Tocqueville's Moral and Political Thought

New liberalism

M.R.R. Ossewaarde

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Tocqueville's Moral and Political Thought

The nineteenth-century French statesman and political thinker Alexis de Tocqueville described himself as a 'liberal of a new kind'. This book is a significant contribution to a better understanding of liberalism and of the distinctive character of Tocqueville's liberalism in particular.

The main focus of the book is the nature of Tocqueville's liberalism. The author argues that Tocqueville seeks to reconcile the Christian and the citizen in the context of modernity and explores the question of how Tocqueville's work synthesizes religion and politics. Key themes discussed include:

- the relationship between faith and reason;
- the individual and community;
- patriotism and religion;
- history and nature.

An overall picture of Tocqueville's idea of civilization is also presented.

This is the first book that seeks to penetrate the set of principles that have shaped the distinctive character of Tocqueville's liberalism. The author shows that the consequences that are derived from these principles generate interesting and significant insights into the nature of liberalism.

Tocqueville's Moral and Political Thought will be essential reading for advanced students and academics of political theory, philosophy and those interested in liberalism and the work of Alexis de Tocqueville.

M.R.R. Ossewaarde is lecturer in sociology at the University of Twente, The Netherlands. His research interests include the sociology of morality, politics and law.

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Foreword

This book has been written as a search for a liberal worldview that is able to reconcile past, present and future. I have deliberately chosen to take Tocqueville as my guide in the study of political thought. I felt attracted to his thoughts on law, politics and morality ever since I was an undergraduate student in the social sciences and the humanities at the Erasmus University of Rotterdam. In this book, I have tried to learn from Tocqueville, I have explored how, according to him, we, as his scholars, are supposed to think and see; and how we are to progress, by his guidance, to make intelligible the nature of practical things. I have not tried to provide an interpretation or an explanation in the light of modern practical philosophy to show his contributions to modern thought. This would have implied that Tocqueville would be the subject of my criticism, which would have meant that I would already have possessed his knowledge. The aim of this work is precisely to acquire his knowledge. The study of Tocqueville, I hope, may foster the growth of wisdom in those who study him. Such wisdom can only be taught by those who have a mind for it, who are willing to accept the teaching. The study of Tocqueville, like the study of any of the great works, can lay a foundation for wisdom, if we are able to accept to listen in accordance with the right pattern of life with which a scholar could hope to develop his own vision of life with an end in mind.

This book is not a treatise in philosophy or a study in the history of ideas: at most, I have put philosophical fragments to work in a historical field of problem as perceived by Tocqueville. In the matter of laying down Tocqueville's view of the modern world and its problems, his biographical history displays a great variety of arrangements, beliefs and hope. But my first impulse as Tocqueville's student has been to resist the displays of his history, the world of appearances, and to search for some underlying cohesion in his political and moral thoughts: a short list of basic ideas, abstracted to some issues that I interpreted to be more important than others to Tocqueville. If I have understood Tocqueville well, then the most important problem for him – a problem that is basic in all his writings – is how to reconcile the city of men with the *civitas Dei*. That is to say, the most urgent problem according to Tocqueville, as I understand it, is how to reconcile Christianity and modernity; how to reconcile the Christian and the citizen, tradition and liberty, faith and reason, past, present and future. For Tocqueville, similarities between Christianity and modernity can be maintained, while differences can be bridged through creative reinterpretation of the basic ethical sources of both Christian and modern thought. Tocqueville puts the emphasis on culling truths from each side, rather than condemning error. Critics, particularly orthodox Christians and orthodox secularists, would argue that such a synthesis compromises learning with false ideas, which breaks the inner strength of Christianity and liberalism alike. Orthodox Christians may identify Tocqueville's synthesis of Christianity with modern thought as a monster marriage, whereas libertines would consider him a traitor to their cause because he identifies Christianity with equal liberty rather than with intellectual oppression, and the Christian tradition as necessary to liberty, rather than as an obstacle to it.

Just as John Dunn concludes that Locke's moral and political thoughts are inseparable from his theology and from his stern Calvinist sense of obligation, I introduce the argument that Tocqueville's thoughts are inseparable from his Catholic values and sense of synthesis. I have interpreted Tocqueville's attempt to reconcile different ideas from different philosophical traditions as a sign of his citizenship. His attempt to eliminate practical errors and put forward a universalist perspective is meant to bring people together. Though his synthesis may be problematic from an epistemological point of view, the scholar must keep in mind that Tocqueville's concerns were religious and political. I am very well aware that my search for cohesion in Tocqueville's political and moral thoughts may not always do justice to the rich variety and contingencies of his ideas, but appears to me as the most reliable way to make his liberalism, intelligible.

It goes without saying that I am deeply indebted to all those Tocqueville scholars that have generated and are still generating insights. Even though I may not always directly refer to previous studies, I willingly acknowledge that most of my ideas are derived from earlier interpretations. In writing this doctoral thesis, I have received help from many friends, both intellectually and financially. I thank the Arts and Humanities Research Board, the British Council, the Reiman-de-Bas Fonds (the Netherlands), and the London School of Economics and Political Science for their financial assistance. I am grateful to my former MSc supervisor, Chai Lieven, for his exchange of ideas, his humour and permanent readiness to make useful suggestions. I thank John Burrow, Sudhir Hazareesingh, Lord Raymond Plant and an anonymous reviewer for their critical comments on earlier drafts, even though I may not always have been willing to change my points of view. I owe special thanks to my doctoral supervisor, John Gray, who has been such a good teacher to me. He has helped me at all stages of my research, from its original conception to its final stages. He has been critical, and has given me a lot of good advice and support. I am forever indebted to my wife, Roshnee, who has so patiently revised this work many times. Without her help in writing, translating, critical proof-reading, and great support, this book would not have been what it is now.

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Introduction

This book seeks to contribute to a better understanding of liberalism in general and of the distinctive character of Tocqueville's liberalism in particular. Tocqueville's writings can certainly not be qualified as systematic, and hence we have deemed it important to arrange them in a thematic order (rather than historical or biographical) so that the nature of his liberalism may become more intelligible. Due to its complex and rather intriguing character, Tocqueville's liberalism easily leads to its 'appropriation by political groups and intellectual current', as Sudhir Hazareesingh notes.[1] His liberalism has often been misunderstood, both in his days as in our own.[2] In the current intellectual climate (for instance, the liberalism–communitarianism debate), there are many partisans who tend to 'borrow' Tocqueville's moral and political ideas for their own purposes. They seem to find arguments in his works, which are favourable to their own commitments, but they seldom portray his liberalism and its implications as a whole. The present work seeks to go beyond the current battle of ideas. Its ambition is to present a truthful interpretation of a nineteenth-century statesman's worldview – of someone who points to the most fundamental matters in relation to living the good life and who compels his audience to judge their own contemporary state of affairs. It is here held that Tocqueville, more than any other liberal, has fully explored the relationship and interplay between democracy and liberalism. Since this subject is far from being a bygone past, it is hoped that Tocqueville's reflections can help towards a better understanding of the present age, which cannot be broken away from its past.

Liberalism, rather than democracy, is here held to be the distinctive trait of Tocqueville's ideas. Thus he says, 'I have only one passion, the love of liberty and human dignity. All government forms are, in my eyes, only more or less perfect means to satisfy that sacred and legitimate passion of man.'[3] 'I regard, as I have always done, liberty as the first of all goods; I continue to see it as one of the richest sources of masculine virtues and great actions. There is no tranquillity that can hold me away from it.'[4] 'Liberty . . . alone can give to human societies in general, and to the individuals who compose them in particular, all the prosperity and greatness of which our species is capable.'[5] He considered himself, even more strongly, as 'a liberal of a new kind' (our theme of Chapter 1). Tocqueville understands liberalism as the doctrine that holds that 'everyone is the best and sole judge of his own private interest, and that society has no right to control a man's actions unless they are prejudicial to the common weal or unless the common weal demands his help'.[6] As a liberal, Tocqueville believes that individuals are the best judges of their own interests and that they must therefore be allowed to speak for themselves in matters that concern their own personal destinies. Authoritarianism is thus the real opposite pole of liberalism, since that doctrine holds that a higher authority (State or Church) is a better judge of individuals' interests than the latter themselves. While liberalism holds that individuals are able to govern themselves towards the good, authoritarianism holds that they cannot win their salvation on their own. The authoritarian critique of liberalism is that liberals are too optimistic about human strength, while the liberal critique of authoritarianism is that the latter has too little faith in the human capacities and too much faith in the authorities. For Tocqueville, both critiques are valid and legitimate. True liberals, in his eyes, are those who have a sincere taste for liberty and dignity, who never advocate unrestrained freedom of thought, the absolute autonomy of the human being and citizen, or the absolute distinction between public and private morality, but who hold that liberty is the counterpart of virtue and greatness. Thus, he admires Fénelon's liberal critique of Louis XIV's *l'état c'est moi* principle. In his *Letter to the King*, Fénelon, as a bishop, had the courage (and disinterestedness) to tell to the most powerful man on earth that he behaved as if he were God himself, as if he believed that all creatures on earth had been created but to be sacrificed to him or the state.[7] While Fénelon criticized the egotistical abuse of authority in the seventeenth century, the *philosophes* of the eighteenth century, often labelled as liberals, criticized ecclesiastical authority for the disrespect of individual rights. The Church, they argued, was filled with a spirit of persecution. However, Tocqueville, who does not deny the excesses of ecclesiastical authoritarianism, judges the *philosophes*' criticism, not as a wish for liberty but as a revolt. Unlike Fénelon, who had a genuine commitment to liberty and humanity, the *philosophes* attacked the clergy because they wanted to spread their own ideas freely. Hence, according to Tocqueville, their so-called liberalism was but a cover for sceptical freethinking. As he repeatedly says, 'Voltaire lacked a true respect for the rights of humanity, a sincere taste for liberty and humanity.'[8] 'Voltaire ... has certainly a taste for sceptical philosophy, but not for political liberty.'[9]

Though all liberals agree that 'individuals themselves are the best judges of their own interests', they disagree about the nature of the individual, the nature of judgement and the nature of interests. Liberals agree that liberty is the highest value, but they disagree about what liberty is and about whether liberty must be considered as a means or as an end. As a result, different 'schools of liberalism' can be discerned, all of which are committed to liberty of some sort, while all nevertheless seek very different ends and propose different means. In the nineteenth century, at least three 'schools of liberalism' had developed, whereby each had its own commitments. In Germany, romantic idealism developed as a reaction against the destruction of the *Gemeinschaft* that had suffered not only from Napoleon's imperialism, but also from the universalistic values of the Enlightenment. In Germany, Humboldt insisted that it was essential that the human species should develop itself in its richest diversity. J.S. Mill promoted Humboldt in England while Mme de Staël (who had been Humboldt's tutee) and Benjamin Constant did the same in France. These Romantic Liberals give priority to the liberty of self-expression (rather than self-government or statesmanship), while their political objective is the development of a society in which all individuals can freely develop themselves. In England, nineteenth-century liberalism developed in response to the Industrial Revolution. Mandeville, Adam Smith and David Ricardo insisted that the market was the ideal embodiment of the 'liberal' principle of individuals being the best judges of their own (selfish) interests. They polarized the roles of the State and the market, and held that limited government maximized the collective interest. Market Liberals do not give priority to human creativity and self-improvement, but to market efficiency. In France, liberalism developed after the French Revolution – a revolution whose aim was not merely defeated by Napoleon's imperialism, but, more decisively, by its failure to establish a society on a rational basis (social contract). In France, liberalism was conceived as the most attractive product of the Enlightenment and the carrier of its best hopes, but the French Revolution had proven that it was impossible to build a political structure on abstract ideas. During the Bourbon Restoration, liberals like Pierre-Paul Royer-Collard erected a constitution based on concrete rights that could be encountered in the immediate sphere, in the social condition. Harking back to Rousseau and Montesquieu, Constitutionalist Liberals attempted to balance liberty and authority via checks and balances of sources of power in government and society. Their major political objective was to preserve and develop free political institutions.

Tocqueville can be identified with the constitutionalist school of the French tradition and indeed, he says that 'there are three men with whom I spend everyday a bit of my life, they are Pascal, Montesquieu, and Rousseau'.[10] He does, however, seek to modify and adapt constitutionalist liberalism to the needs of democracy. Liberty, for Tocqueville, is always political liberty (self-government), which he takes as the highest political end of the human creature – an end to be safeguarded by civil and economic liberties. It is particularly its appraisal of civil and economic liberties which separates Tocqueville's liberalism from romantic and economic liberalisms. Romantic liberalism holds that civil liberties are the basis of *society*. It follows that it would be absurd to sacrifice civil liberties for the sake of political liberty. Liberals like Constant and J.S. Mill do not consider communities and associations as *political* establishments, but instead hold that civil society establishes *social* relationships in the common pursuit to satisfy social wants. Hence, J.S. Mill, and more recently, John Rawls, regard socialism as a justified means to further the cause of equal civil liberties. They seek to combine liberalism with some form of socialism. Similarly, market liberalism does not consider self-government to be a person's highest political end. Market liberals insist, following their founder, John Locke, that mutually beneficial exchange relations among individuals strengthen the bonds in civil society. The market place is the public space where individuals can compete and co-operate and make maximum use of their civil liberties so as to increase their private property. Tocqueville, by contrast, argues that civil liberties foster passions that weaken the desire to govern oneself. Civil liberties, such as the freedom of the press, excite the passions of the majority, who tend to prefer well-being to liberty. Tocqueville sees the liberal principle of liberty, that is, the principle that holds that one is responsible for conducting one's own affairs, and the democratic principle of equality, that is, the principle that privilege and status are no prerequisites for full citizenship, as being in tension with one another. His 'new liberalism' can be understood as an attempt to reconcile liberalism with democracy. Tocqueville's constitutionalist vision of the good society is thus essentially inegalitarian. The good society is so composed that,

> the upper classes [are] . . . more brilliant, more enlightened and wiser, the middle classes richer, the poor classes better off than anywhere else . . . society would be as firm in its plans as if it were governed by one man, and as powerful as if it relied on the free will of all its citizens . . . the people would submit to the law as if they had made it themselves . . . in sum, where everyone being

> content with his lot would be proud of his country and would wish to be proud of himself.[11]

The distinctive characteristic of nineteenth-century French political thought (in contrast with the one of the eighteenth century) is its disillusion with the Rule of Reason. Disillusioned with the effects of the French Revolution and with how society was evolving, nineteenth-century French political thought stressed the limitations of human reason. Conservatives like Joseph de Maistre and Louis de Bonald had proposed a return to the Catholic tradition of medieval times. They saw the Enlightenment movement as a failure and fell back upon the conception of the Holy Roman Empire as representing the single community of Christendom: only the Church could make civilization possible.[12] Romantic liberals from Geneva, such as Necker, Mme de Staël, Constant and Guizot, rejected the Rule of Faith (protected by a universal church). They argued that, though civil society must have some religious basis since, as they observed, no nation had ever been free without religion, the Church, who had been opportunistic in its relations with Napoleon, was to be feared. According to them, the position of the Church was dependent on the nation-state and therefore entirely subject to the will of the nation. The Church, in turn, condemned liberalism that it equated with freethinking. In the eyes of the Church, freethinking proclaims the individual's absolute autonomy in the intellectual and moral order: it deifies humankind in place of God. Tocqueville seeks to solve the tension between liberalism and Catholicism. He rejects the clerical principle of the activity of the priest being nobler than that of the statesman. Yet, through his writings and in his political actions, he allies with the Church in its proposals to keep freethinking in check. As a Member of Parliament, Tocqueville struggled against the freethinking and cosmopolitanism of the July Monarchy (which invited dissident intellectuals from throughout Europe into the Parisian salon society). Tocqueville's 'new liberalism', as he calls it, is a reconciliation of the natural, innate and inalienable liberty of the individual with his or her voluntary subjection to an authority that is not of human construction (and hence, that cannot be corrupted). While Rousseau proposed a 'civil religion' to solve the antithesis between the Christian and the citizen, Tocqueville's 'new liberalism' is a search for 'a perfect accord between the religious world and the political world, private and public virtues, Christianity and liberty'.[13] To make the conflict between constitutionalist liberalism and Catholicism endurable is central to his vision. For instance, his observation, without approval, that administrative authority has become more and more centralized, is some sort of an application of what later came to be called the

Catholic doctrine of subsidiarity. Though this principle was first formulated in the encyclical *Quadragesimo Anno* (1930), the idea is Thomist in its origins. Tocqueville, himself, does not provide a formulation of the *principle* of subsidiarity as such, but he does emphasize that what can be done satisfactorily by civil and political associations, should not be done by central authority, and what can be done adequately by citizens should not be done by the government.

Just as Augustine and Aquinas sought a synthesis between Greek thought and the Christian religion, Tocqueville seeks a synthesis between constitutionalist liberalism and the Christian religion. Tocqueville's synthesis of constitutionalist liberalism and Catholicism in no way suggests a harmonious blend of conflicting forces; it is rather a synthesis or balance of conflicting elements that are in a perpetual tension with, and yet in need of, one another. Tocqueville notes that, while modernity has advanced, people have become more and more divided. He sees the modern individual as being alienated from himself or herself and from others. Tocqueville's synthesis of ideas, commitments and interests is an attempt to reconcile apparently contradictory truths, which, in his perception, are complementary to one another, in a unified, Catholic worldview. His synthesis is not some sort of a characterless eclecticism without principles. Tocqueville is not an eclectic thinker, but applies the same old principles to all sorts of things that attract his interest. His synthesis is a project of bringing together differences in values and ideas which he encounters in the modern world. Being a statesman rather than a philosopher, he seeks to reconcile differences and thereby makes concessions to both Christian and modern thought, towards a political and moral universalism. This practical universalism rather than epistemological unity is necessary to form a broad basis among a wide variety of groups, which can revitalize Christianity and citizenship in the modern era.

Some scholars argue that Tocqueville merely insisted on the social utility of religion, that he did not really believe in the reality of a supernatural order and the personal need for grace. Isaiah Berlin, for instance, holds that Tocqueville 'takes religion as a social cement, as a safety valve for passions that might otherwise feed a revolutionary torrent dangerous to individual liberty'.[14] Similarly, Alan Ryan believes that 'Tocqueville lamented his own loss of faith, and thought the loss of Christian conviction was fraught with danger for society generally'.[15] Though Berlin and Ryan are certainly right in saying that Tocqueville recognizes the integrative force of religion, they fail to recognize that Tocqueville's whole intellectual view is Christian in its essence. Tocqueville does not try to explain the origin of religion from the standpoint of social organization, but, on the contrary, explains the origin of social organization from the standpoint of religion. Tocqueville is not an Erastian, but grants society a relative autonomy under the surveillance of the *civitas Dei*. He certainly searches for the good life in the *civitas* (which means a political life in harmony with the religious life), but the political context, for him, is always a relative and distorted one. His interpretation of liberty and democracy is religious: democracy is a providential fact and the individual needs grace to be free.

The primary objective of Tocqueville's liberalism is not so much to strengthen the bonds of society as to raise the standards for human action. Closer bonds are, in any case, an expected consequence arising from higher standards. Against Hobbes's 'new science of politics' in his *De Cive* (as the Enlightenment project), Tocqueville introduces his own 'new science of politics' in the *Démocratie*. Tocqueville does not take the end of politics to be merely the material welfare of the people, but even more strongly, to be the creation of the conditions within which they may spiritually grow to eventually reach the eternal. Tocqueville does not satisfy himself with anything less than Christian and civic virtues: careful calculation, responsibility, decency, respect and honesty are not good enough. Catholic critics of liberalism, such as Alasdair MacIntyre, hold liberalism responsible for the fact that modern individuals have lost their theoretical and practical understanding of virtue. MacIntyre argues that liberalism, obsessed with liberty, seeks to liberate the individual from divine laws and any form of hierarchical authority, and hence discourages the pursuit of virtue.[16] Though MacIntyre and Tocqueville both share the same concern regarding the loss of virtue, their explanations for this phenomenon are radically different. Tocqueville believes that individuals have lost the understanding of virtue, not because they have become obsessed with liberty, but because they have an incorrect notion of liberty and do not really love it: 'I believe as a general rule that political liberty animates more than it extinguishes religious passions. There exist more family ties than are supposed between political passions and religious passions.'[17]

The two volumes of the *Démocratie* (it must here be stressed that Tocqueville intended to publish the second volume as a separate book under the title *l'influence de l´égalité sur les idées et les sentiments des hommes*[18]) have been written 'under the influence of a kind of religious awe produced in the author's mind'.[19] The same can be said of the *Ancien Régime*, where he draws our attention to how democratic civilization has arisen and how it will possibly develop. He tries to *persuade* individuals to govern themselves, *dissuades* the centralization of administrative authority, *accuses* the middle classes of violent passions, *defends* the principles of the Church, *praises* the peasantry for its honesty, and *blames* the July Monarchy (particularly the Guizot-government) for its imprudence. He explores the variety and obduracy of facts, institutions and cast of minds, inasmuch as they tell him something about the real motives of different classes in society. He makes suggestions about how to cope and deal with the major tragedies and dilemmas of democratic life. His liberalism is not a moral theory that explores what is inherently good and how individuals ought to conduct themselves; neither is it a political theory whose aim is the creation and maintenance of the political condition under which people might choose ennobling lives. His liberalism strives towards rousing the latent passion for liberty in the individual. He uses his writings to influence the political sphere and to bring people back to a state of dedication to what transcends humanity. He tries to persuade individuals to 'renew' themselves; he does not seek to spread new ideas: 'I have not undertaken to see differently from others, but to look further, and while others are busied for the morrow only, I have turned my thoughts to the whole future.'[20]

In this book, an attempt is made to outline Tocqueville's *Weltanschauung*, that is, to picture his principled political and religious preferences, which have serious implications for his valuation and justification of things. Harold Laski believes that the nature of Tocqueville's *Weltanschauung* is aristocratic: 'The real clue to his [Tocqueville's] book [*Démocratie*] is its sadness. There, as always, he is an aristocrat driven to accept defeat because he recognized that his order had proven unworthy of its principles.'[21] There is indeed some truth in this, for Tocqueville indeed says that 'the loss of our aristocracy is a misfortune from which we have not even begun to recover. The Legitimists are their territorial successors; they are the successors in their manners, in their loyalty, and in their prejudices of *caste*; but they are not their successors in cultivation, or intelligence, or energy, or, therefore, influence.'[22] And yet, to consider Tocqueville as an 'aristocratic liberal'[23] misses the true reason for his sadness. Despite the fact that Tocqueville embraces certain cultural and political values, such as decent manners and loyalty, which belong to an aristocracy rather than to a democracy, it is not the loss of the aristocracy *as such* but the lowering of the standards for human action which he mourns and for which he seeks a remedy. The Catholic commitment in him was stronger than the aristocratic one: he had no objections to marry an English lady from the middle classes, but he did object to her Protestant religion. Her conversion to Roman Catholicism removed the barrier. Tocqueville does not seek to check the progress of democracy, but he attempts to guide it, to restrain its wild inclinations and to civilize it. Tocqueville's 'new liberalism' is an attempt to moderate democracy, so that it does not foster the extremities in which the individual runs the risk of losing his or her political liberty and sense of dignity. Tocqueville does not flatter but befriends democracy and tries to get rid of illusions: 'We must not expect too much of it, or fear it too much, but try to see it as it is without aversion or enthusiasm as an inevitable fact, to see that we have not produced it, that we cannot make it stop, and that the main question is to make it endurable.'[24]

Roger Boesche, in his *Strange Liberalism*, ties Tocqueville to his Romantic contemporaries, to men like Chateaubriand, Victor Hugo, Marquis de Sade and George Sand in France, or even to Goethe, Novalis, Heine and Hegel in Germany. Boesche argues that 'Tocqueville agreed with his Romantic generation',[25] that 'like a good Romantic, Tocqueville argued that passion leads to action, reason to political paralysis',[26] and that he had 'perhaps even some sympathy for Goethe's Werther'.[27] Though Tocqueville certainly shares certain characteristics with his romantic generation (for instance, the rejection of materialism), his 'new liberalism' is not based on romantic but on constitutional and Catholic principles. Ironically enough, Heinrich Heine, an exile in Paris, saw Tocqueville as a *rationalist*: 'Mr. Tocqueville deserves praise for pursuing his thoughts so steadfastly, he is a man with brain but little heart who pursues the arguments of his logic all the way to the freezing point.'[28] (Alexander Herzen, also an exile in Paris, came to the same conclusion.[29]) Tocqueville is a 'realist', for whom reality cannot be different from the vulgar facts of daily life. He argues that romantics 'do not seek to record the actions of an individual, but to enlarge and throw light on some of the obscurer recesses of the human heart'.[30] 'Romanticism is not faithful; it is a bad guide if we want to know precise details of facts and particular motives that have caused action.'[31] Hence Tocqueville is in fundamental disagreement with his romantic generation. He criticizes the romantic notion of the naturally good human being (Rousseau) or the naturally evil being (Maistre); he disagrees with the romantic aesthetic ideal of the cultivation of individuality (Humboldt), as much as he disagrees with romantic anti-individualism (Bonald); he combats the romantic assertion that liberalism means open-mindedness (Constant), and he rejects the romantic notion of 'libéralisme en littérature' (Victor Hugo). As far as Goethe is concerned, his characters are modern myths that seek to supersede the Christian standards for human action. Goethe argues that the old Christian forms are outdated and that the individual must now rely on himself or herself without, what he calls, the *illusion* of Christian virtue (or the illusion of God). For Tocqueville, Goethe is the Antichrist who seeks to detach the creature from the Creator:

> The god Goethe, still in his Olympus, and describing the human passions without ever feeling them or sharing them, has always seemed to me to be a being who is not very attractive, partaking of the devil through his insensitivity, his egoism, and his pride, and of man by his small passions only.[32]

Some scholars hold that Tocqueville's *Weltanschauung* is scientific. Jon Elster argues that Tocqueville uses a 'repertory of democracy-stabilizing mechanisms',[33] Saguiv Hadari holds that Tocqueville applies 'formal models of behaviour',[34] and Arthur Stinchcombe says that Tocqueville applies 'conventional sociological methods'.[35] It is argued here that Tocqueville is not committed to the scientific project of eliminating belief in the powers of transcendence and replacing such belief by the mode of scientific analysis. Tocqueville does not seek to understand the modern world in the light of his empirical observations. Though Tocqueville's 'new liberalism' by no means excludes the possibility of taking scientific methods seriously, the set of principles which makes up his liberalism is not constructed (principles are not 'ideal types'), but is rooted in a political and religious conviction. For Tocqueville, the relationship between democracy and liberalism is at the heart of the dynamic of development of the Christian civilization. The democratic society contains ordering principles derived from divine authority: the ordering principles of democracy are not, and cannot be formulated in terms of, social-scientific constructions. Tocqueville's assumption that the *civitas terrana* (democracy) is derived from the will of God, excludes the possibility for testing hypotheses. Though the consequences that Tocqueville derives from his principles are useful for interpreting the democratic state of the world, the principles themselves fall outside the domain of social science and must remain the object of Christian philosophy. In Tocqueville's view, what lies within the domain of social science is not the valuation and justification of the democratic order, but the evaluation of whether or not the conditions for its improvement are available. The task of social science, as Tocqueville understands it, is to collect data about the state of institutions and the cast of minds of citizens who are to benefit from them.

The book is arranged in such a way as to point out to the salient and explanatory elements of liberalism and of Tocqueville's new liberalism. In Chapter 1, an attempt is made to depict Tocqueville's liberalism. The peculiarity of his liberalism is set against its context, that is, nineteenth-century liberalism. The alliance between liberty and religion was recognizably the central matter of concern for many, if not most, nineteenth-century liberals. In England, Lord Acton, inspired by Burke, held that 'liberty is not the power of doing what we like, but the right of being able to do what we ought' and hence 'no country can be free without religion'. In Germany, Ignaz von Döllinger, Acton's teacher, held similar views, while in France, Lamennais edited the *Avenir* – a journal dedicated to the defence of civil liberties in the Church. These initiatives have in common that they all seek to combine liberalism and religion: they differ in the manner in which they do so. Tocqueville did not associate himself with Lamennais, Montalembert, Falloux and Lacordaire, because he did not share their commitments to the Church. Tocqueville did not have the character of a priest but of a statesman and his synthesis of liberalism and Catholicism is done from the standpoint of a Catholic and patriotic statesman rather than of a secular priest. The distinctive character of Tocqueville's 'new liberalism' can be recognized in the issues that he values and seeks to tackle. It incorporates the image that liberty is dependent on morality, while morality (that is obedience to the will of God) depends on religious faith. Tocqueville attempts to refute scepticism that he identifies with degeneration (a lowering of the standards for human action) and stresses the importance of tradition and dogma for structuring human lives and for guidance towards practical wisdom. Chapter 1 seeks to answer the question regarding the role and limits of Reason and Faith in Tocqueville's liberalism. Furthermore, his understanding of 'liberal individualism' is dealt with in this chapter.

In Chapter 2, Tocqueville's 'new science of politics' is further explored. It is argued that Tocqueville seeks to replace Hobbes's 'new science of politics' which has moulded political modernity. Tocqueville, it is argued, identifies Hobbes's 'science of politics' as an authority operating within democracy, an approach to political things which presupposes a valid knowledge and experience of the contemporary democratic world. Tocqueville seeks to rescue democracy from becoming a middle-class democracy. He does so by showing the meaning of greatness (human dignity) and the uneasy marriage between the Christian soul and the political animal. In Chapter 3, Tocqueville's understanding of liberty is depicted. An attempt is made to explain why Tocqueville considers liberty to be a sacred thing, how *sacred* liberty relates to political liberty, and how the free will relates to the causal principle and divine will. Furthermore, in this chapter, the tension between democracy and liberalism is explored and compared with that between aristocracy and liberalism.

In Chapter 4, the argument that Tocqueville views democracy in the light of the historicization of natural right, is developed – a historicization that is relevant in both providential and political histories. Tocqueville's providential history is reconstructed from a Christian perspective, while his political history borrows its coherence from a constitutionalist tradition of political thought that goes back to Aristotle. In this chapter, Tocqueville's understanding of history, particularly of the French Revolution, is compared with Burke's. In Chapter 5, Tocqueville's understanding of progress is further examined. Tocqueville's understanding of progress is compared with that of the greatest modernist of the nineteenth century, John Stuart Mill. A comparison between the two liberals is useful to portray Tocqueville's own particular liberalism. Despite the fact that J.S. Mill applauded Tocqueville's works and shared most of his observations and conclusions, their paths to these conclusions and their valuation of things are radically different. It is argued with Larry Siedentop, that Tocqueville and Mill are two opposite poles of liberalism. By confronting them, it is hoped that Tocqueville's view of modernity may become more intelligible.

Notes

Reference to Alexis de Tocqueville's correspondence and other works can be found in the several volumes of *Oeuvres Complètes* published by Gallimard.

1 Sudhir Hazareesingh, *From Subject to Citizen: The Second Empire and the Emergence of Modern French Democracy* (New Jersey: Princeton University Press, 1998), p. 164.
2 Alexis de Tocqueville, *Correspondance avec Eugène Stoffels*, February 21, 1835.
3 Tocqueville, *Correspondance avec Henry Reeve*, March 22, 1837.
4 Tocqueville, *Correspondance avec Mme Swetchine*, January 7, 1856.
5 Tocqueville, *Correspondance avec Gustave de Beaumont*, February 27, 1858.
6 Tocqueville, *De la Démocratie en Amérique*, Vol. I, Pt. I, ch. v.
7 François de Fénelon, *Pages Nouvelles: pour servir a l'étude des origines du quiétisme avant 1694* (Paris: Desclée De Brouwer, 1934).
8 Tocqueville, *Correspondance avec Louis de Kergorlay*, September 4, 1837.
9 Tocqueville, *L'Ancien Régime et la Révolution*, Pt. III, ch. iii.
10 Tocqueville, *Correspondance avec Louis de Kergorlay*, November 10, 1836.
11 Tocqueville, *Voyages en Angleterre et en Irlande de 1835*.
12 See also George Herbert Mead, *Movements of Thought in the Nineteenth Century* (ed. Merritt H. Moore) (Chigaco: University of Chicago Press, 1936).
13 Tocqueville, *Correspondance avec François de Corcelle*, July 29, 1857.
14 Isaiah Berlin, 'The Thought of De Tocqueville', *History*, 50, 1964: 199–206.
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queville et les Deux Démocraties (Paris: Presses Universitaires de France, 1983); James Schleifer, *The Making of Tocqueville's 'Democracy in America'* (Chapel Hill: University of North Carolina Press, 1980).

19 Tocqueville, *Démocratie*, Vol. I, Intro.

20 Tocqueville, *Démocratie*, Vol. I, Intro.

21 Harold Laski, 'Alexis de Tocqueville and Democracy', in *The Social & Political Ideas of Some Representative Thinkers of the Victorian Age* (ed. F.C.J. Hearnshaw) (London: George G. Harrap, 1933), p. 111.

22 Tocqueville, *Conversations avec Nassau Senior*, April 10, 1854.

23 Alan Kahan, *Aristocratic Liberalism: The Social and Political Thought of Jacob Burckhardt, John Stuart Mill, and Alexis de Tocqueville* (Oxford: Oxford University Press, 1992).

24 Tocqueville, *Correspondance avec M. Charles*, October 22, 1831.

25 Roger Boesche, *The Strange Liberalism of Alexis de Tocqueville* (London: Cornell University Press, 1987), p. 111.

26 Roger Boesche, *The Strange Liberalism of Alexis de Tocqueville*, p. 209.

27 Roger Boesche, *The Strange Liberalism of Alexis de Tocqueville*, p. 186.

28 Heinrich Heine, quoted in Schlüter, 'Tocqueville's Poetological Reflections and Dreams', in *Liberty, Equality, Democracy* (ed. Eduardo Nolla) (London: New York University Press, 1992), p. 158.

29 Alexander Herzen, *My Past and Thoughts* (London: Chatto and Windus, 1968), p. 658.

30 Tocqueville, *De la Démocratie en Amérique*, Vol. II, Bk. I, ch. xvvii.

31 Tocqueville, *Correspondance avec son neveu Hubert*, February 23, 1857.

32 Tocqueville, *Correspondance avec son neveu Hubert*, February 23, 1857.

33 Jon Elster, *Political Psychology* (Cambridge: Cambridge University Press, 1993), p. 105.

34 Saguiv Hadari, *Theory in Practice: Tocqueville's New Science of Politics* (Stanford: Stanford University Press, 1989), p. 26.

35 Arthur Stinchcombe, *Theoretical Methods in Social History* (London: Academic Press, 1978), p. 75.

1 New liberalism

Tocqueville's new liberalism

'I hope to show so much respect for justice', Tocqueville writes, 'such sincere love of order and law, such a deliberate attachment to morality and religion, that I cannot but believe that I shall be discovered as a liberal of a new kind.'[1] In this single sentence, Tocqueville sums up all the components of the 'new liberalism' that he attributes to himself. Hence he considers respect for justice, love of law and order, *and* commitment to morality and religion as unprecedented in the history of liberalism. The liberalisms of previous times, such as the liberalism of Locke and Montesquieu, had not been built on a deliberate attachment to morality and religion. Locke and Montesquieu certainly respected justice, law and order and they also saw morality as a building brick of their liberalism. Religion, however, remained an uneasy partner of their liberalism, while their understanding of morality was secular rather than religious (while being religious themselves). According to Tocqueville, the greatest error of the liberals of the eighteenth century lies in their misunderstanding of the relationship between liberty and religious faith: 'The philosophers of the eighteenth century explained in a very simple manner the gradual decay of religious faith. Religious zeal, they said, must necessarily fail the more generally liberty is established and knowledge diffused. Unfortunately, the facts by no means accord with their theory.'[2]

Tocqueville's claim that 'liberty regards religion as its companion in all its battles and its triumphs, as the cradle of its infancy and the divine source of its claims'[3] is not unique to him. In fact, the distinguishing mark of nineteenth-century French liberalism is the conviction that liberty cannot be established without religion. Benjamin Constant was probably the first to acknowledge the intimate relationship between religion and liberty, arguing that 'religious people can be slaves, but no irreligious people has ever been free'[4] and that 'liberty always wishes for citizens, sometimes for heroes. Religious convictions give men the strength to become martyrs'.[5] Constant, who was the most widely read author of his age (next to Jeremy Bentham) is the major source of inspiration for nineteenth-century liberals. Though Tocqueville only once refers to Constant in his writings,[6] he, as a nineteenth-century liberal, must have been familiar with the latter's ideas. Besides, many of Tocqueville's personal acquaintances, such as Guizot, Royer-Collard and Broglie, had been intimates of Constant until the latter's death in 1830.[7] Moreover, Tocqueville nostalgically refers to the Bourbon Restoration (1814–1830) in which Constant had been such an important actor:

> I had spent the best days of my youth amid a society that seemed to increase in greatness and prosperity as it increased in liberty; I had conceived the idea of a balanced, regulated liberty, held in check by religion, custom, and law; the attractions of this liberty had touched me; it had become a passion of my life; I felt that I could never be consoled for its loss, and that I must renounce all hope of its recovery.[8]

Tocqueville's emphasis on the religious nature of liberalism is thus not so novel, but had already been put forward by Benjamin Constant and his followers. However, Tocqueville's liberalism is a *new* liberalism and hence he has not deemed the one of Constant to be *the* liberalism that he accepts. Tocqueville yearns for a different kind of liberty, a yearning that Constant does not deem so relevant any longer: the longing for political liberty. Liberty in the modern era, for Constant, is one that is due to, and is to be enjoyed by, the individual and that is as private as his or her conscience. Constant, a Protestant from Geneva, considers religion as a private affair, whereas Tocqueville, a Roman Catholic, emphasizes the importance of institutionalized religion in the public domain for making people moral.[9] While Constant considers the clergy as 'corporations [that] made themselves masters of religious sentiments for their own profit',[10] Tocqueville stresses that the Church is the guardian of religious truths in the public domain. He holds that morality implies the individual attempt to accord the free human will with God's will. Constant, on the other hand, confines morality to the requirement of not harming others. Tocqueville can be distinguished quite radically from his contemporary liberals who belonged to the school of Constant. Intimates of Constant, such as Paul Royer-Collard, Victor de Broglie, François Guizot and Prosper De Barante, had founded the Doctrinaire Liberalism in 1817. The Doctrinaires initiated many of the themes that Tocqueville took up, such as centralization, the old and new regime, individual independence and local liberties. Tocqueville shares with them a sociological approach to political philosophy (like him, they are indebted to Rousseau and Montesquieu) – an approach that takes the interdependence between political institutions and the social order (rather than between limited government and markets) as a starting point for the study of society. And yet, despite such shared features, and despite the fact that he had friends among them, Tocqueville never became a Doctrinaire himself. They were concerned with the same issues and often shared the same conclusions but their premises diverged from each other. Tocqueville disagreed with the Doctrinaire attempt to be a doctrinal pressure group and their attempt (quite differently from Constant) to establish a close link between liberal thought and constitutional practice. Though he had a great admiration for the Doctrinaires of the Restoration, he detested the manners of their followers. While the admirable Royer-Collard had never been willing to govern, the young Doctrinaires struggled for power so as to increase the influence of talented intellectuals: 'Never in France has ambition for positions appeared more disgustingly out in the open than, especially, in the conduct of the Doctrinaires. Those men irritate my nerves with their moral peevishness and their shabby actions.'[11]

Liberal Catholicism was a second stream of liberalism in nineteenth-century France. It was founded in 1830 by Felicité de Lamennais and his associates Lacordaire, Montalembert and Falloux during the birth of the July Monarchy. Liberal Catholicism views the Church as being the principal civilizing force of the future. The Liberal Catholics embrace a vision of modernity in which the various spheres of society are not functionally differentiated, but in which the Church is the centre of the public domain. If the Church guides modernity, their argument goes, then the most serious problems of modernity (materialism, moral relativism and egoism) could be disciplined. Differently from Tocqueville's 'new liberalism', the roots of Liberal Catholicism can be traced back to romanticism and not to the Enlightenment. The project of Liberal Catholicism is to restore the Church's social and cultural power, rather than 'making people great'. While Liberal Catholicism believes that the Church can solve the problems of modernity, Tocqueville holds that the Church has lost its authority and is powerless to direct a democratic society in which individual rights are to be distributed among all the people. While Liberal Catholicism is ready to sacrifice the claims of political liberty to those of the sovereignty of the Church, Tocqueville's very core value is political liberty. The key principle of Tocqueville's 'new liberalism' is that liberty can only be sought *within* the state and society, and not *from* the state and society. Political liberty (self-government to actualize the will of God) is not to be found in the institution of the Church, but in society. In opposition to Liberal Catholicism, Tocqueville's 'new liberalism' is secular: the clergy belong to the Church and have no role to play in the government of this world.[12] Though he greatly admired the Catholic clergy for their independence, he, differently from Liberal Catholics, does not believe that the Church ought to govern democracy: 'I respect religion, but I have never been nor will I ever be a man of the clergy. I honour the priest in church, but I will always put him outside the government.'[13]

For Tocqueville, Catholicism is the ally of liberalism, not because the mission of the Church is to solve the problems of modernity, but because Catholicism, more than any other religion, is able to establish an inspiring moral force in the public domain. Due to his ambiguous position and uncommon liberalism, Tocqueville found himself under fire from all sides. The Doctrinaire Liberals suspected him of being a disguised conservative Catholic because he was not willing to sacrifice the claims of the Church to those of state sovereignty (in his political actions Tocqueville always supported the papacy abroad and he collaborated closely with arch-clerical ministers[14]). On the other hand, Liberal Catholics considered him to be a traitor to their cause because he was not willing to sacrifice the claims of political liberty to those of the Church's sovereignty.

