

Tocqueville and the Challenge of Historicism

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Abstract: Tocqueville's juxtaposition of aristocracy and democracy as the regimes characteristic of different historical periods gives rise to the question whether he accepts or rejects the category of human nature. In the juxtaposition of the distinct "worlds" of aristocracy and democracy and their respective conceptions of "man," some perceive an implicit rejection of the idea of a universal human nature. Others, however, see an attempt to portray human nature comprehensively by highlighting the truth of both aristocratic inequality and democratic equality. While generally endorsing this latter interpretation, the essay maintains that most of its variants are too "democratic" in two respects. First, they underestimate the difficulties Tocqueville must confront in establishing the naturalness of the equality principle, and second, they wrongly insist that he understands nature to privilege the democratic principle. Tocqueville ultimately defends the naturalness of equality, but his claims about the greater justice of the equality principle should be understood as rhetorical rather than as reflective of his conclusions about nature.

Scholars have extensively debated the question whether Alexis de Tocqueville defends or rejects the notion of "human nature." Some argue, to borrow the formulation of Pierre Manent, that Tocqueville offers an account of human nature that is "implicitly one" inasmuch as it transcends the "modifications]" of social and historical circumstances.¹ Others contend that in

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¹Pierre Manent, *Tocqueville and the Nature of Democracy*, trans. John Waggoner (Lanham, MD: Rowman and Littlefield, 1996), 75; see also James W. Ceaser, "Alexis de Tocqueville on Political Science, Political Culture, and the Role of the Intellectual," *American Political Science Review* 79 (1985): 661–62; Marvin Zetterbaum, "Tocqueville: Neutrality and the Use of History," *American Political Science Review* 58 (1964): 619–20; and Peter Augustine Lawler, *The Restless Mind: Alexis de Tocqueville*

Tocqueville's thought social and historical circumstances predominate and modify "man" to a degree that effectively precludes his having a transhistorical or universal conception of human nature.² More or less explicitly (and in more or less anxious tones), the latter scholars acknowledge that Tocqueville is a relativist concerning man because he is a "historical" thinker.

The foundation of this interpretive dispute is most evident in *Democracy in America*.³ On the one hand, Tocqueville says much in *Democracy* to suggest that history is of decisive importance in determining all aspects of man's existence, including the parameters of human thought. When discussing the claim that Tocqueville is a "historical" thinker or a historicist, the essay has in mind this basic definition of historicism.⁴ In *Democracy*, a principal feature of Tocqueville's historical narrative is the juxtaposition of aristocracy and democracy as the sociopolitical "worlds" characteristic of different historical periods.⁵ Through its traditions and practices, each regime imparts a

on the *Origin and Perpetuation of Human Liberty* (Lanham, MD: Rowman and Littlefield, 1993), 59–66.

²See, e.g., Alan S. Kahan, *Aristocratic Liberalism: The Social and Political Thought of Jacob Burckhardt, John Stuart Mill, and Alexis de Tocqueville* (Oxford: Oxford University Press, 1992), 92–93, 109, though cf. 97; Ken Masugi, "Citizens and Races: Natural Rights versus History," in *Tocqueville's Defense of Human Liberty: Current Essays*, ed. Joseph Alulis and Peter Augustine Lawler (New York: Garland, 1993), 326, 328; Thomas G. West, "Misunderstanding the American Founding," in *Interpreting Tocqueville's "Democracy in America,"* ed. Ken Masugi (Savage, MD: Rowman and Littlefield, 1991), 155, 161–72; and Michael P. Zuckert, "On Social State," in *Tocqueville's Defense of Human Liberty*, ed. Alulis and Lawler, esp. 7–10.

³See especially Tocqueville's introduction and conclusion to *Democracy*: Alexis de Tocqueville, *Democracy in America*, trans. Harvey C. Mansfield and Delba Winthrop (Chicago: University of Chicago Press, 2000), 3–15, 673–76. Unless otherwise noted, all translations of *Democracy* are those of Mansfield and Winthrop. Parenthetical references are by page to this edition, henceforward abbreviated *DA*. See also Alexis de Tocqueville, *The Old Regime and the Revolution*, trans. Alan S. Kahan, vol. 1 (Chicago: University of Chicago Press, 1998), esp. "Preface" and Book I. The essay will focus on *DA* because it is there that Tocqueville thematizes the idea of democracy and hence the idea of equality. To provide an adequate delineation of the democratic idea, it is necessary that he develop, albeit to a lesser extent, its foil: the idea of aristocracy. The relevance of this contrast to the question whether Tocqueville is a historicist will become apparent as the essay develops.

⁴For a good introduction to the concept of historicism, see Frederick Beiser, "Historicism," in *The Oxford Handbook of Continental Philosophy*, ed. Brian Leiter and Michael Rosen (Oxford: Oxford University Press, 2007), 155–79. Note especially Beiser's discussion of the "two fundamental principles of historicism": the "autonomy of the socio-political world" and the "complete historicization of the human world" (158).

