two aspects of her corpus.

5 Novels, Constitutions and National Identity

> […] Madame de Staël has, in like manner, created the art of analysing the spirit of nations and the springs which move them.[93]

De Staël is said to have created the "science of nations."[94] This de Staëlian "science" does not have an explicit singular method however, and instead has to be pieced together across her political treatises and literary works. For de Staël, "the people," or "the nation" is not an a-historical given, but something that is created or achieved over time. The nation is crafted through the influences of literature, philosophy, religion, political regimes, and climate. In exploring the techniques employed by de Staël in this "science of nations," this section outlines the co-constitutive role she gives to literature and politics in the development of the constitutional state.

Perhaps because of her "science," de Staël's work is often attributed with constructing ideas of nationhood and national identity. In particular, though, it is her literary work, *Corinne, or Italy,* that commentators have homed in on as an example of de Staël's role in constructing a sense of "nation" (and of Italian nationality specifically).[95] These analyses raise the question of how she puts into practice her

93 *Blackwood's Edinburgh Magazine*, 4: 21 (December 1818), 278.

94 de Staël, *Corinne, or Italy*, x.

95 Glenda Sluga, "Gender and the nation: Madame de Staël or Italy" *Women's Writing* 10.2 (2003): 241–251, 243. See also Valentina Monateri, "Art, politics and identity in de Staël's Corinne ou L'Italie," *Neohelicon* 50 (2023): 69–82; Suzanne Guerlac, "Writing the Nation (Mme de Staël)" *French Forum* 30.3 (2005): 43–56.

political ideas on the nation, state and constitution in her own fictional works. This section draws together both her political thinking and fiction to explore how she constructs nationalities – for example Englishness – how she taps into contemporary anxieties around the nation and national identity and what this can tell us about the constitutive role of literature in the development of constitutionalism in the Anglosphere in the late eighteenth and early nineteenth centuries. After outlining (in brief) de Staël's theories on the role of literature in the development of a nation, this section will then explore how the techniques of the "science of nation" are utilised, critiqued, and problematised in her own fictional works. The section then explores ways in which her fictions test her political thinking on constitutions, such as the relationship between the individual and the collective, and the social and the political.

5.1 Literature in the 'Science of Nations'

A prominent part of de Staël's thinking on nations and nationality is how variations amongst literature, philosophy, religion, political institutions, and climate can lead to very marked regional characteristics and temperaments – differences that are then, in a co-constitutive way, reflected back through a nation's institutions, religion, and literature. For example, in *De la littérature*, through an analysis of European literature, she discusses the role of Christianity in the interiorisation of the human mind, and how this process differed amongst European peoples, and particularly between the north and south of Europe.[96] On her analysis, Europe was far from representing a homogenous tableau in the fifth and sixth centuries. The north was given to ferocity and saw the sole value in life in warfare and destruction – the south, in contrast, lived for the pursuit of pleasure.[97]

In the northern reaches of Europe, the violent day-to-day life and the sombre and oppressive climate, led the tribespeople to a form of contemplation – melancholy reflections on life and its value. For de Staël, the contemplative disposition of the north would flower into a fully developed faculty for abstract thought, that, in being disciplined by their latent nobility, would enable the northern people to perceive ideas of equality and justice.[98] This contemplative disposition in turn informed the literature of the north: she describes how their writings directed the mind towards reflections on the brevity of life, the respect for the dead, and the preservation of

96 de Staël, *De la littérature* 162.
97 de Staël, *De la littérature* 164–165.
98 de Staël, *De la littérature*, 165–166.

their memory.[99] She praises, in particular, the literature of the English, and their ability to paint and express what is revealed to them by their philosophies of mind, morality and virtue. It is a literature that eschews allegory and the fantastic, placing itself firmly in the world and the internal moral life of the individual.[100]

In *Littérature,* de Staël contrasts the literature, politics, and climate of the north with the south. Suffering from a hot climate and the lingering decadence of the late Roman Empire, in the south she argues that Christianity worked to sew fanaticism and superstition. Through their decadence and pursuit of pleasure, those of the midi were all absorbed in the pleasures of the world, and therefore little given to contemplation. The consequences of this are reflected, for de Staël, in the literatures and practices of countries like Italy and Spain. In *Littérature,* de Staël is especially damning of the Italian people, culture, and literature. As Casaliggi argues, de Staël's theories on nationality (as expressed in *Littérature)* are "deterministic"; the idea that place and climate can provide an explanation for people's personalities or their literature is homogenising.[101]