Liberalism and democracy

Tocqueville belonged to an old Catholic and aristocratic family that had deeply suffered during the French Revolution. His grandfather Malesherbes, the famous censor and friend of Rousseau, was beheaded under the guillotine. His father Hervé de Tocqueville, a modest historian and a renowned magistrate, narrowly escaped the guillotine. Tocqueville grew up among Legitimists, conservative Catholics who supported the House of Bourbon and who were not pleased at all when their son decided to join the government under the July Monarchy (1830–1848). Tocqueville was privately tutored by a devoted priest (abbé Lesueur), who was a lifelong friend of the family, in the classical oratory tradition and the Catholic tradition of the French Augustinians. As a student, Tocqueville wrote essays on Demosthenes, Cicero and Quintillian; and on his bookshelf, St Augustine and the French Augustinians, such as Bossuet, Fléchier, Bourdaloue, Fénelon, Pascal and La Rochefoucauld could be found. Though Tocqueville may not *consciously* have followed the French Augustinian tradition, and though he deviates from the Bishop of Hippo on some of the most crucial issues, the introduction of the first volume of *Démocratie*, in which he presents his view of the whole of European history, reminds one strongly of an Augustinian interpretation of (providential) history. Like St Augustine, Tocqueville believes that humankind is subject to Providence that governs history.

The starting point of Tocqueville's 'new liberalism' is the belief that every sensible person has received from God the necessary knowledge and inclinations to conduct his or her own affairs justly. From this, it follows that individuals are naturally entitled to live independently of their fellows (not independently of their Creator to whom they owe everything), in all that is related only to themselves. Indeed, Tocqueville views the independence from others and self-government with others as *natural rights*: 'The most natural privilege of man, next to the right of acting for himself, is that of combining his exertions with those of his fellow creatures and of acting in common with them. The right of association therefore appears to me almost as inalienable in its nature as the right of personal liberty.'[15] Tocqueville's 'new liberalism' is a liberalism of natural rights. Independence from others, self-government and the association with others are rights that are part of a pre-established providential order. Democracy is an integral part of the providential work. Democracy can be understood as the sovereignty of the people, which is further, rather obscurely, defined as *equality of living conditions*, by which Tocqueville means the absence of a hereditary aristocracy, the absence of individual influences and the absence of patronage. He defines democracy, not in terms of popular sovereignty (majority rule) but in terms of the sovereignty of the people: as God prescribes that all souls are His souls, everyone has an equal right to search for God and govern himself or herself accordingly. Tocqueville's conception of the democratic society is one in which the rights of the individual are recognized and where the individual is an integral part of the community. He understands democracy as the destruction of the *ancien régime* that was based upon heredity and privileges. Democracy is a natural right; aristocracy is a violation of natural rights. Tocqueville argues that all aristocracies (that is, the actualization of the principle of inequality) have been founded by force and not by submission to the will of God. Accordingly, the longing for aristocracy, as it can be found in traditionalists like Maistre, Chateaubriand and Bonald, is *irreligious*. The aristocracy belongs to the past – it has been destroyed by the most criminal violence – and it can only return by the same criminal violence: 'The question is not how to reconstruct aristocratic society, but how to make liberty proceed out of that democratic state of society in which God has placed us.'[16]

Tocqueville sees the roots of liberalism as stemming from Christianity and considers naturalistic arguments that depart from the premise of a state of nature, as fictions of the imagination. Instead, as Larry Siedentop rightly points out, he presents 'the stages of European development as evidence of Christian morality transforming social institutions over the centuries'.[17] Hence, like the Doctrinaires, Tocqueville *historicizes* natural law theory. That is, he claims that the true contract between the government and the governed, which makes civilization a reality, can only be providentially guided, creating new forms of political obligation to the eternal laws of reason and justice. Tocqueville agrees with the Doctrinaires' conclusion that the development of democratic civilization tends to bring the egalitarian tendencies rooted in human nature to their fulfilment. However, he disagrees with their justification of democracy as a norm. The Doctrinaires see democracy as a good (and a right) because of its positive consequences in their eyes (such as the progress of science, education and so on), whereas Tocqueville accepts democracy as a providential fact, despite his personal aversion to many features of the democratic reality.

Tocqueville, without exaggerating the power of reason, remains in fundamental agreement with the premises of the Enlightenment: 'I do not want to criticize the ideas of the eighteenth century or, at least, the correct, reasonable, applicable portions of those ideas, which, after all, are my own.'[18] Tocqueville combines Rousseau's theory of equality with the Christian natural law theories, which results in a view of democracy as a providential fact. Hence, he diverges, not only from the *philosophes*, but also from Augustinian and Thomist natural law theories. Tocqueville's historicization of natural law theory – an intellectual enterprise that is not uncommon among French nineteenth-century thought[19] – is Augustinian in character. Whereas St Augustine sees the historical transition from pagan civilization to Christian civilization as being guided by providential hand, by means of the Cross, Tocqueville in a similar way sees the principle of equality, as taught by Christ, as being the source of the development from aristocratic to democratic civilization. Unlike St Thomas, Tocqueville has no adequate account of how to acquire moral knowledge. He has no moral theory or epistemology; all he offers is a historicization of natural law theory and a postulation of the Christian principle of equality of dignity, self-government and independence as natural rights, necessary for safeguarding active and passive justice. Though democracy (equality of conditions) is a natural right, the form of government – be it a republic or a monarchy – is unimportant, as long as a government does not commit crimes (Tocqueville, however, believes that republics are more liable to vice than monarchies). Differently from St Augustine, Tocqueville does not believe that a government is the sword to punish evildoers. For him, the government is not an institution that punishes evil, but an institution that is dictated to actively participate in God's plan and hence improve the human condition.

Cheryl Welch comments that 'although one can find such scattered natural rights language in Tocqueville's works, it is difficult to discern any consistent use of it other than a vague difference to natural justice'.[20] Any interpretation and presentation of Tocqueville's ideas indeed run the risk of giving his use of the 'natural rights language' a greater coherence than it possesses. Tocqueville does not offer a 'philosophy' at all, but makes use of a universal practical spectrum that serves to reconcile differences in ideas. Despite the scattered form of presentation, his independence of thought and lack of coherence, a theocentric natural rights perspective, which relates democracy to liberalism, is diffused throughout his works and is the very soul of it. Tocqueville is not a systematic reasoner but, as a statesman, seeks to reconcile differences of values and interests to create unity among people. He never presents his 'new liberalism' as a coherent political philosophy; he 'set out to write a book on politics and not a book of philosophy'.[21] Writing a book on politics means fostering and reconciling all the fragments of knowledge, which exist in the bosom of society, into a coherent whole. Such is Tocqueville's synthesizing project, as it is explained in the Introduction to the first volume of the *Démocratie*:

> Where are we then? The religionists are the enemies of liberty, and the friends of liberty attack religion; the high-minded and the noble advocate bondage, and the meanest and most servile preach independence; honest and enlightened citizens are opposed to all progress, while men without patriotism and without principle put themselves forward as the apostles of civilization and intelligence.[22]

The faith–morality–liberty relation

Tocqueville's 'new liberalism' is grounded in the belief that faith (that is, the personal relationship that the individual maintains with Christ whom he seeks to follow), morality (that is, the desire to choose good over evil in thought, word and deed) and liberty (that is, self-government towards the good) are intermingled. Thus, Tocqueville believes that when people are free they will 'naturally' arrive at a state of faith because faith is a constituent part of human nature. Tocqueville says that 'if faith be wanting in him [man] he must be subject [to God]; and if he be free, he must believe'.[23] And similarly, 'liberty alone is capable of lifting people's minds above mere common worship and the petty personal worries that crop up in the course of everyday life, and of making them aware at every moment that they belong to a vaster entity, above and around them'.[24] Tocqueville's 'new liberalism' is, as he confides to Mme Swetchine, grounded in the belief that 'God has given us the capacity to recognize good and bad and the freedom of choice to choose between them'.[25] 'Despotism may govern without faith, but liberty cannot.'[26] Tocqueville believes in objective moral truths, in the reality of God's will. The nature of morality, according to him, is not rational but spiritual; the struggle against one's destructive inclinations is what he calls the 'spirit of liberty'. Tocqueville admires 'the incomparable beauty of that rare, open struggle of the spirit against the ruling flesh'.[27]

Though Tocqueville does not deny that pagans and atheists are capable of reaching the highest moral standards, he holds that they owe their virtues to their Creator in spite of their unbelief. Bayle's 'virtuous atheist' is always a possibility, because though individuals have lost all supernatural grace through original sin, they still possess their natural capacities that mark them as creatures who can recognize God's commandments. Thus, the atheist as well can, even without grace, perform certain virtuous acts and come to recognize by natural reason certain natural truths, even though he or she does not believe that he or she owes such things to the Creator. Morality, however, for Tocqueville, means 'faith in action', that is, being in communion with God in one's relationships with others. While virtue can be recognized by reason, morality is the outcome of faith. According to Tocqueville, the individual can neither be moral nor be free without obedience to God's will. While the Enlightenment holds that morality is the dictate 'to act towards others in the way in which you would like them to act towards you', Tocqueville draws the substantial content of moral life – to be in communion with God – from the Christian faith: 'Christianity, indeed, teaches that a man must prefer his neighbour to himself in order to gain eternal life; but Christianity also teaches that men ought to benefit their fellow creatures for the love of God. A sublime expression!'[28]

Tocqueville, however, carefully separates the Christian religion from faith (*fido*).[29] He believes that so-called religious people can be ceremonial and yet not God-loving, but that moral people are always faithful because morality stems from the operation of faith. Faith, for Tocqueville, is a *pertinent fact of nature*: 'One is born with the faculty of faith, and age in this matter does nothing but develop a germ that was enclosed in the soul.'[30] 'Unbelief is an accident, and faith is the only permanent state of humankind.'[31] 'The instinct [of faith], which leads the mass of mankind to assume the existence and the influence of a supernatural Being is so strong that it will always prevail unless it is violently opposed.'[32] Faith lies *innate* in the soul itself and naturally sets reason onto the infinite, the limitless, or unbounded. Faith, rather than reason, is the animating principle of the soul: 'There exists an instinct not contrary, but stronger than reason, which leads us to believe that what we call death is not the end of life, but rather a modification of life.'[33] Tocqueville maintains that faith is stronger than reason (yet not contrary to reason). Faith is the love for God, which includes the love for His will that may well be different from the human will. Reason recognizes God's will and functions within its boundaries in the practical and speculative sphere. That is, reason recognizes divine commandments (natural laws), such as 'adore God' and 'do not steal', and Stoic rules like 'if one sees his compatriots in danger, it is one's duty to come to their assistance'.[34] For Tocqueville, obedience to the dictates of reason is what is properly called virtue. Virtue, by which one lives rightly, encompasses more than moral sentiments (such as honesty) and responsibility, since virtue implies the sacrifice of self-love, of one's own inclination, to the will of God. True virtue, that is charity, or, to love our neighbour more than ourselves, is triggered by the love of God. Virtue results from the love of the good, even though the atheist may not recognize that the only good is God. Reason is needed to recognize God's will, while faith is needed to love God's will. Virtue is the conformity to reason: 'Virtue knows how to bend to the order of things and of events which reason shows to it.'[35] True reason can never be opposed to faith. Virtue, the free choice of good over evil and acting accordingly, is not contingent but a fixed ingredient of a divinely created order. Virtue is within individuals' reach only when they obey the divinely created natural laws that keep them free. Disobedience to natural laws means the abuse of one's liberty. Virtue and liberty are hence intimately connected because the individual can only be free if he or she is ready to sacrifice himself or herself for the sake of the will of God. Hence faith must always precede reason and the virtuous act: *credo ut intelligam*. It is only by faith that the individual is able to rectify the capricious will. Then individuals no longer seek to satisfy themselves (for instance, their curiosity), but seek to execute God's will. They are then moral because they prefer God's will to their own.

Tocqueville, like Rousseau, distinguishes between morality and virtue. According to Rousseau, morality is derived from the moral sentiments. Doing good to others conforms to the moral sentiments because doing good to others gives one pleasure. Hence, for Rousseau, morality stems from a need of the heart, which is an indication of self-love (*amour de soi*) in the end. According to the French Augustinian tradition, morality understood as moral sentiments is volatile and impure. Rousseau, for instance, found it pleasurable to give money to paupers for a while, but as soon as it became a burden to him, he would rather stop since the act of giving money to the poor, especially when the acts become too repetitive, is not pleasant any longer. Such a notion of morality does not incorporate the notion of charity. For no such distaste, no such volatility can stem from charity, because the latter is rooted in faith. The charitable person does not merely give money to the pauper out of personal taste but because charity is an expression of the will of God (the Holy Spirit is working within that person). For Rousseau, the individual who can consistently supersede his or her natural inclinations (taste for personal pleasure, laziness and pride), is rare and virtuous (here Rousseau agrees with the Stoics). For Tocqueville, morality is not the conformity to moral sentiments but it is the conformity to faith. He argues that God distributes the gifts of reason unequally among individuals, which implies that they cannot be equally virtuous: 'The gifts of intellect proceed directly from God, and man cannot prevent their unequal distribution.'[36]

Tocqueville understands the order of things and events to be a direct consequence of natural laws as given by God. In a similar way, one can speak of the *immutable* principles of human nature which are accessible to reason. Not unlike the Enlightenment philosophers (who, however, have a different conception of God), Tocqueville's appeal to God serves both, to establish the (normative) rules that must be followed and, to induce people to obey them, irrespective of what they are (hence, he appeals to God as both legislator and judge). Tocqueville holds that it is not human or institutional authority but only God's will that is to be regarded as absolute, so that all people have an absolute right to refuse to behave immorally. He clearly recognizes natural limits to human intelligence, within which humankind is sanctioned, by the will of God, to operate; these limits are defined in terms of normative rules, which are so widely and for so long accepted, that their observance has entered into the very conception of the nature of things.[37] Hence free-thinking is permissible only if faith precedes the thinking. Tocqueville measures virtue not by his own standards, but by what he understands as the Tradition of wisdom, or the wisdom of the ages. The morality and liberty of the temporal world pave the way to absolute liberty (freedom from sin) of the eternal world. Tocqueville views the temporal world, not merely as the field of political activities, but, moreover, he endeavours to explore the established cohesion of the temporal world and eternity. People's true greatness lies in their ability to direct their personal efforts towards the great end; this is the reconciliation of the *civitas terrana* with the *civitas Dei*: 'Man's true grandeur lies only in the harmony of the liberal sentiment and religious sentiment, both working simultaneously to animate and restrain souls.'[38]

The temporal world and eternity are, for Tocqueville, intimately related to each other by natural laws: 'If the human mind be left to follow its own bent, it will regulate the temporal and spiritual institutions of society in a uniform manner, and man will endeavour, if I may so speak, to *harmonize* earth with heaven.'[39] The harmony of the temporal world with eternity through the God-given natural laws (since God's will is valid in both worlds) – a relationship that is 'indispensable to the daily practice of men's lives'[40] – implies, for Tocqueville, the belief that the virtuous life will be recompensed with eternal bliss while the wicked will be punished on the Day of Judgement. The doctrine of future punishment and reward is, for him, a *moral necessity*. Tocqueville does not believe that human beings can be cured of their petty passions, but he does believe that they can be *persuaded* to satisfy their passions by nothing but honest means. Tocqueville emphasizes the purification of their habits without asking too much from them, thereby seeking to reach a balance between politics and the personal soul. His aim is not to change hearts, but is to try to prove that there is no verity in the world, better established than the truth of Christianity; and that one neglects it at one's peril. For Tocqueville, it is not disinterestedness, but interest that is well assessed, that is great (thereby agreeing with Bossuet and disagreeing with Fénelon). He does not believe that people can be consistently virtuous without any long-term reward, however far away from the temporal world this might be. Such is the moral relevance of eternity: 'The inclusion of the idea of another world and the innate taste for the good [is necessary] to keep human beings honest.'[41] True charity requires that hope be attached to death and the firm belief that 'it is God who recompenses virtue, it is God who gives it'.[42]

The doubt–conviction dialectic

The struggle for conviction, that is, the attempt to overcome doubt, is an important element of Tocqueville's 'new liberalism'. Doubt stands in the way between the human creature and God. There is no place for metaphysics in Tocqueville's liberal scheme: metaphysics drives the individual away from God.[43] Tocqueville says:

> I certainly view doubt as one of the great afflictions of our nature, second only to disease and death. But it is because I have this opinion of it that I do not understand why so many people impose it upon themselves gratuitously and for no purpose. That is why I have always considered metaphysics and all the purely theoretical sciences, which are useless for the realities of life, as voluntary torments that man deliberately inflicts upon himself.[44]

For Tocqueville, doubt, like faith, is part of human nature. But while faith perfects, doubt is a defect of human nature. As such, doubt cannot be eliminated by human reason or by self-reliance. Doubt cannot be overcome by reason because it is a fact of nature and therefore as unavoidable as death and disease. The individual has to learn how to live with doubt, and yet freedom only co-exists with conviction: 'True that whoever receives an opinion on the word of another does so far enslave one's mind, but it is a salutary servitude, that allows one to make a good use of liberty.'[45] While conviction is comforting to the human being, doubt is troublesome. Doubt is constructive in the sense that it can prevent many evils – for instance, doubting a bad institution undermines the legitimacy of this particular institution. Doubt is destructive when it upsets the soul and the institutional framework as a whole. The more individuals reason about doubt, the more they hope that their reasoning may find a way of banishing doubt, the more terrible and disastrous it becomes. On the other hand, conviction gives comfort during moments of despair. Pascal's wager is, for Tocqueville, the most rational apology for faith which may give some comfort in times of existential despair. Therefore, Tocqueville emphasizes the importance of Pascal's paradox of dogmatic conviction and sceptical doubt, particularly in an age when the world has plunged into existential despair: 'To be mistaken in believing that the Christian religion is true, says Pascal, is no great loss to anyone, but how dreadful to be mistaken in believing it to be false!'[46]

For Tocqueville, doubt has a negative function. Doubt makes one more clearly aware of one's own ignorance and of the necessary limitations of one's knowledge. Doubt questions established beliefs, habits and prejudices, which may well be superstitions, tacit crimes and moral errors. Doubt secures moderation. Doubt mocks absolutism. Tocqueville agrees with the sceptics that individuals should always have the right to adjust their opinions to changing circumstances, even if that would imply the elimination of taboos and old habits which preserved the old order. For, if old opinions do not match with the new circumstances, these opinions become a burden rather than a liberating force. Tocqueville recognizes that old opinions can well legitimize oppression. Tocqueville is not a traditionalist. Yet, doubt has no positive function. Doubt has never made people great; it has never produced a single great action. Doubt keeps many evils in check, but doubt, by itself, has little effect on a person's basic moral character. Doubt fails to establish a moral force of cohesion, which could bind individuals to each other – a force that is necessary in order not to collapse into individual isolation and meek conformism to mass opinions. It is not doubt but conviction that produces great actions, which enables one to hover above mediocrity. This is why Tocqueville criticizes scepticism. Scepticism is the ally of moral degeneration: 'Throughout history, scepticism and decadence have always followed each other closely.'[47]

Doubt weakens the *authority of dogma*, it shakes the *authority in morals*, it deprives moralists of a *fixed criterion of right and wrong* and attacks established traditions only to replace them by a promise of a better order. According to Tocqueville, society is not built on doubt but on conviction, on prejudices, established beliefs. If beliefs are shattered, the foundation of a society crumbles down and it loses its moral cohesion. Doubt must therefore be carefully confined to the empirical world, where it can do no harm to the verities of the heart, to religion and morality. Tocqueville argues that the Greek culture and Roman empire declined (that is, when it became corrupt, disorganized and stationary), not because of persecution and the massacre of their rulers, but because of the popularity of sceptical philosophy that questioned the need for virtue.[48] Similarly, he argues that the golden age of European culture (the seventeenth century) declined, not because of the absolute rule of the Sun King but because the *philosophes* questioned the legitimacy of the great Christian edifice, on which all European nations were built. Their criticism was not limited to a particular institution, but extended to the acceptance of the whole Christian institutional system. Tocqueville argues that because the sceptics of the Enlightenment tried to destroy all prejudices, they destroyed what Tocqueville considers to be the very base of society. He points to Hume and Voltaire in the eighteenth century (like Luther and Descartes before them) as having profoundly modified (not exactly in a positive way) the opinions of humankind. Hume suggested that the existence of God could not be postulated but had to be constructed empirically; and Voltaire held that if God did not exist he would have had to be invented: 'The philosophy of Voltaire in France, the school of Hume in England, had shattered all beliefs in Europe.'[49]

Tocqueville argues that the dogmas of Christian faith are needed to *temper* free thinking and individual motives. They are needed to guide reason in its understanding of the nature of things, including the understanding of reason itself. The dogmas of Christian faith are a *necessary* source of knowledge: it is the knowledge that is necessary to preserve *moral cohesion* and to protect the individual against 'scepticism that plunges man into despair'.[50] Dogmas give true comfort against the inevitable terror of doubt, disease and death – human misery that is only bearable with the belief that nothing on earth, even death, is absolute. Though it is true that dogmas vary from time to time and from one society to another (and therefore can be denounced as relative), they nevertheless correspond to the deepest need of the individual, namely, the irrepressible human need for hope and trust. While doubt with regard to established authority and hierarchy triggers the desire for change, dogma satisfies people with what they have and what they are in society: 'Everything that is human is in constant motion, except for the dogmas we embrace. Continuous motion troubles our sight of natural justice and reason, whereas dogma protects it.'[51] 'Men cannot do without dogmatic belief, and even that is much to be desired that such belief should exist among men.'[52]

Like Pascal, Tocqueville argues that if one thinks of attaching oneself to some end – be it in politics, science or philosophy – then it escapes one. This is the state that is natural to the human creature, and yet the most contrary to his or her inclination; one seeks to find a stable place and a constant basis to build on and yet will not find that by one's own efforts. Yet, if the truth of dogmas is never questioned, then the result is folly. While a perpetual state of doubt results in disorder and lack of confidence, over-confidence is a state of self-conviction, which leads to folly. Absolute dogmatic claims exclude the possibility for doubt and thought. Thought can only advance by being continually dissatisfied with established opinions. Doubt without dogma is merely mental speculation; dogma without doubt is mere sentiment, or fanaticism dissolving into absolutism. Tocqueville seeks to find a way out by searching for the Aristotelian mean between dogmatism and scepticism: 'It was remarked by a man of genius that "ignorance lies at the two ends of knowledge". Perhaps it would have been more correct to say that strong convictions are found only at the two ends, and that doubt lies in the middle. Reason, in truth, may be considered in three distinct states, which frequently succeed one another.'[53]

Rather than dictating, reason should point in the *direction* of wisdom. Tocqueville believes that one starts embracing certain truths because one's thoughts have been guided in a certain direction. As he says: 'The books that have made men reflect the most, and have had the greatest influence on their opinions and their acts are those in which the author did not seek to dictate dogmatically what it was proper to think, but rather where he pointed them in the direction of truths for them to find, as if of themselves.'[54] For Tocqueville, thinking itself is not a dogmatic but a sceptical activity; thinking implies a search and not a possession. Reason is not a law that dictates how one is meant to think, but is a light that *guides* in the direction of truth. Once truth is discovered, then it must be protected by dogma so that others may also find it. Truth, for Tocqueville, does not depend on new facts, but truth is heard, accepted and protected by traditional wisdom. Truth, for Tocqueville, does not require an epistemological justification and is not in need of demonstration. Truth is something that one longs for, searches for, and which, once found, one embraces: 'Truth is for me so rare and precious a thing that, once found, I do not like to risk it on the hazard of a debate; it is a light that I fear to extinguish by waving it to and from.'[55]

Tocqueville argues that it is not metaphysics but introspection, that is, an enquiry into oneself, that is the foremost foothold in reality. Like many French philosophers, such as Montaigne, Buffon and Maine de Biran, Tocqueville argues that a complete, valuable, well-collected and personal experience, within the context of a religious and communal tradition, is more certain than demonstrable facts and logical arguments. One *needs* to know oneself: when this would not help to find truth, at least it helps to regulate one's life. To know one's own condition and place, what one owes to Providence and to one's fellows, to understand who one is, how one should conduct oneself, what one should do and not do – in this consists the knowledge Tocqueville searches for. Tocqueville says: 'Experience has proven to me that almost with anyone, and certainly with me, one always returns more or less to one's fundamental instincts and one does not do well, the things that do not conform to one's instincts. Hence, I sincerely investigate what my fundamental instincts and my serious principles are.'[56] A degree of self-knowledge can thus be attained through the sincere investigation of one's accepted principles, through which one views the state of the world, and of one's instincts that cause us to act. Yet, perfect self-knowledge is not possible for the human being: 'The nature of man is sufficiently disclosed for him to know something of himself, and sufficiently obscure for all the rest to be plunged in thick darkness, in which he gropes forever, and forever in vain, to lay hold on some more complete notion of his being.'[57]

Tocqueville's *Souvenirs* is the clearest example of an attempt to arrive to self-knowledge, and from knowledge of the self to knowledge of the world. In these confessions, he attempts to order his own personal experiences. His claim to objectivity rests on his trust in, and preference for, the value of personal experience. He is free from metaphysics and the restraint of philosophical methods. He seeks detachment from his own opinions and interests, and inclinations of his contemporaries. The *Souvenirs* is an attempt at *self-criticism*. It is hence more than merely personal experiences; it is an attempt to *reflect* or, to use Montaigne's words, 'to learn how to belong to himself'.

The reason–tradition dialectic

Tocqueville's understanding of what reason is and of what purpose it serves is quite different from that of the philosophers of the Enlightenment. Though he considers himself to be part of the Enlightenment, namely, in sharing the same concern with liberalism and democracy, his project diverges from that of the Enlightenment. In opposition to the Enlightenment philosophers, Tocqueville does not believe that reason can rule or that reason sets the individual free. The Enlightenment is based on the (Cartesian) premise that 'totally pure natural reason will judge opinions better than those who believe only in the ancient books'.[58] It is a premise that applies universally and therefore submits all theories and beliefs to individuals' private judgements.[59] Tocqueville argues that reason, emancipated from faith and tradition, is a destructive force. The Rule of Reason destroys knowledge that is grounded in traditional authority (the wisdom of the ages) and it understands liberty as the triumph of reason over superstition and prejudices. Tocqueville sees the Enlightenment as a *political programme* rather than as a new philosophy. Its prime mover is doubt and dissatisfaction, rather than the search for truth. Tocqueville accuses the Enlightenment of falsely opposing authority to reason. He argues that the *philosophes* refused to be guided by some higher authority and traded a single authority for countless authorities that gave them prestige. Tocqueville holds that authority is not the consequence of subjugation, but of a recognition of superior insight and judgement, and hence it is not an abuse of reason. As Tocqueville sees it, the Enlightenment attempted

> to replace the complex of traditional customs governing the social order of the day by simple, elementary rules derived from the exercise of human reason and natural law ... as a result ... [they] became much bolder in their speculations, more addicted to general ideas and systems, more contemptuous of the wisdom of the ages, and even more inclined to trust their individual reason than most of those who have written books ... from a philosophic angle.[60]

In opposition to the Enlightenment, Tocqueville argues that it is not scientific procedure but religion that is the road to knowledge. 'Religion', he says, 'is the road to knowledge, and the observance of the divine laws leads man to civil freedom.'[61] Tocqueville argues that the reliance on individual reason for the sake of judging opinions is not the road to knowledge. The search for truth is, for him, necessarily a search for God – a search that is guided by established wisdom protected by tradition. For Tocqueville, traditional wisdom is what generations have sought to preserve against the (false) opinions of the moment. Wisdom is timeless; it continues to enlighten successive generations. Traditional wisdom presupposes a shared social bond linking teacher and audience, while it requires competence, not only of the creator of the ideas, but also of the receiver and referent. Tocqueville argues that the reliance on individual reason leads to bold speculation, addiction to abstract ideas (which is unproductive to the mind[62]) and contempt for wisdom. The Enlightenment takes it for granted that only ideas and observable facts are existent, and it defines valid cognitive acts in terms of scientific procedures. Tocqueville insists that such constructed criteria cannot ascertain the boundary between reality and non-reality. Though he does not deny that scientific methods have proven themselves to be reliable in predicting events, he argues that these methods are powerless to decide what constitutes reality. The fact that these criteria are widely accepted among the *philosophes* themselves, does not persuade Tocqueville to give them the exclusive right to define what knowledge is.

Tocqueville does not believe that the belief in the Tradition is passé, but observes a growing incredulity towards its function of providing a legitimation for knowledge. This he fears, because without traditional wisdom individuals would lose their established standards for action so that modern societies would face a perpetual crisis. Without traditional wisdom, he argues, there will be no unity. Tocqueville argues that without the protection of established wisdom, reason is a corrupting force. As St Augustine suggests, the devil makes use more often of reason than of error. Individual reason is not powerful enough to give a logical account of what satisfies the human understanding. Detached from dogma, individual reason is a serpent that bites – an 'egotistical intelligence that speaks but does not converse and that finds pleasure in the sight of its own thought'.[63] Tocqueville reproaches those who have broken away from their (Christian) traditions, such as the *philosophes* and the *ideologues*, who argue that Pure Reason can justify itself. In them, Tocqueville finds the worldly spirit of criticism, of finding fault and tearing down traditional wisdom without offering much else that is constructive. They proceed from the premise that one ought to be subject to no other authority than the dictates of one's own reason. Tocqueville holds that 'many of the best minds in modern times, have surely been hypocrites, having everywhere professed doctrines that seemed to be true as far as they, themselves, were concerned and that seemed in their eyes opposed to the Christian dogma'.[64] According to him, the *philosophes* and *ideologues*, in failing to recognize any authority beyond themselves, allowed their own reason to follow their own desires and to become egotistical. If individual reason is deprived of dogma, it will fall under influences that lead it astray. Just as the person who pretends to follow only his own rules ends up being a slave of his own passions, so does the one, who disdains all dogmas to obey only his own reason, end up being a slave to the whims of the day.[65]

Tocqueville argues that true reason is not abstract or autonomous, but bounded by, and continuous with, the wisdom of the ages. He emphasizes that the tendency of human thoughts and actions ought to be governed by the Christian dogma. For him, the wisdom of the ages, as protected by Christian dogma, is closely tied to a historical reality and a concrete sense of a particular form of Christian life. That is, Tocqueville believes that the possibility of knowledge outside the Christian community is limited to one's place and language, albeit not impossible; and that knowledge production is never neutral but always distorted by language, taste, patriotism, religion and regime. In other words, *knowledge*, which is different from reason itself, is transmitted by tradition and enforced by traditional (and charismatic) authority. For Tocqueville, all thoughts stand in *relation* to a tradition of thought. All definite particular ideas belong to a specific tradition, bound to time and place. All human knowledge, including moral knowledge, is a contingency and therefore is always *partial* knowledge:

> I convinced myself that the quest for absolute, demonstrable truth, like the search for perfect happiness, was an effort to achieve the impossible. Not that there are no truths worthy of man's entire conviction; but be assured that they are few in number ... One must therefore accept the fact that proof can rarely be achieved.[66]

Correspondingly, Tocqueville argues that 'one cannot sacrifice too much time in favour of logic'.[67] Logic, Tocqueville emphasizes, is not useful for the search and protection of truth. Logic is useful for the discovery of contradictions in the thought, but it is powerless to point in the direction of truth. Truth cannot be grasped by reference to constructed criteria of scientific methods. Tocqueville does not agree with Enlightenment philosophers like Hobbes and Spinoza, who hold that truth is logically palatable in terms of True and False. For Tocqueville, the hope of arriving at such absolute statements is idle. Tocqueville, like Pascal, believes that contradiction and non-contradiction are both elements of truth. 'Truth', for him, 'consists in not saying what is false, and not in saying all that is true.'[68] 'All truth is not palatable (*bonne à dire*).'[69] Tocqueville does not reduce contradiction to logical or cognitive moments that must be eliminated by scientific method, but sees them as conditions of society. Paradox and contradiction, modification and exception cannot be avoided in human life. Many certainties in daily life are contradictory and many errors pass without contradiction, but neither the contradiction, nor the non-contradiction can be called a sign of truth. Truth, for him, consists of contradictory forces that derive all their power from conflicting ideas and sentiments. In society, theories are less adopted by reason of their logic, than by the perceived effects that these theories are expected to generate. People, according to Tocqueville, are moved more by prejudices than by logic. The motives that drive them are usually inarticulate. The reasons for actions often remain unclear. Truth can therefore not be reduced to a system of scientific procedures. Jon Elster, who refers to Tocqueville as a positive scientist who operates in the causal sphere, detects more than thirty logical contradictions in Tocqueville's *Démocratie*,[70] while Pierre Marcel, who treats Tocqueville as a Christian thinker who operates in the normative sphere, holds that Tocqueville 'never contradicted himself'.[71]

Tocqueville asserts that truth, that is, the *living truth* and not the determination of a causal relationship, can only be grasped when all the faculties of the soul are open to it. His intellectual project is not the discovery of new principles, but rather the protection of an existent normative order in a contemporary world that changes and attacks all that had been fixed. Tocqueville, unlike Bossuet and Burke, does not believe that reason is impotent in acting according to its own lights or that the individual is foolish while the tradition is wise. What he does hold is that individual reason poses a threat to the normative order. Following Pascal, Tocqueville argues that *to deny reason is as much a mistake as to allow only reason*; and like Pascal he is neither too optimistic (as the philosophers of the Enlightenment are) nor too pessimistic (as the Romanticists are) about the possibilities of reason. For Tocqueville, reason is a valuable gift that must be used to make assumptions about the nature of things and events, so as to create a synthesis that can overcome differences in ideas and interests. Tocqueville insists that too great a theoretical or metaphysical departure from common experiences must probably have a fallacy in it somewhere, even though this may appear logically irreproachable. Common experiences and daily life facts represent knowledge, though this knowledge expresses itself in traditions and prejudices rather than in individual reason.

Tocqueville holds that the road to understanding does not start with the search for new principles or the search for new facts. Understanding, for Tocqueville, begins with the dogmatic acceptance of first principles. That is, it starts with the submission of individual reason to established wisdom. Like Burke, Tocqueville holds that the living truth finds its fundamental *justification in a given tradition*, which derives its *raison d'être* from the entire series of historical conditions. That is, reasoning, for Tocqueville, takes place within the context of particular traditional values. Discussions about the most fundamental topics such as liberty, authority, law, democracy and progress draw on particular values that lie beyond the scope of logic. Such discussions are not intellectually respectable because they are at odds with understanding. The Enlightenment is responsible for discrediting the notion of traditional wisdom. But this discrediting seems itself the result of a prejudice that truth can be arrived at by individual reasoning and scientific procedure. For Tocqueville, traditional wisdom is not a hindrance to understanding but a condition for the possibility of understanding. The problem remains, for Tocqueville, of how to distinguish between traditional wisdom and prejudices that point in the direction of falsehood. Tocqueville, in fact, does not distinguish between tradition and prejudice but holds, rather, that those prejudices that have survived throughout the ages are likely to contribute to understanding. For traditional wisdom does not survive because of blind obedience to authority, but because of the recognition of superior wisdom and the commitment to certain superior values that sustain the good life.

Catholicism and traditional authority

Though Tocqueville argues that religion, rather than the method of natural science, with its verifications and its falsifications, is the road to knowledge, he denies that its purpose is knowledge *per se*. 'The chief aim of a religion,' he says, 'is to regulate both the relations of the individual with his Creator and his rights and duties towards his fellow men on a universal plane, independently, that is to say, of the views and habits of the social group of which he is a member.'[72] Religion, thus understood, is neither a specific area of knowledge (and is hence no rival of philosophy and science), nor merely a social cement, a safety valve for passions that might otherwise feed a revolutionary torrent, and nor a proper channel for natural passions. Religion, according to Tocqueville, creates both human and transcendental bonds. It binds the individual to both his or her community, thereby indeed acting as a social cement, *and* his Creator, hence transcending the community. Its *social function* is to enable the individual to share in common belief and to live according to *universally* accepted norms; its spiritual function, which is more important to the individual's personal destiny, is to bind the creature to the Creator. Thus, Tocqueville rejects the Erastian position that characterizes Montesquieu and Burke. Though he does not deny that religion has a social utility, through the creation of a bond of love and moral tie among people, which cuts through differences of class, ethnicity and nation, he does not believe that this could have been the case without God's revelation and His new bond with humankind. In other words, the social bond is itself dependent on the special bond between God and His creature, sealed with the blood of Christ. Tocqueville fears, not so much the disintegration of society or decline of culture, as the individual's failure to establish the personal relationship with God. According to him, the roots of moral and social disintegration can be found in faithlessness. The disintegration of society – and this is how Tocqueville considers the whole history of the French Revolution from the fifteenth century onwards – will continue as long as people do not re-establish their relationship with God. As long as people refuse to break away from the spirit of anti-religion, the Enlightenment continues to gnaw at the foundations of society.[73]

Tocqueville understands Christianity as a revealed religion that regulates the relations between the creature and its Creator, its rights and duties according to the Holy Scriptures. Within Christianity, he acknowledges that there are different religious cults with their own institutions and doctrines, which are all Christian since they all seek to follow Christ in their own way.[74] According to Tocqueville, Christianity in its Catholic, that is universal form, is the ally of liberalism precisely because it holds that no one shall be compelled to embrace the Christian faith against his or her free will. Just as liberalism does not impose a single mode of life but leaves citizens free to choose their own means, Christianity holds no one should worship against his or her own convictions. The government or the Church has no right to compel people to be Christians since to be Christian should rest upon free choice and not upon force.[75] Tocqueville advocates the freedom of conscience, battles for the rights of religious groups and praises Malesherbes, who, while being a Catholic, defended the *civil rights* of Protestants and Jews in France: 'Religious liberty is the first of all human liberties, the most holy, the most sacred . . . and religious liberty, that is the liberty of cult.'[76]

Tocqueville pays detailed attention to the liberty and the censorship of religious sects in civil society – he has written hundreds of pages on this particular subject[77] – and argues that the individual is free to choose his or her own particular religion. In its universal, catholic form, however, religion is patterned on tradition and protected by a moral elite (the charismatic concept of the Church). Tocqueville thereby discourages the questioning of the Christian truth and encourages one to cling *unquestionably* to old convictions from which one can find comfort: 'Do not seek to supersede the old religious opinions of men by new ones, lest in the passage from one faith to another, the soul being left for a while stripped of all belief, the love of physical gratification should grow upon it and fill it wholly.'[78] For a living tradition (as the Catholic tradition is) is always a continuous process of reinterpretation and revaluation of a once accepted dogma, one must assume that a tradition has enough moral authority to be publicly pursued as a common project. As Tocqueville believes that modernity has broken with this common project and has therefore collapsed into a permanent state of revolution or crisis, he proposes to 'firmly and continuously return to the true principles of order and to the men who represent them'.[79]

Tocqueville says that Protestant preachers 'speak of morality; of dogma not a word, nothing that could in any way shock a neighbour, nothing that could reveal the hint of dissidence . . . This so-called tolerance, which, in my opinion, is nothing but a huge indifference.'[80] Tocqueville stresses that Protestantism denies the validity of accumulated tradition in favour of the primacy of the revelation contained in Scripture. Protestantism takes the individual conscience, rather than the established Christian dogma, as a guide. Tocqueville stresses that Protestantism has no corporate bond (with the exception of the Anglican Church, that has a hierarchical organization); it rejects the hierarchy and tradition of the Church which Tocqueville finds necessary for binding all Christians, including those Christians who belong to former and future generations. Protestantism leaves the individual free to regulate his or her own relationship with God.

In opposition to the prevalent opinions of his time, much influenced by thinkers like Mme de Staël and Constant, Tocqueville holds that it is the Catholic religion that is the true ally of modernity. Tocqueville believes that Roman Catholicism, rather than Protestantism, is able to restrain the undesired consequences of equality of condition – the most harmful being the detachment from social bonds. In a defence of the Catholic religion, Tocqueville explains:

> I think that the Catholic religion has erroneously been regarded as the natural enemy of democracy. Among the various sects of Christians, Catholicism seems to me, on the contrary, to be one of the most favourable to equality of condition among men. In the Catholic Church the religious community is composed of only two elements: the priest and the people. The priest alone rises above the ranks of his flock, and all below him are equal. On doctrinal points the Catholic faith places all human capacities upon the same level; it subjects the wise and ignorant, the man of genius and the vulgar crowd, to the details of the same creed; it imposes the same observances upon the rich and the needy, it inflicts the same austerities upon the strong and the weak; it listens to no compromise with mortal man, but reducing all the human race to the same standard,

> it confounds all the distinctions of society at the foot of the same altar, even as they are confounded in the sight of God. If Catholicism predisposes the faithful to obedience, it certainly does not prepare them for inequality; but the contrary may be said of Protestantism, which generally tends to make men independent more than to render them equal.[81]

For Tocqueville, the Church is not an independent *civil* institution, as Protestants would have it, but instead, is not from this world while being in the world. The Church, for Tocqueville, embodies a spiritual force and its task, in opposition to the state, is to guide individuals in their spiritual life, in their constant struggle against their natural inclinations.[82] Tocqueville rejects what he understands as the mundane orientation of the Protestant religion, which he observed in America.[83] As he mentions, Protestant preachers 'are constantly referring to the earth, and it is only with great difficulty that they can divert their attention from it . . . It is difficult to ascertain from their discourses whether the principal object of religion is to procure eternal felicity in the other world or prosperity in this.'[84]

Tocqueville stresses that Protestantism places the highest goods of the human being (virtue and liberty) within the comprehension of the pettiest of souls. For Protestantism, virtue and liberty require nothing more than a moderate amount of good sense to meet their temporal standards of immediate rewards. For Tocqueville, religion (as he understands it) only makes sense in a universal community (Church) where universal principles, that is, objects of shared convictions, are preserved by ecclesiastical authority against fashion and opportunism. Tocqueville does not believe that Protestantism can be *durable*, because without dogma and a priest to protect faith, it cannot exercise authority over the individual conscience. Protestantism, because it denies the *religious authority and hierarchy* of the Church, encourages a willingness to challenge religious authority, even within Protestantism itself. The Catholic religion discourages such attitudes and seeks to synthesize differences by common agreement on first principles. Though Tocqueville sees the Protestant break with the Church of Rome as having been legitimate, he does not believe that it is a *definite* state of affairs. He sees Protestantism as a *historical* phenomenon. For him, its resistance to the ecclesiastical absolutism in the sixteenth century was then justified; but Protestants must now come back to what Tocqueville considers as the Church. 'If Catholicism could at length withdraw itself from the political animosities to which it has given rise,' Tocqueville says, 'I have hardly any doubt that the same spirit of the age, which appears so opposed to it, would become so favourable as to admit of its great and sudden advancement.'[85] Furthermore, Tocqueville holds that 'our posterity will tend more and more to a division into only two parts, some relinquishing Christianity entirely and others returning to the Church of Rome'.[86] For humankind to be united in one spirit and to raise itself to the high standard that God has intended for it, Protestants should be reunited with the Church of Rome. Particularism serves no end for Tocqueville. He believes (or hopes) that Protestantism is therefore approaching its end and that the Christian world will then no longer be divided:

> The reformers of the sixteenth century made the same compromise in religious matters which people in our time are striving to make in political matters. They said: this principle is bad with regard to this consequence, but apart from that, we find it good and it is necessary to judge it so with us, and vice versa ... It seems clear to me that the reformed religion is a kind of compromise, a sort of representative monarchy in matters of religion, which can well fill an era, serve as the passage from one state to another, but which cannot constitute a definitive state in itself and which is approaching its end.[87]

In 1850, a real opportunity arose for reconciling the Anglican Church with the Church of Rome (the Act of Royal Supremacy in 1534 separated the former from the latter) when the Catholic Church in England managed to re-establish its ecclesiastical hierarchy, after three centuries, at a most critical time. Several events in the nineteenth century helped to change the position of the Catholic Church in England. First, the Roman Catholic Relief Act of 1829 granted Catholics full civil rights, including the right to serve in the legislature. Second, the position of Roman Catholics was strengthened in 1840 when the government removed the official tax-supported status of the Anglican Church in Ireland. The Church of England became increasingly disorganized, while its adherents came closer to Catholicism. For Anglicans believed that the removal of the official tax-supported status was an illegal and unchristian interference by government in spiritual affairs. In taking its position *against* the state with which it was united by the Act of Royal Supremacy, the Anglican Church defended its status on the basis of church history and traditions. The Anglican Church hence found itself drawn to the Catholic beliefs that it had initially attacked, and ended up co-operating with a religion considered subversive and fundamentally anti-British. For Tocqueville, the re-establishment of the Catholic hierarchy in England was but a reasonable extension of toleration and full religious liberties, but in the eyes of many of the English, it marked a disastrous concession to the Church of Rome. In a conversation with Nassau Senior, Tocqueville says:

> The world was beginning to hope that toleration could co-exist with an Established Church and with strong religious feelings. It was beginning to hope that reason, morality, political liberty and religious liberty grew together. What you [British government] are doing is checking these hopes. It seems to show that the popular Government of an enlightened and moral people is even less tolerant than many Governments that you are accustomed to look down on. The precedent [state interference to prevent the reconciliation of the Anglican and the Catholic Church] that you are setting will be a pretext for bigotry elsewhere.[88]

What Tocqueville mostly criticizes is the political interference in a matter that concerned only the Anglican and the Roman Catholic Churches. He insists on the freedom of the Church, on its right to be free from government interference, as ‘a human policy to leave to faith the full exercise of the strength that it still retains’. Tocqueville notes that religions, as a matter of fact, can, at times, strengthen their influence on people’s hearts and minds by temporal institutions, but that a Church, intimately united with ‘the government of the earth’, is bound to exercise sovereign power founded on terror. If the Church gets involved with ‘the bitter passions of the world’, it runs the risk of defending the partial interests of its allies. When the Church forms an alliance with the government, it commits ‘the same error as a man who sacrifices his future to his present welfare’. When a Church is connected with the State, as in the case of the Anglican Church, it loses its capacity to go beyond partial and national differences; ‘it must adopt maxims that are applicable only to certain nations’.[89]

The individual–state dialectic

In his *l’Individu effacé ou le paradoxe du libéralisme français*, Lucien Jaume divides ‘French liberalism’ into a liberalism of individual subjects (Constant), an elitist liberalism (Guizot) and liberal Catholicism (Lamennais). Jaume argues that ‘liberalism in France, in its majority tendencies, has favoured order and authority over the demands of liberty’.[90] Jaume seeks to demonstrate that the French liberal tradition is, in fact, anti-liberal: it is statist. Guizot and the Doctrinaires are, in fact, Jacobins. They have a profound disgust for traditional ideas and seek to implement new principles via the state. For Guizot and the

Doctrinaires, the individual is not only a source of right but also a means of government. Doctrinaire Liberalism subdues the individual to the state, in the belief that it is a task of the government to shape individuals who can then contribute to the well-being of the state. Lamennais and the liberal Catholics also seek to break with the past and to establish civil liberties via the Church. For them, the Church defends the individual. For Lucien Jaume, it is therefore doubtful whether Lamennais's liberalism is really liberal. (For Tocqueville, it certainly was not.) For Jaume, French liberalism as a whole has taken the collective purpose – be it the purpose of the Church, be it the purpose of the State – as rising above the rights of the individual. As he mentions, only a few French liberals have put the individual before the State and the Church: 'It is Fénelon, Mme de Staël, Royer-Collard, Tocqueville: great individualities before everything else, who have incarnated a certain idea of liberty by their personal formation, by their acts or their words at the risk of displeasing others.'[91]

Tocqueville's 'new liberalism' incorporates a specific understanding of individualism, one that considers the individual as an integral part of a moral community. Tocqueville argues that the moral community (he uses the term 'community' in the French context and 'township' in the American one) is not a human creation, or a pattern of social forms, but is shaped by Providence. Individualism, for him, is not the *utilitarian individualism* of Hobbes, Locke and Bentham. The latter type of individualism holds that the nature of the good life depends on each person's personal preferences and champions the rights of the individual against those of the community. Utilitarian individualism limits the rights of the community and seeks to prevent interference with the property of private persons. For utilitarian individualism, the fundamental moral rule is that individuals should be able to pursue whatever they find rewarding, constrained only by the requirements of not interfering with the preferences of others. Each preference constitutes its own moral universe and there is no way of reconciling conflicting claims about what is good in itself. In the absence of any wider framework within which certain objective criteria of good and evil can be justified, the individual conscience becomes the only moral guide. Neither is individualism, for Tocqueville, the *expressive individualism* of Humboldt, Constant and J.S. Mill.[92] Expressive individualism claims that the good life does not depend on individual preferences but on the desire and liberty to express oneself. The essential moral rule is that individuals should have the right to explore their potential and actualize them in society. Expressive individualism enhances a cultural ideal: it seeks to create a society that is not based on submission to moral authority, but one that gives way to cultural renewal and reform – a society in which the individual feels at ease with his or her identity. The supreme goal, for Tocqueville, is not the triumph of individuality, a Romantic ideal, but the development of the capacity to exercise a genuine choice for the sake of the personal soul. Tocqueville's individualism is a religious individualism: it means the cultivation of one's own soul to attain virtue and eternal bliss.

Individuality, for Tocqueville, is a supreme gift from God. Every human being has been created in His Image and hence the liberty to be an individual (who is called to resemble Christ, His perfect Image) is *sacred*. Whoever makes an attempt on a human life, on his or her liberty, or dignity, inspires Tocqueville with a feeling of horror. According to Tocqueville, one is *naturally* destined to be part of a moral community, to protect and assist one's fellow creatures, to act in common with them, and to morally progress. Isolated from his or her moral community, the individual would not be able to save himself or herself by his or her own powers; individuals would not be able to retain their political liberty or even their taste for it: 'Detachment from all bonds is not a state that is suitable to the man of this world, it is contrary to his nature, and sooner or later, nature takes its revenge.'[93] Like Aristotle, Tocqueville argues that the individual has the natural right to live in a moral community; the one who can live without the community is either a beast or a god.[94] If individuals, who may belong to different groups or classes, are held together by the same Christian end, they constitute the *civitas Dei* within the 'city of man'. If the moral purpose and moral ties are absent, then, individuals constitute a community of free riders, where local tyranny, gossip and social suffocation dominate. Thus, 'society is endangered, not by the great profligacy of a few, but by laxity of morals among all'.[95]

Tocqueville argues that utilitarian and expressive individualisms decrease the value of active citizenship and foster egoism in society.[96] He believes that they foster the custom of relating everything to oneself: 'Egoism ... blights the germ of all virtue; individualism, at first, only saps the virtues of public life; but in the long run it attacks and destroys all others and is at length absorbed in downright selfishness.'[97] Utilitarian and expressive individualisms are modern, or democratic diseases that Tocqueville labels as 'the rust of society'.[98] When people turn their backs to the *civitas Dei*, they refuse to respond to God's call, as well as to the needs of their fellows. Egoism sterilizes virtue and weakens the authority of tradition. While egoism as such is an evil of all ages, a flaw of human nature, utilitarian and expressive individualisms are the result of the individual's emancipation from traditional institutions. Utilitarian and expressive individualisms take rational autonomy as a core value. While these forms of individualism interpret the principle of autonomy in terms of the idea of self-determination, Tocqueville regards the principle of autonomy as the rejection of the tradition that has been embraced by generations. The consequence of the principle of autonomy, for him, is not liberty, but *isolation*. This isolation that the principle of autonomy fosters is an obstacle to liberty because it erodes the moral ties between individuals.

Tocqueville's notion of the individual is far removed from that of Kant and secularized Protestantism. Kant stresses individual responsibility and the supreme value of self-determination. Accordingly, paternalism is, for him, a greater danger than cruelty, neglect or chaos. He argues that any determination to be free and responsible must come from the procedures (or laws) of *pure reason*. His notion of self-determination is one of *rational* autonomy. Kant claims that the notion of self-determination is a *necessary assumption* for the attainment of moral perfection as commanded by the categorical imperative, though unattainable in the *civitas terrana*. He rejects the attempt to know human nature as it really is, but he allows *practical reason* to deduce a valid system of individual rights, with its own purely formal framework. Tocqueville, by contrast, does not identify morality as something that can be put in intellectual forms. That 'man has no other enemy than himself, and in order to be happy and to be free, he has only to determine that he will be so',[99] means that he has to determine that he wants to belong to God. Happiness and liberty are perfected by God's grace. Tocqueville thus rejects Kant's separation of morality from faith. Tocqueville's notion of the individual is not one that emphasizes rational autonomy and self-determination, but it is a notion, as André Jardin says, that holds that 'instincts lead us toward evil when the enlightened but difficult exercise of freedom fails to combat them with the support of a conscious recognition of the dignity of man'.[100]

The notion of self-legislation is often seen as a republican moral, as something that is meant to supplant Catholicism. Republicanism considers *self-legislation* as true liberty, whereas Catholicism holds that making one's own laws according to one's individual reason, isolated from others, is the way to perdition. Republicanism considers the submission of one's own ideas to a traditional wisdom as a form of slavery and it sees the clergy – the protector of traditional wisdom – as being filled with a spirit of persecution. Tocqueville rejects the republican anti-clericalism and the republican moral of self-legislation. He argues that the republican notion of self-legislation 'is an expression of envy. It means, in the real heart of every Republican, "no one shall be better off than I am"; and while this is preferred to good government, good government is impossible'.[101] Republican government, that is, the form in which collective decisions are made by the people, is not rooted in the love of good government but in the desire to be as well off as, or better off, than others. Tocqueville sees 'the Republic [as] an ill-balanced form of government, that always promised more, but gave less liberty than the constitutional monarchy'.[102] He prefers the hereditary monarchy to the republic because the former manages better to restrain the passions of the majority. The republic gives social power to the majority – a majority that acts as a common people as well as the central authority. In a republic, authority becomes easily centralized because there are no intermediary institutions to keep authority in control. Thus, if liberties are under attack in a republic, she is under attack in all spheres of society; if she is usurped by authority, there are no free institutions left.[103] In a hereditary monarchy, by contrast, the monarch is forced to share his or her authority with the aristocracy. The aristocratic social structures were based on differences in status, which meant that one section of society had a vocation and vested interest in defending local independence and resist concentration of authority. The very honour of the aristocracy depended on the privilege of governing in the local sphere.[104] Thus, like Montesquieu, Tocqueville stresses that good government depends on the role that intermediate authorities (like an aristocracy) play in local government. For, that role prevents the concentration of authority in central government: 'What I want is not a republic but a hereditary monarchy ... What I want is a central government energetic in its sphere of action.'[105]

Tocqueville stresses that the republic, more than a monarchy, has the inner strength to mobilize a whole social mass with common needs. This social mass is shaped by a dynamic interplay of social forces that have free play in a republic. Since centralization is a *social* phenomenon, for Tocqueville – a social process that aims at increasing majoritarian power, along with the size of a centralized authority that administers common needs – there is no hope of restoring the balance between the authority of communities and central authority by constitutional means. This would imply violating the rights of the social mass: it would mean reducing the majority. Precisely owing to the fact that the growth of state power is intimately connected with the growth of social power (the power of the majority, of public opinion), centralization of authority, for Tocqueville, remains a terrible but unsolved problem. He does not believe that the growth of state power provides a solution for the problem of social conflict, but argues, instead, that social conflict fosters centralization. In other words, centralization of authority is a sign of social conflict, of antagonisms in society. Tocqueville follows Tacitus (the first historian of centralization), in stressing the dangers of class conflict. Class conflict leads to unitary and bureaucratic, rather than political, regimes. Class conflict undermines local solidarity and reduces local resistance, so that it becomes easier for a central power to rule through its own (public) servants.[106] The primary goal of the government and the citizens must accordingly be to bring an end to class conflict and materialize co-operation. Tocqueville says that 'classes must be united to defend our society, and conduct affairs liberally in a common effort'.[107] Tocqueville argues that moral ties must be established between those 'classes whose interests and passions so often conspire to separate them from each other'.[108]

Tocqueville stresses that, in republics, where there are no intermediate structures to mediate between the individual and the state, individuals are left with no opportunities to partake in the government and civil associations to contribute to the good of humanity. Deprived of such opportunities to participate in the public sphere, the individual is forced to retreat to the private sphere where he loses his or her civic virtues:

> Years of revolution have destroyed our courage, our hopefulness, our self-reliance, our public spirit ... our passions are destroyed, except for the most vulgar and most selfish ones – vanity and covetousness. Even ambition seems extinct. The men who seek power, seek it not for itself, not as a means of doing good to their country, but as a means of getting money and flatterers.[109]

According to Tocqueville, administrative centralization furthers civic laziness, silence in the face of oppression and a general indifference to virtues and vices. Vices gradually creep into the social frame, injustices are recognized only at intervals, and by the time they become most violent, habit has already caused them to be no longer felt.[110] Administrative centralization is not *actively* unjust but is degrading for individuals because it makes vanity and covetousness their dominant passions. Centralization of authority seems to be a kind of a deserved punishment, in Tocqueville's eyes. It is a consequence of the decline of civic zeal and it necessarily perpetuates a degenerate political condition that is characterized by an unwillingness (that is, the lack of willpower) to struggle for the sake of the good. Tocqueville argues that if civic resistance to administrative centralization is absent, then it is a sign that a nation has succumbed to the social power that seeks equal satisfaction of civil needs and wants. Tocqueville disapproves of notions of justice which make no reference to the responsibility of each individual for his or her eternal destiny and to the responsibility that each person has for the welfare of the other. It is not the satisfaction of social needs, but virtue and self-government of individuals which Tocqueville desires: ‘We do not want functionaries but political men.’[111] The most poignant injustice of administrative centralization lies in that it crushes the individual’s dignity – it robs the individual of his or her possibility to serve God and humanity according to his or her own ability.

In contrast with utilitarian and expressive individualisms that propose that the state should assume the responsibility for poverty relief, Tocqueville does not believe that the individual is called on to deal with the poverty of society but with the poverty of other fellow beings. He considers poverty relief to be the responsibility of the charity of individuals. Though he recognizes the danger, of individuals not being able to relieve the poor when the latter are on too large a scale and, of individuals who fail to fulfil their charitable duties to humanity, he nevertheless argues that the excessive claims for poverty relief is always a temporal and not a structural phenomenon. Though a rise in the number of claims for charity confronts the community with a temporary threat, in the sense that all the poor cannot always be relieved, it does not follow that the state is therefore meant to take over its charitable role. Tocqueville notes that the expansion of administrative centralization is the result of a collective response to the increasing needs and expectations of the poor. Poverty relief, education and health care are not the responsibilities of the state but of faithful and therefore charitable individuals. Tocqueville observes, without approval, that

> Almost all the charitable establishments of Europe were formerly in the hands of private persons or of guilds; they are now almost all dependent on the supreme government, and in many countries are actually administered by that power. The state almost exclusively undertakes to supply bread to the hungry, assistance and shelter to the sick, work to the idle, and to act as the sole reliever of all kinds of misery.[112]

Tocqueville observes the breakdown of the moral community. Like Bonald, he seeks to combat utilitarian and romantic individualisms and to ‘re-awaken that fine spirit of local patriotism which had worked such wonders in the Middle Ages’.[113] Differently from Bonald, however, Tocqueville deplores the fact that, not only democratic governments but also the monarchy progressively deprived the people of their liberty. For Tocqueville, the deprivation of liberty and the decline of the community went hand in hand with the rise of centralization. Bonald, on the other hand, was concerned with the disintegration of social relationships under the old regime. He envisaged control and the enforcement of norms by the community as the remedy against destructive individualism.[114]

Centralization of administrative authority takes responsibilities away from citizens. As a result, Tocqueville argues, solidarity ties between citizens are weakened and citizens become isolated from one another. Tocqueville regards this process of administrative centralization – a process that Durkheim termed as 'institutionalized individualism' – as being *irreligious*, because it destroys charity and fills individuals with ambitious designs. Centralization of administrative authority drives religious authority out of the centre of society to its periphery. Tocqueville stresses that the ally of administrative control is not religion but *science*: 'To prove that human misery is the work of laws and not of Providence, and that poverty can be suppressed by changing the conditions of society.'[115] Social reformers like Bacon and Bentham propose a form of rational statecraft, working through guidance of government action through social enquiry. Tocqueville does not support this scientific project of social reform. For him, poverty can only be solved if the solidarity ties between those who possess property and those who do not, are strengthened. When Tocqueville visits the factories in Birmingham and Manchester in the 1830s, he is not shocked by the material poverty of the workers (their long working hours, their poverty and their exhaustion), but he is appalled by their moral poverty (physical degeneration, lack of hygiene, drunkenness, delinquency, sexual profligacy, envy). In common with Catholic opinion (e.g. Villeneuve-Bargemont and Von Ketteler), Tocqueville holds industrialization responsible for the poverty and demoralization of the working class. The poor considered the rich to be the only source of their poverty. But Tocqueville considers them as the victims of a *moral poverty* besides their material deprivation. It is for this reason that Tocqueville is critical of philanthropy. For, philanthropists create hatred among the poor by their very expressions of humanitarian aid. In fact, the irony is that they are themselves guilty for the gap between rich and poor. Though philanthropists seek to help the poor by providing goods, in doing so they make the poor dependent of the philanthropist's will; philanthropy results in the creation of 'an idle and lazy class, living at the expense of the industrial and working class'.[116]

Tocqueville somehow identifies philanthropy with rational Protestantism. That religion proposes labour, reform and working discipline for all individuals as the answer to the problem of poverty relief. Tocqueville says:

> There are two kinds of welfare. One leads each individual, according to his means, to alleviate the evils he sees around him. This

> type is as old as the world; it began with human misfortune. Christianity made a divine virtue out of it, and called it charity. The other, less instinctive, more reasoned, less emotional, and often more powerful, leads society to concern itself with the misfortunes of its members and is ready systematically to alleviate their sufferings. This type is born of Protestantism and has developed only in modern societies.[117]

According to Tocqueville, too much inequality, whereby a large proportion of a society cannot satisfy its basic needs, is the work of human sin, while the inequality necessary for order and decency is God's law. The mistake of 'legal charity', as he calls social justice, is that it defines charity in terms of the satisfaction of civil wants. The notion of 'legal charity' – a plebeian notion of justice – is important for our understanding of the social condition but irrelevant for our understanding of morality.[118] Tocqueville certainly believes in an equality of dignity that is moral and legitimate, and that individuals, who may be unequal in strength or intelligence, gain this equal status in society by convention and legal right. He wants everyone to be equally politically free, that is, everyone should have the opportunity to participate in the common good. However, he does not believe that the equal distribution of material goods and equal civil and political rights contributes to turning the individual into a citizen. The redistribution of material goods results in greater division among classes and fails to establish moral ties among all citizens: 'The poor man who demands alms in the name of the law is, therefore, in a still more humiliating position than the indigent who asks pity of his fellow men in the name of He who regards men from the same point of view and who subjects rich and poor to equal laws.'[119] 'More equal repartition of goods and rights in this world is the greatest object that proposes itself to those who conduct the human affairs, I only want that political equality consists in being equally free.'[120]

Tocqueville rejects the notion of legal charity because he believes that it is an obstacle to the creation of public spirit. The belief that poverty can be eliminated by changing the conditions of society, without damaging civic commitment, is an illusion for Tocqueville. His main criticism of social justice is that 'legal charity affects the pauper's freedom as much as his morality'.[121] Social justice corrupts the pauper because it makes him or her a dependant – a slave of the state, who lives by the mercy of the majority. Tocqueville sees the 'social question' purely as a moral issue, as a matter of curbing the appetites of the lower *strata* of society. Instead of the *social aim* of getting the poor individual out of his or her poverty, Tocqueville proposes a *moral end*, namely, by arguing that we are called ‘to show that there is virtue and greatness in humble work, which is to be esteemed’.[122]

Similarly, for Tocqueville, the state should not be involved in education. For him, the family is primarily responsible for the instruction and education of children. In the 1830s, the Doctrinaires had chosen education as their instrument for social reform and accordingly pressed for state control over schools. They identified the family as an obstacle for progressive social reform. They believed that education was a means of cultivating the individual’s intellectual, moral and aesthetic faculties so that vices would be disciplined and constrained and benevolence could be nurtured. They demanded that (primary) education should be open because, as they argued, open education would generate citizens who would support a liberal civil society. Tocqueville, instead, argued that if this would take place, then a whole generation of citizens would be under the control of the state apparatus. The Doctrinaires gained respect from the Republicans for the argument that the school should socialize and not emancipate. Tocqueville, on the other hand, allied with the Legitimists, in holding that education should strengthen the autonomy and development of individual judgement. The progressive *loi Guizot* of 1833 implemented a system of primary education which left parents free in their choice between public or religious education. Tocqueville disagreed with the *loi Guizot* because it incited the separation of individuals from their moral communities that were protected by the Church. Tocqueville feared that educated peasants would break free from the Church and leave for urban areas to go their own way. Tocqueville agreed with the *loi Falloux* of 1850, which aimed at the re-establishment of the moral communities. Its objective was to incite a return to the Church and revive the latter’s influence in the community, so as to bring the individual back to a state of faith.

Notes

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2 The new science of politics

Tocqueville's 'new science of politics'

Tocqueville says:

> A new science of politics is needed for a new world. This, however, is what we think of least; placed in the middle of a rapid stream, we obstinately fix our eyes on the ruins that may still be descried upon the shore we have left, while the current rushes us away and drags us backward towards the abyss.[1]

A 'new science of politics is needed for a new world' because the 'old science of politics' has lost its legitimacy with the destruction of the 'old world'. The old contract between the lord and the peasant has been buried forever. A 'new science of politics' is needed to 'educate' the new world of democracy. Tocqueville stresses that his

> new science of politics attempts to reawaken, if possible, its religious beliefs; to purify its morals; to mould its actions, to substitute a knowledge of statesmanship for its inexperience, and an awareness of its true interest for its blind instincts, to adapt its government to time and place, and to modify it according to men and conditions.[2]

Hobbes is the founder of the (old) 'science of politics'. In his *De Cive* (a book that Tocqueville certainly read – in the *Démocratie* he quotes a line from this work, 'homo puer robustus'[3]), Hobbes sees the 'science of politics' to be no older than his *De Cive*. Hobbes's 'science of politics' introduces the Political Enlightenment. In this book, Hobbes breaks with a whole tradition of political thought, which goes back to Plato, and which considers political activity to have a higher dignity than any other form of human activity. Hobbes considers politics as nothing more than the pursuit of private and economic goals within society. The main novelty of his ‘science of politics’ is that he, as a political thinker, views the political arena, not from the perspective of the citizen, but as a political scientist who is the neutral arbiter. His ‘science of politics’ conceives principles of action as *values* that are subjective. As Leo Strauss remarks, the knowledge that Hobbes’s ‘science of politics’ conveys, limits itself to prediction and hypothetical advice, rather than guidance to statesmen and legislators.[4] Though Tocqueville makes only one direct reference to Hobbes’s ‘science of politics’, Tocqueville’s ‘new science of politics’ can be understood as an attempt to supersede Hobbes’s political enlightenment. The latter had provided the standard for peaceful living during the civil wars of the seventeenth century and claimed that natural law dictated that the human being *ought* to live in peace. Hobbes argues that all Christian dogmas are merely prescripts of political obedience and have no cognitive authority whatsoever. Only reason has any cognitive authority. Tocqueville holds that Hobbes’s ‘science of politics’ has broken the unbreakable bond between God and humanity and has replaced it by the ‘commonwealth’. Hobbes did away with the traditional Christian natural law doctrine and absolute morality, all of which Tocqueville seeks to restore:

> Do you not see that religious belief is shaken and the divine notion of right is declining, that morality is debased and the notion of moral right is therefore fading away? Argument is substituted for faith, and calculation for the impulses of sentiment. If, in the midst of this general disruption, you do not succeed in connecting the notion of right with that of private interest, which is the only immutable point in the human heart, what means will you have of governing the world except by fear?[5]

Hobbes, however, is not the first one who substituted the transcendental notion of absolute morality by a notion of right derived from an idea of the human being. The ‘science of politics’ borrowed its inspiration from Machiavelli. The distinguishing mark of Machiavelli’s political thought is that it depicts the human being, not essentially as a creature of God, but as a being who is governed by political passions, most notably by the desire for glory. Tocqueville protests against this materialist worldview. According to Tocqueville, Machiavelli sees ‘the world [as] a huge arena where God is absent, where the moral sense is absent and where everyone tries to do his best’.[6] Tocqueville sees Machiavelli as a teacher of evil tricks, who teaches that what is politically useful is never wrong, moulding actions to suit political advantages. Machiavelli 'skilfully professes the art of crime in politics as a very complex machine in which shrewdness, deceit, lies, and intrigue constitute the mechanism'.[7] Tocqueville strongly disagrees with Machiavelli's vision of the individual. According to Machiavelli, the human being, a creature who is separated from God, is driven by the passion to dominate others. For him, it therefore follows, necessarily, from their nature, that individuals seek to act on the opportunity of the moment, even if power is irreligiously acquired.[8] Tocqueville emphasizes that Machiavelli has lowered the standard for action: Machiavelli bows to political success. For him, the principle of always using the right means, at the cost of missing the end, rather than succeeding by evil ways, is not valid for the political world and is useless for the fulfilment of political ends. In his adoption of Machiavelli's political thought, Hobbes does reject the former's preference for political opportunism and instead constructs his 'science of politics' on the notion of right, which he defines in terms of calculated self-interest. In doing so, Hobbes rejects Machiavelli's vision of the individual driven by glory. Hobbes substitutes the Christian notion of right by the norms of private law (that is based on the liberty to enter into contracts) and replaces morality by the calculation of interest.[9] While in the Christian tradition, one has to be moral because one has been created in the Image of God and accordingly, one has to live up to this privilege, Hobbes stresses that one has to be moral because it is in one's own interest to be so. Hobbes is in fact the first political philosopher who worked out a (naturalistic) theory of right which challenged Christian natural right.

Tocqueville's 'new science of politics' takes a stand against Hobbes's materialistic worldview. Hobbes's *Weltanschauung* challenges the Christian view that recognizes that the gospel's precept of universal benevolence, which owes nothing to civil enactment, is both agreeable to nature and conducive to happiness. Hobbes rejects the Catholic doctrine of absolute morality and strict transcendence and proposes instead a doctrine that does not hover above culture and society. Hobbes says that 'whatsoever is the object of any man's Appetite or Desire; that is it, which he for his part calleth *Good*: And the object of his Hate, and Aversion, *Evill*'.[10] Hobbes proposes an *ethical subjectivism*, in which good and evil are human constructs. Furthermore, he proposes that the individual judgements are bound together by the utilitarian calculus of notions of good and evil. By defining the notions of good and evil according to utilitarian standards, Hobbes can be considered as the father of utilitarianism, despite the fact that the criterium is not social benefit and loss, but individual pleasure and pain, or individual like and dislike.

Tocqueville finds utilitarianism a 'philosophy, at once bold and timid, broad and narrow, which has hitherto prevailed in England and that still obstructs and stagnates so many minds in that country'.[11] He does not embrace utilitarianism due to its focus on immediate interests. His 'new science of politics' strives to place the objects of human actions far beyond the individual's immediate range. Tocqueville holds that those who have a craving to serve the good of humanity, set themselves a noble task that can never be perfectly fulfilled in the temporal world. This noble task is the sacrifice of the immediate interests for the sake of attaining immortality. Tocqueville does not entirely reject the utility principle. Though Tocqueville rejects the utilitarian worldview in which the principle of the greatest happiness for the greatest number is the only principle that ought to govern human life, he does not reject utilitarianism *tout court*. He appreciates in utilitarianism the faithfulness to the democratic principle of allowing each individual to be his or her own judge of interests. Hence, he holds that utilitarianism is 'a system that he [Bentham] pushes too far, in line with the logicians to whom he belongs, but of which I [Tocqueville] approve in many ways'.[12] In a letter to J.S. Mill, Tocqueville explains:

> By bringing by degrees modern societies to this [democratic] point seems to me to be the only way to rescue them from barbarism or slavery ... All that I see of English democrats [that is, utilitarians] leads me to think that if their views are often narrow and exclusive, at least their aim is the true aim that friends of democracy must take ... Faithful to their principles, they do not pretend to force the people to be happy in the manner which they judge to be most proper, but want to make it such that it is in a state to discern, and, by discerning it, to conform to it.[13]

According to Tocqueville, the utilitarian standard of the greatest happiness for the greatest number is too 'low' because it does not demand charity from the members of society. Yet, by making the benefit of society as a whole coincide with personal happiness or satisfaction, utilitarianism can be praised for preventing people from falling into a state of barbarism, a state of division and non-commitment to civil society.

The utilitarian standard for human action is useful for the maintenance of civil society; namely, if every citizen holds a stake (power or property) in civil society, it is in his or her interest to maintain civil society in order to protect the individual stake. Citizens thus protect civil society against barbarians who seek to destroy the social edifice because it is in their interest to do so. Utilitarianism, by showing the personal benefit to be gained from the maintenance and defence of a civil society, has the merit of creating citizen-stakeholders who make good use of their civil liberties. Yet, Tocqueville argues that the utilitarian standard does not create *good* individuals, because it disregards the essential relationship between the creature and the Creator, in its evaluation of good and evil. Utilitarianism shows where a person's immediate interests lie (in the *civitas terrana*), but it does not show where his or her distant and most important interests lie (in the *civitas Dei*). Tocqueville, therefore, tries to reconcile the principle of utility with the transcendental standard of absolute morality, by introducing the 'principle of self-interest rightly understood'. He says:

> If the principle of self-interest rightly understood had nothing but the present world in view, it would be very insufficient ... Man searches by his intellect into the divine conception and sees that order is the purpose of God; he freely gives his own efforts to aid in fulfilling this great design and, while he sacrifices his personal interests to this consummate order of all created things, expects no other recompense than the pleasure of contemplating it.[14]

If the utilitarian, in the narrow Benthamite sense, aims only at the collective interest, then he or she will be content with the *social* being – a creature who behaves well as long as his or her private interests can be reasonably satisfied. Tocqueville rejects such a limited expectation of the human creature who, instead, ought to live the earthly life with a view to his or her eternal destiny. Individuals must struggle to acquire and keep the virtues, because if the virtues are lost, individuals become *unworthy* of possessing them.

Tocqueville says: 'The principle of self-interest rightly understood is not a lofty one, but it is clear and sure. It does not aim at mighty objects, but it attains without excessive exertion all those at which it aims.'[15] He stresses that the reconciliation of the principle of utility and immortality in the 'principle of self-interest rightly understood' is a compromise that will not generate great actions. The 'principle of self-interest rightly understood' is not a lofty one because it does not call on people to sacrifice themselves for the good of humanity, for the sake of the nobility attached to doing this. The 'principle of self-interest rightly understood' does not include the principle of *personal honour*. The compromise has, however, a *pragmatic* value of maintaining civil society, while holding that one's real destiny lies in the other world. It does not have the positive merit of making people great, but it has the negative merit of preventing them from collapsing into barbarism. It enlightens people, but does not trigger their noble passions. The 'principle of self-interest rightly understood' can, therefore, not be understood as the principle of Tocqueville's 'new science of politics'. To cultivate the soul, to purify it, and thus to liberate it, and finally to save it – there lie the whole purpose and effort of the 'new science of politics'.

The sociology of the 'old science of politics'

Tocqueville says:

> Although nothing is more clearly established in the divine laws for human societies than the necessary relationship that links great intellectual with great political movements, the heads of states never seem to recognise this except when it is obvious.[16]

According to him, the 'divine laws for human societies' are divine truths that are independent of human abilities and wants: only God can put them in the heart and mind, and in the way that He pleases to do so. 'The necessary relationship that links great intellectual with great political movements' implies that the 'old science of politics' is somehow intimately linked with some great political movement. Tocqueville observes that the widespread acceptation of Hobbes's political enlightenment, as embodied in Hobbes's 'science of politics', is shown by the fact that a large number of people, from various layers of modern society, share his modern opinions.[17] The political movement, to which Hobbes's 'science of politics' is linked, is not simply the rise of democracy, but particularly the rise of the bourgeoisie. Hobbes's 'science of politics' states that the human desire for security is the all-embracing human need that must be satisfied in order to sustain or protect life. As Leo Strauss, Hannah Arendt and C.B. Macpherson have shown, Hobbes's thesis is essentially an attempt to provide the ground for a new bourgeois philosophy. Hobbes is the only great philosopher to whom the bourgeoisie can rightly and exclusively lay claim.[18] Hobbes's 'science of politics' is meant for quiet calculating creatures who satisfy themselves with their own goods. The bourgeois is a creature whom Molière had earlier satirized, whom Flaubert had ridiculed, and whom Tocqueville, like Rousseau, seeks to raise. The bourgeois, for Tocqueville, contents himself or herself with the things that are seen to be attainable. The bourgeois reduces the world to his or her own finite being. The standards for human action are lowered to the extent that they do not demand virtue, right or honour from themselves. And this, for Tocqueville, is *tragic*: 'What tragic times we live in, when right, courage, and honour have such difficulty in marching together!'[19] 'You know . . . how tired I am of our little democratic and bourgeois pot of soup.'[20]

Tocqueville's 'new science of politics' is primarily an attempt to reform the bourgeois into a citizen. Originally, the bourgeoisie consisted of merchants and artisans of the medieval towns, who had organized themselves into corporations, in opposition to the nobility. Whereas the simple-minded peasants, less curious and less educated, hold themselves under the laws by reverence and obedience, the bourgeois sees the peasants as stupid. The bourgeois average vigour of mind and capacity breed the error of opinions, since he or she wants to emulate the nobles, while not being able to be one. The nobles, with more stable and clear-sighted minds, have the patience (and leisure) for long investigation. Though the bourgeoisie had obtained a civil status, they never obtained an esteemed social status due to their narrow-mindedness ('they would not tolerate someone sticking his nose in their affairs'[21]), their contempt for the peasantry, their jealousy of the nobility, and their excessive concern for their own private affairs. Civil rights

> could not enable the bourgeois to feel himself the equal of the gentleman. It could not deprive the noble of his superior manners, of his self-confidence, of the respect paid to his birth, of many other advantages incident to his position. These things excite the envy of the bourgeois.[22]

According to Tocqueville, the bourgeois is a degraded creature because he or she lacks the powerful passion for liberty and a strong sense of human dignity:

> It requires strong hatreds, ardent loves, great hopes, and powerful convictions to set human reason in motion, and for the moment, people believe strongly in nothing, they love nothing, they hate nothing, and they hope for nothing except to profit at the stock exchange.[23]

The bourgeoisie is a social class that is filled with an 'active, industrious spirit, often dishonourable, generally sober, occasionally reckless through vanity or egoism, but timid by temperament, moderate in all things, except in its love of ease and comfort, and wholly undistinguished'.[24] The bourgeoisie is a degraded middle class: 'A spirit of trickery, of baseness, and of bribery, which has enervated and degraded the middle classes, destroyed the public spirit, and filled them with a selfishness so blind.'[25]

Tocqueville characterizes the bourgeoisie, as a social class, not by its economic or social conditions but by its ruling passions. Aristotle and republican theorists argue that the best regime (that is, the regime where justice reigns) is the one in which the middle classes rule. For them, the middle classes provide the civic zeal that makes free institutions work; they possess the ability to govern for the common *good*. Because they are a mean, they are able to preserve friendship and moderation among the upper and lower classes. Republican theorists assume that any free citizen would naturally participate in the political arena and accordingly they define differences between citizens in terms of wealth (and not virtue or influence). For Aristotle and the republican theorists, the conflict between the passion for wealth and devotion to the common good does not exist, because the human being, being a political animal, *naturally* desires to be an active citizen.

When Tocqueville speaks about the bourgeoisie, he means something very different from Aristotle's middle classes. What Tocqueville means by the bourgeoisie is an apolitical class that prefers the private good to the public good. Hobbes's 'science of politics' legitimizes the passive citizenship of the bourgeoisie. Whereas Aristotle's middle-class citizen seeks to improve the human condition, even at the cost of personal pain, Hobbes's apolitical bourgeois seek to minimize their pain without doing anything wrong as such. The active citizens define their liberty in terms of political participation, namely, as the ability to make a decision for their own destiny. The bourgeois regard the private right to withdraw from the public domain sphere as the essence of their liberty. The bourgeois define liberty as freedom from care, or 'freedom from obstacle', as Hobbes defines it. For the bourgeois, indifference does not have the negative connotation that it has for Tocqueville. While Hobbes legitimizes the retreat to the private sphere, Tocqueville equates indifference with *irreligion*.[26] Indifference is irreligious, for Tocqueville, because it is equivalent to the lack of devotion to the good life, that is, indifference to the rights of humanity.[27] Without active citizenship, Tocqueville believes that society degenerates into no more than a group of individuals or strangers, who behave decently but who surrender the right to actively govern themselves to satisfy their private passions: 'The craving for material well-being leads the way to servitude ... While promoting moral rectitude, it rules out heroism and excels in making people well behaved but mean spirited as citizens.'[28]

Tocqueville stresses that, in a bourgeois society citizenship tends to be confused with consumerism. The craving for material well-being is a passion that is 'very tenacious and very exclusive, but also a very agreeable feeling, that easily accommodates itself to any form of government, provided it be allowed to satisfy itself'.[29] He sees the desire for material well-being as the desire of a servile class that is enslaved to comfort and only likes the fruits and not the burdens of liberty.[30]

It does not demand a free government to be satisfied. Tocqueville argues that free governments are called on to resist the civil call for material well-being and to strengthen the civic spirit. He had a great distaste for the consumerism that prevailed during the reign of Louis Philippe and the government of Thiers and Guizot. He saw materialism as the primary cause of the rise of Louis Napoleon, 'the bourgeois king' who promised welfare rather than freedom. The liberation of France, he believed, had to come from within the soul of the nation. The challenge of transforming the bourgeois into a citizen had taken his whole intellectual and practical life. Less than a year prior to his death, Tocqueville was still hopeful that France would change its moral direction: 'I doubt it whether one has ever seen during centuries a great mass being engaged in the only passion for material well being ... Epicureanism is as curious as it is sad.'[31]

Tocqueville does not identify the bourgeoisie as a governing class because it does not have the passion to govern. For him, the bourgeoisie is a governed class, a class that must be guided to become a civic middle class. While Guizot and Adolphe Thiers (the personifications of the French bourgeoisie in the nineteenth century) attempt to get the bourgeoisie into the government so as to make the bourgeois accustomed to governing (and hence to raise them), Tocqueville tries to keep them out because he fears a bourgeois monopoly on governance. Guizot, like Marx and Weber, perceives the dignity of the bourgeois in their struggle against the nobility; and he hopes to reconcile government and society through the mediation of the bourgeoisie whose aspirations he seeks to satisfy:

> I want, I seek, I serve with all my strength the dominating politics of the middle classes in France, the definite and regular organisation of this great victory that the middle classes have won over the privileged and over the absolute power from 1789 to 1830.[32]

While Guizot seeks to establish the 'nouvelle intelligence bourgeoise' and tries to turn the bourgeois into citizens by providing them with a political culture and a political education, Tocqueville does not accept the bourgeoisie as the governing class because it prefers material well-being to liberty and virtue. Tocqueville argues that those who possess a theoretical and practical understanding of virtue, are called to govern, whereas those who lack virtue, are meant to be governed: 'The most rational government is not the one in which all the interested parties participate, but the one that is directed by the most enlightened and moral classes of society.'[33]

The statesman and the philosopher

Whereas Hobbes's 'science of politics' emancipates political philosophy from the public scene (his 'science of politics' has become the rule rather than the guide for political action), Tocqueville's 'new science of politics' seeks to restore the intimate relationship between the political philosopher and the statesman. Tocqueville's 'new science of politics' is one of division of roles: it is based on a tacit contract between the enlightened and the moral classes in a common cause that aims to improve the human lot, in the sense of guiding humanity towards the good life. The enlightened classes consist of people who offer a guide for political action; they are the philosophers. The moral classes consist of those who command; they are the statesmen. The philosopher teaches a nation to think, to feel, and to express its thoughts, while the statesman shapes the human destiny, bound by the inspiration and duty to act in such a manner so as to promote the perfection of all. Hence, the most rational government consists of philosophers and statesmen. For Tocqueville, philosophy is not detached from the political sphere and the sphere of action is not independent of philosophy: thought and action belong to each other.[34] While philosophy is meant to instruct, statesmanship is meant to implement philosophical precepts: 'Philosophers must always originate laws, but people used to active practical life ought to undertake to direct the transition from old to the new arrangements.'[35] Whereas Burke, a statesman and a philosopher himself, believes that statesmanship and philosophy are simply noble activities among several noble activities in society, and while J.S. Mill, who is a philosopher and reformist, holds that politics and philosophy are among the many ingredients of self-development, Tocqueville argues that statesmanship and philosophy are the highest activities in society. Statesmanship is governance in the light of the moral ideals as reason shows, and not only in conformity to moral rules. For him, the best government is the one in which the statesman knows best how to use the philosopher's power of judgement of political things and events.[36] Those who always labour can have no true judgement – they do not have the leisure to patiently observe from *outside* society, while those who instruct from outside society are too distant to maintain social bonds and facilitate accommodation to social problems.