These deterministic constructions of nationality sit at odds with the more fluid constructions of nationality in her own fictional works – and with the Europe de Staël wrote about. Writing across the late eighteenth and early nineteenth centuries, De Staël is navigating the fast-moving context of empire-building, nation-state building, and emerging European-networks and consensus-building. *De la Littérature* is published in 1797, a period marked by the establishment of France's "Sister Republics" across Western Europe. The most notorious of which was the Cisalpine Republic, a polity carved out of northern Italy by the young general Bonaparte.[102] Venice, the oldest Republic in Europe, would lose its independence in the diplomatic jostling and power politics with Austria to consolidate Bonaparte's creation. By the time *Corinne* is published in 1807, Bonaparte had become Napoléon. The Cisalpine Republic was rechristened the Kingdom of Italy, with Napoléon coronated as its King in Milan itself. Equally seismic, the 1000-year-old Holy Roman Empire would be

99 de Staël, *De la littérature*, 205.

100 She argues that 'realist' novels, based on regular events in the world, have the most influence. Works of allegory or historical pieces are less useful. In her dismissal of allegoric pieces, she suggests that they infantilize the audience.

101 de Staël, *De la littérature*, 55–57. For a discussion see, Shannon Russell, "Italian Transformations: Gender and National Identity in Madame de Staël's Corinne, or Italy and Selected Works of Charles Dickens," in *The Victorians and Italy: Literature, Travel, Politics and Art*, eds. Alessandro Vescovi, Luisa Villa and Paul Vita (Polimetrica, 2009) 265. This is also the sort of deterministic thinking that fed into constructions of race in international law during the 19th century. For a discussion see, Aoife O'Donoghue, ""The Admixture of Feminine Weakness and Susceptibility": Gendered Personifications of the State in International Law," *Melbourne Journal of International Law* 19.1 (2018): 227–258.

102 See: Edward James Kolla, *Sovereignty, International Law, and the French Revolution* (Cambridge: Cambridge University Press, 2017), Chapter 5.

dissolved by the Emperor Francis in the wake of his crushing defeat by the French in 1805. Fast-forward to the writing of "The Mannequin" in 1811 (for a private audience at Coppet),[103] Napoléon's power is at its zenith.[104] The whole of Italy (and much of Western and Central Europe) was either ruled directly by Napoléon from Paris, or was in the hands of trusted allies and members of his family. Even in the midst of this unparalleled hegemony, a subterranean alliance of states worked to undermine the Napoleonic stranglehold – awaiting the opportunity when the colossus would falter (as it did in 1812). de Staël was deeply involved in the struggle against Napoléon and the international alliance that, ultimately, undid his empire. Within this context, her texts can be read as 'negotiating' ideas of identity and agency that were "in flux" during this time.[105]

5.2 Applying the "Science of Nations" in Literature

Although in her treatises the constructions of national identity are deterministic, one feature of de Staël's thinking, which is present in her literary works, is that nationality is more complicated and ambiguous. For example, people can choose their "country." In "The Mannequin" for example, La Morliere, we are told, has not been to France, and that his family left as refugees a 100-years ago, and despite living in Germany, he considers France as his country; "[…] birth is an accident; it counts for nothing in the life of a man. My real country is France. France – France!"[106] Similarly, Corinne is half-English and half-Italian, she acknowledges "two different nationalities,"[107] and yet she chooses the freedom that she is given in Italy. Indeed, Corinne hides her English identity, and it is not until Book XIV in *Corinne* that she discloses this to Oswald. These choices around nationality problematise the deterministic

103 Vivian Folkenflik, *Major Writings of Germaine de Stael* (Columbia University Press, 1987) 32. For a discussion on the political commentary within "The Mannequin" see, Blandine Poirier, "Le théâtre de société de Germaine de Staël: une forme d'engagement? », *Études de lettres* [En ligne], 317 (2022) 105–124, 112 https://doi.org/10.4000/edl.3800 [Blandine Poirier, "Germaine de Stael's social theatre: a form of commitment?," *Theatre and Society* 317 (2022): 105–124]

104 For an overview of the development of Napoleonic imperialism, see: Micheal Broers, *Europe Under Napoleon* (Bloomsbury, 2014).