Tocqueville takes it as his task to structure the contemporary world and investigate the political and social relevance of prevailing opinions precisely because he sees truth, not as intellectual knowledge, but as a living truth, as life. Tocqueville holds that the philosopher and the statesman are both supreme servants of humanity – the one from a compassionate distance and the other in the immediate social sphere. The philosopher and the statesman operate in different spheres. Few philosophers have themselves been able to regulate their lives in accordance with their own precepts. Socrates, Epictetus, Marcus Aurelius and Pascal are some of the few philosophers who have been able to put their teachings into actions. In general, there is a marked difference between philosophizing and living according to philosophical teachings. Plato resolves this divergence in his Philosopher-King, Aristotle holds that the good life depends, not on the philosopher, but on the habits of the citizens, while Cicero believes that the statesman is the *magnituto animi* – the philosopher in action. The *philosophes* see no reason why the philosopher cannot excel in the sphere of action, while Montesquieu and Burke recognize a huge gap that separates the political world and the world of ideas. Tocqueville shares the latter opinion:

> How different are the products of intelligence, the thought that governs writing and the one that governs action! The thought that is closed in between the limits of the action to be accomplished and the one that is spread onto a large space and that wants to judge generally the effects and the causes! How the same man can be superior in the first occupation of his mind and ordinary in the other and vice versa.[37]

Though the world of ideas and the world of passions are different, their divergence is not desirable. Philosophy and statesmanship must be separate but receptive to each other: ‘those different things always gain by being connected and intermingled’.[38] If a philosopher is incapable of grasping the practical limitations of the political world, then his or her well-intended advice is of no use. And when a statesman is incapable of understanding philosophical precepts and intellectual movements, then he cannot understand how society will be evolving. The statesman needs the philosopher’s advice in order to form a ‘clear perception of the future, founded upon judgement and experience’[39] and ‘to discern the signs of the times, not afraid to brave the obstacles that can be subdued, nor slow to turn away from the current when it threatens to sweep them off’.[40] In other words, Tocqueville’s statesman is ‘a happy mixture of the Philosopher and the man of the world’,[41] who possesses ‘practical knowledge of the grand affairs of government, and a habit of entertaining in philosophic studies; [and] a real love for humanity’.[42]

Tocqueville argues that statesmanship is a *higher* calling than philosophy. Like Benjamin Constant and Guizot, and unlike Paul Royer-Collard, Tocqueville believes that statesmanship contributes most to the good of humanity. His admiration goes to Demosthenes rather than to Aristotle, to Malesherbes rather than to Rousseau, to Sir Robert Peel rather than to Bentham. Life, for Tocqueville, consists in political action and is not a theorem. He believes that philosophy is necessary for one's mental tranquillity. For the sake of one's state of mind, one should 'follow the precepts that philosophers teach and never observe, and enjoy by the gift of Nature that happy equilibrium between faculty and desire which alone gives the happiness that philosophy promises us'.[43] 'It is absolutely necessary in order to be happy, or at least tranquil, to be able to set your mind to work on theoretical subjects.'[44] Statecraft, by contrast, means action. The statesman is the supreme citizen who is driven by the passions for right and honour. A statesman, as Tocqueville understands it, does not desire Caesar-like power and is not concerned with winning elections or preoccupied with political appointments or offices, but a statesman seeks to turn people into citizens. The statesman is driven by political concerns and is passionately committed to self-government and human dignity. The statesman seeks 'not, to do great things with men ... but to make men great'.[45]

In contrast with Montesquieu, Turgot and Constant, Tocqueville puts *the statesman before the institution* and hence rejects the so-called liberal slogan of 'a government of laws, not of man'. Tocqueville remains within the Catholic tradition that holds that good institutions always depend on good people. The moral being is the foundation of society. Tocqueville *relies* on the statesman as that moral being, the statesman whose primary task is to promote civic virtue and a sense of personal dignity. Analogously, the primary task of the government consists in encouraging outstanding personalities rather than discouraging potential abusers of power. Tocqueville does not believe that institutional checks and balances are enough to guard human dignity: the statesman, who is the guardian of human dignity, must protect the rights of authority, public decency and public expression. Good and bad government must be defined in view, not of institutions, but of the virtues and moral sentiments of the holders in power. For Tocqueville, the rule of law fulfils the most *urgent* political task, that is, the maintenance of order. The statesman fulfils the *highest* political task, which is the improvement of a nation by making people great (rather than pleasing them). The highest political task and the most urgent political task can be conflicting. While the rule of law seeks to protect the established order and protect citizens against the turmoil of change, the statesman may actively threaten the established order to pursue higher ends. Tocqueville disregards the historical fact that heads of states have rather been inclined towards evil. It is not the acts of the statesman, but wrong ideas of his greatness, which are to be feared. Great heads of states can *become* immoral in their high positions and while this is a sad occurrence, it is not as dangerous as when immorality makes heads of states great in the eyes of the people, for instance by means of demagogy. Tocqueville says: 'What is to be feared is not so much the immorality of the great as the fact that immorality may lead to greatness.'[46] Tocqueville admires Napoleon, who, despite having ruined France, was a great statesman. Though Napoleon deprived France of her liberty and her desire for liberty, and though he had a bad taste in small and great things, his great personality and grand designs gave France a lot of self-confidence.[47] Tocqueville says: 'I reproach it [the Napoleonic Empire] for the non-liberal side of its institutions, but at the same time I do full justice to the personal grandeur of Napoleon, the most extraordinary being, I say, who has appeared in the world for many centuries.'[48]

While Tocqueville does not hide his admiration for the personal grandeur of statesmen and military commanders, Constant, Guizot and the Doctrinaires, though they admire great characters, emphasize the harm that grandeur may do to the Rule of Law. Guizot, like Montesquieu, recognizes a natural aristocracy – individuals who have natural capacities that place them in an eminent position. Guizot claims that by virtue of natural law, the bravest and most skilful individuals usually manage to assert their will and rule over the entire society. According to Guizot, statesmanship is a natural phenomenon that manifests itself and accompanies natural superiorities such as exquisite leadership skills, practical wisdom and exceptional achievement. As long as no violence upsets the natural course of things, the government will always consist of people who demonstrate the highest capacity to exercise and satisfy the public interest. Guizot believes that the true task of a government is to foster the emergence of new talents in society, and to elevate the moral condition of the country. Though Guizot also insists that philosophy is the partner of statecraft (the statesman must not only consider brute facts but also opinions, passions and ideas), for him, the most rational government is more of an active executive power that fosters and promotes education and property in society. While Guizot points to the importance of the *social* eligibility to statecraft, Tocqueville emphasizes the contradiction between social eligibility and statecraft. Great statesmen may destroy social institutions, as Napoleon destroyed the liberal institutions in society. For Guizot, the statesman must be able to read the social map in order to pursue good policies that rely on skills, knowledge and experience of citizens. Tocqueville, by contrast, rejects this view because it would make the statesman a performing puppet of the regime.[49] Tocqueville insists that the statesman's policies should not be dependent on institutional options, but that they should be incited by how to generate citizens who can rely on themselves, be adventurous and adapted for unpremeditated actions.[50] More than Guizot, Tocqueville fears the power of the majority and the inflexibility of institutions more than the authority of the statesman.

Raising the standards: the attack on political venality

'All of my discourses,' Tocqueville says, 'can be reduced to this: *an attack against political venality*.'[51] For Tocqueville, citizenship is the first office, the crucial social and political place and the precondition of all others. It is hence with deep regret that Tocqueville observes that his contemporaries have lost their sense of the *need* for active citizenship, their practical understanding of virtue.[52] For Tocqueville, the central problem of modernity is how to revive the great passions latent in the individual. According to him, the standards for human action must be raised for the sake of individuals' personal dignity, their personal honour that is a vital force of a people. Tocqueville seeks to raise the standards by raising the consciousness of suffering and triggering a sense of dissatisfaction with what has been achieved. He seeks to move the people against their own apathy and to inspire them to search for improvement in the political sphere. Tocqueville sees the contemporary state of modernity as being beneath humanity and argues that some high passion, difficulty or danger is necessary to revivify the human spirit.[53] During his election campaign in Valognes, Tocqueville made the weakening of great political passions the central feature of his speech:

> Politics is now stripped of its greatness; material interests dominate it. I do not look down on those interests: they have their worth and deserve the favourable notice of governments. But in my esteem they only come after other, far higher, interests where nations ought to seek their true prosperity and their solid glory.[54]

Like Montesquieu, Rousseau and Constant, Tocqueville insists that the ancients have set the standard for political action. While modern individuals are decent, more humane and more enlightened, the premodern individuals were more remarkable and grand because they set themselves higher tasks. The ancients were great because they sacrificed their personal interests for the sake of their fellow citizens who gave them their due honour. The moderns are weak because they do not possess great political passions and hence lack the feeling of greatness: they prefer a peaceful existence, free from care, to the dangers of the public sphere. The ancients teach the potential nobility of the human creature – what is necessary to be a commander: ‘The historian of antiquity taught how to command; those of our time only teach obedience.’[55] Tocqueville, differently from the Christian apologists, admires the art of governing more than the art of being governed. For Tocqueville, Plutarch’s *Lives*, the book of the commanders, has ‘a peculiar charm’, while being, at the same time, a kind of charm that does not exist in the contemporary world: the ancient standard for political action ‘does not exist in our times and I fall flat on my face when I get out of my dream to confront reality’.[56] Plutarch presents the tremendous strength of the great commanders, who, by their extraordinary political careers, have pushed back the horizons of what is possible for humanity, and are therefore deemed worthy of commemoration after their deaths. Tocqueville says that Plutarch’s *Lives* is

> a book that makes me sad and that gets me attached. These men of Plutarch, especially the Greeks, are remarkable where we are vulgar. We are often as honest, more humane, cleverer and more powerful than them; but in the middle of their weaknesses, the feeling and the taste of beauty and of the high morality of man do not ever desert them. Even when their vices make them fall beneath humanity, one sees that they notice still something above it. What strikes me the most in our days is not that we do so many small things, but that we do not conceive any better the idea of greatness. The feeling of greatness is missing, and one would say that the imagination of greatness is dying away.[57]

The ancients have set the standard for political action because they had the feeling for, and the imagination of, greatness. Whereas the ancients tried to push back the human limitations by kindling the great heroic passions in the individual, the moderns have given up this attempt for the sake of peace and seek different ends (that Tocqueville calls ‘small things’) that do not need great passions.

Tocqueville’s admiration for great passions and the corresponding masculine virtues stands in sharp contrast with the ‘lay ethics’ of the modernists. Hobbes, Montesquieu and J.S. Mill argue that the human intellectual and practical orientation are perverted by the admiration of brilliance. The admiration for the ancients is perverted, they say, by the romantic idea of the splendour of historical events as the historians and poets deliver them. They argue that the *critical* appreciation of the things that are said and done, leads to an improved human condition. It is not the admiration of grandeur, but critical reasoning that sets the standard for thought and action. Modernists seek to weaken the authority of the ancient standard for political action and attempt to replace it by the authority of the present orientation. Hence, Hobbes argues that peace is the only durable thing that lies within one's reach; hence Montesquieu replaces the ancient political experience by the modern experience of commerce and peaceful existence; hence J.S. Mill emphasizes the merits of positive science over the false opinions of the past. Tocqueville, by contrast, *emphasizes the threats* rather than the opportunities that modernity offers. Though it is true that the ancients belong to a bygone age, their recorded actions, that is, their citizenship, still have an exemplary function for the modern citizen. Rather than stressing the threat of the great passions to the constitutional order, Tocqueville emphasizes that the preservation of society depends on great passions. The great passions of commanders, statesmen and citizens keep society free from foreign threats and private indulgence. Tocqueville even praises the leaders of the French Revolution, who eventually collapsed in bloodshed and inhumanity, for their 'youthful enthusiasm, boldness, and generous and sincere passions, which in spite of all the errors, men would eternally recall, and which for some time yet would disturb the sleep of those who wish to enslave and corrupt other man'.[58]

It should not be concluded that Tocqueville thinks that individuals must *define* themselves by a *grand purpose*: they must define themselves by the greatest political passions that they may never have experienced but that are nevertheless latent in them (as the ancients show). It is not the grand purpose (the Tower of Babel) but the great personalities who are absent in modernity. Like Rousseau, Tocqueville draws the relationship between the ancients and moderns by the observation that the individual becomes smaller and smaller with the progress of civilization: 'why as civilisation spreads do outstanding men become fewer?'[59] 'The nation has just shown itself to be well worthy of liberty; but where are the men who are worthy of conducting a free nation?'[60] Tocqueville observes, without approval, that the modern individual does not possess remarkable qualities. Yet, whereas Rousseau admires the virtues of the old civilization and attributes all the vices and petty passions to the progress of civilization, Tocqueville holds that the passions of the ancients were powerful, but their virtues were half-savage. The virtues of the ancients belonged to a world that had no clear notion of what virtue was. Though Tocqueville admires the ancients for their powerful passions, their masculine virtues and their heroism, he has no taste for their moral virtues:

> The harsh and half-savage virtues were on top of the list; it [Christianity] placed them at the bottom. The soft virtues, such as

> humanity, pity, indulgence, self-forgetting were last; it [Christianity] placed them before the others ... it [Christianity] quickly promoted equality, unity, human brotherhood ... it [Christianity] placed the purpose of life after life itself, and hence gave life a purer character, more immaterial, more disinterested, a higher morality.[61]

What the pagans praised as virtue (prowess, courage and toughness), Tocqueville condemns as impure. The ancient pagans were not enlightened by the Advent of Christ and could not rank the virtues according to God's will: 'In that [Roman] age,' says Plutarch, in the Life of Coriolanus, 'martial prowess was more honoured and prized in Rome than all the other virtues, in so much that it was called *virtus*, the name of virtue itself, by applying the name of the kind to this particular species; so that virtue in Latin was the same as to say *valor*.'[62] Tocqueville conceives 'virtue in a thousand other ways than the ancients'.[63]

Tocqueville argues that the ancients, living in an early, still half-savage, historical stage, did have a divine notion of right and instinctively felt the obligations of natural law. Though the ancients cannot be condemned for not having been Christians, they can nevertheless be condemned for having been pagans, for having constructed their own idols and having wanted to be their own gods. The ancients always struggled with their philosophical conception of God. As they did not respect natural rights when these rights conflicted with their intentions, they often fell below the level of humanity: 'what a devilish world that old world'.[64] Plutarch's commanders, such as Alcibiades, Coriolanus and Caesar, showed character and will, but often applied it in the cause of evil rather than of good. The great commanders seemed to have reduced virtue to a matter of passion and thus acted according to their own desires rather than to what virtue demanded. Caesar kept himself strong as long as it would please him; he also complied with sacrifices as long as the privation of satisfactions was moderate and that there was recompense in sight on another level of pleasures. But as soon as his sacrifices confronted the behest of his senses or acquisitive instinct, his duty to humanity proved weaker, and he was not willing to opt for the best course, but rather for what seemed the most pleasant or most glorious for him. Though some of Plutarch's heroes had flaws inherent and inseparable from their great passions, Tocqueville nevertheless argues that their acts of inhumanity were usually incidental rather than structural. The immorality of the great commanders only occurred as short-lived divergences from their fixed high morality. Incidental immorality never threatened the political order of antiquity because immorality did not deserve, and did not win, public praise.

The history of the ancients reveals the great passions that are latent in people and how heroes have surpassed the average of humankind by great acts of citizenship; what cannot be learnt from this is how greatness and morality can be reconciled.

Raising the standards: Christianity

'In man, the angel teaches the brute the art of satisfying his desires,' says Tocqueville.[65] Though the ancients, who were brutal, managed to vivify the human spirit overwhelmingly by their great passion for honour and right, they failed to restrain themselves by the superior human sentiments of pity and compassion. The angel heals pagan brutality by pity, compassion, clemency, patience, honesty and generosity – all the charitable instincts that belong to the Christian soul. For the ancient citizen, pity was an easy-going, kindly and weak disposition, but for the Christian, the *civitas Dei* is the kingdom in which all people are brothers and sisters in God. Thus, while the ancients provide the inspiration for *masculinity* and set the standard for political action, Christianity purifies the pagan virtues by Christian charity and hence sets the standard for morality. Tocqueville does not aim at pulling individuals out of their state of civil imperfection by developing a doctrine of post-Christianity or by putting the pagans on a pedestal, but he seeks to guide them towards being both Christians and citizens. Though citizenship cannot manifest itself in the ancient demeanour of dignity and pride because Christian faith forbids that, Tocqueville equally holds that Christian humility prevents people from being citizens. Tocqueville's orientation is not ascetic but political: political passions are no substitutes for religious passions, but they mutually enforce one another. Hence Tocqueville is in fundamental disagreement with the ascetic (apolitical) Christian:

> Where politics are concerned, the attitude that comes naturally to the Christian is one of indifference; though an excellent member of the Christian *civitas*, he is but an imperfect citizen in the mundane sense. Such sentiments and convictions when they obtain in a group of men called on to shape the minds and morals of a country's youth, are bound to have a debilitating effect on the mores of the nation as a whole in matters touching on public life.[66]

Tocqueville's attempt to reconcile the citizenship of the ancients with the Christian standard of absolute morality ties him to Montaigne, Montesquieu and Rousseau, and stands in sharp contrast with the endeavours of the Christian apologists. Pascal insists that the political world is but a perpetual illusion, a state of flattery.[67] For Pascal, society, the union of individuals, is founded on this mutual deception. He argues that the ones, who are not content with the life that they have in themselves and in their own beings, neglect their true beings and prefer instead to live an imaginary life in the eyes of others. To prevent the human being from thinking about his or her miserable condition (weak, ignorant and mortal), he or she needs political activity and restlessness. Yet, the unawareness of this miserable condition is precisely what constitutes the human being's greatest misery. For Pascal, one is made to think. It is one's duty to think how one's condition ought to be. The order of thinking is to start by oneself and its author as its end; and yet the political world thinks of acting.[68] By making people acutely aware of their contingency and finitude of life, of the corruptibility of all material things, of the limitations of reason, of the natural defects of human nature (the power of evil in the human creature), Pascal (in direct opposition to the Enlightenment) clearly sets limits to the political possibilities to improve the human condition.[69] Pascal has contempt for concupiscence and argues that one has to aspire to the kingdom of charity where citizens or subjects exude but charity. Pascal rejects the great passions of the great commanders, because they are the desires of people, and not of God. Citizenship receives its rewards (honour and respect) from the human society and not from God.[70] True grandeur, for Pascal, is not the grandeur of the commander, but 'is one that is independent of the fantasy of man . . . such as the sciences, enlightenment, virtue, health, strength'.[71] Pascal insists that, unlike animals that do not have the capacity for thinking, 'our whole dignity consists of thoughts'.[72]

Though Tocqueville agrees with Pascal that the human creature ought to recognize his or her misery without God, he, more than Pascal, emphasizes that 'to live for the sake of living has no interest'.[73] Tocqueville also agrees that the individuals are not content with the life that they have in themselves and yet, he argues that it is precisely this fact that makes the need for political liberty so real. For Tocqueville, individuals need to be not only religious but also political, not in order to forget their miserable condition, but to struggle for their liberty; to struggle for the sake of the good. Tocqueville agrees with Pascal that Christianity provides individuals with a more settled and enhanced position in the face of nature, so that they may become aware of their wretched and incomprehensible status as beings with a natural defect; yet, he also argues that one has to perform great civic actions in the *civitas terrana* for the sake of the nobility of the human race. Tocqueville has little admiration for Christian asceticism and the Christian life outside society:

> Some real preoccupation with religious truths, but not going so far as a complete intellectual absorption in the other world, has always seemed to me to be the state conforming most closely to human morality in all its forms.[74]

For Tocqueville, human dignity does not consist in thoughts, it does not consist in enlightenment, but it consists in the ability to fearlessly face one's own liberty and to decree a meaning to it by the act of a powerful will. Human beings need to be 'proud' in order to dignify themselves: pride 'fosters a healthy self-respect and often an overmastering desire to make a name for oneself'.[75] 'Pride restrains the most imperious of human passions',[76] because pride makes one inured to hardships, indifferent to the amenities of life, intrepid in the face of danger and capable enough to cope with suffering.[77] Tocqueville defines 'pride', not in the Christian sense, as putting one's own will before the will of God, but in the Aristotelian sense, as a mean between the extremes of vanity and excessive humility with respect to one's desire to receive great personal honours. Tocqueville seeks to find a compromise between the Christian plea for humility and aristocratic pride, and justifies this compromise by introducing the notion of 'honest materialism', which is a justification for the Christian to be a citizen:

> Christianity ... has divided the pleasures so that we can believe both in materialism as in spiritualism. Christianity does not condemn honest materialism, because it considers it from a practical point of view: it does not ask perfection from man.[78]

Tocqueville maintains that 'honest materialism' is an integral element of human dignity. It prevents people from falling into snobbery (that is, a feeling of superiority over others, which is against dignity) and it prevents them from falling into slavish humility, meek conformity and feebleness.[79] 'Honest materialism', or having the right ambition, implies longing to be a great personality, having confidence in one's own strength as a human being and as a citizen, being strong enough to resist the forces of the social organism and having a powerful feeling of independence as regards the civil power and courage in defending one's own independence and principles.[80]

Hence, Tocqueville allies himself with the Aristotelian tradition of republican citizenship and disagrees with the Christian tradition that holds anything established by the human will to be but sinful. For Christians, pride is so much a universal defect in human nature that it belongs to the constitutive cause of the predicament of human failure. St Augustine insists that

> God resists the proud, but he gives grace to the humble. This is God's prerogative; but man's arrogant spirit in its swelling pride has claimed it as its own, and delights to hear this verse quoted in its own praise: to spare the conquered, and beat down the proud.[81]

Fénelon argues that 'the great obstacle is the mad wisdom of the century, which wants to entrust nothing to God, which wants to do everything by its own industry, arrange everything by itself, and to admire itself constantly in its works'.[82] Bossuet holds that 'it is pride that disunites us, because each seeks his own good'[83] and urges 'not to lead a life that is half holy, and half profane; half Christian, half *mondaine*'.[84] Tocqueville believes that it is nevertheless possible to lead a life that is half Christian and half civic. Pride and personal honour are socially necessary to revivify citizenship. There are many things that tie Tocqueville to the Christian apologists, but he breaks with their condemnation of the *civitas*:

> Moralists are constantly complaining that the ruling vice of the present time is pride ... Far from thinking that humility ought to be preached to our contemporaries, I would have endeavours made to give them a more enlarged idea of themselves and of their kind. Humility is unwholesome to them; what they most want is, in my opinion, pride. I would willingly exchange several of our small virtues for this one vice.[85]

Tocqueville does not deny that pride (or proper ambition) is a vice, but he believes that it is a vice that fosters great civic virtues, such as magnanimity, courage and prudence. If pride is *condemned* as a sin, then the political world must be detached from the Christian *civitas*. Then it would be impossible for the Christian to be a citizen. Thus, while the Augustinian tradition holds that the true Christian has no interest in this world; that the true Christian shows neither sorrow nor ambition, nor the desire to interfere in great affairs; and that the true Christian only seeks the truths that are necessary to his or her own salvation as well as to that of his or her fellows, and prays that the good of the government may accord with the will of God, Tocqueville holds that pride, if understood as right ambition, does not need to be obstructive to leading a Christian life. Tocqueville sees no contradiction between aristocratic pride and Christian humility, between right ambition and the love for God, between private interest and absolute morality, as long as this 'honest materialism' is assessed with a view to eternity. Tocqueville's reconciliation of the chivalric values of citizenship with the Christian doctrine of the original sin, humility and grace, weakens the absolute claims of Christianity. He, however, holds that charity and pride, though in perpetual tension with each other, must be reconciled in order to bring humankind back to a state of faith. In opposition to the Christian apologists, Tocqueville holds that it is not the Church but the government that is the most essential part of human life. The Christian apologists attempt to win back the straying sheep to a state of faith, for their salvation and for the glory of God. Tocqueville believes that the individual may be guided to Jesus Christ by good government, rather than by religion:

> When men have accustomed themselves to foresee from afar what is likely to befall them in the world and to feed upon hopes, they can hardly confine their minds within the precise limits of life, and they are ready to break the boundary and cast their looks beyond. I do not doubt that, by training the members of a community to think of their future condition in this world, they would be gradually and unconsciously brought near to religious convictions. Thus the means that allow men, up to a certain point, to go without religion are perhaps, after all, the only means we still possess for bringing mankind back, by a long and roundabout path, to a state of faith.[86]

The immortality of the soul and the social state

By arguing that virtue is rewarded in the after-life, Tocqueville attempts to link citizenship to the Christian life, the *civitas terrana* to the *civitas Dei*. According to Tocqueville, the doctrine of the immortality of the soul is the most powerful idea that ties the supreme interests of life that, for him, are God, virtue and immortality, to human action. For Tocqueville, the good life is given a holier character when the purpose of life is placed after life itself. The immortality of the soul is a thing that is so important to human beings, that they must have lost all sentiment to be indifferent to it. Hence, for Tocqueville, practical philosophy that guides political action cannot be conducted independently of the doctrine of immortality. For Tocqueville, it is indubitable that the question as to whether the soul is mortal or immortal must make an entire difference in morality. He holds that governments should always behave as if God is watching them, so that the governed can eventually acquire a genuine faith and then discover that, in giving up their old habits, they have, in fact, lost nothing. That is, for him, governments ought to apply 'the practical means of teaching men the doctrine of the immortality of the soul. That is the greatest benefit that a democratic people derives from its belief.'[87] 'The sole effectual means that governments can employ in order to have the doctrine of the immortality of the soul duly respected is always to act as if they believe in it themselves.'[88]

Machiavelli holds that a prince, who wants to stay on his throne, must at all costs *seem*, in the eyes of his subjects, to be religious. Machiavelli suggests that a prince, in order to win the support of his people, must share in their beliefs and ceremonies. Machiavelli emphasizes the political use of religion. Tocqueville, by contrast, holds that the government should respect the doctrine of the immortality of the soul, even if they do not believe in it, in order to bring the governed to a state of faith. According to Tocqueville, it is the duty of the government to push society towards a religious end. He insists that governments must act in such a way as to uphold a *spiritual* standard for human action, which is higher than any material standard. Plato (as Tocqueville mentions) was the first to recognize the *moral* necessity of the doctrine of the immortality of the soul. Plato argues that human life is a valuable experience *because* of the immortal soul. Yet, for him, the doctrine of the immortality of the soul is metaphysical, with a moral goal at its end. Tocqueville admires Plato's *moral* doctrine in which immortality is rewarded for the good and beautiful soul, but he rejects his *metaphysical* (idealist) teaching of the soul. Tocqueville does not share Plato's metaphysical attempt to put in intellectual forms:

> The existence of God and the immortality of the soul are the most penetrating [theories] . . . Deprive Plato, for instance, of this aspiration for immortality and the infinite that carries him away, and leave him only with his useless forms, his incomplete and often ridiculous science of rhetoric which we cannot grasp by far, he falls into darkness and becomes unreadable. But Plato has addressed himself to the more noble and persevering instinct of our nature, and he will be kept alive as long as there will be people who will only half understand him and he will always have a huge impact in the world of intelligence.[89]

Tocqueville admires Plato's philosophy, because it is a *spiritual* philosophy, putting the emphasis on the beauty and the immortality of the soul as the end of human life. He rejects Plato's metaphysics that holds that the true realities are ideas of which sensible things are imperfect copies. Tocqueville rejects the thought that the reality of immortality is an idea, the highest idea that can only be attained by the true philosopher, as Plato believes. For Plato, the immortality of the soul is a fixed idea (form) that attains immortality and wins the victory over death.[90] For Tocqueville, the doctrine of the immortality of the soul is primarily a moral doctrine of future punishments and rewards. As a moral doctrine, it serves practical purposes. The practical purpose that it serves for Tocqueville is that it helps to reconcile the citizen with the Christian: the true interests of the citizen do not lie in the honour that he or she receives for services rendered to the state, but are attached to God's promise of eternal bliss. Tocqueville urges the individual to gratify the personal soul, 'without being carried away by the metaphysician'.[91]

The distinction between Plato's metaphysical and moral teaching is analogous to the distinction between Plato's idea of the beautiful soul (which defines the purpose of philosophy) and the idea of the common good, which sets the task of the statesman. They come together in the concept of the Philosopher-King.[92] Plato teaches that all human endeavours are meant to yield to eternity. Plato's Socrates is the symbol of an open, honest, sincere soul. Plato teaches that Socrates, the wise man, is the vehicle of God. *Eros*, the love for immortal ideas, is even more important than the most superior intellect or any kind of learning. Plato, the Athenian patriot, aims at *raising* his fellow citizens by *immortalizing* Socrates and the truth that he represents through his dialogues. What Socrates means for Plato, is Pascal for Tocqueville. The latter, patriot from Normandy, aims at raising his French compatriots by pointing to Pascal as the symbol of the truthful person – the beautiful soul. Tocqueville attributes divine revelation to Pascal, which makes the latter a *saint*:

> When I see him [Pascal], as it were, tear his soul from all the cares of life to devote it wholly to these researches and, prematurely snapping the links that bind the body to life, die of old age before forty, I stand amazed and perceive that no ordinary cause is at work to produce efforts so extraordinary.[93]

Tocqueville sketches the development of Plato's moral doctrine of the immortality of the soul to what he understands as the Christian idea of the immortality of the soul. Tocqueville attempts to show, by intellect rather than faith, how the doctrine of the immortality of the soul has *historically* developed and how it has come to its fulfilment in the Christian doctrine. In this speculative description, Tocqueville omits the Calvary and the Resurrection of Christ. In fact, Tocqueville 'platonizes' the Christian doctrine of the immortality of the soul: he combines Plato's spiritualism with Stoic natural law theory, and hence deprives Plato's doctrine of its idealist metaphysics that attributes immortality only to those who search for immortal ideas (the true philosophers):

> Plato attributes the beauty and thus immortality of the soul exclusively to the character of the Greek race. Zeno was the first to recognise the unity of humankind, and the duties and rights communally, but he only catches a glimpse of the immortality of the soul. Christianity merges the spiritualism of Plato with Zeno's generality.[94]

Tocqueville asserts, first of all, that there is such a thing as a Christian doctrine of the immortality of the soul, and second, that it is a synthesis of two pagan philosophies – a synthesis between Platonic spiritualism and particularism and Stoic materialism and universalism. While Platonism reserves the immortality of the soul only to the philosopher, Stoicism attributes immortality to the whole human species, but fails to see the transcendentalism of God and collapses into pantheism. Descartes and Malebranche attempt to show the relevance of immortality for the earthly human life, by proceeding on the plane of abstract metaphysical proofs. Maistre and Chateaubriand try to do the same, by relating it to sentimental or aesthetic considerations. Tocqueville seeks to demonstrate, by appealing to two philosophical traditions rather than to Christianity, that the individual *and citizen* are meant to live for the sake of the *soul* (as Platonism teaches) and that the individual *and citizen* are destined to live in a *universal civilization* (as Stoicism teaches). A synthesis of the two philosophies (what Tocqueville considers to be the Christian doctrine of the immortality of the soul) shows, for Tocqueville, that the longing for personal immortality arises from human needs and aspirations in both the private and the public domain.

The idea of immortality is not confined to Christianity only and hence, Tocqueville finds it relevant to explore the different versions of the immortality of the soul. He not only emphasizes the beauty and utility of Christianity, but also its reason for being a universal phenomenon. He not only questions the extent to which God is known by the pagans, but he also explores to what extent God is known in other world religions. His aim is to establish the moral and political superiority of the Christian doctrine of immortality over those accepted by other world religions and the pagan cults in general. As he compares the doctrines in relation to the *civitas terrana*, he does not consider different doctrines of the immortality of the soul in themselves but relates them to a socio-political state in which a doctrine is accepted. He confines himself to Christianity, Islam, Hinduism and Confucianism, since one can speak of a social state in the Christian, Islamic, Hindu and Chinese world. As the Jews did not have their own state in the nineteenth century, Tocqueville was unable to explore the effects of Judaism on Israel.

In his notes on the Koran, Tocqueville criticizes the Islamic doctrine of the immortality of the soul as a precept for the encouragement of war. Tocqueville says that both Christianity and Islam honour martyrs, but whereas the Christian tradition honours martyrs who have been prepared to sacrifice themselves for the sake of Christ (and not for the sake of killing pagans), in the Koran 'immortality is particularly promised to those who die for faith with arms in their hands'.[95] According to Tocqueville, the standards of human action in Islam are lower than those in Christianity. Whereas Christians are called on to love their enemies as much as they love themselves (that they may fail to reach that standard is of no relevance here), Islam preaches an eye for an eye. Whereas the Christian doctrine of the immortality of the soul (as Tocqueville understands it) holds that the virtuous earthly life will be rewarded in the after life, the Islamic doctrine of the immortality of the soul is a device to push one to sacrifice oneself for a political cause. The Christian world, according to Tocqueville, has managed to liberate itself from its Roman chains whereas the Muslim world has always been under the spell of despots:

> Mohammed professed to have derived from Heaven, and has inserted in the Koran, not only religious doctrines, but political maxims, civil and criminal laws, and theories of science. The Gospel, on the contrary, speaks only of the general relations of men to God and to each other, beyond which it inculcates and imposes no point of faith. This alone, besides a thousand other reasons, would suffice to prove that the former of these religions will never long predominate in a cultivated and democratic age, while the latter is destined to retain its sway at these and at all other periods.[96]

Tocqueville argues that a religion that inserts political affairs into a holy work leads to decadence, because such a religion is not a religion of the heart (love) but of political interest. He argues that though Islam shows a better knowledge of God than pagan mythology did, the pagans were free (because they were citizens), while the Muslim world is not. A doctrine that does not ask the human being to reform himself or herself and that legitimizes the use of force and justifies passions of hatred and revenge, does not set people free, but leaves them with the desperate alternatives of conquering or being conquered. Tocqueville says:

> [Islam is] the principal cause of the decadence so visible today in the Muslim world, and, though it is less absurd than the polytheism of antiquity, its social and political tendencies are in my

> opinion infinitely more to be feared, and I therefore regard it as a form of decadence rather than a form of progress in relation to paganism itself.[97]

The Hindu doctrine of metempsychosis is another version of immortality with which Tocqueville deals. Hinduism has embraced the metaphysical doctrine of metempsychosis that promises immortality to the one who achieves spiritual liberation and union with God (*moksha).* Tocqueville holds that the Hindu doctrine of metempsychosis is 'a most singular mixture of some sublime philosophical notions . . . incorporated to a mass of gross absurdities. One would say a high philosophy abandoned to the explanation and practice of the low people.'[98] Though Hinduism is the most absorbing and spiritual religion, it has also made great concessions to several political passions or vices (Tocqueville refers to the race-based caste-system) of the human heart in order to obtain or retain its power over all actions and ideas.[99] Evil maxims have created extreme inequality and vicious institutions that emerged from fear, superstition, corruption and submission to conquerors of a different faith. Hinduism is 'a religion that has enough grip on minds for it has been able to create and maintain a social state so contrary to nature . . . The religion has introduced among them so many vicious institutions and evil maxims . . .'[100]

Yet, Tocqueville holds that though the Hindu doctrine of metempsychosis has given rise to a state of servility and moral corruption, it is less absurd than a doctrine that holds that the soul dies with the body at the moment of death:

> The doctrine of metempsychosis is assuredly not more rational than that of materialism; nevertheless . . . the community would run less risk of being brutalised by believing that the soul of man will pass into the carcass of a hog than by believing that the soul of man is nothing at all.[101]

He argues that, while the religious code, in the Koran and the Vedas, replaces the civil code and fixes what is only arbitrary (hence follows a state of decadence and stagnation), doctrines of the mortality of the soul are powerless to fix the end of human life. Hence, China that embraces the Confucian doctrine of the mortality of the soul, has a government whose laws are in agreement with its despotism. Just as the Islamic and Hindu doctrines of immortality contribute to despotism, Confucianism legitimizes the mandarin system of governance in China. The Emperors introduced the Confucian examinations to break the hereditary aristocracy and to collect talent for their own purposes.

These examinations became the chief means of social advance.[102] As Tocqueville judges:

> That unenlightened, barbarian government that lets itself be manipulated at will by a handful of Europeans ... where candidates for government posts have to pass a competitive examination in literature; where philosophy does duty for religion, and the only aristocracy consists of men of letters.[103]

According to Tocqueville, the particular doctrine of the immortality of the soul, which a nation adopts, determines the notions of courage, honour and right. The way of life, which an individual chooses, depends on his or her expectations of the other world. Tocqueville remarks that, if one believes that the enemy must be killed to attain eternal glory, the *civitas terrana* is bound to be a place to prove oneself as a warrior. If a person believes that the body is but a temporary house of the soul, the *civitas terrana* will be but a necessary phase in his or her spiritual life. And, if he or she believes that life ends with death, his or her object in the *civitas terrana* will be to enjoy himself or herself. On the other hand, if the individual believes that virtue is rewarded in the after-life, as Tocqueville believes, he or she will see the temporal life neither as a pleasure nor as a pain but as a challenge to be fulfilled with honour.

Notes

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92 Hannah Arendt, *Between Past and Future* (London: Faber and Faber, 1961), p. 130.

93 Tocqueville, *Démocratie*, Vol. II, Bk. I, ch. x. H.F. Stewart argues that Pascal indeed is a saint. Stewart says,

> I propose . . . to deal, however perfunctorily, with one who bore this sacred sign, who deserves, if ever man did, to be called saint, Blaise Pascal. He was far from perfect; he was headstrong and impatient, he long clung to the things which he came to think were hateful; but his mind was aflame for Truth, and his heart athirst for Christ and His poor.
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99 Tocqueville, *L'Inde*, p. 544.

100 Tocqueville, *L'Inde*, pp. 448–9.

101 Tocqueville, *Démocratie*, Vol. II, Bk. II, ch. xv.

102 See also Michael Walzer, *Spheres of Justice: A Defense of Pluralism and Equality* (New York: Basic Books, 1983), p. 140–1.

103 Tocqueville, *Ancien Régime*, Pt. III, ch. iii.

3 Liberties

The sacredness of liberty

Tocqueville says: 'Liberty is, in truth, a *sacred* thing. There is only one thing else that better deserves the name: that is virtue. But then, what is virtue if not the *free* choice of what is good.'[1] Liberty is a *sacred* thing because liberty ties the creature to the Creator. The free choice for God, that is, the voluntary preference of God's will to the human will and the expression of this preference in action, is virtue. Since God represents what is the highest good, virtue can only stem from His will. Hence, for the human creature to attain virtue, he or she has to prefer God's will to his or her own. One has to choose, with one's own free will, as God would choose. Tocqueville argues that the fight against liberty is the fight against God Himself, Who represents the ultimate good. The free choice for the good (God) is a choice supported by grace that gives one the strength to act according to what one sees as the right thing to do, as something added to free choice.[2] Tocqueville argues that 'grace constitutes liberty'.[3] Grace enables one to see and appraise virtue and vice, in such a way that one is better able to choose what is good rather than incline towards evil. In order to be free, one's nature must be perfected, be liberated from ordinary vices. Such a liberation is impossible without faith, hope and charity, while virtue itself is meaningless without the desire to be in communion with God. Faithlessness accordingly poses the greatest threat to liberty. Tocqueville recognizes faithlessness in *absolute* religion. For him, religious absolutism is the ally of despotism, which rules by fear. Absolute religion is an instrument of power, both in the material world and in the spiritual world. Its rule over subjects is complete, since it also rules over the conscience.[4]

In all states, the evil that is most to be avoided is, therefore, religious absolutism. Tocqueville emphasizes that the Puritans established their communities in the New World precisely in order to avoid absolute religion (they fled persecutions) and to keep their conscience free. Tocqueville admires the Puritan communities in New England (which are exemplary for all American communities[5]), because they were constituted in the name of the Creator. Though Tocqueville has little admiration for the religious ideas of the Puritans, he has great admiration for their religious passions. What kept them free were their religious passions. The Puritans were made to feel as if they had to constantly hold on to themselves, that without ceaseless vigilance, they would drift away. They were free because they strongly desired to govern themselves for the sake of their souls: 'It is religious passion that pushed the Puritans to America and led them to want to govern themselves there.'[6]

Tocqueville conceives of self-government (political liberty) and the liberty of the soul as the two parts of liberty. The source of liberty is sacred because it is a precious gift from God and the soul is sacred because it has been created in the Image of God. The genuine desire for liberty 'is born out of the mysterious sources of all great human passions'.[7] It is for the sake of this sacred source of liberty that the individual is meant to unfold the soul's personality, reign over, and be responsible for, its own destiny. According to Tocqueville, the religious passion for liberty cannot be defined and hence cannot be understood by those who do not have this passion. Liberty does not serve as a means to an end, to fulfil oneself and hence liberty cannot be understood in relation to something else. For Tocqueville, liberty can only be understood in relation to God. Liberty is in the first place a religious passion (the desire to be liberated from sin) and not an idea. Liberty is a craving that cannot be taken for granted. Liberty thus understood, being a gift of God, can only be sensed in the unsystematic and unclear inclinations of the soul that longs for the good. Liberty cannot be scientifically proven. Its (supernatural) reality is a matter of grace. Tocqueville says,

> Do not ask me to analyze this sublime yearning [need for liberty]; it has to be experienced. It simply comes into those noble souls that God has prepared to receive it, filling them and setting them afire. There is no use trying to explain this to mediocre souls who have never felt it.[8]

Michael Hereth says that 'behind Tocqueville's concept of a truly free way of life stands the image of the free man, an aristocrat, who lives his life dependent on no one'.[9] Tocqueville's 'image of the free man' is indeed an image of the person who lives his or her life independently of the will of others. The free individual, or 'noble soul' is a person who behaves in a manner *becoming* a free human being, as distinguished from a slave, or 'mediocre soul'. The 'noble soul' presupposes the 'mediocre soul'. The 'noble soul' who lives in a manner becoming a free individual, is the statesman who must possess some (aristocratic) independence. For the free individual is the one who is capable enough to govern himself or herself: he or she is 'free in any real sense, that is to say, self-governing'.[10] Liberty produces an 'exalted feeling of individual worth and a passionate taste for independence'.[11] All *sensible* persons bring with them, at birth, an equal and inviolable right to live independently of their fellows in matters that concern them alone and to regulate their own fate as they sense it: 'Any sensible person has the liberty to govern himself.'[12] Yet, Tocqueville's 'image of the free man' is not the image of an aristocrat but of a 'noble soul' who is the representative of God's *civitas Dei*, a creature imprinted with the mark of the Creator's liberty. The 'noble souls' are the self-governing persons who make an attempt to obey God's will. Hence, for Tocqueville, the aristocratic attempt to appoint representatives by the human will is intrinsically unjust. The 'noble soul' responds to God's calling and attempts to carry His will (and not his or her own capricious will) into effect: 'The political world is a field prepared by the Creator for the efforts of mind.'[13] The 'noble soul, prepared by God to receive liberty', does not possess some rare qualities but is freed from certain common sins. Liberty, thus understood, is not a consequence of some enlightened trait of the mind, but of a lofty ideal of personal perfection. It implies fighting against vice and promoting virtue, within a lawful and customary sphere of action. In contrast, the 'mediocre souls' are the commonplace persons, who know themselves to be mediocre; who have the impudence to assert their rights to mediocrity and go on to impose it on themselves wherever they can.

Tocqueville's notion of the 'mediocre soul' relies upon Aristotle's claim that many people are enslaved souls, who are by nature incapable of governing themselves due to their passions that forge their fetters, and whose minds are intemperate. The 'mediocre soul' is not so much enslaved by an *external* force (for instance, by flattery or satisfaction by others), as Locke would have it, as by an *internal* force. The 'mediocre souls' are enslaved because they *prefer* the enslaving force (the flatterer) to the liberating force (that is God's grace). The 'mediocre soul' is the spiritually weak soul that does not have enough will, courage and principle to guide and govern itself. Tocqueville excludes the 'mediocre soul' from the political realm because the 'mediocre soul' does not really desire to be liberated. What separates the 'mediocre soul' from the 'noble soul' is the latter's passion to be free and virtuous. Tocqueville *characterizes* modernity by the 'mediocre soul'. He remarks, disapprovingly, that the religious passion to govern oneself is fading away. Tocqueville argues that his contemporaries have become mediocre. They have become more interested in their own comfort than in the devotion to the good of humanity: 'Nothing can make us free, for a long time to come, for the best of reasons, which is that we do not seriously want to be free.'[14] As he says:

> Everyone I see is weak-spirited, trembling at the least agitation of the human heart and talking only of the perils with which the passions threaten us . . . We no longer know how to desire, to love, or to hate. Doubt and philanthropy make us incapable of action, incapable of great evil as well as of great good, and we flutter clumsily around a multitude of petty objects, none of which attracts or repels us strongly, or fixes us in our objectives.[15]

Tocqueville's greatest fear is mediocrity that, according to him, can only be combated by a powerful passion for liberty. In a letter to J.S. Mill, Tocqueville insists that the 'sacred and legitimate passion for liberty' is the passion that governs 'noble souls'. As he says:

> I [Tocqueville] love liberty by taste, equality by instinct and reason. Those two passions that so many people feign to have, I believe I really feel them in me and I am ready to do great sacrifices for them. Those are the only advantages that I recognize in myself. They hold more by the absence of certain common vices than by the possession of some rare qualities.[16]

Like Constant and J.S. Mill, Tocqueville argues that 'liberty alone can teach us to be free'.[17] Yet, unlike the former two, Tocqueville maintains that there are only a few 'noble souls' who are endowed with a powerful passion for liberty, whereas the many 'mediocre souls' are enslaved by all sorts of base passions and do not have a genuine taste for, or a correct notion of, liberty. The 'correct notion of liberty', for Tocqueville, is the one that takes liberty as an *absolute end*. It takes *faith* as the mother of liberty, while consecrating human dignity, in the sense that it forces one to govern oneself in obedience to the divine will. The 'correct notion of liberty' is the one that ties liberty to a deep respect for the personality and intimacy of the human creature – a personality that is considered to be oppressed and flouted, more than anything else, by sin. Though the notion of liberty of Constant and J.S. Mill is also one of 'inner liberty', it is not spiritual but mental. Liberty, for them, is not an *absolute* end, but a means to secure the spontaneous development of the human potentialities. If liberty is conceived as mental, then 'real liberty' is not self-government, but, civil liberty that provides the condition under which the mind can be cultivated. For Tocqueville, this mental notion of liberty is incorrect.

Michael Oakeshott says that

> the disposition to cultivate the freedom inherent in agency, to recognize its exercise as the chief ingredient of human dignity, to enjoy it at almost any cost, and to concede virtue to personal authority acquired in self-understanding, is a disposition characterized by Tocqueville and theorized by Hegel.[18]

Though Tocqueville indeed shares his obsession with liberty with Hegel, they mean very different things by 'liberty'. Hegel does not believe that individuals can judge their own affairs while Tocqueville holds the opposite view (which makes Hegel sound like an authoritarian), that liberty is inalienable from the divinely created human nature. Liberty, for Hegel, is not the political liberty that belongs to the 'noble souls', endowed with the gift to judge their own affairs and recognize the good of humanity; but liberty, for Hegel, is the control of Reason over historical forces and a succession of achieved progress. According to Tocqueville, Hegel's theory of liberty professes 'the most profound contempt for the political scene'.[19]

Free will, determinism and Providence

Tocqueville says: 'God has given us the capacity to recognize good and bad and the freedom of choice to choose between them.'[20] For Tocqueville, the capacity to recognize good and evil is a divine gift and so is the freedom of choice to choose between them. Tocqueville believes that Providence is co-operating in the individual without depriving the concept of human liberty of its meaning. The belief that our liberty depends on our desire to be with God is the core of Tocqueville's thesis, which is radically opposed to determinism.

Tocqueville holds that the free will, perfected by grace, is the defining characteristic of the human creature. In order to be free, one only has to determine that one wants to be free. Tocqueville's notion of liberty is incompatibilist.[21] He rejects determinism that holds that nature and society are controlled by the principle of causality: 'Determinism suppresses the human species and is refuted by a thousand facts.'[22] Tocqueville's understanding of the free will makes it impossible to reconcile the free will with the principle of causality. The free will is not a given constant but is continuously perfected by grace. He holds that the *desire for liberty* is not caused, but is inspired by grace, a reality that takes place outside the causal domain. While an incompatibilist like Kant holds that in order to act freely one must set aside one's desires and act out of understanding of what duty requires, Tocqueville holds that the free action follows from the *desire to be free*. According to Kant, the principle of causality can be applied to things only by virtue of the human capacity to experience them, so it is not true of things considered in abstraction from the individual's capacity to experience them.[23] Differently from Kant, Tocqueville holds that it is not the human capacity (reason) that constitutes liberty but grace that constitutes liberty. Grace defeats the principle of causality.

Classical determinism maintains that historical and natural events jointly determine one unique event among the possible events as *the* event. Classical determinism assumes that all actions belong to a causal chain of events; and, consequently, any event can be rationally predicted, with any desired degree of precision if we are given a sufficiently precise description of past events, together with all the laws of nature.[24] Classical determinism conceives an event as being heavily encumbered with necessity that is a degree of what is *useful* relative to an event's end. Modern determinism maintains the *compatibility* of causal determination with a free will. These compatibilists redefine the will so as to make it compatible with the principle of causality. They do not define the will as the power of the soul to make a choice among alternatives and to act upon it, but they define the will as a passion that generates motives. Tocqueville is in disagreement with both classical and modern determinism; the one because it denies the free will, the other because it defines the free will as a passion (that is itself caused), and not as a spiritual strength that, if supported by grace, is powerful enough to curb passions.

Determinism questions the existence of the free will because such a thing as a will cannot be demonstrated or explained by reason. By no means does determinism claim that all the causes or motives of human actions can be *known* (in fact, unlike fatalism, determinism holds that many causes must be left to chance events), but it does hold that all events are caused. Though determinists do not believe that the human destiny can be absolutely known, they do believe in an unalterable destiny. Tocqueville rejects determinism because it is an impious hypothesis that provides an excuse for the individual to be indifferent: 'I do not want to be confused with those friends of order who would make a fool of the free will and of the laws to be able to sleep peacefully in their bed.'[25] Moreover, he says:

> I am aware that many of my contemporaries maintain that nations are never their own masters here below, and that they necessarily

> obey some insurmountable and unintelligent power; arising from anterior events, from their race, or from the soil and climate of their country. Such principles are false and cowardly; such principles can never produce but feeble men and pusillanimous nations.[26]

Tocqueville argues that the belief that all is caused by natural and social forces fosters a feeling of moral weakness. He sees determinism as triggering the feeling that one is caught up in an implacable process, led by an irrevocable decision that affects the soul vitally but in which one has too little to say. This fosters moral weakness because when individuals start believing that they are incapable, or too little capable, of influencing events, they leave their decisions to fate or chance rather than to themselves. Tocqueville says:

> Our contemporaries are only too prone to doubt the free will of man, because each of them feels himself confined on every side by his own weakness; but they are still willing to acknowledge the strength and independence of men united in society.[27]

Jack Lively rightly points out that 'the relationship between determinist theories . . . and authoritarian political attitudes was one to which Tocqueville constantly returned'.[28] Lively furthermore stresses that 'this problem of free will and necessity was to bother Tocqueville for the whole of his life, but he never tried to formulate a philosophic solution for it, indeed had not the taste or capacity to do so'.[29] The relationship between determinist theories and authoritarian political attitudes is that determinist theories provide the legitimating ground for contempt and distrust for the individual's liberty and power to write his or her own destiny. Determinism and authoritarianism both incorporate a vision of an obedient being who is too weak to influence the events that affect his or her destiny. Tocqueville is not concerned with the intellectual forms thought of by theologians (who see necessity in the will of God) and philosophers (who see necessity in the nature of things), but he is concerned with the practical consequences of different doctrines.[30]

When Tocqueville's friend and secretary, Arthur de Gobineau, argues that the destiny of the human race is predetermined from the very beginning,[31] Tocqueville replies that human beings do have the power to write their own destiny and influence the course of events. Tocqueville writes:

> I believe like you that our contemporaries are quite ill-bred, which is the first cause of their miseries and their weakness; but I believe

> that a better education could redress the evil that bad education has done; I believe that it is not permitted to give up such an enterprise. I believe that one can still make good account of them as with all men by clever appeal to their natural honesty and to their good sense. I want to treat them as men, in fact. Maybe I am wrong. But I follow the consequences of my principles, and, in addition, I find a profound and noble pleasure to follow them. You despise profoundly the human species, at least *ours*; you believe it to be not only fallen but incapable of ever raising itself up ... In my eyes, human societies like individuals are something only through the use of liberty. That liberty is more difficult to establish and to maintain in democratic societies like ours than in certain precedent aristocratic societies, I have always said so. But that it is impossible, I will never be reckless enough to think so ... Allow me to have less trust in you than in the kindness and in the justice of God.[32]

Similarly to apologists like Bossuet and Fénelon, as well as Montesquieu, Burke and Rousseau, Tocqueville argues that human actions cannot be adequately understood as merely natural or causal occurrences: the human being is both a natural and spiritual being. The mechanical and biological laws of the body 'are not applicable to the soul'.[33] For Tocqueville, the human creature is destined to discern, obey and promote the natural law ordained by God. The spiritual nature of human beings compels them to seek something greater than themselves, and hence religion is something that belongs to humankind only:

> Man alone, of all created beings, displays a natural contempt for existence, and yet a boundless desire to exist; he scorns life, but he dreads annihilation. These different feelings incessantly urge his soul to the contemplation of a future state, and religion directs his musings thither.[34]

According to Tocqueville, the physical and biological worlds obey laws of nature which constitute a fixed natural order. While other species do not have the freedom to disobey the laws of nature, the human creature, as a spiritual being, is able to violate the moral rules that constitute natural law. Tocqueville holds that the signs of divine existence are depicted by the universe's rationality, in the fascinating order of the universe. In principle, the intellect must be able to recognize God's moral rules in the same way as the laws of nature. It is not necessary to experience special revelation to know the signs of His will. By reason, man can discover Providence in the habitual course of nature and the constant tendency of events.[35]

In line with his strong belief in the independence of the individual to make use of his or her own free will, Tocqueville says that 'next to God, the only author of my destiny is me'.[36] He rejects the doctrine of predestination and human powerlessness with the corresponding low valuation of human activity and creativity. Instead he holds that 'Providence has not created mankind entirely independent or entirely free. It is true that there is a fatal circle traced around every man, beyond which he cannot pass; but within the wide boundary of that circle he is powerful and free.'[37] Hence, there is a special indeterminacy about the operations of 'the laws of divine Providence that, behind "petty details" (as they seemed to be at the time), was shaping human destiny',[38] and about the ways in which Providence can generate necessities and suppress possibilities. Tocqueville holds that humankind is subject to natural laws by which individuals, as temporal beings, are connected to their eternal destiny. The human creature is a privileged being among all other creatures and hence is also charged with the special moral responsibility of caring for all other fellow-beings, obligation that cannot be broken without blasphemy. This mysterious bond between one's behaviour towards another fellow being and its effect on God is to a certain extent revealed by Christ. Whenever a fellow being is left in the lurch when he or she needs help, Christ suffers, not as the outsider who has compassion but as the very one who is involved. *The individual personally crucifies Christ again every time he or she harms someone else*. It is striking to see how close Tocqueville remains to the Augustinian tradition in general and to Bossuet in particular, as Tocqueville admits it himself.[39] As Pierre Marcel says, 'one dominating sentiment is nevertheless singularly striking: that is the profound belief in the intervention of a sovereign Master in the human destinies ... it reminds imperiously of Bossuet'.[40]

Liberty and character

Tocqueville says: 'Our beliefs, ideas, customs, and habits of the heart and mind which we hold to develop a certain spirit, are stronger than our laws, and these are the ones that determine our feeling for right and wrong.'[41] Tocqueville understands 'customs' as both habits of the heart and mind. As he says,

> I use the word *customs* with the meaning that the ancients attached to the word *mores*; for I apply it not only to manners properly so called – that is, to what might be termed the *habits of the heart* –

> but to the various notions and opinions current among men and the mass of those ideas that constitute their character of mind.[42]

According to Tocqueville, the *mores* (or customs) are expressions of the moral and intellectual dispositions of the people who constitute a society. The general 'habits of the heart' and the 'character of mind' are revealed in society by religion, custom and law. The 'heart' is a biblical notion that encompasses the free will and intention as well as sentiment.[43] A study of the habits of the heart and the character of mind gives some insight into the state of society, its coherence and its long-term stability. For Tocqueville, 'character of mind' does not consist in a set of dispositions in the form of rules, procedures or categorical imperatives, which seek systematic behaviour in one way rather than another. Character of mind, for him, is the sum of the various ideas that society produces, from which the individual derives his or her notions and opinions.

Tocqueville does not embrace an Aristotelian ethic of character building. According to him, the *mores* are not only virtues acquired by effort, but they are at once *natural consequences* of the social state (of aristocracy and democracy) and *acquired* by means of convention: 'Customs are generally the product of the very basis of character, but they are sometimes the result of an arbitrary convention between certain men. Thus they are at once natural and acquired.'[44] Customs certainly derive a portion of its existence from certain *innate* ideas and sentiments of all people, such as honesty and common sense.[45] Honesty is uniformly and equally present in the hearts of all people. Like Rochefoucauld, Corneille, Molière and Pascal, Tocqueville takes the *honnête homme* as a worldly ethic grounded in an innate sentiment of all people, according to which all social actions are meant to be judged and justified. Being innate, honesty equips the individual with what he or she needs for the day-to-day requirements of social intercourse. Tocqueville does not take honesty as a standard of virtue and nobility, but as a standard for judging social actions: when one acts honestly one has the certainty that one is not acting wrongly. Hence, for Tocqueville, the *mores* existed before any arbitrary convention was made, while arbitrary conventions are coeval with prevailing customs. Though arbitrary conventions can have their own merits, they are no substitute for God-given innate things, such as liberty and soul, honesty and common sense. Free arbitrary conventions (constitutional conventions) rather protect the individual's innateness from outside invasion, while despotic conventions invade his or her innateness only to corrupt his or her character of mind and habits of the heart. A nation is free, not merely because its conventions keep it free, but because its mores are left free. Individuals owe their liberty to the unperverted character of mind and habits of the heart: 'Free *mores* have made free political institutions. That is the aim to strive for, without forgetting the starting point.'[46] 'The best laws are incapable of making a constitution work in spite of the *mores*, the *mores* draw profit from the worst laws.'[47]

According to Tocqueville, it is not the laws but customs that make a constitution work. He argues that the characteristic attitude of citizens (democratic or aristocratic) towards the world cannot be forced from outside (for instance via legislation), but comes from within society itself. The force of *mores* is stronger than the commands of the law. Thus, Tocqueville stresses that it was their free customs that led the Puritans, in America, to create their townships in the first place, state governments later and eventually a federal government. Democratic or aristocratic laws do not make a democracy or an aristocracy: democratic or aristocratic customs do. Tocqueville's enquiry into the mores is always an orientation that moves between the poles of liberty and authority of the many or the few. His character study is not an enquiry into the *social character* (as David Riesman does in his classical character study *The Lonely Crowd*), but in the *constitutional character* of the nation. The 'social' is, for Tocqueville, a consequence of the constitutional character. The constitutional character is the institutionalization of authority conflict in society. Tocqueville holds that conflict between members of society keeps society *active* and *dynamic*, while they protect the individual against slackness.[48] Conflicts of authorities impose great moral difficulties upon the individual: to live with conflicts of ideas. Religious liberty resulted from religious wars, civil liberties from the parliamentarian struggles against absolutism, and political liberty from a struggle against cruelty and humiliation. Tocqueville stresses that 'liberty is generally established with difficulty in the midst of storms; it is perfected by civil discord'.[49] Liberty is often won by struggle, peacefully by argument but sometimes, if necessary, by force. Consensus and public peace may be of great benefit, but liberty is usually established in the midst of incompatibilities. Tocqueville stresses that it is 'through good order that tyranny is reached'.[50] For him, liberty and public peace seldom subsist together:

> To be free, we must know how to conceive a difficult enterprise and to persevere in it, to have the habit to act for ourselves; to live free, we must habituate ourselves to an existence full of agitation, movement, danger; to be constantly on our guard and to keep an anxious eye around: liberty has its price.[51]

Tocqueville sees the independence and sturdiness of character as being the offspring of political and religious rivalry. He holds that opposition between different political and religious groups is needed in order to keep people free. He argues that when religion itself is the subject of a struggle, morals become purer because sects attempt to prove the soundness of their doctrine by the purity of their sectarian life.[52] Hence, for Tocqueville, politics is not a matter of solving conflicts, of finding solutions for peace accords but it is a matter of how to regulate and institutionalize them. This attitude separates him from Locke, Kant and J.S. Mill, and ties him with constitutionalists, like Montesquieu and Malesherbes, who seek to institutionalize conflict by separation of powers, so as to give priority to individual rights and allow political freedom to take precedence over political integration and order.

Liberties, rights and legislation

Tocqueville holds that civil and political rights reveal how people think and feel in their own *social condition*. Tocqueville says:

> The social condition is commonly the result of circumstances, sometimes of laws, more often still, of these two causes united; but when once established, it may justly be considered as itself the source of almost all the laws, the customs, and the ideas which regulate the conduct of nations.[53]

For Tocqueville, all the rights that people enjoy within a society reflect their ideas of the good life, which are relative to the social condition in which they find themselves. This is a very old truth, already put forward by Homer, that ideas are interwoven with the social state – with class struggle, economic development, religion, taste, and the ways people live and think. Ideas are therefore the strongest (legislative) force to act upon civil and political manners, that is, on all those rights that do not naturally belong to the human being. The *political condition*, by contrast, is the condition in which the ideas and intentions that form the social condition are materialized into facts and translated into laws. That is, the political condition is the materialization of the immanence of the social condition as experienced by individuals.[54] If these experiences of laws and facts do not match with their *new* ideas of right, then the desire is triggered to change these experiences.

'How difficult it is to establish liberty solidly among people who have lost the practice of it, and even the correct notion of it!'[55] says

Tocqueville. It is difficult to establish liberty solidly among people who have lost the experience of governing themselves. For Tocqueville, there can be no freedom from politics: for one to be really free, one must govern oneself. Civil liberty is not a real, objective liberty. Civil liberty is the liberty that is enjoyed in security and peace within the boundaries of what the laws permit. Tocqueville's notion of political liberty corresponds to what Benjamin Constant considers as 'ancient liberty' and to what Guido de Ruggiero calls 'positive liberty', while 'civil liberty' is what Constant understands as 'modern liberty' and Ruggiero as 'negative liberty'.[56] According to Tocqueville, political liberty is *real* liberty. Civil liberties are safeguards for individuals so that they can govern themselves. Yet, civil liberties can also be liable for abuse and can justify withdrawal from the public domain. Like Rousseau, Tocqueville holds that to be permitted to step out of the context of politics, to think of civil interests that do not contribute to maintaining public life, is the road to corruption. Private indulgence corrupts.[57] Though civil liberty is a necessary guarantee against despotism, it is not a good in itself, but a means for the higher end of political liberty.

Tocqueville adopts the political concept of liberty as an ideal of self-sufficiency, of independence from political and social authority. Political liberty means that one is free to make a choice among good and bad alternatives. Tocqueville's whole liberal scheme rests on the assumption that, if individuals have the liberty to make a choice for the good, then they will choose for the good rather than for evil. Tocqueville holds that 'in order to combat the evils ... there is only one effectual remedy: namely, political liberty'.[58] While Tocqueville believes that political liberty is necessary at all times to combat evil, Benjamin Constant argues that political liberty belongs to the bygone aristocracy. In the modern era, as Constant says, one needs to satisfy oneself with civil liberty. Civil liberty is to be enjoyed privately. According to Constant, guarantees have to be erected, which protect the individual against evil. It does not mean that Constant welcomes civil liberty as something that is to be preferred above political liberty: he takes the advent of civil liberty as a fact, not as an improvement. In fact, he at times fears that civil liberty cannot be sustained without political liberty. If individuals enjoy their liberty in private independence and are free to pursue their own particular interests, they may be indifferent to the form of government, if the latter but satisfies their interests. Hence, people might surrender their liberties too easily to a despotic form of government.[59] Though Constant recognizes the danger of civil liberty – that the modern individual may not always be able to resist private temptations – he nevertheless maintains that, though people may then incidentally lose their civil liberties, 'a prolonged practice of despotism is impossible today'.[60]

For Constant, modernity demands a new understanding of, and new standards for, liberty whereas for Tocqueville, (real) liberty can have but one meaning and that is political liberty. Hence, for him, political liberty cannot be replaced by another form of 'liberty' and remains the deepest human desire at all times. Constant sees the modern programme of erecting institutional checks against despotism as *the* achievement of modernity. Hence, he holds that despotism belongs to a bygone past, at the expense of political liberty. On the other hand, Tocqueville puts the emphasis on the centralization of administrative authority, which this process gives rise to. Both Constant and Tocqueville are inspired by Montesquieu, but whereas Constant puts the emphasis on the guaranteeism of the Rule of Law, Tocqueville emphasizes Montesquieu's warning that the Rule of Law may generate a bureaucracy that usurps political liberty. Constant accepts the decline of political liberty and argues that modern individuals must now satisfy themselves with civil liberties, just as the aristocracy had to give way to democracy. Tocqueville, by contrast, does not see the decline of political liberty as a structural but as an incidental fact and attempts to 'rescue' political liberty in a democracy. In other words, Constant believes that political liberty cannot be the predominant notion of liberty in a democracy, whereas Tocqueville believes that it can be and that the modern individual has to fight for it. Though Tocqueville acknowledges that political liberty was more highly valued during the aristocracy, and that civil liberties are instead considered to be more important in a democracy, he nevertheless holds that political liberty should remain the object of all institutions, also in a democracy. As Tocqueville says:

> Change your laws, vary your morals, alter your beliefs, invalidate your forms; if you thus arrive at a point where man has solid liberty to fulfil the actions that are not bad in themselves and the certainty to enjoy the outcomes of his actions in peace, you have the end. It is unique, though the means are diverse.[61]

According to Tocqueville, despotism is truly a danger of all times. It is even more of a danger in democracies than in aristocracies. The remedy against despotism, also in modern times, is not so much the guarantee of civil liberty (though also very important), but the creation of political potency that self-government demands. It does not mean that Tocqueville does not value civil liberties enjoyed in private; he does, however, stress that private enjoyment is less important than the political struggle for self-government. Such is his hierarchy of values.

For Tocqueville, the political objective is always to generate the conditions for self-government. The task of governments is to 'make people great' so that they possess the necessary virtues to govern themselves. The recognition that citizens are capable of governing themselves underlies the allocation of rights. The idea of right is the replacement of force by virtue in the political world: 'The idea of right is simply that of virtue introduced in the political world.'[62] The idea of right is the ordering principle of society.[63] Tocqueville understands the government essentially as an instrument for the advancement of virtue in the political world that subsists by means of the Rule of Law. The Rule of Law guarantees authority, liberty and right against violence, oppression and license: 'The great end of justice, is to substitute the notion of right for that of violence and to place a legal barrier between the government and the use of physical force.'[64]

According to Tocqueville, civil and political rights are the products of society (rather than some state of nature) that is in turn perpetuated by civil and political rights: 'No society can exist without civil and political rights. These rights, therefore, interest all the citizens alike.'[65] Society cannot exist without civil rights because without the rights of sharing in the sovereign authority (the right of association), society would disintegrate. Without civil rights, there is no social tie between individuals, while in the absence of (civil) society, power determines rights. Tocqueville argues that 'societies are formed, to resist evils that are exclusively of a moral nature, as to diminish the vice of intemperance'.[66] Societies disintegrate when individuals fear for their safety whenever they act in society, while societies remain stagnant if their members do not have the choice and the virtue of improving society. Civil and political rights exclusively belong to society for the sake of its preservation and its improvement. They are inalienable from the particular circumstances in which a society finds itself. Civil and political rights are ingrained in the social condition. They cannot be intellectually proposed, because they are the embodiments of the political choices that ancestors have made for their own purpose and which now form a reciprocal agreement.[67] The idea of civil and political rights in society is not an intellectual affair but a political and legal matter; and as such, no idea of civil and political rights can hold as unqualifiedly just: 'There is nothing absolute in the theoretical value of political institutions, and their efficiency depends almost always on the original circumstances of the social condition of the people to whom they are applied.'[68]

Like Rousseau, Tocqueville holds that the nature of the political world is such that political institutions are obscurities of opinions backed only by the authority of the legislator. All legitimate government is based on the consent of the people. The search for the nature of consent is a search for *reasons* why people obey the prevalent authority: who and what is obeyed and why? Tocqueville holds that the foundation of government does not lie in a Declaration of the Rights of Men, which embodies *imaginary rights* of men, but in the social condition. For Tocqueville, the foundation of government rests upon, in the first place, the introduction of virtue in the political world, replacing the use of force; and, in the second place, the introduction of the Rule of Law that guarantees individual rights against the use of physical force. The 'great end of justice', in the political sense, can only be fulfilled by government action. And yet, Tocqueville argues that the nature of government itself is violent. The great aim of politics is therefore to make the government the guardian rather than the enemy of the law. While Benjamin Constant argues that government is inherently good because it prevents members of society from harming each other, Tocqueville maintains that government is inherently bad because it owes its very origin to the necessity of preventing and curbing the violence that one had to fear from someone else. Tocqueville emphasizes what is to be feared rather than what is to be hoped from the government. The Rule of Law, necessary to guarantee one's individual rights, fosters centralization of administrative authority, which robs citizens of their political liberties and their virtues: 'Every government seems to be afflicted by some evil inherent in its nature, and the genius of the legislator consists in having a clear view of this evil.'[69]

Tyranny of the majority

Tocqueville says: 'Despotism, that is at all times dangerous, is more particularly to be feared in democratic ages.'[70] 'Aristocracies are infinitely more expert in the science of legislation than democracies can ever be. They are possessed of a self-control that protects them from the errors of temporary excitement; and they legislate for far-reaching designs.'[71] For Tocqueville, legislative tyranny is *the* problem of modernity. Like philosophers as diverse as Plato, Kant and J.S. Mill, Tocqueville argues that despotism is more to be feared when a majority rules than when the moral and enlightened classes rule (which is a minority rule). Tocqueville fears the triumph of hyper-democracy in which the majority takes direct action, oblivious of the law, imposing its own desires and tastes without taking into account, or without comprehending, the ideas and sentiments of the minorities. When the temptations of power for the majority prove to be stronger than the attractions of self-restraint, the majority is destined to become the enemy of reason, of unity and truth. Tocqueville fears the majority and holds that it cannot be entrusted to make its own laws because it lacks self-restraint:

> The majority lives in the perpetual utterance of self-applause ... They [government] are forever talking of the natural intelligence of the people whom they serve; they do not debate the matter to determine which of the virtues of the master is pre-eminently worthy of admiration, for they assure him that he possesses all the virtues without having acquired them, or without caring to acquire them ... by sacrificing their opinions they prostitute themselves.[72]

Like Locke and Rousseau, and differently from Grotius and Hobbes, Tocqueville argues that the voluntary subjection to public opinion can never mark a state's legitimate establishment. Tocqueville observes that this is precisely what the majority government does. Hence, a democratic government that consists of the majority's voice violates a natural right that transcends the claims of the majority. Like Montesquieu, Rousseau and the Doctrinaire Liberals, Tocqueville places humanity, justice, reason and vested rights above the opinions of the multitude. He does not reject the rule of the majority, as long as it respects the moral limits of its rule:

> The power of the majority is not unlimited. Above it, in the moral world, are humanity, justice, and reason; and in the political world, vested rights. The majority recognizes these two barriers; and if it now and then oversteps them, it is because, like individuals, it has passions and, like them, it is prone to do what is wrong, while it discerns what is right.[73]

Tocqueville believes in a democratic society without majority rule. He says:

> The principle of equality may be established in civil society without prevailing in the political world. There may be equal rights of indulging in the same pleasures ... although all men do not take an equal share in the government.[74]

Thus, as J.S. Mill observes,

> Tocqueville recognizes such a thing as a democratic state of society without a democratic government; a state in which the people are equal, and subjected to one common master, who selects indiscriminately from all of them the instruments of his government.[75]

Though Tocqueville does believe that the ordinary individual of the lower and middle classes possesses enough reason to conduct his or her own affairs, he does not attach a supreme moral value to this majority individual (as opposed to Guizot, for instance). Instead, he holds that the standards set by the authoritative institutions of society, such as statesmen, priests and philosophers, should prevail against the standards of the plebeian majority. He holds that 'the majority taken collectively is only an individual'; and that hence the authority of the majority does not have more weight than the authority of the few. Neither the few nor the many have a right to act merely by the whim of their will, in any matter concerned with what is right and what is wrong. Tocqueville argues that the majority must hand over legislation to a selected number of people who can then form a democratic government.

Tocqueville distinguishes between the task of the government and that of the sovereignty: the one is meant to prevent injustice, the other is meant to be just. For Tocqueville, it is not the will of the majority, but the *general law accepted by humankind*, which testifies and commands that the majority is called to grant right to the few. He believes that it is not the liberty but the authority of the people, which reigns in a democratic government. As Montesquieu says, 'the sovereignty of the people should not be confused with the liberty of the people'.[76] For Tocqueville, the democratic principle of equality implies the belief that everyone is endowed with a certain degree of reason, which he recognizes as the democratic doctrine of the sovereignty of the people:

> That Providence has given to every human being the degree of reason necessary to direct himself in the affairs that interest him exclusively is the grand maxim upon which civil and political society rests ... it becomes the doctrine of the sovereignty of the people.[77]

Like the Doctrinaires, he holds that sovereignty has constituted the right for the government to pronounce on the good of the governed in defence of reason, humanity, justice and vested rights. While absolutists claim absolute sovereignty (the public is the prince himself), liberals accept the separation of public and private and the right of society to judge the conduct of the state.[78] Liberals distinguish between the sovereign and the government and demand that the legislative, judicial and executive powers be separated from one another. The sovereignty of reason (collective reason), rather than public opinion is the only true legislator of humanity, which takes the form of natural right and is recognized by the majority. Tocqueville says:

> There exists a general law that has been made or at least been adopted not only by a majority of this or that people, but by the majority of humankind. That is called justice. Justice therefore sets

> limits on the rights of any people . . . When I refuse to obey an unjust law, I do not contest the right of the majority to command, but I simply appeal from the sovereignty of the people to the sovereignty of mankind. Some have not feared to assert that a people can never step over the boundaries of justice and reason in those affairs that are peculiarly its own; and that consequently full power may be given to the majority by which it is represented. But this is the language of a slave. A majority taken collectively is only an individual, whose opinions, and frequently whose interests, are opposed to those of another individual, who is styled minority. If it be admitted that a man possessing absolute power may misuse that power by wronging his adversaries, why should a majority not be liable to the same reproach?[79]

The authority of the few or the many and the liberty of private judgement are doubtlessly contraries for Tocqueville; yet, they are contraries that he holds without too great a strain. According to Tocqueville, philosophy is needed to enlighten opinion in a democracy that recognizes no other master than public opinion. That is to say, Tocqueville defends *the rights of truth* – he defends justice before the people. The solution for the conflict between the few and the many is not equality, but justice. If the best government is the one that governs most justly, and if it is to be regarded as a means of attaining sovereignty of humanity and reason, then legislation ought to be subordinated to reason. Hence, it is not public opinion, but philosophers who should make the laws. This does not make the people a slave: for the people do not obey the laws in the interest of a master – majority or king – but in the interest of humanity. 'Justice sets limits on the rights of any people' implies that reason is more binding than public opinion.

A democratic state of society, for Tocqueville, means that all members of society are equal as individuals as a matter of natural right; and all individuals, even criminals, have at least the right to be treated as a human being. Yet, it does not follow, for Tocqueville, that all are equal as members of society, since they are not equal as citizens. There may be equal rights of entering the same professions, of living in the same manner and seeking wealth by the same means, but on the political stage, in Tocqueville's vision of the good democratic society, people play unequal roles.[80] For him, it is obvious that the *mores* of the nobility, clergy, magistrate, commercial and working class are all different, and, therefore, their political rights must be different. Hence, political rights follow from particular customs of particular classes. Those classes that uphold the highest intellectual and moral standards are, for Tocqueville, naturally meant to govern.

Tocqueville targets the one-person-one-vote principle: 'Universal suffrage, [is] the most fatal and the least remediable of institutions.'[81] He believes that when everyone would have an equal share in the government, the latter would yield to public opinion and no longer would political individuals be found in the government, to give good laws to the nation. Majority rule means that real participation by statesmen in decision making is very difficult and that such a democracy is vulnerable to *populism*, that is, the tendency to satisfy the crowd to win votes. For Tocqueville, universal suffrage is 'the least remediable of institutions' because if one seeks to resist this particular institution (as Tocqueville does), then one finds oneself in conflict with public opinion, with an entire society. The problem of universal suffrage is that it creates *absolute social power* – a power that compresses, enervates, extinguishes and stupefies public opinion. Without the moderating force of a powerful government, the majority becomes blinded by its own immoderation. According to Tocqueville, public opinion fails as a selection mechanism for choosing a government because it lacks the soundness of judgement, which is necessary to select political people, because it does not have the desire or the inclination to find the personal history of these potential governors. In other words, the institution of universal suffrage lacks prudence: 'I hold it to be sufficiently demonstrated that universal suffrage is by no means a guarantee of the wisdom of popular choice.'[82] For this reason, Tocqueville argues that 'it is less important for the friends of democracy to find the means of allowing the people to govern than to find the means of allowing the people to choose those most capable of governing and of giving to the people a sufficiently strong control over their governors to direct the general line of policy, not the details or the means of execution'.[83]

J.S. Mill attempts to resolve the problem of choosing a capable government by a system of plural voting. He argues that since good government depends on the quality of choice of the people, voting rights should be related to the degree of education.[84] Mill argues that an educated citizen votes in the interests of society, while an ignorant citizen is ignorant of such interests. On the other hand, Tocqueville does not believe that education as such generates sound judgement and therefore enlightened voters.[85] Sound judgement comes from political practice, which requires leisure, something that the majority will always lack due to the functional needs of society: 'Long and patient observation and much acquired knowledge are requisite to form a just estimate.'[86] Tocqueville and Mill both reject universal suffrage, but they diverge on the means to check the injustice that this principle, in their eyes, leads to.

Guizot also rejects the principle of universal suffrage. He distinguishes between the will of the majority and the use of reason by the government (reason that is not equally distributed among individuals).[87] He justifies limited suffrage by arguing that the majority chooses to satisfy its own will rather than what reason advises to do. Guizot argues that, if the government must act according to what reason shows (virtue), democratic society must be kept separated from democratic government. For Guizot, society is a representation of the will of the majority, while the government ought to be a representation of *reason*. The disappearance of any governing class would imply, according to Guizot, as well as for Tocqueville, a government by a crowd that has no motives but 'self-interest' – a motive that can be satisfied by any form of government. They both hold that there are occasions when universal suffrage can be useful and valuable, but they argue that universal suffrage, in general, poses 'a challenge to reason'. Yet, where Guizot sees public opinion as the most important link between government (reason) and society (will), Tocqueville fears above all the abuse of public opinion by a tyrannical majority. And whereas Guizot holds that public opinion is a legal means to exercise the natural faculties and exchange ideas, Tocqueville fears that public opinion becomes the legal means for the expression of a capricious will.

Tocqueville fears that the public opinion of the private people assembled to form a public, does not retain a basis of unity and truth, but functions on the level of a subjective opinion of the majority. Though Tocqueville holds that public opinion, and in particular, its predominant voice, the press, is a constitutive element of civil liberty in a democracy, he also argues that it fosters many evils.[88] Tocqueville argues that the authority of the press is rooted in assertion rather than argument. The press does not seek to make opinion but to strengthen it: 'The personal opinions of the editors have no weight in the eyes of the public. What they seek in a newspaper is a knowledge of facts, and it is only by altering or distorting those facts that a journalist can contribute to the support of his own views.'[89] Tocqueville stresses that the influence that the daily press has, with its presentation of facts, in shaping events and the way in which it moulds public opinions and the whole social condition is enormous. What appears in the newspapers is, for a great segment of the public, its sole source of information and the yardstick by which people make their judgements. In addition, the press possesses a decisive influence over what transpires in public life and in legislation, which likewise plays a major role in shaping everyday experiences. The press leads and guides the government. To be praised in the daily press is the highest badge of honour which the government may earn. Its disapproval is their downfall. The danger of such a state of affairs is that reason (what the nation needs) is no longer the motive behind government action but instead complaisance vis-à-vis the press becomes the ruling passion.

Tocqueville fears that public opinion will weaken established moral standards; that the press will push ordinary readers towards a feeling of relativity of all opinions and standards;[90] that party government will demolish established consensus in moral authority; and that lawyers will redefine justice according to their own standards. Party politics and the manipulation of mass media lead to a situation where representation and appearances outweigh self-government and rational debate. Political parties develop out of antagonism rather than principle. Tocqueville emphasizes that there may well be political individuals of principle but that there are no political parties of principle. Parties are devoid of reason and fuelled by *ideologies* that serve to mobilize power: 'The men who seek power, seek it not for itself, not as a means of doing good to their country, but as a means of getting money and flatterers.'[91] Tocqueville, like Constant and J.S. Mill, rejects the idea of salaries for MPs and ministers.[92] He rejects the idea of a *political career* on the grounds that it would lead to moral corruption and political opportunism. The party mentality is one of ambition, self-interest, oppression and treachery; it is a mentality shaped by public opinion. Burke proposes to change statesmanship for respectable party government so that the nation may become less dependent on the performance and example of statesmen.[93] Tocqueville, by contrast, argues that party government is bound to fail because the majority is too easily influenced by popular orators, fashions and leaders, and too little governed by fixed principles. Instead, he proposes a democracy that is governed by a central government that consists of independent statesmen and a local government that comprises citizens who represent civil and political associations.