105 Clorinda Donato, "Transnational Identities and Translated Agencies: From Madame de Staël's Corinne, ou L'Italie (1807)to Kym Ragusa's The Skin Between Us: A Memoir of Race, Beauty, and Belonging (2006)," in *The Palgrave Handbook of Transnational Women's Writing in the Long Nineteenth Century*, eds. Claire Emilie Martin and Clorinda Donato (Palgrave Macmillan, 2024): 79–95, 89.

106 Germaine de Staël, "The Mannquin: A Dramatic Proverb in Two Acts," in *Major Writings of Germaine de Staël*, Vivian Folkenflik ed. (Columbia University Press 1987): 325–347, 327.

107 de Staël, *Corinne, or Italy*, 256.

construction of the nation in de Staël's political work and invoke her understanding of the more iterative process of nation-creation.

In *Corinne*, de Staël uses the characters of Corinne, Comte d'Erfeuil and Oswald to explore aspects of her political thinking on the construction of national identity, rehearsing aspects of her political thought in *De la littérature.* For example, the description of Venice highlights the symbiotic relationship between political institutions and individual sentiment: "In general, men in Venice have even more wit than those in other parts of Italy, because their government, such as it was, has more often given them opportunities to think."[108] All three characters discuss the literature of England, Italy and France in similar ways to de Staël: Oswald offends Corinne when he discusses culture and life in Italy,[109] and Comte d'Erfeuil "rather annoyed the Italians" in his critique of Italian literature and theatre.[110] De Staël also uses the character of Corinne to espouse views presented in her political writing, for example Corinne writes about the "lively imagination which seems to belong only to the inhabitants of our southern lands."[111] Given that the comments of Oswald and Comte d'Erfeuil cause offense, this seems to expose de Staël's own political thought to critique. Whilst *prima facie* an inconsistency between her political works and fictions, for de Staël this sort of "critical discourse," which is suppressed in Napoléon's France, was vital for a nation's progress.[112]

One of the techniques used by de Staël in her "science of nations" is comparison, such as the distinction between the north and the south. The literary works – *Corinne* in particular, but also "The Mannequin" demonstrate the comparative nature of her "science of nations." In *Corinne,* de Staël compares "masculine England and effeminate Italy"[113] and through the use of national stereotypes in "The Mannequin," she juxtaposes the nations of France and Germany. Reading this play alongside the wider oeuvre of her thinking highlights the role these comparisons play in the iterative construction of national identity. "The Mannequin" opens with a scene in which La Morliere is talking to Sophie about nationality; "Love of country means more to me than anything else in the world."[114]

108 de Staël, *Corinne, or Italy*, 287.

109 de Staël, Corinne, or Italy, 97–98.

110 de Staël, *Corinne, or Italy*, 114.

111 de Staël, *Corinne, or Italy*, 256.

112 Giulia Pacini, "Hidden Politics in Germaine de Stael's Corinne ou l'Italie," *French Forum* 24.2 (1999): 163–177, 168.

113 Caroline Franklin, "Romantic Patriotism as Feminist Critique of Empire: Helen Maria Williams, Sydney Owenson and Germaine de Staël," in *Women, Gender and Enlightenment*, Sarah Knott and Barbara Taylor eds. (Palgrave Macmillan, 2005): 551–564, 561

114 Germaine de Staël, "The Mannequin: A Dramatic Proverb in Two Acts," in Vivian Folkenflik, *Major Writings of Germaine de Staël* (Columbia University Press, 1987) 325, 325.