Tocqueville is not willing to substitute statecraft by party government and he does not believe that the law can make party government respectable. In fact, he believes that the legal mentality is Pharisaic and fosters white-collar crime.[94] Tocqueville thus rejects the alliance between lawyers and government, which characterizes 'respectable party government' (many party leaders have a background in law): 'Lawyers never make statesmen.'[95] Tocqueville believes that lawyers, as professionals in the legal sphere, easily become the tools of despots. He gives the example of the Mandarins, who, after having passed their exams, became the arms of the Emperor. Lawyers, in Tocqueville's view, do not correct moral and legal errors (vices and violence): 'Lawyers are rarely able to escape from one of two habits: they accustom themselves either to plead what they do not believe or to persuade themselves very easily of what they wish to plead.'[96]

Tocqueville fears the tyrannical abuse of public opinion (public opinion legitimizing crimes), and yet, as J.S. Mill observes, he does not present any *evidence* for the tyranny of the majority.[97] The tyranny of the majority remains a myth, which Tocqueville fails to prove and critics fail to disprove. Tocqueville is only able to give some empirical glimpses that make the existence of a majority tyrant plausible. In America, the future democratic image of Europe, Tocqueville experiences so much indifference to truth and justice, so much stubbornness and vanity, so little taste for the good and the beautiful, so much attachment to comfort, and so much selfishness without condemnation, that he could only blame it on the *Dominatio Plebis*. Tocqueville *assumes* that the taste for easy success and present enjoyment, inattentiveness to the details of life, and a perpetual longing for the satisfaction of petty desires must be the real signs of democratic tyranny: 'I know of no country in which there is so little independence of mind and real freedom of discussion as in America.'[98] 'I think that in no country in the civilized world is less attention paid to philosophy than in the United States.'[99] 'Nothing conceivable is so petty, so insipid, so full of paltry interests – in one word, so anti-poetic – as the life of a man in the United States.'[100] 'There is no life that draws man more completely outside himself [than in America], and you know that the great point of this life is to forget as much as possible that one exists.'[101]

While Tocqueville senses the tyranny of the majority through the narrow-mindedness and small-heartedness in America, he actually experiences it in France. In December 1848, nation-wide elections gave Louis Napoleon 70 per cent of the popular vote. Tocqueville became Minister of Foreign Affairs under the Presidency of Louis Napoleon, but was exiled when the President and his followers violently broke up the Legislative Assembly and established a dictatorship in December 1851 (Tocqueville's account of the coup d'état was smuggled into England by Harriet Grote and it was anonymously published in *The London Times* on 11 December 1851). Louis Napoleon proclaimed himself Emperor Napoleon III with the overwhelming approval of the plebeians and, Liberal Catholics such as Montalembert and Veuillot decided in his favour, because voting for Louis Napoleon *de facto* meant helping the Pope to sustain his independent State against the intrusion of the Italian states. Tocqueville rejected this alliance between Louis Napoleon and papal interests. And yet, for Tocqueville, the overwhelming electoral success of Louis Napoleon was the result of not so much Louis Napoleon's campaign to increase papal authority as that of an overwhelming majority of 70 per cent who voted him into dictatorial power, motivated by the belief that he could satisfy their passion for individual well being. According to Tocqueville, Louis Napoleon was voted into power because of the *isolation* of the majority individual. Through France becoming a mass society, individuals had become powerless. Plebeian conformism to public opinion had resulted in sensitivity to demagogic and populist authoritarianism. According to Tocqueville, public opinion threatens to become an unreasonable despot when the individual becomes too isolated from his or her fellows and starts living a life for himself or herself – the private, isolated sphere, the place of false liberty, that is, a place without real sharing with others. Isolation reduces personal needs to material needs, to consumption and to conformism. For Tocqueville, intermediary institutions like the family, the Church and political and civil associations could moderate these isolating tendencies of private ambition, while limiting the despotic proclivities of centralized administration. But these institutions had already lost their authority in revolutionary France.

Aristocratic liberty

Larry Siedentop rightly says that the 'model of political liberty can be plausibly described as 'aristocratic liberty'. For it assumes that self-government in a nation-state requires government by social superiors, by a class set apart by custom and wealth, if not by legal privilege.[102] The *Ancien Régime* can be read as a historical picture of political liberty, meant to show to his contemporaries what political liberty is and what it implies. Tocqueville portrays a medieval understanding of the State. Tocqueville sees the medieval State as a solidarity form that was sustained by religious belief and political rights. The medieval State had been a prudent organization that carefully guarded the orthodoxy of beliefs, based on a general consensus other than the authority of its central government. The medieval State maintained its unity by religion and exercised its political rights by resisting central authorities. In the absence of an all powerful State, medieval political rights were not legal rights allocated to each individual, but they were *natural rights of personal resistance* – tacit rights that resulted from the diversity of local situations and interests, which forced people to struggle and urged them to reconcile their differences in a diplomatic manner.[103] For Tocqueville, there is only one remedy for democratic tyranny: that is the *liberty for politics*.

In the medieval State there were no civil liberties, but political liberty was valued highly. In the *Ancien Régime,* Tocqueville seeks to show why political liberty should always be the political end if one seeks to remain free. Political liberty is based on the right of *personal* resistance, which is an *anti-social* right. The right of personal resistance is the direct antithesis of the larger society, albeit a right that is not meant to perish ever, since its abrogation is simply equivalent to slavery. Tocqueville attributes the *spirit of resistance* to aristocratic authority, a form of authority that is grounded in citizens who are strong enough to resist social force. In its extreme, one can think of the example of Coriolanus, who, by his massive force (and his intense hatred of the Plebeians), was able to resist the *Dominatio Plebis*. It is not Coriolanus whom Tocqueville has in mind when it comes to the spirit of resistance. He has in mind the Normandic communities that resisted the Monarchs who attempted to impose taxation to finance their wars. Since these communities resisted central authority, liberty and authority were balanced and regulated. For Tocqueville, medieval feudalism effectively means independent public life – 'parochial self-government', based on 'townfolk's rights of autonomy'.[104] Hence, Tocqueville sees the analogy between medieval communities and enlightened republics – public powers, thriving and self-sufficient by means of strenuous endeavour and virile virtue.[105]

Like Montesquieu, Tocqueville harks back to the moral community of medieval times when the French king shared his power and responsibilities with the nobility in a moral community where all members struggled for their (political) liberty themselves. Montesquieu had defined his republic as a self-regulating political society, whose mainspring was the identification of the individual's own good with the common good. The medieval community provided a context of practices, in which the harmony of personal concern and the common welfare could be experienced. Tocqueville gives the highest authority to the medieval community because he believes that these communities had not been constituted by human efforts, or by the State, but by God:

> The village or township is the only association that is so perfectly natural that, wherever a number of men are collected, it seems to constitute itself . . . the township seems to come directly from the hand of God. But although the existence of the township is coeval with that of man, its freedom is an infrequent and fragile thing.[106]

While Romantics, such as Humboldt, Guizot and even J.S. Mill value the rich diversity of the medieval communities because they had been necessary for the *cultural development* of the human species, Tocqueville argues that such diversity *is necessary to remain free*. Diversity reduces the threat of meek conformism. And while Chateaubriand hails the Middle Ages as the epoch of the 'sainte ignorance', and Novalis proclaims that the Middle Ages was the richest, most diverse, and most fertile of all historical periods – the greatest period of Western civilization – Tocqueville does not wish to renounce to the Enlightenment that had introduced liberalism, only to return to the Middle Ages. Tocqueville does not share a Romantic nostalgia for an earlier world that had been, in some senses, a superior form of life than the contemporary world, which he knows to be a past that can never be revived. The tone of the *Ancien Régime* is not nostalgic. As Cheryl Welch puts it, 'Tocqueville ... believed that France's feudal regime was the ancient source of French liberty. But it was this very regime that history had destroyed beyond repair. Therefore, although his deepest longing was to create functional equivalents for the institutions that had formerly sustained French liberties, Tocqueville viewed the materials bequeathed by history as uncompromising.'[107] Tocqueville seeks to show the implications of political liberty to his fellow compatriots so that they may not lose sight of what real liberty is.

For Tocqueville, the medieval community provides a *model* for political liberty because the medieval community had been self-sufficient for the survival and well-being of all its members. In his eyes, the community's independence alone gives it a real importance. Communities held private property in common, elected their own officials, governed and administered themselves. The medieval community was based not upon socio-economic independence but upon common needs, a joint partaking in the common cultivation of the soil. Medieval feudalism had managed to perfect the community precisely because the community had ranked the greatest human values – image of God, self-knowledge, love, liberty and friendship – as the highest values. Disputes of justice hardly occurred within the community because members agreed on a common *ideal of perfection* as a mode for human imitation rather than for actual attainment. It was then conceived that the State was not entitled to originate or abolish law. The creation and destruction of laws would have meant the creation or destruction of justice itself, which would have meant a rebellion against God who alone could create law.[108] Human authority could only execute the existing law and could not create new laws, because the rule of law was established according to the religious image of perfection. In the medieval community, individuals needed no politically sanctioned laws to force them to act for the community, and did not require the constraints imposed by the actual laws to contribute to the good of the community. It was thus, Tocqueville argues, that the medieval State kept a vivid sense of political life alive. Democratic governments can learn the art of legislation from the medieval communities.

Tocqueville argues that political liberty consists in the transfer of law and authority to the individual's intimacy that inspires his or her feeling for right and wrong. The medieval community institutionalized political liberty by demanding, from its members, obedience to religious rather than political authority. Tocqueville believes that liberty and authority cannot be reconciled, but the example of the medieval community shows that their tensions can be reduced, while their jurisdictions can be defined, so that liberty and authority are co-existent. Rousseau attempts to cross the bridge between liberty and authority by his concept of the general will, which would compensate for all restrictions on individual rights by participation in social power. He holds that citizens ideally ought to be full and equal participants in the political process and that accordingly all members of society need to share equally in political power, which, for him, is the pre-condition of effective liberty. While liberty and equality, for Rousseau, are thus complementary values, Tocqueville instead argues that liberty and equality are two values that are bound to conflict with one another.

The theme of the *Ancien Régime* is how, historically, first political liberty was preferred to equality and then gradually equality came to be preferred to political liberty. Tocqueville argues that the gradual preference of equality to political liberty is coeval with the attack on the medieval communities by the Monarchs, who gradually destroyed the political rights of the medieval community. These political rights were feudal rights that included the whole tangle of rights that are attached to the land, such as the selling, renting and using of land, fatigue, banal rights, tariff rights, ferry rights, road rights, river rights, fishery rights and hunting rights.[109] The making of democracy from Louis XI to Louis XIV is the history of the usurpation of feudal rights. For Tocqueville, the process of democratization, which is the process of actualizing natural right, was brought about by force. Abstractly speaking, democratization is the process of substituting feudal rights by uniform legal rights that are administered by a central authority: democracy demands universal legal justice that can only be offered by an immense central authority. When the Monarchs usurped the political rights that belonged to the medieval community, the community could no longer offer a solution to the ever rising crimes. It conceived that only centralization of authority (and hence the abolition of local privileges) could offer a solution for local disorder and partiality.[110] The medieval community failed to make a provision for a clear and simple rule-based foundation of universal justice to cope with the ever rising cases of fraud and other acts of injustice by an aristocracy that had, by then, proven to be unworthy of its privileged status. When social relations between the nobility and people were broken, differences in benefits and burdens could not be settled in good faith any longer; hence both lost their liberty and authority. For, it required the intervention of a central authority, that rules by indiscriminate distribution of rights, to take away the burden in return for obedience. Thus, while the medieval community needed no legality to settle differences in poverty, shelter, misery relief, education and charity, the democratic state used legality to suppress discord. The rise of the democratic state meant the fall of the medieval community. Tocqueville stresses that the uniformity of legal rights has solved many social conflicts, but it has only managed to do so by forbidding the communities to adapt their own rules to their own particular circumstances.

According to Tocqueville, the free communal arrangement between the nobility and the people was threatened when Louis XI started taxing the nobility because he saw an independent local government as a danger to the throne. The democratization process had been ironically initiated by the nobility itself. They had granted trading rights to the bourgeoisie so that civil needs could be satisfied ('the nobility was first conferred by gift in 1270, and equality was thus introduced into the government by the aristocracy itself'). Yet, it is Louis XI who had been the first Monarch to attack the nobility and the people. He infringed the political rights that belonged to the community and hence set a precedent for a future course of authoritarian action, which eventually culminated in the event of 1789:

> Louis XI and Louis XIV reduced all ranks beneath the throne to the same degree of subjection; and finally Louis XV descended, himself and all his court, into the dust.[111]

The event of 1789 was prepared by more than three hundred years of divide and rule policies.[112] Central authority gradually usurped the political rights of the medieval communities to the point that they did not have enough force any longer to resist the monarchs. The destruction of the community (and hence of the liberty in the aristocracy) had become *inevitable* at the moment that the nobility was robbed of its public spirit. The medieval community was destroyed when the nobility lost its force to protect the community against the invasions of the Monarch. The nobility lost its liberty along with its spirit of resistance. Communities had gradually become so weak, that Cardinal Richelieu, prime minister under Louis XIII, 'on that fateful day',[113] hardly found any civic resistance. Hence, Richelieu was able to level all citizens and intermediate authorities, churches, municipalities, schools, communes and sects to an equal footing. This facilitated the exercise of central power. Hence, a vast gulf between government and people was created; and, as a result, political rights became unintelligible and tribute more burdensome. Feudal rights were no longer accompanied by an exchange of services and the French peasant became independent of his lord. The nobility lost all its civil zeal that is necessary for the exercise of political rights. It lost its local patriotic vigour and its sense of responsibility for the community. Hence, the nobility had become incapable and unworthy of governing because it had become indifferent to the destiny of the people. Hence, the life of the moral community vanished.[114]

Louis XIV's conception of *l'état c'est moi* is characteristic of the degradation of the orders of political society. Like Fénelon, Montesquieu, Rousseau and Constant, but differently from Voltaire, Tocqueville targets *le roi soleil.* For him, the reign of Louis XIV is not the guardian of the Christian religion or the promoter of the arts and the sciences, but the model of despotism. Louis XIV penetrated profoundly into local affairs via an alliance with the clergy; hence, he abolished all great forms of individual existence. In abolishing the independence of the clergy, he became the master of local authorities; as a result, he reigned everywhere while making the clergy his shield and object of hate.[115] As Louis XIV found himself in a perpetual need for money, he expanded the state and turned it into a machine for money making. His excessive expenditures urged him to raise taxes, to victimize creditors, and to create and sell new administrative offices that carried a title with them and hence blurred the line between bourgeoisie and nobility. In Tocqueville's eyes, Louis XIV is the great destroyer of the political conception of government and the great creator of the bourgeois conception of the state: a socio-economic state of production and money making. The *Economistes* (*Physiocrats*) and the socialists used Louis XIV's conception of the state to translate their own principles into practical policy. And though socialists like Proudhon, Ledru-Rollin, Louis Blanc and George Sand would certainly have identified the *Economistes* with bourgeois interests, Tocqueville sees a parallel between the sect of Quesnay and socialism. The *Economistes* and the socialists both conceived of the State as a machine that could implement new ideas more quickly and effectively than through the more ponderous movements of the parliament. Their ideas, implemented in the policies of the government, undermined the very basis of political rights. As Michael Oakeshott says, 'it was this vision of the character of a state that Tocqueville pointed to, without approval, when he said in 1848: "you must understand that the passions of men, from being political, have now become social." '[116]

Notes

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4 Democracy and history

Tocqueville's providential history

Tocqueville draws a crucial distinction between providential (sacred) and political (secular) history. Like St Augustine and Bossuet, he narrates the events on earth, but sees them as directed from Heaven. History, for Tocqueville, is a providentially guided movement towards democracy; a movement towards a more or less discernible order of things. Tocqueville is *convinced* that divine laws govern the course of events and that God's will can be discerned in the fortunes of civilizations. The course followed by human history ultimately amounts, for Tocqueville, to much more than a meaningless sequence of events. He sets himself the task to search for an overarching pattern or design endowed with an intellectually and morally acceptable meaning. According to Tocqueville, Providence shapes the conditions for making choices. All particular accidents are drawn together by God according to His will. Hence the reality of historical activity is not doubtful for Tocqueville, but has its place within a providential order. The relationship between historical change, the transition from aristocracy to democracy, and the providential order is intimate. The belief in the existence of a providential history implies faith in a divine purpose of history – the belief that principles for action guide humankind towards moral distinctions. For Tocqueville, history must always be interpreted on the grounds of faith. That is, he tries to comprehend what has taken place in the history of civilization by accepting Revelation in history as a guide and he gives an interpretation of the contents of the providential works.

Tocqueville divides the history of civilization, guided, according to him, by Providence, into different stages, whereby each has its own divine purpose. Hence, the purpose of antiquity was to shape the social and political conditions, to enable the spread of Christianity. God chose the Jewish people as the chosen ones, charging them with maintaining and defending the worship of the true God throughout the pagan centuries. It was Providence that developed the features of Europe out of the disorder of barbarous invasions and reconciled the two antiquities under the law of Christ. Roman imperialism prepared the advent of Christ:

> When the Christian religion first appeared upon earth, Providence, by whom the world was doubtless prepared for its coming, had gathered a large portion of the human race, like an immense flock, under the sceptre of the Caesars ... This novel and peculiar state of mankind necessarily predisposed men to listen to the general truths that Christianity teaches, and may serve to explain the facility and rapidity with which they then penetrated into the human mind.[1]

Christianity abolished personal and common (or social) servitude by obedience to God, so as to reconcile master and slave. The Romans degenerated when their potential reached its natural limits and Christianity extended their boundaries when they could not progress any further. Hence, Tocqueville propounds the thesis of the continuity of providential history: antiquity prepared for the advent of Jesus Christ and the consequent spread of Christianity took away the natural limits the pagans saw themselves confronted with:

> The most profound and capacious minds of Rome and Greece were never able to reach the idea, at once so general and so simple, of the common likeness of men and of the common birthright of each to freedom; they tried to prove that slavery was in the order of nature and that it would always exist ... Their mind, after it had expanded itself in several directions, was barred from further progress in this one; and the advent of Jesus Christ upon earth was required to teach that all the members of the human race are by nature equal and alike.[2]

Tocqueville believes in the created equality among people, but he does not believe that it is via individual reasoning that one has arrived at the notion of a fundamental equality. The Enlightenment takes equality among peoples as an *a priori* truth accessible to individual reason, but according to Tocqueville, Revelation has been necessary to enlighten reason and reveal that all individuals possess by nature an equal dignity. Though the Stoic sages had eventually come to embrace the notion of equality intellectually, the pagans had failed to embrace it *in practice*. The principle of equality was not self-evident, but only came to be embraced by Christians when the Author revealed Himself to teach humankind the love for the neighbour inasmuch as the love for oneself. It is 'the advent of Jesus Christ on earth' which has profoundly insinuated the equal dignity of master and slave into the habits of thinking and feeling. Reason, unassisted by divine grace, could not arrive at the conclusion that all members of the human race are by nature equal and alike. The pagans failed to recognize the equal dignity of people. Even Cicero, the most enlightened of the Romans, did not recognize the equal dignity of men and women:

> At the time of their highest culture the Romans slaughtered the generals of their enemies, after having dragged them in triumph behind a car; and they flung their prisoners to the beasts of the Circus for the amusement of the people. Cicero, who declaimed so vehemently at the notion of crucifying a Roman citizen, had not a word to say against these horrible abuses of victory. It is evident that, in his eyes, a barbarian did not belong to the same human race as a Roman.[3]

Tocqueville sees the same providential hand in the historical change from aristocracy to democracy, as in the transition from pagan antiquity to Christianity. He observes that the historical development is simple and uniform: it is advancing towards equality over the debris of all sorts of institutions. Any event of the past seven centuries has somehow contributed to the advance of equality. Class differences have gradually narrowed; aristocratic opinions dissipated and democratic opinions took over their place. A state of civilization which recognizes that all members of the human race are by nature equal and alike in dignity is what Tocqueville calls 'democracy'. Tocqueville converts Montesquieu's types of government into the basic forms of human and social life. Aristocracy and democracy are two types of constitutional rule, which both have their own principles. Whereas Montesquieu sees democracy and aristocracy as two forms of constitutional rule, which are equally possible or legitimate, Tocqueville holds that they are rather two great successive regimes of human life: 'They are like two distinct kinds of humanity.'[4] Montesquieu seeks to achieve a balance of *political* powers within the constitutional structure of the state by combining the legislative power of the people and the aristocratic power in the actual administration of the country's affairs. Montesquieu introduces in fact the principle of moderation in the democracy, understood as a constitutional form, by a balanced blend of aristocratic political forms. Tocqueville, by contrast, holds that aristocracy and democracy are historical forms – the one is the old regime, the other the new regime. Democracy is for Tocqueville thus not merely a novel political regime, but it is the rule of the human will that triumphs over and replaces all other regimes.[5] The love of equality emerges as the principle of the new state of civilization, while the love of honour was the principle of the old. These two principles, Tocqueville emphasizes, cannot be reconciled.

In the nineteenth and twentieth centuries, democracy gradually took on its distinctively contemporary form: a cluster of rules, procedures and institutions permitting the broadest involvement of the majority of citizens, not in political affairs as such, but in the selection of representatives who alone can make decisions. This cluster includes elected government; free and fair elections and universal suffrage. The consolidation of representative democracy, thus understood, has been ultimately a twentieth-century phenomenon – the result largely of sustained struggles by the working class, feminists and civil rights activists, whom Tocqueville attempted to resist. For Tocqueville, democracy is not a method to protect individual rights, as it is for Bentham; it is not a way of life, characterized by openness, liberty, education, criticism and collective action, as it is for J.S. Mill; neither is it a model of political decision making and the formation of political parties, as it is for Schumpeter. For Tocqueville, democracy is a state of civilization where the principle of equality, a natural right (as opposed to force) is actualized. It is a state of civilization which historically succeeds a former state of civilization (aristocracy), which was founded by force in a bygone past. Tocqueville holds that aristocracy and democracy are based on different principles of action. While in the aristocracy, the principle of inequality dominates all other principles of action, in the democracy, it is the principle of equality which is predominant. Hence a mix between democracy and aristocracy is no option.[6] The democratic principle of equality results in equal access to institutions, which stands in contrast with the aristocratic principle of inequality of the *ancien régime*, which denied equal access to those members of society whom it considered to be of little worth. According to Tocqueville, this systematic exclusion of members of society from participation in the good life is a violation of natural right; that is, aristocracy embodies a rebellion against the will of God. Tocqueville holds that the aristocracy is an unnatural form of civilization because it does not acknowledge the will of God, but pursues the good life according to its own standards. Democracy, on the other hand, is in conformity with nature, in the sense that it is the most natural form of civilization, and a good to be pursued and realized because it is in accordance with the will of God (hence, 'democracy is perhaps less elevated [judged by the aristocratic standard], but more just'[7]).

The inevitable progress of democracy can be observed but not properly understood. According to Tocqueville, the purpose that democracy serves remains unknown to human reason: 'What is involved here is not a modification, but a transformation of the social body – but to attain what? In truth, I do not know, and I believe this is beyond the intelligence of everyone.'[8] Democracy is the *inevitable* outcome of a historical process that is dictated by natural law and governed by Providence:

> The various occurrences of national existence have everywhere turned to the advantage of democracy; all men have aided it by their exertions, both those who have intentionally laboured in its cause and those who have served it unwittingly; those who have fought for it and even those who have declared themselves its opponents have all been driven along in the same direction, have all laboured to one end; some unknowingly and some despite themselves, all have been blind instruments in the hands of God. The gradual development of the principle of equality is, therefore, a providential fact.[9]

Tocqueville does not believe that the aristocrats willingly disobeyed the will of God. The people living under the aristocracy were simply blind to the principle of equality. Tocqueville gives the example of Voltaire's secretary, who innocently undressed in the company of her lackeys, not realizing that they had certain feelings as well. As Tocqueville says, 'Providence has given us a torch that our forefathers did not possess, and has allowed us to discern fundamental causes in the history of the world which the obscurity of the past concealed from them.'[10] He does not believe that the democratic individual is a better person than the aristocrat. Both are born with natural defects, with a will that is not inclined towards the good, because the human will has become 'capricious'[11] after the Fall. The predicament of the human being arises, not from a lack of intellectual power, but from the human inclinations, which makes it necessary for one to always have to struggle and react against the temptations of evil.

Tocqueville takes the principle of equality, as an explanation of the changes that have occurred over time, not as a guide to practical reason or as a ground for the legitimacy of government action. Divine laws dictate one to live in a democracy and respect one's fellow citizens' dignity (including the dignity of the criminal). The democratic life, whereby it is acknowledged that each soul has an integral value, is the moral life. Tocqueville says that God's will must be obeyed, and God's will, according to him, is to live together with each other in a democratic state of civilization. The political challenge that Tocqueville has set himself is to refine democracy, to make its principle of equality clear, and to guide it. In the nineteenth century, Tocqueville notes that, though democracy had been advancing for so long, democracy had been left unguided and hence had been out of control: 'Statesmen have made no preparation for it [democracy], and it has advanced without their consent or without their knowledge.'[12] 'Democracy has been abandoned [by statesmen] to its wild instincts, and it has grown up like those children who have no parental guidance, who receive their education in the public streets, and who are acquainted only with the vices and wretchedness of society.'[13] The *Démocratie* is primarily written to assist the practical reflections of governments and citizens. All good societies must be governed according to the objective truth of God's will. Thus, the question is not whether the principle of equality is good or not, because it is a providential fact. It is not up to human creatures to judge this principle, but they simply have to accept it, whether they like it or not. Tocqueville himself has little enthusiasm for the principle of equality, but does believe that democracy can be made endurable if liberty and dignity can be preserved within the context of equality of living conditions: 'I love liberty with passion, legality, respect for rights, but not democracy.'[14] The paradox here is that, Tocqueville does not seem to love the will of God, but nevertheless accepts it, by reason, because resisting the will of God is foolish and unjust. Providence has guided history in the direction of equal social conditions, it has abolished the ranks instituted by feudalism, but the preservation of liberty and dignity in such conditions, which includes educating democracy, is the task of statesmen. Tocqueville does not call on citizens to love democracy – they will do so instinctively as soon as they are used to it – but to safeguard the good of humanity in democratic circumstances:

> The organization and the establishment of democracy in Christendom is the great political problem of our times. The Americans, unquestionably, have not resolved this problem, but they furnish useful data to those who undertake to resolve it.[15]

Political history

According to Tocqueville, though events are governed by Providence, they come into being by human actions. Though the events are shaped by Providence, the events are also the actions of people, who are free to design their own actions. For Tocqueville, the providential hand in human affairs does not imply that individuals are merely instruments to a grand design. Human history is always political history: it is the history of the genesis and development of human societies and their institutions. In other words, *the sequence of events cannot be explained in terms of Providence only*. Tocqueville believes in 'the inevitable visitations of the Deity'.[16] He believes that God exercises continual supervision over humankind and intervenes directly in human affairs in ways that are not always comprehensible: 'I am ignorant of His designs, but I shall not cease to believe in them because I cannot fathom them, and I had rather mistrust my own capacity than His justice.'[17] Yet, Tocqueville also believes that events as such are essentially made by people. Like Guizot, he explains the sequence of events, not only within the context of a providential scheme, but also within the context of the human society. Tocqueville argues that, though democracy is dictated by Providence, the peculiar birth and direction of democracy, and the related question of liberty or servitude, are essentially human affairs. Hence, Tocqueville's *Ancien Régime* is not about a providential history but about the history of class movements; of how political hands have shaped democracy.

Tocqueville is, hence, also an ardent critic of doctrines that attempt to fuse providential with political history. Hegelian pantheism, for instance, teaches that the whole courses of providential and political histories constitute a *unity*. Hegel holds that every existing and historical event is only a part of an immense and all-embracing Being that incorporates all events. For him, history has as an aim the development of an absolute Being, what he calls 'spirit' or 'mind' (*Geist*) and which he sees as the self-expression of God's nature. Tocqueville argues that

> It cannot be denied that pantheism has made great progress in our age. The writings of a part of Europe bear visible marks of it: the Germans introduce it into philosophy, and the French into literature ... The idea of unity so possesses man and is sought by him so generally that if he thinks he has found it, he readily yields himself to repose in that belief. Not content with the discovery that there is nothing in the world but a creation and a Creator, he is still embarrassed by this primary division of things and seeks to expand and simplify his conception by including God and the universe in one great whole. If there is a philosophical system that teaches that all things material and immaterial, visible and invisible, which the world contains are to be considered only as the several parts of an immense Being, who alone remains eternal amidst the continual change and ceaseless transformation of all that constitutes him, we may readily infer that such a system, although it destroys the individuality of man, or rather because it destroys that individuality, will have secret charms for men living

> in democracies ... Among the different systems, by whose aid, philosophy endeavours to explain the universe, I believe pantheism to be one of those most fitted to seduce the human mind in democratic times. Against it, all who abide by their attachment to the true greatness of man should join and struggle.[18]

For pantheists, individuals, however virtuous or vicious they may be, are carried away by the force of events to a natural and historical destiny. For Tocqueville, the deep broad stream of life moves on relentlessly in the course prepared for by Providence's dictating force, but this does not annihilate political action. On every page of history, some individual rights and independence against political force can be encountered. Respect for physical and moral force, this unquestioning recognition of the personal soul, are some of the great Christian principles that Tocqueville seeks to protect. His critique of pantheism is that it does not recognize the supreme value of the personal soul, that it ignores the sacred individuality of the human being.

According to Tocqueville, human actions are shaped by the constitution of society. It is the government that makes history. Systems of government ultimately shape the mentality of citizens.[19] In a famous parliamentary speech on the 27 January 1848, while the parliament was discussing its reply to the speech from the throne, Tocqueville said:

> What I see may be expressed in a few words: the customs of the people are changing day by day. Precisely because morality no longer reigns in the chief acts of life, it does not descend into acts of less importance ... I am not so senseless as to be ignorant that laws, taken by themselves, do not make the destiny of peoples. No, it is not the laws, in themselves, which make the destiny of peoples; no, it is not the mechanism of the laws, which produces the great events of the world; it is the spirit of the government.[20]

The 'spirit of the government' comes before the political event and sets the world in motion. It is not Providence, or the body of laws, but the 'spirit of the government', which is the active force behind the making of history: 'A certain living memorial spirit ... sponsors the conception, birth and fruition of events.'[21]

In political history, the course of historical events follows a certain causal sequence. Though this sequence does not explain society as it is, it does explain how things have come to pass. The causal sequence helps to predict future actions, because certain causes are reproduced throughout history: they are objective, universally applicable and value free for the investigation of facts. Thus, though the manifestations of the human mind throughout history are unique in themselves and depend on particular complex and often bizarre circumstances,[22] it is not necessary to defy scientific analysis just because science cannot explain everything. Similarly to scientists such as Georges Cuvier and Louis Pasteur, Tocqueville holds that there are moral causes of things and events, which are beyond the reach of scientific analysis. Scientific generalizations explain the reasons for what there *is* rather than what *ought to be*. Like the scientist Georges Cuvier, Tocqueville holds that we must learn how to obey the 'general laws of the social world' before we can govern it prudently:

> There exists, says Cuvier, a necessary relation between all the parts of organized bodies, so that the man who comes across a detached portion of one of them is in a state to reconstruct the whole. A similar analytical work could help to know most of the general laws that govern everything.[23]

Though Tocqueville is in agreement with the Enlightenment historian-philosophers, that political phenomena conform to invariable laws, he criticizes them for giving too much weight to physical causes and too little weight to moral causes in explaining events. Tocqueville refers, for instance, to Montesquieu's theory of the influence of the climate on character formation and his use of the concept of space in his approach to the study of politics. Like Rousseau, Tocqueville argues that moral causes are always much stronger in dominating the lives and characters of people than physical causes. The 'general laws that govern everything' are, for Tocqueville, broadly applicable truths valid in the political world, as distinguished from the moral world. Politics can be scientifically studied precisely because politics (unlike morality) is limited to the material world. He says: 'There is in the events of this world only one logical link; certain facts create others naturally; certain behaviours lead to a certain fortune. But it is very rare that the morality of the fact or that of the conduct has anything to do with the result.'[24]

Tocqueville argues that the political world has its own 'logic' that repeats itself all the time: 'History, indeed, is like a picture gallery, in which there are few originals and many copies.'[25] The 'logic' of the political world says that, in the absence of any moral judgement or choice between good and evil, the weaker, as a general rule, must succumb to the stronger. According to Tocqueville, the probable occurrence of an event in the political sphere can very often be predicted from the estimation of relative forces, that is, of the weakest and strongest parties or opinions or influences. Power is a very much desired thing; it is frightening and it enforces wishes. Hence Tocqueville says:

> The political world obeys laws that are always the same, and that, when one knows them well, announce by what happens today what will happen tomorrow. That is how you see different classes of a nation put aside particular hatred and jealousies which divide them, in the interest of a common defense or attack, even if they are to revive them later, say boldly that the moment of revolution approaches.[26]

A law that the political world always obeys, Tocqueville observes, is that authority is challenged, not at the height of power, but when the strength of command begins to wane.[27] Aristotle's conclusion that rebellion is stronger when people have a clearer perception of inequality holds true in all political circumstances. The same is true of his observation that the situation in the cities and the intemperance of demagogues are important causes of revolution.[28] These are the empirical generalizations that Tocqueville applies in the *Ancien Régime* to show how the political world obeys certain laws.[29] He uses them to strengthen his argument that the French Revolution, as a political history, obeyed the laws of the political world and therefore had a 'logical' outcome.

Tocqueville refers not only to Aristotle as a philosopher who has a clear understanding of the nature of politics, but he also mentions Machiavelli's *Prince* as a work in which many broadly applicable truths can be discerned. Tocqueville says:

> Machiavelli observes, in *The Prince*, 'that it is much more difficult to subdue a people who have a prince and his barons for their leaders than a nation that is commanded by a prince and his slaves'. To avoid offence, let us read 'public officials' for 'slaves', and this important truth will be strictly applicable to our own time.[30]

The will to power, with the related ambition, jealousy, hatred and greed, is an *immutable element*; and, being immutable, it is accordingly a 'law that governs everything'. It does not follow, of course, that 'Machiavelli's law' can therefore be used as a guide or instruction to political action. Tocqueville uses 'Machiavelli's law' to analyse facts, not as a norm. Machiavelli's law only offers an explanation of political activity, not a justification of conduct. Therefore, 'Machiavelli's law', as a scientific generalization, is limited to the historian's causal explanation of those political actions that re-occur over and over again in history. It does not provide a practical guide for governing in a legitimate manner.

Tocqueville holds that the study of history is a reputable form of inquiry precisely because it aspires to make empirical generalizations. He, even more, shares this aspiration and hence deals with *classes* rather than individuals,[31] to describe the *permanent* relationship between things, a general texture of human life, the lasting characteristics and attachments of classes. He releases himself from mere narration, something that a traditional historian is never able to do, and instead classifies individuals according to the social class of which they are part. Tocqueville does not interpret classes as a concept of conflict, as the expressions of irreconcilable social contradictions, as St Simon holds, but he sees classes as social categories that have some definite character of their own. Thus, for him, it lies in the character of the upper classes that they possess the intellectual and practical skills to govern, while the middle classes possess the skills to supply for material needs. It is in the character of the lower classes to 'sell their labour'. And yet, though classes have their own inner logic, the *concept* of class is but a construction of the historian, to reduce the complexity of history and order its chaotic diversity. Tocqueville is quite willing to admit that there are always exceptions to the generalization of class. He does not doubt that all particular facts cannot fit in the constructed category. The latter serves an analytical purpose for the historian; it does not constitute the historical reality in itself. The general idea of a class helps to structure and order the many particularities that make up the whole of that general idea, but at the same time such a reduction of complexity blurs the vision of reality. Generalizations show 'the insufficiency of the human intellect; for there are in nature no beings exactly alike, no things precisely identical, no rules indiscriminately and alike applicable to several objects at once'.[32]

Chance and trends

For Tocqueville, events are always determined by general causes (necessity) and secondary causes (chance), and yet the future is open for humankind to move about and to make political decisions about what has to be done so as to improve the human condition. Any decision that one is able to make for the sake of improvement presupposes both a possibility to move as well as a limitation imposed by the happenings of the past. Tocqueville argues that chance determines history to a certain extent, but never determines the direction of history and the outcome of an event. The past, aristocracy and the coming to being of democracy, do not make up a senseless chain of events, but form a coherent whole that Tocqueville considers to be a 'trend'.

Tocqueville holds that any historical event is partly determined (and therefore partly explainable) and partly left to chance. General causes explain what and how an event has happened, whereas chance events delude the historian. Tocqueville argues that chance always plays a major part in history and that therefore the 'historical truth' – the 'truth' discovered in the historical archives – cannot be fully determined:

> Chance, or rather that tangle of secondary causes which we call chance ... plays a great part in all that happens on the world's stage; although I firmly believe that chance does nothing that has not been prepared beforehand. Antecedent facts, the nature of institutions, the cast of minds and the moral state are the materials of which are composed those impromptus that astonish and alarm us ... I believe ... that many historical facts can only be explained by accidental circumstances, and that many others remain totally inexplicable.[33]

Tocqueville does not intend to construct a Hegelian 'system of history' which represents events as depending upon great general causes linked by the chain of necessity. Hegel, for instance, interprets the French Revolution as the unprecedented and world-shaking attempt to remake society according to the prescriptions of Reason.[34] The central idea of the French Revolution, according to Hegel, belongs *historically* to the emergence of modernity – the post-Christian age; this is its actuality and *historical necessity*.[35] Hegel argues that the French Revolution failed because it did not conceive that the State had to become the realization of liberty itself. That is, for Hegel, the error of the French Revolution lies in that it reduced the bond between the individual and the State to an arbitrary contract, which resulted in the failure to recognize the uniqueness and autonomy of the State and the true universality of its mission. Tocqueville, by contrast, does not view history as a rational process. He rather seeks to show the influence of human choices on the course of events, in which often the same passions, again and again, play such a decisive role in the outcome of events.

Tocqueville stresses that the historian's reconstruction of the past has political and moral consequences: 'The manner in which we judge the past can have a great influence on the future.'[36] It makes a difference for the human expectations and hope for a better future, whether the causes of historical events can be explained, or whether, on the other hand, history is seen as a chain of chance events, and, accordingly, remains largely unintelligible. Pascal suggests that the cause of the foundation of the Roman Empire was the length of Cleopatra's nose (a fortuitous appearance). Nothing relevant can be said about the ways in which things might have gone differently if Cleopatra's nose would have been longer. Cleopatra triggered, among the key political actors (Anthony, Caesar and Pompey), certain expectations, hopes, curiosities and illusions, a love for excitement, adventure and a desire to find fortune. Cleopatra triggered temptations that destabilized and weakened Anthony, who was therefore destined to succumb to Caesar, whose ambitions proved stronger than his temptations. The length of Cleopatra's nose had a moral impact on the character of Anthony's mind: it weakened him.

Tocqueville judges the past as a rule-governed order. History, for him, is not one of the various possibilities, but follows a general trend. His model for the *Ancien Régime*, as he declares it himself, is Montesquieu's *Considérations sur les Causes de la Grandeur des Romains*. In this work, Montesquieu argues that throughout the history of the rise of the Romans, a constancy of action throughout numerous generations can be recognized: 'If chance brings institutions to ruin, it is always because some general cause made it necessary for those institutions to perish from a single particular cause. A trend draws with it all particular accidents and hence actions are not abandoned to chance and impotence but to order.'[37] Montesquieu tries to give a role to chance *within* a trend. He sees the transition from the Republic to the Empire not in terms of the opportunistic use of chance by its key players, as Machiavelli says, or in terms of an incomprehensible mix of individual characters, customs, tastes and interests that defies prediction, as Hume holds, but, not unlike St Augustine,[38] Montesquieu sees this event as the *necessary outcome* of fixed principles of action that specifically belonged to the Romans. It was in the character of the Romans itself, it was written in their constitution from the moment that Rome had been founded, that they had to be constantly focused on expansion. For this reason, the Empire was a foreseen and calculated process. Even if the early Romans were unconscious of it, the historian can see that they were driven by a *natural inclination*, by a disposition of mind and heart, towards human choices and actions which all pointed towards ruling the world. The nature of their institutions, their cast of minds and their moral state helped them to shape a political attitude that made them unbeatable in combat. For the sake of their self-preservation, the Romans were forced to expand ceaselessly. This, Montesquieu asserts, indicates an *inevitable* greatness and an *inevitable* moment of their fall. The tragedy of their fall lay in their expansionist character, not in an immutable destiny. Fixed rules governed the Romans towards better fortunes, while at the same time their expansionist state contained the germs of civic suicide. Montesquieu observes a clear trend in the passions of the Romans, in their inclination to respond to threats in relation to their political end (expansion).

Tocqueville's approach to making history intelligible is similar to Montesquieu's, in the sense that they both hold that a general trend, identifiable in a long series of events, draws with it all particularities, the combination of laws, opinions and manners. As Tocqueville says,

> You know that it is less the fact that I am looking for in this reading than the traces of the movement of ideas and sentiments. It is that above all that I want to paint; the successive changes that were made in the social state, in the institutions, in the mind and in the mores of the French as the Revolution progressed, that is my subject.[39]

Yet, the nature of Tocqueville's object of history is different than Montesquieu's. Tocqueville's historical object is not a bygone past, but a past that still has a bearing on the present. His historical object is still at work. Montesquieu, by contrast, establishes the relationship between social and constitutional change in twelve centuries of Roman history. In the history of the Romans, *political events* occupied the centre of antiquity. In the history of democracy, it is not the political event but the *movement* towards democracy which occupies the centre of modernity. Montesquieu 'preoccupied himself with a very vast and bygone epoch. He could only choose the most significant facts and say general things.'[40] Tocqueville, by contrast, makes a detailed analysis of historical archives to illustrate the trend towards the equality of living conditions. His sources of information which he uses to explain and interpret the transformation of civilization are more varied and contradictory, and therefore more open to debate, than Montesquieu's, who provides a reinterpretation of the rise and fall of the Romans on the basis of the historical works already written on that theme. Tocqueville makes a detailed analysis of critical periods that still bear some relation to his own age, while disregarding the connecting stretches of time. Like Voltaire, Tocqueville holds that history and natural science have the same task: amid the confusion and flux, they seek the hidden thing. Differently from Montesquieu, who seeks to discover principles of government in the history of civilization, Tocqueville's method is the one of the anatomist, who 'dissects each defunct organ with a view of eliciting the laws of life, and [his] aim has been to supply a picture that while being scientifically accurate may also be instructive'.[41]

Like Montesquieu, Tocqueville dethrones the idea that history is a wheel of fortune and thrusts chance into a trend that includes the realm of everyday affairs. Tocqueville recognizes the workings of a constant trend throughout the whole course of the European civilization, which eventually gave birth to the event of 1789 but by no means ended with that event. The French Revolution is the outcome of a complex interaction of innumerable living democratic forces – perhaps foreseen by only a few people. All actions and incidents prior to the event of 1789 were all part of a constant trend. Tocqueville maintains that

> Chance played no part whatsoever in the outbreak of the Revolution; though it took the world by surprise, it was the inevitable outcome of a long period of gestation, the abrupt and violent conclusion of a process in which six generations had played an intermittent part.[42]

Tocqueville argues that most of the chance events have pointed to a fixed direction: the making of democracy. Thus, if political incidents and conflicts have brought the feudal institutions to ruin, it is because a trend towards the equalization of living conditions has made it necessary for those institutions to perish. Though the *brutality* of the event of 1789 could have been prevented by prudent government, the French Revolution, that is, the transformation from aristocracy to democracy, was inevitable.

Tocqueville explains and interprets collected facts in the light of the equalization of conditions. He *selects* particular facts and uses them to illustrate the establishment of the principle of equality in history. He collects and analyses data because he wants to know the channels through which democracy reaches down to all spheres of society. He does not seek to test the validity of his opinions, but seeks to legitimize his judgement of the past and the present. Tocqueville is not willing to subject his own judgement of aristocracy, democracy and democratization to further questioning when he encounters some contradictory facts. Some basic maxims and propositions are prior to his selection and interpretation of the facts:

> I have certainly seen reason to change some of my views on social facts, as well as some reasoning founded on imperfect observation. But the *core* of my opinions can never undergo a change – certain irrevocable maxims and propositions *must* constitute the basis of thinking minds. How such changes can come about, as I have lived to see in some men's states of opinion, is to me incomprehensible.[43]

Tocqueville's view of social facts and his inductive reasoning are sharpened by his *a priori* idea of democracy, proposition about what constitutes democracy, and the political (or patriotic) cause that his writings serve (the desire to contribute to a better France). Tocqueville's motivation to write the *Démocratie en Amérique* is patriotic. He hopes that his work may contribute to a democratic reform in France. America represents, for Tocqueville, what France may expect from the future. As he reveals in a letter to his cousin Kergorlay: 'It has already been for almost more than ten years that I have been thinking out a whole lot of things that I will expose to you soon. I have only been to America to clarify myself on that point.'[44]

Thus, before going to America, Tocqueville had already a fixed judgement of what constitutes a democracy and hence did not go there to collect new facts or to study the nature of the American democracy. He went to America to clarify and illustrate how democracy works:

> We are obliged to decompose society *a priori*, and search out the elements of which it is composed at home, in order to be able to ask useful questions and forget nothing here. This study, very difficult but full of attraction, makes us perceive a great number of details that lose themselves in the mass when one does not have recourse to analysis, and it suggests a great number of remarks and practical ideas of which we never could have thought.[45]

The *a priori* decomposition of a democratic society is based on ideas about the nature of democracy (prior to the collection of facts), in the light of which, the relevant questions, without any omission, can be formulated for observing American democracy.[46] From his *a priori* understanding of democracy, some facts inevitably have to follow and hence these are checked against the actual collected data. Tocqueville selects certain facts from a whole collection of contradictory facts and then assigns them causes that support his own ideas, which makes the *Démocratie* still less certain, of still more doubtful validity, than the speculations of a philosophical theorist. Sainte-Beuve, Jared Sparks and James Bryce complained of Tocqueville's *a priori* and deductive method. Bryce comments that 'it is not democracy in America he describes but his own theoretic view of democracy illustrated from America',[47] while Joseph Story argues that 'the work of De Tocqueville has had great reputation abroad, partly founded on their ignorance that he has borrowed the greater part of his reflections from American work, and little from his own observation. The main body of his materials will be found in the *Federalist*, and in Story's *Commentaries*'.[48]

Tocqueville *judges* the American democracy, not as a constitutional design programme that could possibly be copied, as Lafayette had earlier recommended, but for a better understanding of what France could expect of democracy. Tocqueville does not suppose that nineteenth-century France could become federal, dividing sovereignty between central government and the provinces. In fact, he is not even a federalist. He studies the American constitution, not as a model that has to be copied, but in judging America, Tocqueville always has the democratic future of France at the back of his mind. He went to America to see how France will cope with democracy (and he believed that France would come to terms with it badly,[49] as he eventually came to witness). Being faced with democracy, it does not imply, according to him, that the French constitution would have to be a copy of the American democracy. The United States, as Tocqueville observes, is a presidential democracy with majoritarian elections at all levels; Tocqueville has a marked preference for a parliamentary democracy that uses proportional representation for election. He suggests therefore that France should follow its own course and try to avoid the mistakes of the American democracy: 'I do not regard the American Constitution as the best, or as the only one, that a democratic people may establish.'[50] 'I am very far from thinking that we ought to follow the example of the American democracy and copy the means that it has employed to attain this end.'[51] Tocqueville judges the American democracy according to his own (collected) ideas of what a democracy is, so that his judgement may have a great influence on the future of democratic France. It is no surprise, therefore, that Tocqueville eventually used his book as an entry into French politics, where he could actively contribute to the debate of how the democratic trend that had started so long ago and had destroyed so many valuable institutions, was to be governed in France.

Institutional necessity

Tocqueville defines institutions as the collectively accepted ideas and experienced sentiments (moral causes). Institutions, thus understood, are not empirically observable. They are at best never more than approximations of socially accepted ideas ('character of mind') in combination with the collective expression of sentiments ('habits of the heart'). Institutions are expressions of intellectual and moral valuations, the understanding and the will of a people, which are embodied in an intellectual and moral tradition. They become the inner structures of thinking and feeling via a process of socialization. The family, the law and the Church embody these inner structures; they are powerful influences when their legitimacy is beyond question and doubt. Tocqueville argues that the ideas and sentiments ruling a people are stronger than the government ruling a people. Ruling ideas and sentiments are stronger than political rule: 'In the long run, institutions are always stronger than men.'[52] Hence, the possibilities for reform are limited to the available institutions. Political rule, then, is but a consequence and expression of the collective ideas and the sentiments which truly govern the nation: 'Everything in politics is nothing but consequences and symptoms; it is the ideas and sentiments ruling a people, which are the true causes of all the rest.'[53] The causes of changing societies are thus always institutional. Societies change because ideas and sentiments change: 'Only the ideas and sentiments reigning among people can be considered as the true causes of change.'[54] 'Is it not thought, in its most immaterial forms, that moves constantly the world for three centuries?'[55] 'It is not want but ideas that bring about subversion.'[56]

When Tocqueville examines the historical changes in the power structure from aristocracy to democracy, he considers the whole of reigning ideas and moral influences as governing the transition from aristocracy to democracy. When the ruling ideas and sentiments which were of an aristocratic kind lost their legitimacy, society was destined to change along with its ruling, indeed, feudal institutions. Institutions have the merit of binding individuals, but in doing so they also limit the freedom of choice of individuals. Institutions form an autonomous mechanism of social change, which could well operate without regard to any free choice.[57] Institutions, as Tocqueville stresses, limit the possibilities for political intervention in human affairs. Institutions, therefore, produce good and bad consequences. Institutions structure society and gives it its solidarity; yet, they are no substitute for public morality.[58] If collective ideas and sentiments, sustained by tradition, direct people away from the public sphere, then institutions are even harmful to public morality. Institutions are unlikely to be effective in realizing the common good, when citizens cannot make deliberate choices that affect their own destiny. Institutions can guarantee liberty, they are a condition for freedom of choice, but at the same time they can be an obstacle to liberty and justice: 'Institutions have a certain virtue of their own, and by themselves they contribute to the prosperity or miseries of societies.'[59]

Though Tocqueville recognizes that institutions can contribute to the prosperity of societies, he is very acutely aware of their potentiality to lead to the misery of societies. Undoubtedly is this because he conceives of his own society (the France of the 1830s to the 1860s) as a miserable society. Tocqueville argues that the institutions prevailing in

France do not provide freedom of choice, but serve to justify bad government.[60] Tocqueville does not attribute institutional domination over individual liberty to a *normal* state of affairs. Institutions are only a threat to liberty when false ideas and negative sentiments govern the nation. For Tocqueville, no institution is absolute; it is always a contingency that is open to change. The family that has always been the primary source for socialization can be destroyed. The Church that has been a powerful and moral influence on the ideas and feelings of people for so many centuries is not absolute: it can perish. Even private property that is, according to Tocqueville, a necessary institution for the ordering of civil society, can perish. This is the primary reason why Tocqueville so powerfully opposed the socialist ideas and sentiments of his time, which sought to annihilate property rights. Law that has always been the regulatory means to civilization, can lose its attraction. Thus, Tocqueville says:

> I am tempted to believe that what we call necessary institutions, are often no more than institutions to which we have grown accustomed, and that in matters of social constitution the field of possibilities is much more extensive than men living in their various societies are ready to imagine.[61]

For Tocqueville, institutions are collective beliefs and ideas which lay down fixed, though arbitrary, limits. Many institutions are justified, particularly by traditionalists, by their supposed necessity. The maintenance of law and order, defence, health care, administration and regulation of material interests are necessities that serve an intelligible end. Such institutions simply flow from the individual's inability to provide for himself or herself, in a manner that is compatible with the interests of the entire community; through such institutions ordering one's whole social life, one assumes that they are therefore necessary. Since such involuntary beliefs bind people to act alike, they are a source of strength to society, which is inherent in any solidarity system. Besides the obvious ruling ideas and sentiments, there are many institutions that also justify themselves by their *claim* of being necessary to society and yet find themselves in need of legitimacy. As Judith Shklar says, ideology, excitement and fashion, contribute a lot to the sense of necessity.[62] A too-ready acceptance of the necessity of institutions may be ideologically convenient, but leaves little room for alternative modes of thinking and feeling. It is precisely this alternative mode that Tocqueville seeks. He stresses that institutions not only bind people to govern themselves; institutions can suffocate, annihilate and devalue.

Social change becomes irresistible, not because a law so dictates, but because new ruling institutions have been gaining in strength for *a long time* and have profoundly changed the moral and political orientation. If new ideas have found collective acceptance and have grown powerful enough, then certain events become organically inevitable. A social movement cannot suddenly shift direction and reverse itself before it has produced all its effects.[63] It is precisely because institutions are so omnipotent, that their authority has to be divided and controlled. It means that no institution can be all powerful. Hence, legislative, executive and judiciary institutions must be divided. Similarly, when the force of institutions in a people is left unchecked and unbalanced, when alternative ideas are not widely discussed and when public deliberation does not take place, then moderation is lost and ideology is easily embraced. When a large part of the nation adopts the same ideas and shares the same passions, and when there is too little public criticism to resist these ideas and divert these passions to other objects, then these ideas, in combination with the passion to have them implemented, become a revolutionary force. Tocqueville argues that societies change not because some important end, such as the common good, must be realized, but because a mass of people come to share the same passions to have their ideas realized. Tocqueville says,

> The intensity of the human passions is heightened not only by the importance of the end that they propose to attain, but by the multitude of individuals who are animated by them at the same time . . . Political passions become irresistible, not only because they aim at gigantic objects, but because they are felt and shared by millions of men at the same time.[64]

Social change becomes irresistible, whereby there is no longer any choice left to move in one direction or another, when the crowd shares the same passions and the same ideas. Institutions are not absolute in themselves, but they become absolutized when a whole mass becomes inspired by a craving for the triumph of an idea. In such instances, there is no freedom of choice left to alter the human destiny, because millions of people work at once towards the triumph of their (collective) idea and the satisfaction of their (collective) passions. When the various constitutive institutions of society, such as the press, government or schools, adopt the same line of conduct, then the influence of such institutions becomes indeed irresistible. Tocqueville says:

> A cause sufficiently extensive to affect millions of men at once and sufficiently strong to bend them all together in the same direction

> may well seem irresistible, having seen that humankind do yield to it, the mind is close upon the inference that humankind cannot resist it.[65]

Individuals lose their freedom of choice if they no longer have the force to resist and criticize collective ideas and sentiments. Tocqueville argues that particularly democracies that proclaim the sovereignty of the people, are vulnerable to ideologies that bind the masses but limit the freedom of choice to alter the human destiny. Hence, the French Revolution could not have been prevented because too large a crowd shared its ideals.

Tocqueville considers the French Revolution to be, the outcome not of a political choice, but of institutional necessity: 'The principal and permanent cause was not that it was encouraged by various monarchs, but, rather, by the slow, persistent action of our institutions.'[66] The inevitability of the French Revolution, that is, the transformation of a whole civilization, rests upon a most enslaving character of mind – the enslaving force of a single idea (the actualization of democracy) brought about in a very rational manner: the objects of desires, sentiments and attitudes were very clear, and so were the reasons for establishing equality of living conditions.[67] The people were driven to despair (and hence became brutalized), when the purpose they had set themselves in theory (abolishing ranks) did not match with the social reality as they experienced it. According to Tocqueville, the event of 1789 became irresistible when the conflict between the ruling expectations, beliefs and ideas of equality and the perceived facts of inequality became too great; when some improved their conditions, while others remained unequal and 'downtrodden in the march of civilization'.[68] This institutional mechanism, by which some improved themselves, while others were prevented from bettering their position, resulted in extreme dissatisfaction for the stagnant group that had been robbed of its dignity:

> What can be expected from a man whose position cannot improve, since he has lost the respect of his fellow men, which is the precondition of all progress, whose lot could not become worse, since, being reduced to the satisfaction of his most stressing needs, he is assured that they will always be satisfied? What course of action is left to the conscience or to the human activity in a being so limited, who lives without hope and without fear? He looks at the future as an animal does. Absorbed in the present and the ignoble and transient pleasures it affords, his brutalized nature is unaware of the determinants of its destiny.[69]

Hannah Arendt remarks that there are some serious fatalist tendencies in Tocqueville's interpretation of the French Revolution. Arendt doubts whether the French Revolution was more governed by the irresistible force of institutions, the idea of equality ('conceptual purpose'), rather than being the outcome of specific deeds and chance events which follow from the free choices that people have made for themselves.[70] Tocqueville indeed sees, given the political circumstances in France during the six generations prior to the event of 1789, when living conditions gradually became more equal, little scope for human choices to alter this process. Tocqueville argues that the process in which living conditions became more equal could not be resisted by the human will. He does not ignore free choice but he, at the same time, believes that the free choices made had generally been inspired by the compelling idea of democracy. The process of the equalization of living conditions resulted in a public massacre, because it was not well governed. The French governments in the eighteenth century (Tocqueville particularly refers to Louis XVII) did not realize that equality was destined to be actualized. They attempted to halt the process, but this invited the frustration of the people who had already acquired democratic ideas and sentiments. The confrontation between kings and institutions (collective ideas and sentiments) is, for Tocqueville, the reason why the constitution had been destined to be altered and why the kings were destined to be destroyed.

The French Revolution: a comparison with Burke

Tocqueville's *Ancien Régime* can be read both as an appraisal and as a critique of Burke's *Reflections on the Revolution in France*. Burke and Tocqueville were both statesmen who, as conservative liberals, shared the same concerns. Like Burke, Tocqueville argues that history is a movement towards a higher state of perfection which can be experienced in the particular beliefs and manners of a people. They both see history as a contract. For Burke, history is 'the ancient common law of Europe', 'a partnership in all science … in all art … in every virtue and in all perfection … It becomes a partnership … between those who are living, those who are dead, and those who are to be born'.[71] For Tocqueville, 'happy are those who can tie together in their thoughts the past, the present, and the future! No Frenchman of our time has this happiness and already few can even understand it.'[72] Similarly to Burke, he holds that the event of 1789 is a unique event that bears some resemblance with the religious revolutions of the past. 'The present Revolution in France seems … to bear little resemblance or analogy to any of those which have been brought about in Europe, upon principles merely political', says Burke. '*It is a Revolution of doctrine and theoretick dogma*. It has a much greater resemblance to those changes which have been made upon religious grounds.'[73] Tocqueville says that 'in all the annals of recorded history we find no mention of any political revolution that took this form; its only parallel is to be found in certain *religious* revolutions'.[74]

Yet, the *Ancien Régime* is a very different interpretation of the French Revolution than the *Reflections*. Their particular understandings of the nature of things and events underlie this difference in their interpretations: their providential and political histories are different. Though both Burke and Tocqueville regard it as possible that the French Revolution might have been decreed by Providence, they disagree about how and what Providence has governed. Burke does not believe that history progresses towards democracy and argues that the event of 1789 is the unintended outcome of chance events. It is an accident in history without any normative meaning, save the suggestive meaning of a divine punishment.[75] As Tocqueville narrates:

> There is a satanic element in the French Revolution, M. de Maistre declared as early as 1797 (. . .) Burke made no secret of his horror at the way events were shaping in France. Deprived of her old government, or rather without any government, France seemed an object of pity or contempt rather than fated to become the scourge and terror of the human race . . . Going straight forward to its end, undeterred by peril, unchecked by remorse, this strange and hideous phantom is crushing out men who cannot even understand how such a creature can exist.[76]

While Burke believes that a singular outburst such as the event of 1789 might have been decreed by Providence as an incidental punishment, Tocqueville holds that Providence structurally prepares the way, guides circumstances that allow people to recognize the principle of equality and prepare for equality of living conditions. Though Tocqueville believes like Burke that the wretched condition of the nation is the punishment for sin – that is, he believes that the sins of the people are punished by 'public calamities that God sometimes allows to slip from his hand, proclaiming his anger to the nations'[77] – he does not believe that the event of 1789 has been a divine punishment. For Tocqueville, the *manner* (violence) in which the French Revolution took place is not divine but human. For him, the role of Providence is a constructive and normative one: it is a dictate to live in equality of living conditions. Burke, on the other hand, argues the 'ancient common law of Europe' is the mighty current in human affairs, whose downfall is destined to establish perversion. While Burke identifies the workings of Providence with tradition, Tocqueville identifies providential governance towards the equality of living conditions with the breakdown of the tradition that belonged to the old regime. Burke holds that abolishing the 'ancient common law of Europe' would lead to perversion, whereas Tocqueville holds that this is precisely what is providentially governed: 'To attempt to check democracy would be in that case to resist the will of God; and the nations would then be constrained to make the best of the social lot awarded to them by Providence.'[78]

Though Tocqueville resembles with Burke in his conservative and liberal worldview, his principles are different from the latter's. Accordingly, their visions of history and democracy are different. Burke argues that the 'ancient common law of Europe' perfectly fits into the moral framework of the current (and that hence its abolition leads to perversion). Burke recognizes a historical movement towards perfection in the historical events – events that he accordingly treats in their own uniqueness, whilst distinguishing between important and unimportant factors that make up the event. For Burke, the French Revolution is a composition of unique and original facts; it is a terrible event, a 'strange and hideous phantom'.[79] While the French Revolution, for Burke, is an unexpected outburst of savage violence, Tocqueville holds that the event is the outcome, not even the conclusion, of a long series of events that were calculated and foreseeable, the very product of a progressive civilization. The purpose of the history of the French Revolution is clear: it is the destruction of the old and the triumph of the new:

> Burke did not see that what was taking place before his eyes was a revolution whose aim was precisely to abolish that 'ancient common law of Europe', and that there could be no question of putting the clock back.[80]

For Tocqueville, the French Revolution is not an accidental 'strange and hideous phantom', as it is for Burke. For him, the French Revolution is the natural and social outcome of a historical trend. Like Chateaubriand, Tocqueville holds that, during the event of 1789, the French revolutionaries did not consider the nobles to be *guilty* of anything: they had to die simply because they were out of place.[81] They hindered the actualization of the principle of equality and blocked the way to the future. The French Revolution was executed by people because equality is written in their hearts; it was not foreseen by the aristocracy (the victims) because natural right had not been recognized:

> No great historical event is better calculated than the French Revolution to teach political writers and statesmen to be cautious in their speculations; for never was any such event, stemming from factors so far back in the past, so inevitable yet so completely unforeseen.[82]

Tocqueville considers the French Revolution, not as a singular event, but as the scary symbol of the process towards the equalization of conditions. According to Tocqueville, Burke overestimated the weight of particular incidents and ignored historical facts that bore a relation to the progress of democracy. Burke failed to perceive the imperceptible and gradual change in society. He perfectly judged the facts of the day, but the underlying principle and its delayed consequences had escaped him. According to Tocqueville, Burke had too limited a capacity for appreciating general and undefined ideas. Burke's vision had been too restricted to see the event in relation to its wider purpose. Burke judged a democratic state of civilization that was still evolving in his own days by aristocratic notions that had lost their significance. According to Tocqueville, it is not reasonable to judge democracy from an aristocratic standpoint. Against Burke's *historicism*, that is, against his rejection of the constant structure of the historical events that contain the divine decrees for democratic development, Tocqueville holds that judgement must not be shaped by a particular view, but by the structural course of affairs which is normally right: 'It is from the ordinary course of affairs that our judgement must be formed.'[83] Norms are constant in the natural order of affairs, as principles for human action, and cannot be derived from the incidental things that have happened.

Burke's *Reflections* place the emphasis upon the analysis of the French Revolution. He seeks to eliminate the abstract idea, such as the general principle of equality, and holds that one must look at the particular historical facts to form a judgement. Burke insists that, in reconstructing the process of thought and action, the historian deals with particulars and with the association of particulars with each other. He criticizes the French *philosophes* for their broad generalizations and pedantic symmetry, while ignoring particular circumstances and critical facts. The social order, Burke insists, cannot be constructed from abstract principles that have no relation to historical development. Tocqueville agrees with Burke that the *philosophes* indulged in abstractions; yet, differently from Burke, he considers their intellectual development as part of a trend. French thought, according to Tocqueville, is abstract because French philosophers had no access to the political arena. While Burke argues that the *philosophes* have contributed towards fostering the Revolution, Tocqueville holds that they are the symbols rather than the causes of the Revolution. They are as much the victims of their society, as the latter was to become their victim:

> Their very way of living led these [French] writers to indulge in abstract theories and generalizations regarding the nature of government, and to place a blind confidence in these. For living as they did, quite out of touch with practical politics, they lacked the experience that might have tempered their enthusiasms. Thus they completely failed to perceive the very real obstacles in the way of even the most praiseworthy reforms, and to gauge the perils involved in even the most salutary revolutions . . . as a result of the total absence of any political freedom, they had little acquaintance with the realities of public life, which, indeed, was *terra incognita* to them.[84]

Tocqueville argues that the *philosophes* wrote out of protest against the tyranny and treason of the state. They attacked the authority of the state, while the sight of victorious egotism in the government and the clergy drove them to defend their own rights by the pen: 'The philosopher's cloak provided safe cover for the passions of the day and the political ferment was canalized into literature . . . And as things were, no one was in a position to dispute their right to leadership.'[85] And, while they were aiming at restoring social harmony, their audience's mind was set on revenge.

Notes

Reference to Alexis de Tocqueville's correspondence and other works can be found in the several volumes of *Oeuvres Complètes* published by Gallimard.

1 Tocqueville, *De la Démocratie en Amérique*, Vol. II, Bk. I, ch. v.
2 Tocqueville, *De la Démocratie en Amérique*, Vol. II, Bk. I, ch. iii.
3 Tocqueville, *De la Démocratie en Amérique*, Vol. II, Bk. III, ch. i.
4 Tocqueville, *De la Démocratie en Amérique*, Vol. II, Bk. IV, ch. viii.
5 Pierre Manent, *La Cité de l'Homme* (Paris: Librairie Arthème Fayard, 1994), ch. v, sect. iv.
6 Tocqueville, *De la Démocratie en Amérique*, Vol. I, Pt. II, ch. vii.
7 Tocqueville, *De la Démocratie en Amérique*, Vol. II, Bk. IV, ch. viii
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10 Tocqueville, *De la Démocratie en Amérique*, Vol. I, Pt. I, ch. ii.
11 Tocqueville, *De la Démocratie en Amérique*, Vol. II, Bk. II, ch. xii.
12 Tocqueville, *De la Démocratie en Amérique*, Intro.
13 Tocqueville, *De la Démocratie en Amérique*, Intro.
14 Tocqueville, *Ecrits Politiques* (Tome III, 2), p. 87.

15 Tocqueville, *De La Démocratie en Amérique*, Vol. I, Pt. II, ch. ix.
16 Tocqueville, *Démocratie*, Intro.
17 Tocqueville, *Démocratie*, Intro.
18 Tocqueville, *De la Démocratie en Amérique*, Vol. II, Bk. I, ch. vii.
19 Tocqueville, *Ancien Régime*, Pt. II, ch. vi.
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21 Tocqueville, *Ancien Régime*, Foreword.
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25 Tocqueville, *Ancien Régime*, Pt. II, ch. vi.
26 Tocqueville, *Correspondance avec M. Freslon*, January 6, 1857.
27 See Tocqueville, *De la Démocratie en Amérique*, Vol. I, Pt. II, ch. x; *Ancien Régime*, Pt. III, ch. iv.
28 Aristotle, 'Politics', in *The Complete Works of Aristotle: The Revised Oxford Translation* (Princeton: Princeton University Press, 1984), pp. 1301b, 1302a–b, 1303b, 1304b.
29 See Tocqueville, *Ancien Régime*, Pt. II, ch. vii; Pt. III, ch. viii.
30 Tocqueville, *De la Démocratie en Amérique*, Vol. II, Bk. III, ch. xxvi.
31 Tocqueville, *Ancien Régime*, Pt. II, ch. xii.
32 Tocqueville, *De la Démocratie en Amérique*, Vol. II, Bk. I, ch. i.
33 Tocqueville, *Souvenirs*, Pt. II, ch. i.
34 Charles Taylor, *Hegel and Modern Society* (Cambridge: Cambridge University Press, 1979), pp. 101–3.
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42 Tocqueville, *Ancien Régime*, Pt. I, ch. v.
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64 Tocqueville, *De la Démocratie en Amérique*, Vol. I, Pt. I, ch. viii.
65 Tocqueville, *De la Démocratie en Amérique*, Vol. II, Bk. I, ch. xx.
66 Tocqueville, *Ancien Régime*, Pt. II, ch. xii.
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5 Progress

Tocqueville on progress

Tocqueville says: ‘The actual question is evidently not to make *progress*, but to stop backward steps and to regain lost ground; to preserve our liberties more than to augment them.’[1] Tocqueville’s standpoint follows naturally from his observation that the development of democratic civilization, in the nineteenth century, has gone hand in hand with degeneration: ‘It is painful to perceive how much lower we are sunk than our forefathers, since we allow things to pass, under the colour of justice and the sanction of law, which violence alone imposed upon them.’[2] Differently from the enlightenment philosophers and positivist sociologists like St Simon and Comte, Tocqueville argues that the nineteenth century is not one of progress but one of degeneration. ‘It is a fallacy to flatter ourselves with the reflection that the barbarians are far from us; for if there are some nations that allow civilization to be torn from their grasp, there are others who themselves trample it underfoot.’[3] ‘The barbarians are already at our gates . . . They are around us, in the bosoms of our cities.’[4] According to Tocqueville, progress had a universal character in the eighteenth century, in the sense that nations, everywhere in the Christian world, became more open societies and less persecution took place. However, degeneration had also been universal in the nineteenth century.

Though post-revolutionary France, the Bourbon Restoration (1814–1830) had still been a period of great progress for Tocqueville, certainly as compared with the Napoleonic era, the July Monarchy (1830–1848) was a period of great degeneration, with a decline in active citizenship. Tocqueville stresses that during the reign of Louis XVIII, France increased in prosperity as in its liberty. France had managed to balance and regulate liberty, and had held it in check by religion, custom and law.[5] But during the reign of Louis Philippe, France declined. Tocqueville argues that the alliance of the July

Monarchy with the bourgeoisie had resulted in a suffocating oppression of the masses. It was not only France that found itself in the process of degeneration, but the whole of Europe did. Even England, the queen of progress and the freest country of Europe, was in this period degenerating, in Tocqueville's eyes. By the 1830s, England had substituted the rules of the competitive market (*laissez faire liberalism*) for the practices of political association. Its concern for market economics and efficient government in the nineteenth century, exemplified by the Great Reform Bill (1832), had been exemplary for its shifting orientation that Tocqueville identifies with degeneration.

By progress, Tocqueville primarily means, in line with the Enlightenment, the development of the human mind towards a higher intellectual and moral level. Degeneration, for him, is not a matter of a lagging science and technology or of inefficiency, but is lower standards for human action. Degeneration in the nineteenth century is, for Tocqueville, the substitution of economic interests for virtue, bureaucracy for prudence, and consumerism for citizenship. In terms of passions, degeneration means that the passion for comfort and security is stronger than the desire for liberty and for self-government. For Tocqueville, then, progress means something different from what his contemporary Auguste Comte sees as progress. Tocqueville emphasizes the harm that science, technology and higher levels of welfare do to religious and political passions. Differently from the Enlightenment, he does not believe that progress is to be sought from a new foundation of constructed principles: 'We believe that Christianity contains the principal element of modern civilization and the necessary condition for social progress.'[6] Progress is, for Tocqueville, coeval with the Christian mission – a mission that is professed not merely by the institutional Church but by all members of society – to inspire the 'love of true liberty and regularity, respect for the dignity of the individual, the wish to preserve the noble heritage of the Christian civilization we have been passed on'.[7] Comte, the father of positivism, by contrast, understands progress as the progress of the human mind towards a fully scientific mind, leaving behind the theological and metaphysical minds as outdated. Such is the development that is dictated by the linear logic of the 'law of progress'. In a quite similar way, J.S. Mill holds that 'self-improvement [is] progress in the highest and in all senses'.[8] He holds that it would be advisable to allow the most different and contrasting opinions, for individual characters to flourish and develop, but always so long as no harm is done to anyone. For Mill, progress means the realization of Humboldt's Romantic *Bildungsideal*: it means progress towards individuality, towards the many-sidedness of talent, in harmony with social progress.

Both Tocqueville and Mill hold that variety is a necessary condition for human flourishing, but whereas Mill holds that many-sidedness and variety are integral parts of any state of civilization, for Tocqueville these are aristocratic ideals. Unlike Mill, who is more hopeful that variety will be preserved in democracies, Tocqueville emphasizes and observes, without approval, that democracies have the tendency to level differences: 'Variety is disappearing from the human race; the same way of acting, thinking, and feeling are to be met with all over the world.'[9] In opposition to Mill, Tocqueville stresses that the more enlightened individuals become, the more difficult it is to preserve variety and liberty.

Differently from his famous positivist contemporaries, Tocqueville believes that a Christian civilization remains a possibility. In fact, he holds that the progressive movement of civilization is a consequence of Christianity. For him, social renovation and transformation, be it equal political rights, science or health care, are inspired by Christianity. The progress of democracy itself is part of the noble heritage of the Christian civilization. According to Tocqueville, democracy is a natural right that has become actualized in history by providential governance. Democracy could only be established in the Christian world. The so-called democracies of the ancient world are, for Tocqueville, 'fake' democracies. The principle of democracy is equality and the ancients have never accepted this principle. Athens knew the principle of equality before the law, but its society comprised many slaves. Athenian democracy was 'composed of very different elements from ours and they had nothing in common with the latter except their name'.[10] Tocqueville believes that democracy could only have made its entry in the advanced stages of history. For, though equality of living conditions are natural rights, it requires a high degree of social progress to actualize these conditions:

> A democratic government might be founded upon a very simple and natural principle, it always presupposes the existence of a high degree of culture and enlightenment in society. At first it might be supposed to belong to the earliest stages of the world, but more mature observation will convince us that it could come only last in the succession of human history.[11]

By a 'last stage in human history', Tocqueville does not have a Hegelian 'end of history' or a Nietzschean 'last man' in mind. Tocqueville believes, neither that progress ends with the ultimate realization of Reason nor that democratic civilization will result in the victory of slaves. Instead, he argues that democratic civilization is the new regime that has succeeded the old regime. The actualization of the democratic principle of equality implies, for Tocqueville, that there will never be a legitimate aristocracy again. The progress of democracy is desirable because it provides all members of society with the opportunity to *improve* the human condition. The progress of the human condition, however, is not a necessary consequence of the equality of living conditions but always depends on human actions. Democratic civilization can only be maintained by prudent government and active citizenship. It is continuously attacked by forces that seek to overthrow the democratic civilization, to return to the power structures of premodern times.

According to Tocqueville, democracy could only be actualized in the last stage of political history, because equality of condition requires a degree of control over natural and social forces, which can then enforce social progress. Similarly to the Enlightenment, Tocqueville sees science and technology as sources of the progress of societies. These are the institutions that shape modern societies. The modernization of societies is neither a conscious movement nor the result of self-interest, but is implicit in the nature of societies, that is, in the search for mastery:

> Each century, as it emerges from the hand of the Creator, extends the range of thought, increases the desires and the power of man . . . It is certain that proportionally as civilization progressed, a large displacement occurred. Men left the plough for the shuttle and the hammer; they moved from the thatched cottage to the factory. In doing so, they were obeying the immutable laws that govern the growth of organized societies. One can no more assign an end to this movement than impose limits on human perfectibility. The limits of both are known only by God.[12]

For Tocqueville, industrialization is a movement that exists beyond consent and legitimization. It has narrowed the gap between classes and blurs class boundaries, and it enables the majority of the population to satisfy its basic needs in an almost similar manner.

Tocqueville holds that, though individuals have a choice as to how they want to be, they have no choice in shaping societies, as they would like them to be. One is born in a society that is not of one's own making. Societies obey 'immutable laws' that are not a human product. No accident even, unless it is one that can reverse civilization itself, can avail itself strong enough to defeat or retard social progress. Modernization, then, is in fact only another name for social activity itself, subjected to rigid institutional constraints – a succession of acts, each of which arises out of the last. There is a progressive character in societies, which is inherent in the nature of social activity itself – an activity that extends the limits of human boundaries and that makes modernization intelligible. Civilization demands that everyone partakes in a progressive movement that was started long ago. The progress of civilization is the result of each generation transmitting its ideas and customs to the next one, so that each generation benefits from the inspiration and experience of the previous one. Like Voltaire, Tocqueville argues that the history of civilization encompasses *all* human achievements:

> The history of civilization ... should and does try to embrace everything simultaneously. Man is to be examined in all aspects of his social existence. History must follow the course of his intellectual development in his deeds, his customs, his opinions, his laws, and the monuments of his intelligence. History must descend into him, must judge the value of the foreign influences that come to him from outside his own milieu. In a word, it is the whole of man during a given period which must be portrayed, and the history of civilization is nothing other than the summary exposition of all these relevant ideas.[13]

For Tocqueville, the way in which a progressively accumulating stock of knowledge is passed on and received, from generation to generation, is the most luminous illustration of human progress. He understands civilization, not so much as a result of the search for knowledge, as of the capacity or willingness of *receiving* knowledge.[14] Analogously, barbarism that is the antithesis of civilization, goes hand in hand with the incapacity of receiving knowledge, when confronted with it.

For Tocqueville, human beings are creatures who have the potential to improve themselves. They can improve themselves both morally and intellectually, in their deeds, their customs, their opinions, their laws, and the monuments of their intelligence. The civilized individual is accordingly a creature that has managed to improve himself or herself: ‘Although man has many points of resemblance with the brutes, one trait is peculiar to himself: he improves; they are incapable of improvement.’[15] Civilization, then, is what separates humanity from brutality; it restrains individuals’ violent passions, it softens them and gives them a stake in society. Civilization is the common effort to build up ‘monuments of human intelligence’. Intellectual development, however, not only liberates individuals from the hardships that nature and society inflict upon them, but it is also an enslaving force. Time and again, Tocqueville insists that highly civilized people are often thoroughly enslaved. The problem of the progress of civilization, that is, of modernization, for Tocqueville, is however not viewed from a Rousseauist perspective – that the degeneration of standards is a result of the trammels and hypocrisy of a progressed *society*.

Tocqueville rather sees the problem as lying in the human being, who has both the angel and brute within himself or herself. When the brute dominates, the human creature is not able to make good use of the fruits of civilization. For Tocqueville, the brute is incapable of progress precisely because the brute uses the fruits of civilization, such as science, technology and wealth, for the wrong ends. The brute, in contrast to the angel, uses the fruits of civilization, not in order to contribute towards the good of humanity, but for short-sighted particular ends. The progress of civilization, then, according to Tocqueville, depends on whether the individual gives way to the angel rather than to the brute. Tocqueville hence observes that the nineteenth century has given way to the brute and to its servile passions. In the industrial society, science and technology were used to advance particular ends at the expense of the universal value of human dignity. The fruits of civilization were used to keep people in bondage. Echoing Rousseau, Tocqueville stresses that 'civilization, instead of preparing men to live without any master except themselves, seems to have been useful only for sugar coating and legitimizing servitude'.[16]

Tocqueville versus Mill

Larry Siedentop rightly says 'that despite their friendship and influence on each other, Mill and Tocqueville represent two poles of liberal thought – two traditions which had diverged significantly by the mid-nineteenth century'.[17] Though their conclusions are often the same, for instance, that democracy is an established fact, liberty and centralization of administrative authority seldom go together, the tyranny of the majority is to be feared most in democracies, and universal suffrage is a threat to liberty, the ways in which Tocqueville and Mill arrive at their conclusions are very different. J.S. Mill, as Michael Oakeshott explains, 'abandoned reference to a general principle either as a reliable guide in political activity, put in its place a "theory of progress" and what he called a "philosophy of history"'.[18] While Tocqueville sees the Christian principles as the vital force behind progress, J.S. Mill, in his explanation of progress, replaces these general principles by a 'theory of progress', namely, the scientific doctrine of indefinite perfectibility that he has borrowed from Condorcet and Helvétius. Mill's 'theory of progress' assumes that humanity is to be indefinitely perfected, so that it can be of use to itself – that humanity can satisfy its own needs for the sake of its own collective happiness. Tocqueville, without rejecting the scientific doctrine of indefinite perfectibility through social change *tout court*, implicitly criticizes Mill's 'theory of progress', when he says that

> [Enlightenment philosophers] have a lively faith in the perfectibility of man, they judge that the diffusion of knowledge must necessarily be advantageous, and the consequences of ignorance fatal; they all consider society as a body in a state of improvement, humanity as a changing scene, in which nothing is, or ought to be, permanent; and they admit that what appears to them today to be good, may be superseded by something better tomorrow. I do not hold all these opinions as true . . .[19]

The different premises underlie Tocqueville's and Mill's different understandings of democracy. Tocqueville believes in a principle of equality that has always prevailed, throughout all times, even if people have not abided by it. And he sees the actualization of that principle throughout the progress of civilization. Mill abandons the reference to a 'principle of equality', but instead holds that democracy is a modern phenomenon, a product of progress. For him, democracy is not a natural right that prevails everywhere and at all times, but is a human construct – one of the many human achievements. In a rare critique of the *Démocratie*, Mill precisely refers to Tocqueville's principle of equality, when he says:

> M. de Tocqueville, then, has, at least apparently, confounded the effects of Democracy with the effects of Civilization. He has bound up in one abstract idea the whole of the tendencies of modern commercial society, and given them the name – Democracy; thereby letting it be supposed that he ascribes to equality of conditions, several of the effects naturally arising from the mere progress of national prosperity, in the form in which that progress manifests itself in modern times.[20]

Mill criticizes Tocqueville for seeing more than there is, behind many of the tendencies of the modern society. While Mill considers these tendencies (representative government, commerce, science, etc.) as natural consequences of increasing welfare, Tocqueville holds that they owe their coming into being and their development to the principle of equality. As Mill rightly observes, Tocqueville indeed sees all forms of social progress as being the consequences of the progressive actualization of the democratic principle. Tocqueville, however, does stress that, though he may make the impression of attributing all things in modern society to the principle of equality, he does not mean to say that there is only one cause in operation:

> I must warn the reader immediately against an error that would be very prejudicial to me. Because I attribute so many different effects to the principle of equality, it might be inferred that I consider this principle as the only cause of everything that takes place in our day. This would be attributing to me a very narrow view of things.[21]

Tocqueville does not attempt to reduce all civilizing tendencies that take place to being the consequences of the principle of equality. He does not hold the view that the principle of equality is the key to progress, or that it explains history, or even that its consequences (equality of living conditions) are desirable. He *does* hold that the progress of the principle of equality is the primary cause of the effects of modernization. While Mill maintains that the progress of civilization is the sum of the civilizing tendencies in politics, political economy and science, Tocqueville holds that bureaucracy, commerce and industry are *primarily* the result of the progressive movement towards the equality of living conditions: 'Almost all the tastes and habits that the equality of condition produces naturally lead men to commercial and industrial occupations.'[22]

Tocqueville and Mill have very different expectations of what the future holds for humankind. Mill is optimistic about modernity. He believes, like Auguste Comte, that progress tends towards an industrial and scientific stage in which the world will eventually be governed by an altruistic and educated elite that will enlighten the world.[23] The actual question, for Mill, is *how* to make progress. Hence, we find Mill promoting various aspects of modernity, such as representative government, commerce, science and feminism. On the other hand, Tocqueville's vision of progress bears a tragic element and is devoid of intellectual optimism. The actualization of the principle of equality not only produces good but also evil. The actual question, for Tocqueville, is not how to make living conditions more equal, but how to stop *les pas rétrogrades*, how to regain the old norms and to create institutions that sustain self-government. Hence, he discourages 'modern pursuits' such as feminism, commerce and urbanization, and seeks to get rid of the illusions of progress – that the equality of conditions will lead to a bright future devoid of danger. For Tocqueville, modernization is inevitable, but that does not mean that the future will automatically be better than the past. Improvement and reform require spirited government and citizens. The democratic future can be a source of hope, only under certain conditions – conditions that can be realized by human virtue, but that can also be missed if one is not alert.