Throughout the play, the primary purpose of these comparisons is to create comedic effect. Compare this with *Corinne*, in which Oswald's reliance on national stereotypes prevents him from marrying Corinne,[115] and where representatives from England "treat her heroine so shabbily."[116] Clorinda Donato argues that *Corinne* offers a "critique of monolithic thinking;" as she suggests, it is the "men of the nations" – such as Oswald and Comte d'Erfeuil – that display the deterministic thinking on nationality, which is contrasted with the "hybridity" of Corinne's identity.[117] In her analysis, Donato does not read de Staël's novels alongside her political writings, and as such does not consider the apparent inconsistencies between the "science of nations" in the political work and the lampooning of nationality in the fictional works. In both *Corinne* and "The Mannequin," the fickleness of nationality is explored,[118] and the love-stories mock the homogenous and deterministic constructions of nationality that de Staël presents in her political treatises.

As noted above, in the late eighteenth and early nineteenth centuries, to differing degrees French and English constitutionalism drew on this comparative technique as these distinct constitutional systems were being constructed in relation to the other. English exceptionalism drew on the slow evolution of the ancient constitution versus the violent upheaval of the French revolutionary change. This sense of English exceptionalism is also evident in the reception of the novel, *Corinne.* British newspapers circulated the idea that de Staël's exile from France was (in part) a result of her praise of the English: "Madame de S has in this enchanting Novel, nobly dared to do justice to English valour and English worth; this with the rancorous Napoleon, was a crime not to be forgiven; she was inconsequence exiled to her Estate in Switzerland."[119] Yet, the representation of England in *Corinne* has eluded literary commentators. Whilst some, including contemporary commentators in the newspapers, consider the work to be in praise of England,[120] others uncover a more ambiguous note.[121] In the book, Corinne visits Scotland and paints a bleak picture of the position of women in society. This condemnation of Scottish/English society sits at odds with arguments that de Staël was a champion of English constitutionalism.

115 For a discussion see, Jennifer Law-Sullivan, "Civilizing the Sibyl: Stael's Corinne ou l'Italie," *French Forum* 32.1 (2007): 53–71, 56.

116 Susanne Hillman, "Men with Muskets, Women with Lyres: Nationality, Citizenship, and Gender in the Writings of Germaine de Staël" *Journal of the History of Ideas* 72.2 (2011): 231–254, 242.

117 Donato, "Transnational Identities and Translated Agencies," 83.

118 For a discussion on the political critique in 'The Mannequin' see, Blandine Poirier, "Germaine de Stael's social theater: a form of commitment?" *Theatre and Society* 317 (2022): 105–124.

119 Morning Post, 30th July 1807.

120 Isbell, "Introduction," ix

121 Hillman, "Men with Muskets," 242.

However, Godden reads this critique by Corinne as directed at provincial life,[122] and whereas in other parts of the novel direct comparisons will be drawn between Italy and England, in this part of the text there are explicit references to Italy, but these are paired with place-specific references to "the isolated corner of the earth where I was living."[123] Whether de Staël was offering a critique of provincial life or Great Britain, this ambiguous approach to Great Britain in the novel aligns with the more complex sociopolitical – context dependent – position de Staël espouses in her political treatises (as discussed above).

Infamous for her constructions of nations, de Staël's writings and her political life can also be read as constructing a more fluid transnational identity. Whether it is her combination of French and Swiss nationalities, or her frequent travels across Europe, she is an archetypal "transnational" identity.[124] In an apparent nod to this transnationalism, in her later life, she is noted as saying that her name "belongs to Europe."[125] Whilst on the one hand, Corinne represents the nation of Italy, on the other she too has a "transnational agency,"[126] as she is half-English and "multicultural and multilingual,"[127] and as such Catriona Seth argues that Corinne acts as an allegorical figure for "European culture."[128] Against the backdrop of an international alliance that was forming against Napoléon's ambitions, Seth argues that de Staël's later political work, *On Germany*, puts forward an argument for a European network of states or a network or of "a cross-frontier union."[129] This sense of network is also evident in her fiction. If the characters in de Staël's novel represent nations (as discussed below), then "[t]he tragic love affair of the novel [*Corinne*] is played out as a drama between nations as much as individuals."[130] Russell argues that in *Corinne,* the love affair is a way for de Staël to explore "what the British and the Italians have to fear and to desire from each other."[131] In this respect, *Corinne* works to create

122 Angelica Godden, Germaine de Staël: The Dangerous Exile (Oxford: Oxford University Press, 2008) 158 cited in Carmen Casaliggi, "Domestic Cosmopolitanism in Germaine de Staël's Coppet and in Corinne, or Italy" *Women's Writing* 27.1 (2020): 97–112, 106.