Tocqueville believes in the civilizing force of Christianity, help for the weak, enlightenment for the ignorant, charity above all. According to him, barbarism awaits Europe if Christian charity and hope are substituted by philanthropy and utopia. For Mill, it is precisely the very image of God which is a haunting illusion. Mill praises Christianity on *social* grounds, as a binding force for society; yet, he does not believe that Christianity is a progressive force. For him, the Christian ethics is an obstacle to progress. Instead, he holds that the individual, in the modern age, is able to care for future generations through altruism, without the frightening doctrine of future punishment and rewards. 'Human nature,' Mill says, 'though pleased with the present, and by no means impatient to quit it, would find comfort and not sadness in the thought that it is not chained through eternity to a conscious existence which it cannot be assured that it will always wish to preserve.'[24] Very differently from Mill, Tocqueville believes that 'it was not man who implanted in himself the taste for what is beautiful and the love of what is immortal; these lofty instincts are not the offspring of his capricious will; their steadfast foundation is fixed in human nature, and they exist in spite of his efforts'.[25] Mill, on the other hand, speaks of 'the special improbability that he [God] would have implanted in us an instinctive desire of eternal life'.[26]

Mill believes that all progress comes from science. Religion, that he views as an aspect of society, should be subdued to the authority of science to prove its truth claims. He says that:

> It is indispensable that the subject of religion should from time to time be reviewed as a strictly scientific question, and that its evidences should be tested by the same scientific methods and on the same principles as those of any of the speculative conclusions drawn by physical science.[27]

According to Mill, Christianity is a theologian's doctrine, whose ground is actually written in the Bible. He seeks to replace what he considers to be a theologian's morality by conventional morality, whose validity must be tested by scientific procedures. He has a true faith in the progress of science, even as a moral force, which would break through ancient barriers. He holds that it is not the Church (that, according to him, is by its very nature *intolerant* to differences, rather than being charitable), but individual reason, that is the true protector of morality. Mill searches for a scientific foundation of morality, based on an Epicurean ethic of philanthropy, which promotes the intellectual and sensual pleasures of all. For Tocqueville, such an enterprise is an impossibility. According to Tocqueville, Mill fails to recognize that moral principles cannot be invented but are innate and binding: they are natural and not artificial.

However great their differences in understanding the nature of progress may be, however opposed their views of civilization and the possibilities for morality and liberty are, Tocqueville and Mill nevertheless share similar concerns. They both realize that the nineteenth century had become shallow, commonplace, shoddy, trite and more banal. Both seek to answer the painstaking question 'why as civilization spreads do outstanding men become fewer?' However, they do not identify the same causes nor accept the same remedies to the problem of modernity. Mill casts an optimistic eye on the future, since he believes that the most cultivated minds will also be the ones that can most successfully assimilate and most fully fulfil various cultural and moral commitments.

Commercial society and cultural decline

Tocqueville's and Mill's different perspectives certainly bear influence on their appreciation of political activity and citizenship. While, for Tocqueville, the entire human destiny depends on keeping people political, Mill sees political activity as one of the many activities that can contribute to making progress. Mill understands liberalism as belonging to the domain of the economy rather than that of the polity. He emphasizes the merits of the commercial life – a form of life which he considers as the ally of the Enlightenment and its universal values. For him, the primary aim of the government is to safeguard peace and prosperity and to allow self-reliant individuals to pursue their own individual aims and to make something of themselves through education and labour. Tocqueville, by contrast, does not appreciate the commercial spirit, but rather sees it as having serious negative implications for the future of morality. Tocqueville regards the economy as a necessary institution to supply for the needs of the stomach, but he places political activity and citizenship in the centre of social life. Accordingly, there are political interests that are always more important than commercial interests: 'There are political interests that make it worthwhile to sacrifice, to a certain extent, industrial interests.'[28]

Tocqueville stresses that liberty has given rise to commerce and criticizes Montesquieu for confounding the cause and the effect. 'They say that the commercial spirit gives people naturally the spirit of liberty. Montesquieu has assured that part. I believe that everywhere it is the spirit and habits of liberty which give the spirit and habits of commerce.'[29] Tocqueville argues that when people obtained more liberties, they acquired the habits of commerce, not in the least to improve their social position. And yet, Tocqueville rejects these same habits of commerce, arguing that a commercial people, the bourgeoisie, are more prone to self-love than to love for God and His creations.[30] While Montesquieu argues that commercial habits are an adequate replacement for religious habits that he sees as intolerant and uncivic, Tocqueville holds that commerce is responsible for the decline of citizenship: 'Commerce has made man lowly.'[31]

Tocqueville argues that the commercial society is driven by the multiplication and diversification of 'needs' and 'preferences':

> The more prosperous a society is, the more diversified and more durable become the enjoyments of the greatest number, the more they simulate true necessity through habit and imitation. Civilized man is therefore infinitely more exposed to the vicissitudes of destiny than savage man.[32]

Only the commercial society can satisfy the increasing needs of people. It does not follow, however, that commercial society is accordingly a better type of society. According to Tocqueville, the commercial society is not more just or beneficial than the military society. It is true that the habits of commerce are gentler and more humane, but, at the same time, commercial societies are less great than military societies – in commercial societies, there is more humanity, but weaker passions. Tocqueville, differently from J.S. Mill and the modernists, has a marked preference for military societies to commercial societies. As he says,

> I feel very strongly that it would be easier for me to leave for China, to enlist as a soldier, or to gamble my life in I do not know what hazardous and poorly conceived venture, than to condemn myself to leading the life of a potato, like the decent people I have just seen.[33]

Though Tocqueville recognizes the imperfections of the military society, he nevertheless admires the greatness of military life. Military commanders are naturally proud and full of dignity; they feel responsible for their own behaviour and the behaviour of others and are self-confident in making their own choices. Though Tocqueville never opted for a military career (he opted for a career of the robe), his circle was one of military people. Both his brothers and his cousin (Louis de Kergorlay) were military men, while his best friend Gustave de Beaumont was married to the daughter of the famous General Lafayette. And when Tocqueville became Minister of Foreign Affairs, he appointed his friend Lamoricière, a general who had made himself a name in Algeria, as Ambassador in Petersburg.

In a commercial society, the distinction between ‘real needs’ and ‘objects of desire’ becomes blurred. In a commercial society, individuals seek to satisfy objects of desire which are created by society, since there is less of a firm basis available for the distinction between what is really needed and what is desired. As new objects of desire are constantly created and portrayed as if they were needs, individuals can never fully satisfy their desires and this leaves them perpetually dissatisfied. New objects of desire are thus *mentally* destructive, as Rousseau explains, because they create illusions and deceptions. They are *morally* destructive because they create greed and ambition – petty passions that exhaust people. As Tocqueville says, ‘every year needs multiply and diversify, and with them grows the number of individuals who hope to achieve greater comfort by working to satisfy those new needs’.[34] In comparison with the traditional society, that is, the old regime, Tocqueville argues that the commercial production of artificial needs in modern society is a *dehumanizing* force: ‘I have stated that in the Middle Ages comfort could be found nowhere, but life everywhere . . . When almost the entire population lived off the soil great poverty and rude manners could exist, but man’s most pressing needs were satisfied.’[35]

J.S. Mill, like Constant, argues that the enslavement to needs is an acceptable and fruitful bondage, as compared with the traditional forms of oppression and violence of military societies. Tocqueville, like Rousseau, holds that the further needs grow, the more one sees growing with them, avidity, envy and the art of harming to exclude one’s competitors. For Tocqueville, these vices are even worse than the outbursts of inhumanity encountered in military society. For him, bondage of whatever kind can do no good whatsoever, even if this bondage is more tolerable than its more traditional counterparts. Enslavement to needs (soft despotism) in commercial societies is no less dangerous than that to a master (hard despotism). With hard despotism,

> [Man is] plunged in the abyss of evils, scarcely feels his own calamitous situation. Violence made him a slave, and the habit of servitude gives him the thoughts and desires of a slave; he admires his tyrants more than he hates them, and finds his joy and his pride in the servile imitation of those who oppress him. His understanding is degraded to the level of his soul.[36]

With soft despotism,

> The will of man is not shattered, but softened, bent, and guided; men are seldom forced by it to act, but they are constantly restrained from acting. Such a power does not destroy, but it prevents existence; it does not tyrannize, but it compresses, enervates, extinguishes, and stupefies a people, till each nation is reduced to nothing better than a flock of timid and industrious animals, of which the government is the shepherd.[37]

Tocqueville does not expect hard despotism to be a structural phenomenon in commercial societies, just as he does not expect as many wars as in military societies. The danger for commercial societies rather lies in individuals' critical faculties being put to sleep. Commercial attitudes take the fundamental commercial values (such as, consumption is good) for granted and incorporate them in commercial institutions. The satisfaction of material well-being can be provided by any form of government. It is the alliance between commercial society and despotic government which Tocqueville fears most in democratic societies. Despotism and consumerism, Tocqueville believes, are 'natural allies':

> Love of gain, a fondness of business careers, the desire to get rich at all costs, a craving for material comfort and easy living quickly become ruling passions under a despotic government . . . It is in the nature of despotism that it should foster such desires and propagate their havoc. Lowering as they do the national morale, they are despotism's safeguard, since they divert men's attention from public affairs and make them shudder from the mere thought of revolution. Despotism alone can provide that atmosphere of secrecy which favours crooked dealings and enables freebooters of finance to make illicit fortunes.[38]

Not only does Tocqueville fear the soft despotism in commercial societies, but he also identifies, like Kierkegaard and Burckhardt, the progress towards a commercial society with cultural decline. Tocqueville notes that cultural values lose their vitality as people acquire the habits of commerce. Tocqueville seeks, like Molière, La Bruyère and Fénelon, to re-introduce the traditional forms of religious life in commercial society to resist consumerism. In military societies, Tocqueville argues, the individual was *inspired* with a scorn for mere temporal advantages and had a strong conviction and honourable devotion. According to Tocqueville, the military society refined habits, manners, cultivated the arts, promoted good taste and greatness, and shaped independent people who could act forcefully.[39] Culturally speaking, seventeenth- and eighteenth-century France, for Tocqueville, represents the highest state of cultural progress in modern Europe. He sees a relationship between the commercial society and the decline of taste in general and of literature in particular. For Tocqueville, clearness, finesse, gaiety and yet the simplicity of style, are the aims for the human faculties. Also, like Montaigne, the Christian apologists and Burke (to name but a few), Tocqueville identifies language and style as potentially reflecting the good and true and holds that language is the vital spring from which all human sentiments and conceptions percolate into society. Language, history and culture come together to produce a collective consciousness. The more cultivated the tie of language, it seems, the more durable are the moral bonds in society. Even though nineteenth-century France had Chateaubriand, Lamartine, Victor Hugo, Flaubert and Baudelaire, Tocqueville nevertheless considers these writers inferior to those of the past:

> If the brilliant talkers and writers of that time [eighteenth century] were to return to life, I do not believe that gas, or steam, or chloroform, or the electric telegraph, would so much astonish them as the dullness of modern society, and the mediocrity of modern books.[40]

Patriotism and religion as sources of progress

Tocqueville says: 'Patriotism and religion are the only two motives in the world which can for a long time urge all of us towards the same end.'[41] For him, the maintenance and progress of societies do not depend on the satisfaction of their needs, but on patriotic citizenship and religious inspiration. Civic actions require a norm that the ancients understood as virtue and that Tocqueville understands as the highest possible form of Christian charity. Patriotism and religion, both natural to the human heart, trigger a proper desire to serve the community, not as a matter of the maximization of the collective interest, or as a matter of tolerance, but as a matter of charity – the active contribution to the improvement of every single human being.

For Tocqueville, religion and patriotism are the two instincts of the heart which command one to love one's neighbour as one loves oneself. Like St Thomas, Tocqueville holds that after God, one owes most love to one's (Christian) parents and one's (Christian) nation. And yet, religion and patriotism seem, at first sight, to be at odds with each other. Religion seeks the improvement of every single human being in the universe, while patriotism prefers and promotes the exclusive interest and glory of the native soil. Tocqueville comments:

> From a general, higher viewpoint, patriotism, despite its great impulses and deeds, would seem a false and narrow passion. The great efforts suggested by patriotism are in reality due to humanity, and not to those small fragments of the human race within particular limits called peoples or nations. It would seem, at first sight, that those Christian moralists especially inclined to care more for humanity than for their fatherland are right. Yet, this is but a detour, at the end of which we will find that they are wrong ... There are but few who will burn with ardent love for the entire human species. For the most part, the sole means by which Providence lets each of us work for the general good of humanity is to divide this great object into many smaller parts, making each of these fragments a worthy object of love to those who compose it ... I am convinced that the interests of the human race are better served by giving every man a particular fatherland than by trying to inflame his passions for the whole of humanity.[42]

Tocqueville believes that religion and patriotism are intimately connected. This ties him to Rousseau and the Stoics and separates him from the Christian apologists who maintain that the love for the fatherland is at odds with the love of humanity. Indeed, patriotic Christians would be rare since Christians, following Christ, do not have a land to rest and ought not to care about which land they are sent to, to spread ‘the good news’. Tocqueville, however, does not believe that, as a general rule, human beings, given their nature, can truly love and serve the human species taken as a whole. An individual can come to value and serve those around him or her and so join them in the formation of a viable and affectionate society, local as well as national community. Tocqueville holds that patriotism is nothing but working for the good of humanity, as religion shows it, within the boundaries of the fatherland.

For Tocqueville, patriotism has both a political and a religious character: it transforms the brutal instinct of self-preservation into a moral duty of sacrificing oneself for the sake of the good, as inspired by religion. The great sign of true patriotism is the development of selfishness into sacrifice. True patriotism belongs to the human being’s natural state; it is not calculated but is part of the natural sentiments. Tocqueville says that ‘when we recollect the traditions, the customs, the prejudices of local and familiar attachment with which it is connected, we cannot doubt the superiority of a power that rests on the instinct of patriotism, so natural to the human heart’.[43] Tocqueville distinguishes between ‘instinctive patriotism’ and ‘reflective patriotism’ (what Guizot calls ‘modern patriotism’[44]) to show the difference between the patriotism of the old regime and the patriotism of the new regime. In this instance, Tocqueville understands the new regime not so much as the democracy *per se*, but as the enlightened *res publica*.[45] Tocqueville argues that the 'instinctive patriotism' that is *characteristic* (but by no means exclusively valid) of the old regime is natural, whereas the 'reflective patriotism' of the enlightened new regime is the mastery of the patriotic instinct and its replacement by calculation. Tocqueville implicitly suggests that the patriotism of the old regime is more natural than the one of the enlightened republic. In the former, he finds loyalty to God and the fatherland; in the latter he finds the interests of the majority crowd served without the recognition of the sacredness of each individual. Tocqueville particularly praises the 'instinctive patriotism' of his great-grandfather Malesherbes, who, by his noble courage and firm desire to serve his nation, defied the Revolutionary Convention of the *populus* and followed, by his own free will, as a matter of upholding a principle, his sovereign to the guillotine. Tocqueville criticizes the 'reflective patriotism' of enlightened people who *calculate* their contributions to the good as a matter of self-interest. He asserts that the calculation of self-interest violates a moral duty: 'Men living in democracies love their country just as they love themselves, and they transfer their private vanity to their vanity as a nation.'[46]

Tocqueville's appreciation of 'instinctive patriotism' and criticism of 'reflective patriotism' is not meant to depreciate the democratic civilization or to put the old regime on a pedestal. Rather, he stresses that active citizenship requires emotional attachment to the *patria*. According to Tocqueville, the attachment to the fatherland *de facto* means attachment to the national history. He believes that the roots of the *patria* can be retraced in the history of the nation. Tocqueville finds in the midst of all that change that has given rise to the development of modern nations, constant, basic and ancient characteristics of the *patria*. Nations, like the Francs and the Gauls, had their own instincts, their own norms, changing moods, variances of taste, and temperance, which contain the whole national history of what is now called France, as distinguished from that of other nations.[47] Nations all bear some marks of their specific origins:

> If we are able to go back to the elements of states and to examine the oldest monuments of their history, I doubt not that we should discover the primal cause of the prejudices, habits, the rulings passions, in short, all that constitutes what is called the national character ... This might explain the destinies of certain nations which seem borne on by an unknown force to ends of which they themselves were ignorant.[48]

Like the historicists, Tocqueville argues that the progress of civilization originates in a nation's individual character, which is the historical germ of an entire culture. The national character is represented by a nation's language, art, prejudices, economic system and legal order. Differently from historicism, however, Tocqueville does not elevate the national character to the status of being the origin of all order. He does not believe that the cultural potential of a nation is the only law for progress.

Nations remain subject to a universally valid law. Tocqueville believes that in the variety of national experiences, institutions and debates, the same fundamental national instincts can be found in different historical epochs:

> Nations, like individuals, all show themselves there with a face that is their own. The characteristic features of their visage are reproduced through all the transformations they undergo. Laws, customs, religions change, empire and wealth come and go, external appearance varies, clothes differ, prejudices replace each other. Under all these changes you recognize always the same people. It is always the same people that is growing up. Something inflexible appears in human flexibility.[49]

It is this inflexibility of the national character, rather than the flexibility of institutions, which is the strongest predicate for the destiny of the nation. Every nation has its own unique, individual and instinctive purpose. And when the nation becomes conscious of its end, then it is actually starting to civilize:

> In each nation, whether it comes from the race or rather the education of centuries, there is something very tenacious, perhaps permanent, which ties into all the events of its destiny and can be observed throughout every turn of fortune, in every epoch of history.[50]

According to Tocqueville, there is no reason to judge the nations of the past differently from the modern nation-states. In fact, nations would encompass very little if they would not be the totality of people of the past, the current and the future. The importance of the moral meaning of national history, the present and the future must be stressed to see something definite and valuable – something that binds together all the generations and enables the individual to stand stronger against fashions, ideology and opportunism.

Tocqueville embraces a distinctively French conception of the nation, a conception that is based upon an awareness of a nation's natural and historical character. For Tocqueville, the national character, conceived as a fixed and permanent mental set, is a myth; but the sharing of sensibilities and institutions among the members of a nation is a fact of life. The nation, for Tocqueville, is a community dominated by the guardians of tradition. A nation cannot import its institutions from the manifest surface of foreign nations. Historical knowledge of the old civilization, of the old manners and the awareness of old politics are, therefore, important for the development of the national character. The *Ancien Régime* is written for the sake of comprehending the national character of France – an understanding that Tocqueville found lacking, when he said, shortly after the February Revolution of 1848, that his contemporaries were 'young, ignorant and vain lacking awareness of old politics, old civilization, and the old ways'.[51]

For Maistre and Bonald, this awareness of old politics also implies a desire to return to the old ways. They sought to restore the old civilization in line with the conception of the Holy Roman Empire. This, for them, represents the single community of Christendom, which only the Church can make possible (hence the development of the Church goes hand in hand with the progress of civilization). Tocqueville, by contrast, though he emphasizes the moral significance of the unity of the Church and the nation, does not believe that it is the task of the Church to create unity within history. The European nations must, by themselves, try to preserve the unity of Christendom. Tocqueville shares a lot of the eurocentrism that characterizes the nineteenth century and maintains that all good comes from Christian Europe. Hence he justifies European colonialism. He supported the French conquest of Algeria and the English imperialist policies towards China and India because he believed that Europe could free these nations from their barbarism. Tocqueville does not consider the Christian nation, or France, as an all-embracing nationalistic principle that is higher than liberty and human dignity. Eurocentrism and nationalism exclude political speculation, while pressing people to agree to their *immutable* and *uniform* destiny. This, Tocqueville identifies as an antithesis of both Christianity and liberalism. His insistence on a strong national character and his defence of the goods and rights of a nation is patriotic, not nationalistic. He does not share the aspirations of the nation, but of *humanity*. The aspirations of humanity are, for him, liberty and dignity.

Civilization and barbarism

Tocqueville sees the evolution from a military to a commercial society, not in terms of a contribution to a better world, but in terms of a change in the means for the same political end: mastery. The Romans defined 'virtue' as 'martial virtue', that they honoured and admired. Their irresistible desire for prowess was a desire for the conquest of the world. Tocqueville argues that, similarly, the British love prosperity and have a spirit of enterprise which has driven them all over the globe to establish their empire by commercial means. America is driven by 'the impulse of the British race'.[52] For Tocqueville, it was predictable that they would be the next rulers of the world. Tocqueville says:

> Nations as well as men almost always betray the prominent features of their future destiny in their earliest years. When I contemplate the ardour with which the Anglo-Americans pursue commerce, the advantages that aid them, and the success of their undertakings, I cannot help believing that they will one day become the foremost maritime power of the globe. They are born to rule the seas, as the Romans were to conquer the world.[53]

The conquest of the Americans has been a struggle, not so much against other nations as against nature. The Americans have sought to master nature at all cost. Hence, Tocqueville notes that they have conquered the world less by direct or indirect rule, than by keeping ahead of other nations: 'The conquests of the Americans are gained by the ploughshare.'[54]

The American democracy is itself founded on conquest. The first immigrants in America, people who had 'fled persecution by the government of their patria and were disgusted by the habits of a society which the rigour of their own principles condemned', had followed their conscience and signed a contract called the Mayflower Compact. The object of the contract, Tocqueville says, was 'the triumph of an idea':

> [The immigrants] had not been obliged by necessity to leave their country; the social position they abandoned was one to be regretted; and their means of subsistence were certain. Nor did they cross the Atlantic to improve their situation or to increase their wealth; it was a purely intellectual craving that called them from the comforts of their former homes; and in facing the inevitable sufferings of exile their object was the triumph of an idea.[55]

The object of the Mayflower Compact was the triumph of democracy. The contract held that every individual ought to protect himself or herself, retain hold of the necessities of life, obtain all that is his or her due, punish transgressors and defend his or her own state. Being 'more conversant with the notions of right and the principles of true liberty than the greater part of their European contemporaries',[56] the first immigrants argued that the only valid justifications for war were self-defence (including the defence of the laws of the country, as interpreted by the civil magistrates) and the desire to secure the rights of all nations to trade with each other. The first immigrants had the habits of commerce. The triumph of the idea of democracy was to be brought about by ownership and acquisition:

> [The immigrants] realized that in order to clear the land, nothing less than the constant and self-interested efforts of the owner himself was essential ... The land was then naturally broken up into small portions, that the proprietor cultivated for himself ... From the beginning, they seemed destined to witness the growth, not of the aristocratic liberty of their mother country, but of that liberty of the middle and lower order of which the history of the world had as yet furnished no complete example.[57]

Tocqueville notes that, very differently from the early Americans, the original natives of America, the Indians, did not consider themselves to be the masters of nature, but thought of themselves as being *part of nature*. Without ignoring their barbarian habits (particularly their drunkenness and violence), Tocqueville admires the Indians, in a rather Rousseauist fashion, for living within nature, not above nature. The Indians take from nature to satisfy their natural needs, but not more than that. They love hunting, but do not kill more than they need. They love all that belongs to nature and even their gods are part of nature. The habits and beliefs of the Indians are radically opposed to those of civilization. For the Indian, 'labour is not merely an evil, but a disgrace; so that their pride contends against civilization as obstinately as their indolence'.[58] The Indian 'considers the cares of industry as degrading occupations; he compares the ploughman to the ox that traces the furrow; and in each of our handicrafts he can see only the labour of slaves ... He still believes in his own superiority. War and hunting are the only pursuits that appear to him worthy of a man.'[59] Tocqueville recognizes a parallel between the confrontation of the Roman civilization with the Germanic tribes (as described by Tacitus) and the one of the European civilization with the Indian savages:

> When I perceive the resemblance that exists between the political institutions of our ancestors, the Germans, and the wandering tribes of North America, between the customs described by Tacitus and those of which I have sometimes been a witness, I cannot help

> but think that the same cause has brought about the same results in both hemispheres; and that in the midst of the apparent diversity of human affairs certain primary facts may be discovered from which all others are derived. In what we usually call German institutions, then, I am inclined to perceive only barbarian habits, and the opinions of savages in what we style feudal principles.[60]

In dealing with the progress of civilization, Tocqueville distinguishes between the two categories of civilization and barbarism: though the faces of barbarism are always different, its nature always remains the same. The differences between the Germanic tribes (Tocqueville's ancestors) and the Indian savages are much smaller than those between the Germanic tribes and the Europeans. The social condition that alone gives rise to the mores, by contrast, differs from tribe to tribe. While barbarian habits *sui generis* are everywhere the same, the faces of barbarism greatly differ:

> The social state of these [North American] tribes differed also in many respects from all that was seen in the Old World. They seem to have multiplied freely in the midst of their deserts, without coming in contact with other races more civilized than their own. Accordingly, they exhibited none of those indistinct, incoherent notions of right and wrong, none of that deep corruption of manners, which is usually joined with ignorance and rudeness among nations who, after advancing towards civilization, have relapsed into a state of barbarism. The Indian was indebted to no one but himself; his virtues, his vices, and his prejudices were his own work; he had grown up in the wild independence of his nature.[61]

Tocqueville argues that the relationship between civilization and barbarism is always a power relationship. The confrontation between civilization and barbarism, between a community that seeks to extend its limits and a community that lives in harmony with nature, is one whereby civilization will always subdue barbarism. Tacitus describes how the Romans used luxury to soften and subdue the Britons. 'The Britons,' Tacitus says, 'who had no experience of this, called it "civilization", although it was a part of their enslavement.'[62] Similarly, the Europeans used their legal, scientific and commercial knowledge to conquer the Indians. The Romans tamed the Germanic tribes by making them accustomed to the spoils of civilization (luxury); the Europeans made the Indians dependent on the products of civilization, such as manufactured goods:

> When the Indians were the sole inhabitants of the wilds ... their wants were few ... The Europeans introduced among the savages of North America firearms, ardent spirits and iron; they taught them to exchange for manufactured stuffs the rough garments that had previously satisfied their untutored simplicity ... While the wants of the natives were thus increasing, their resources continued to diminish.[63]

The Europeans provided the Indians with objects of temptation. They attempted to soften the Indian habits by substituting the desire for hunting and war by a desire for the cultivation of the soil and trade. By introducing agriculture in America, the Europeans limited the hunting grounds of the Indians. With the mastery of the wilderness, wild animals receded and famine spread among the Indians: 'properly speaking, it is not the Europeans who drove away the natives of America; it is famine, a happy distinction that had escaped the casuists of former times and for which we are indebted to modern discovery!'[64]

The Europeans conquered the Indians by legal means, by the introduction of property rights. The Indian nations hardly defined territory. For them, the continent was the common property of the tribe and belonged to no one in particular, so that individual interests were not concerned in protecting any part of it. As savages, they could still live from what uncultivated nature provided and they had therefore felt no need to distribute property rights. For the Europeans, by contrast, the products of nature proved insufficient to satisfy the needs and frivolous wants which belong to a civilization. It was therefore *necessary* for them to distribute common property among the natives and the civilized. Thus, common property developed into private property, not via a gradual and long process of civilization, but by a sudden transition effected by 'outsiders'. The native Indians, who had no experience with the distinction between private and public, were easily convinced to exchange land for arts that they did not know. The Europeans were able to convince and compel the Indians, who did not know the principle of property right, to exchange the land of their ancestors for alcohol and handicrafts. Like the Romans, they tricked the barbarian tribes. They signed treaties (property contracts) with the Indians, but always in such a manner that they were better off and the latter further reduced. Tocqueville says:

> The Americans of the United States, rational and unprejudiced people, moreover, great philanthropists, supposed, like the Spanish, that God had given them the new world and its inhabitants as complete property. They have discovered, moreover, that,

> as it was proven (listen to this well) that a square mile could support ten times more civilized men than savage men, reason indicated that wherever civilized men could settle, it was necessary that the savages cede the place. You see what a fine thing logic is.[65]

Treaties *legitimized* the conquest of America. By means of property contracts, the Indian nations were destroyed without the Europeans having broken the laws or the rules of the conscience. The Europeans defined the content (though not the origin) of right independently from any transcendental standard:

> The conduct of the Americans of the United States towards the aborigines is characterized by a singular attachment to the formalities of law. Provided that the Indians retain their barbarous condition, the Americans take no part in their affairs; they treat them as independent nations and do not take possession of their hunting-grounds without a treaty of purchase; and if an Indian nation happens to be so encroached upon as to be unable to subsist upon their territory, they kindly take them by the hand and transport them to a grave far from the land of their fathers . . . The Americans of the United States have accomplished a twofold purpose of singular prosperity, tranquilly, legally, philanthropically, without shedding blood, and without violating a single great principle of morality in the eyes of the world. It is impossible to destroy men with more respect for the laws of humanity.[66]

According to Tocqueville, the democracy of America is undoubtedly rooted in rational cruelty and injustice. The Europeans had laws that helped to sustain their own civilization. But these laws, and the rights that they had given to each individual, were peculiar to their own society. They were unjust in making their particular laws becoming universal laws of humanity. To judge humanity with one's own positive laws, Tocqueville argues, is a most arrogant and deceitful act of injustice against humanity. Though the Europeans did not believe that they were violating the rights of the Indians, since they acknowledged the Indians' property rights, Tocqueville stresses that they nevertheless violated the Law, that is – considered by transcendental standards – God's will.

From a legal perspective, the European immigrants cannot be seen as having been indifferent to the destiny of the Indian since they were the 'legitimate' rulers over the New World. Yet, it is clear enough, for Tocqueville, that the Europeans did not seek to establish lawfulness in the interest of humanity, but a democratic civilization that would be the triumph of the idea of democracy. Though their objective of democracy may have been just, the means that they applied were unlawful. Their laws provided for justice, peace, prosperity and civility among fellow citizens; but Tocqueville does not believe that such institutions established justice. The Europeans put their own interests before the love for the other, provided that the rights of the other, summed up in the Mayflower Compact, were not infringed. Tocqueville says that 'the great error of these legislators towards the Indians was their failure to understand that, in order to succeed in civilizing a people, it is first necessary to settle them permanently, which cannot be done without inducing them to cultivate the soil; the Indians ought in the first place to have been accustomed to agriculture'.[67] The object of the Europeans was not to destroy the Indians: their object was the actualization of democracy. The Indians, or barbarism, rather stood in the way of the progress of civilization. Just as trees have to be cut down for construction, they had to be discarded or put aside for the triumph of the New World. To civilize them would have taken several generations. Like the aristocrats in France during the French Revolution, who had to be put under the guillotine, there was no place for the Indians in the new social order.

War and peace

Civilization, for Tocqueville, owes its progress to patriotism and religion, which both belong to the human heart. But as civilization progresses, Tocqueville says, it is often forgotten that civilization is the offspring of religion and patriotism, and these two essential forces are simply relegated to the archives of a dead past. As civilization progresses, its effects rather than its principles become the objects of attention. While Tocqueville sees religion and patriotism as two natural instincts of the human heart, which are the forces behind civilization, J.S. Mill believes that human beings are masters of their instincts, of nature and of history. He rejects Tocqueville's notion of natural instincts and argues that civilization makes religion and patriotism redundant as civilizing forces. Mill argues that during the old regime, when people were not sufficiently enlightened, it was legitimate to inculcate the notion of patriotism into citizens. But in the modern age, it is foolish and narrow-sighted to appeal to such a notion. According to Mill, it is less through Christianity than through various heresies that Europe has become a cultural space in which equality and individuality have a relatively high value. Religion may have served its purpose during the unenlightened and barbarian times, to restrain the violent passions of the people, but it has no place to play in the modern age, where people are more enlightened and accordingly are able to control their uncivil passions. He argues that, in modern civilization, it is not religion and patriotism, but science and altruism which are the notions that ought to be inculcated into the present and future generations. In the modern civilization, the mind should therefore be kept free from a ridiculous partiality in favour of one's own country, religion and prejudices at the expense of others. For Mill, such partialities belong to an earlier, more primitive stage in the history of civilization – that of the military society. Modern societies, on the other hand, have left behind this stage and have entered into the new age where science and commerce rule.

Mill holds that the predominant habits of modern civilization are commercial habits. In the nineteenth century, these habits are expressed in such institutions as the international gold standard and the self-regulating market. Mill sees peace and prosperity, which these institutions seek to guarantee, as a great benefit for liberty and progress. Tocqueville, by contrast, does not regard the rise of the commercial society as beneficial for liberty and progress, and he does not believe that the public peace that it seeks to guarantee is beneficial for the common good of humanity. On the contrary, Tocqueville argues that the war that the military society presupposes is more beneficial to liberty than the public peace that a commercial system demands. Without denying that peace is a great good, he observes that free and civilized nations are often in a state of war and religious disputes – be it a struggle of the sovereign against his subjects, or a war of subjects against one another. Free nations rest in no situation, but constantly pinch themselves to find the painful spots. War, it is true, is a *societal* evil inflicted upon humanity, but war is not more of a threat to the constitution of a nation than decadence and extremity are.[68] For Tocqueville, decadence is worse than war. In fact, war, or even the *perspective of war* is a means to check decadence and the weakening of the strength of the national character. A healthy passion of national rivalry keeps nations alert. When a nation realizes that to be at peace would place another state in a stronger position, then, as Montesquieu says, to attack at that moment is the only way of preventing its degeneration or even destruction. States have the natural right to wage war for their own preservation; therefore, the right of war derives from necessity.[69] It is for the sake of its own preservation, not only physical, but also of its standards for action, that a nation should never seek to eliminate war, but to mitigate or moderate it and keep its true interests in sight:

> I think, then, that the leaders of modern society would be wrong to seek to lull the community by a state of too uniform and too peace-

> ful happiness, and that it is well to expose it from time to time to matters of difficulty and danger in order to raise ambition and to give it a field of action.[70]

> I do not wish to speak ill of war: war almost always enlarges the mind of a people and raises their character. In some cases, it is the only check to the excessive growth of certain propensities that naturally spring out of the equality of conditions, and it must be considered as a necessary corrective to certain inveterate diseases to which democratic communities are liable. War has great advantages.[71]

Tocqueville is silent about the historical fact that the requirements of war greatly expand the administrative reach of the national state and that after-war levels of public spending have never returned to pre-war levels. In fact, his one-sided, rather romantic view of war is coeval with his aristocratic disdain for productive and commercial work. Tocqueville refuses to consider modernity in terms of commercial habits. He does not wish to see democratic civilization being dominated by commercial institutions. He seeks to bring the *polis* back in. He characterizes the nineteenth century by the institutions of a military society, namely, the European Balance of Power. For Tocqueville, it is not the market, but the European Balance of Power which is the institution that strengthens the bonds within the European nations.[72] The Westphalian model represents nations as separate and discrete *political* orders, with only God as an authority above them. It helps to strengthen the bonds within the nations because it forces European nations to settle their differences privately and often by force. The competition element keeps the European nations alert, since they are forced to co-operate in a common effort to defend the national interest.

Tocqueville defines nations as a natural complex of national passions rather than as a reasonable entity. Nations are jealous of, and sensitive to, their relative power positions. The will to power is the key to understanding war:

> The object of war is not to seize the property of private individuals, but simply to get possession of political power. The destruction of private property is only occasionally resorted to, for the purpose of attaining the latter object.[73]

Mill, by contrast, defines nations as 'rational', rather than passionate entities. According to him, the object of war is to increase the national interest, which, for him, effectively is an economic object: war is an anomic situation in which nations seek to rob other nations for the sake of self-enrichment. Though Mill, like Tocqueville, also recognizes the merits of the Balance of Power, he does not see it as a *civilizing force*. While Tocqueville identifies the Balance of Power as a means to safeguard national independence, and sees that end as attainable only by continuous *war* between changing partners, Mill argues that the Balance of Power seems a reasonable security measure for *peace*, by strong nations keeping each other in check so that the opportunities for imperialism in Europe remain limited. For Tocqueville, the Balance of Power establishes a mutual guarantee for the survival of strong and weak nations alike through the medium of war. The Balance of Power, for Tocqueville, is the institution that guarantees the independence and progress of the competitive European nations.

Nothing more clearly exemplifies the difference between Tocqueville and Mill in their appreciation of war and peace, than their conflicting views on the Middle East Crisis (1839–1841). When Muhammed Ali, Pasha of Egypt, invaded Lebanon in 1839, against the will of the Ottoman Sultan, Mahmud II, Lord Palmerston (then Minister of Foreign Affairs) decided to use the support of Turkey in association with the Christians in Lebanon. Palmerston persuaded Austria and Prussia to act without France, because of its imperialistic tendencies, forcing France to play second fiddle in the great events of the world. This left France in a difficult position: should it acknowledge its lowered position in Christian Europe or opt for war against a European coalition? Tocqueville, who was a Deputy at the time, was convinced that France should go to war against the rest of Europe, although he was equally convinced that France would be defeated in such a war. As he commented,

> Surely it is necessary at such a juncture to make war, as it is easy to foresee; but such a war must not be desired or provoked, because we would not be able to begin one with more odds against us. In the current state of civilization, the European nation which has all the others against it, whichever nation it may be, must succumb in the long run; that is what one must never tell the nation, but never forget. These wise reflections do not prevent me, at the bottom of my heart, from seeing all this crisis with a certain satisfaction. You know what taste I have for great events and how tired I am of our little democratic and bourgeois pot of soup.[74]

For Tocqueville, war against the rest was not *desirable* since it was evident that such a war would have been lost. Yet, war was *necessary* because if France would not fight against the hegemony of other European nations, then France would have to accustom itself to obey and succumb. Tocqueville argued that France should never succumb to the sterile good-will of other nations (as it nevertheless did), but should remain its own master: ‘We must act, and force everyone else to act, in such a manner as to leave the nation mistress of herself, able to consult her own interests, and to follow her own opinions.’[75]

In opposition to the French government, led by Louis Philippe, Guizot and Thiers, Tocqueville argued that France had the right of defending its established position in Europe and of playing its political part in the destiny of Christian Europe. As Palmerston refused this right, Tocqueville believed that France was forced to attack the European alliance, because otherwise the European alliance would reduce France to a powerless nation. To attack at that moment against the European alliance, Tocqueville thought, would lead to self-defeat, but he equally thought that self-defeat in war was preferable to a prolonged lowering of established power. In a speech made in 1839, when the conflict had become heated, Tocqueville said:

> I want this [July] monarchy to endure, but I am convinced that it will not last for long if the idea is allowed to grow that we, once a strong and great nation, accomplishing great things and making the world’s affairs our own, now intervene nowhere, no longer take part in anything, and allow everything to go on without us. If ever such an idea took root in the heart of this proud and excitable nation, then let me tell you that such an idea would be more fatal for us than the loss of twenty battles, and that such a belief would necessarily, sooner or later, lead to the burial of the monarchy itself beneath the ruins of our national honour.[76]

Tocqueville did not believe that war would have been the right way to *settle differences* between the European states, but he believed that France should have waged war because perceived unjust exclusion threatened certain standards intrinsic to France – standards that it had been able to uphold until then. In other words, Tocqueville did not struggle for the national objective of France, but for the latter’s established position in Europe, for the role that he thought France was meant to play in the great events. Hence, his struggle was an expression of political faith rather than national faith, with proposed activities that focussed on a single end. In terms of rational calculus, the war would have been self-defeating and irrational. This shows that Tocqueville does not cherish self-preservation as the highest good. His support for war, however, was an expression of patriotism, whereby the particular national good and the general good of humanity were recognized as something of a higher value than self-preservation and private interests.

In order to keep the high-spiritedness of the proud nation and honour the national good, France should have shown its teeth to the rest of the world. In a famous letter to Mill, Tocqueville explained his opinion:

> It is not healthy to allow such a nation to believe that its place in the world is smaller, that it is fallen from the level on which its ancestors had put it, but that it must console itself by making railroads and by producing prosperity in the bosom of its peace, under whatever condition this peace is obtained, the well-being of each private individual. It is necessary that those who march at the head of such a nation should keep a proud attitude, if they do not wish to allow the level of national mores to fall very low.[77]

By defending France's role in Europe, Tocqueville acted the part of the patriot who wanted to awaken public interest to strengthen its grip on the nation. He foresaw that France was destined to be destroyed if its most primal passions of pride would be relinquished. What disturbed him in the Middle East crisis was not so much Lord Palmerston's offensive behaviour as the readiness of the French government to succumb without a battle. His political sentiment, alertness, and patriotism pure and simple, were a readiness for extraordinary exertions that could have saved France from losing its political identity and originality as it eventually did, in Tocqueville's eyes.

Tocqueville feared the end of French citizenship. He held that a secondary role for France in Europe would create a blind passion for tranquillity among the French, a type of depraved self-contempt, which would end up making them indifferent to their interests and enemies to their own rights. Mill, by contrast, maintained that Tocqueville's defence of war to satisfy such primal passions of national pride was an *unenlightened* act that did not match with what he expected from a civilized nation. Mill rejected Tocqueville's support for a war of France against the rest, saying that:

> In the name of France and civilization, posterity has a right to expect from such men as you, from the nobler and more enlightened spirits of the time, that you should teach to your countrymen better ideas of what it is that constitutes national glory and national importance, than the low and grovelling ones which they seem to have at present.[78]

Nothing shows more clearly the deeply rooted differences between Tocqueville and Mill in politics than the latter's comment. Mill seeks to construct modern norms for governing the relations between modern states. In the past, the destiny of nations may have been decidedly arbitrarily ruled by their governments, but, Mill argues, the relations between states in the nineteenth century could no longer be decided in this way. He holds that the norms that govern modern nations ought to foster industrial and commercial activity, the invincible bias for free association, enquiry and discussion. Mill supported the Guizot administration that had no desire to offend England – the Guizot administration indeed suggested that the role of France in Europe, since Louis XIV, was no longer a desirable one to play. Guizot thought that one of the most important ways in which French influence could expand and in which the importance of France in Europe could be consolidated was by commercial agreements with neighbouring countries, rather than by rhetoric and war, as Tocqueville claimed.[79]

According to Tocqueville, war, if fought for just ends, does not fall outside the rules of law and morality at all: it is their extension into a disastrous extremity. War, for him, remains a rule-governed national practice. Mill denies this. In fact, Mill accuses Tocqueville of gross hypocrisy, of encouraging the nation to enter into war recklessly and then defending his argument under the veil of justice. Tocqueville's insistence on the maintenance of the Balance of Power for the sake of civilization, and, consequently, his support for a politics of antagonistic political neighbours is certainly undemocratic. It has been Tocqueville's intention to restrain the course of democracy and to raise the national standard for human action. For him, the expression of nationality in terms of war is not vain, but becomes a necessary means to shield against oppression and decadence. Mill regards war, not as a battle for independence, but as a privation that has no positive content. Thus understood, war is irrational because it obstructs progress. For Tocqueville, by contrast, it is not war but *pacifism* that obstructs progress. Pacifism weakens the nation: 'Those ultra-pacifists do not think like their fellow citizens.'[80] War calls upon all citizens to fight in a common effort for the defence of their nation. The call for war, even if this war is self-defeating, is thus a call to resist indifference and meek conformism. For Tocqueville, it is a liberal call. It is a call to emphasize the value of civic zeal.

Notes

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