123 de Staël, *Corinne, or Italy*, 249.

124 For a discussion see, Clorinda Donato, "Transnational Identities and Translated Agencies: From Madame de Stael's Corinne, ou L'Italie (1807)to Kym Ragusa's The Skin Between Us: A Memoir of Race, Beauty, and Belonging (2006)," in *The Palgrave Handbook of Transnational Women's Writing in the Long Nineteenth Century*, eds. Claire Emilie Martin and Clorinda Donato (Palgrave Macmillan, 2024) 79–95.

125 " French Papers," (London) *The Times* (August 13, 1817).

126 Donato, "Transnational Identities and Translated Agencies," 85.

127 Casaliggi, "Domestic Cosmopolitanism," 108.

128 Catriona Seth and Rotraud von Kulessa eds, *The Idea of Europe: Enlightenment Perspectives* (Cambridge: Cambridge University Press, 2017) 96.

129 Seth, von Kulessa, *The Idea of Europe*, 128.

130 Russell, "Italian Transformations," 265.

131 Russell, "Italian Transformations," 265.

"cultural bridges between different sensibilities in Europe and beyond."[132] Placing her fictions and theories into dialogue exposes the multiple layers of de Staël's reflections on the interrelations between the individual's identity, political institutions, the nation, and the wider world. As will be explored, these reflections provide fruitful commentary on the relationship between constitutions and literature.

6 Constitutions in Literature

The previous section explored how the "science of nations" is stress-tested in the fictional works, demonstrating that the fuller value of critical reflection as a functional role of literature in constitutionalism can only be appreciated when the fictional and political works are placed in dialogue. This section explores how other aspects of her constitutional theory are present in her fictional works. In constitutional scholarship, a reoccurring concern is the relationship between individuals and the collective. For de Staël, the gap between individuals and political institutions (such as the nation) is minimal.[133] This synergy between individuals and institutions is best demonstrated through the personification of the nation in her novels, which could be considered another of the techniques used in the "science of nations." This can be seen most vividly in the characterisation of Corinne *as* Italy.[134] It is through drawing this connection between Corinne and Italy that Italy is constructed as effeminate, in contrast to the masculinity of England represented in the character of Oswald. Isbell argues that this literary device of linking an individual's character with that of the nation, is also evident in her political treatise for example where she links "Germany and France to heroic figures like Goethe and Necker."[135] In this respect, for de Staël (arguably) a constitution had a dual meaning, "the make up of individual character" and "the fundamental text that determines a country's form of government."[136] Understanding the constitution through this double-meaning, highlights how de Staël understands the relationship between individuals and the collective not as separate but as symbiotic.

Throughout her work, de Staël emphasises the interrelationship between the social and the political (as discussed above). This is equally evident in the construction of "nationhood" in her literary works, where the type of government plays a role in the

132 Casaliggi, "Domestic Cosmopolitanism," 108.

133 For a discussion, see Guerlac, "Writing the Nation," 52.

134 Glenda Sluga, "Passions, patriotism and nationalism, and Germaine de Staël," *Nations and Nationalism* 15.2 (2009): 299–318, 304.

135 John Isbell, "Introduction," xiv.

136 Guerlac, "Writing the Nation," 44; see also Sluga, "Passions, patriotism and nationalism," 304.

construction of the national identity. An example is how Italy in *Corinne* is constructed as "effeminate," which literary scholars have argued works to "celebrate Italian social energy and freedom *from* organized government."[137] In *Corinne,* de Staël writes; "It is so true that governments form the character of nations that remarkable differences in manners are to be seen in the different states that make up this same Italy."[138] Caroline Franklin argues de Staël integrates the specific constitutional structures into these metaphorical constructions of the nations. For example, the English constitutional government is in *Corinne* associated with "rigorous masculine control of the public sphere."[139] Catherine Jones expands on this reading and points to the role of law specifically; "[t]he masculine realm of law, Britain, [is] embodied by the hero."[140] These characterisations work to construct an image of English constitutionalism. Here, literature is used to combine the comparative method in the science of nations with her belief in the co-constitutive role of the social and the political.

It is also an idea of English constitutionalism which would have been widely read across mainland Europe and in Britain, and whilst commentators in Britain criticised de Staël's construction of the English as "harsh" when it comes to their "coldness," they nevertheless recognised the portrayal of Englishness;[141] "Madame de Staël, as appears from almost every part of this work, has studied with great care the character and manners of the English. She has done so also with singular success."[142]

Across her oeuvre, de Staël offers readers insights into the iterative construction of national identities. Her novel *Corinne* is said to have "offered a representation of Italy that helped the idea of an Italian nation capture the imagination [of Europeans]."[143] The book's categorisation and use as a "guidebook" cements the idea that it was a novel that constructed a sense of *place* or in other words, depicted a particular geographical image for Italy.[144] But the "guidebook" features of *Corinne,* coupled with the love-story, also highlight a playfulness with genre that mirrors the ambiguities around the lessons on nationality in the novel.[145] As noted above, de Staël avoids fictions that proclaim their message too loudly, preferring instead to uncover "truths" in the subtleties. If, for her, literature has this educative function for its readers, then plausibly *Corinne* and

137 Franklin, "Romantic Patriotism," 561

138 de Staël*, Corinne, or Italy*, 99.

139 Franklin, "Romantic Patriotism," 561.

140 Catherine Jones, "Madame de Staël and Scotland: Corinne, Ossian and the Science of Nations" *Romanticism* 15.3 (2009): 239–253, 245.

141 Bianchi, "'Daughter of th'Italian heaven!,'" 234.

142 Edinburgh Review, XI (1807–8), 192f cited in Bianchi, "'Daughter of th'Italian heaven!,'" 234.

143 Sluga, "Gender and the Nation," 243.

144 Isbell, "Introduction," xvii.

145 For a discussion see Law-Sullivan, "Civilizing the Sibyl," 53–71. See also, Monateri, "Art, politics and identity," 73.

fictions such as "The Mannequin" are intended to facilitate the audience's meditations on nationality and the nation. In her own "*littérature*," she instructs the minds of her contemporaries in matters of constitutional governance.

7 Conclusions

De Staël's was an extraordinary life set in the midst of a Europe experiencing profound (and violent) change. Across that life she never ceased to turn her gaze to Britain – and the British to her. While many of her peers, on both sides of the channel, came to understand their world in opposition to one another, de Staël was a voice that did not play upon (and exacerbate) such binaries. She spoke with the British, wrote about the British, and published in Britain. To exclude de Staël from the Anglosphere in this period is to, retroactively, sanction (and reinforce) the divided world that Richard Whatmore sees as symptomatic of the "end of Enlightenment."[146]

Resituating de Staël within the anglosphere facilitates the excavation of the crucial emphasis she placed on literature in both establishing and maintaining a constitution. Comparisons of English and French constitutionalism in this time can often feel like a tit-for-tat debate on who was more tyrannical, the English or the French. But positioned against this, de Staël's sociological framing of the nation – which is imbued with a constitutive role for literature – provides a more nuanced and historicised appreciation of the English constitution than her contemporaries. As shown in Section 2, this sociological constitutional approach informs her theory of constituent power in the context of late-Revolutionary France, and how she assigns a crucial influence to literature in developing public mores and habits. Relatedly, nations (as the constituent power) for de Staël, are constructed over time: literature is, both, a diagnostic touchpoint for observing these changes, and an agent for contributing towards them. But the "science of nations" that is attributed to de Staël has to be read alongside her own works of fiction. It is in exploring the ways her novels and plays enact, develop, and nuance this Staëlian science that we can uncover the multifarious ways in which literature *is* constitutionalism for de Staël.

De Staël was both a prolific writer of fiction and an astute constitutional commentator, and therefore it is perhaps unsurprising that she was able to perceive, and theorise, the connection between these two spheres. In bringing together her political writing and fictional works, we can appreciate not only how enmeshed

146 Whatmore, *The End of Enlightenment*, 295–314.

literature and constitutionalism can be, but also how the thinkers of the late eighteenth and early nineteenth centuries were already sensitive to the transformative potential of literature in shaping their political and constitutional realities.

Bionotes

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