⁵*DA*, 3–15, 673–76; see also Mansfield and Winthrop, introduction to *DA*, xxvi; and Jean-Claude Lambert, *Tocqueville and the Two Democracies*, trans. Arthur Goldhammer (Cambridge, MA: Harvard University Press, 1989), 25n79.

distinctive mode of existence to those within its ambit, thereby producing a specific kind of human being.⁶ The “goods” and “advantages” associated with the two regimes differ, as do their respective conceptions of justice and right (*DA*, 8–9). Furthermore, Tocqueville indicates, the historical sequence—aristocracy succeeded by democracy—represents a permanent, irreversible shift in the human condition.⁷ On its face, this juxtaposition seems to suggest that man is essentially a historical being, or that his “nature” is determined in time through his belonging to and participation in the way of life characteristic of a particular culture or “world” (7).

On the other hand, Tocqueville at times appears to affirm the transcendent unity of the human species. His remark that man is the “same everywhere” seems to presuppose some common characteristics and capacities among men quite differently situated, and *Democracy* indeed identifies several attributes and capacities that are “natural” to man.⁸ The fact that Tocqueville speaks in this way encourages the thought that, in his view, the notion of humanity or the human race is more than just a democratic prejudice—a possibility Tocqueville himself mentions (*DA*, 411–15).

There are multiple versions of the “historical” interpretation, but at the core of each is the view that Tocqueville’s notion of a shift from aristocracy to democracy implies a radical disjuncture between the past and the present.⁹ The disjuncture is so profound that one must reject the possibility of a fundamental human situation or human nature common to both eras. Without denying the significance of the past/present distinction, scholars who understand Tocqueville to have a view of human nature generally take a different view of the shift he describes. First, they insist that the past/present distinction in Tocqueville’s thought is often exaggerated, first by Tocqueville himself and

⁶Or more precisely, in the case of aristocracy, specific kinds of human beings.

⁷*DA*, 6; see also Tocqueville, *Old Regime*, 1:106–7.

⁸*DA*, 476; see 588 for a similar remark. The characteristics and capacities identified as “natural” to man include the following: the “taste” for material well being; a basic sense of justice and morality; the desire for honor; an appreciation for sentiments of mildness and familiarity, especially in the context of family life; and the religious instinct (282–88, 506, 558–63, 589).

⁹For example, there is considerable disagreement regarding what facilitates the transition from aristocracy to democracy. Albert Salomon stresses the role of Providence (“Tocqueville’s Philosophy of Freedom: A Trend towards Concrete Sociology,” *Review of Politics* 1 [Oct. 1939]: 410), Richard Swedberg the idea of a philosophy of history (*Tocqueville’s Political Economy* [Princeton: Princeton University Press, 2009], 15, 17), and Lamberti the role of accident and chance (*Tocqueville and the Two Democracies*, 10). Of course, the notion that accident and chance contributed to the decline of aristocracy and the emergence of equality of conditions is also compatible with Tocqueville’s having a conception of human nature. See Zetterbaum, “Neutrality,” 611–21; Edward T. Gargan, “Tocqueville and the Problem of Historical Prognosis,” *American Historical Review* 68 (1963): 332–45.

then by many commentators.¹⁰ Tocqueville recognizes that there is more continuity over time and that history is less “linear” than his historical narrative often allows.¹¹ Second, these scholars suggest that while Tocqueville uses the past/present distinction descriptively to highlight real differences over time, he also uses it critically to make a point about human nature.¹² On Tocqueville’s view, the aristocratic and democratic epochs generally repose on distinct assumptions about “man” that create radically different ways of life. Most fundamentally, aristocracy assumes that men are naturally unequal, democracy that men are naturally equal. However, Tocqueville proceeds to criticize the epochs’ exclusive attachment to their respective assumptions and argues that each epoch tends to suppress or overlook evidence that would complicate its conception of human nature. More specifically, men living in aristocratic times tend to overlook or suppress evidence of natural equality, and men living in democratic times do the same with evidence of natural inequality. Thus alongside Tocqueville’s overarching historical narrative is another narrative, a narrative suggesting that Tocqueville observes in the flow of time the contours of a fundamental human situation that is consistently defined by the principles of equality and inequality. Although discovered in part through historical reflection, Tocqueville’s understanding of human nature is ultimately independent of history and serves as a standard by which he evaluates the “pure” forms of democracy and aristocracy. In addition to establishing the naturalness of the inequality and equality principles, some scholars argue that Tocqueville understands nature to favor a particular reconciliation of these principles: although both are natural, Tocqueville interprets nature as privileging the democratic principle of equality.¹³

This second cluster of scholars is right, I believe, in arguing that Tocqueville has a view of human nature and that the key to this understanding is to be found in the aristocracy/democracy contrast. Nevertheless, despite the potency of this insight, these scholars do not quite succeed in rebutting the “historical” interpretation. Generally speaking, they tend to underestimate the difficulties Tocqueville must confront in establishing the naturalness of the equality principle. As its persistence in a democratic age attests, human inequality is, on Tocqueville’s view, evidently natural. The principle of equality, however, is more elusive and appears to have close ties to a

¹⁰Manent, *Tocqueville and the Nature of Democracy*, 74–75; Zetterbaum, “Neutrality,” 619–20.

¹¹Zetterbaum, “Neutrality,” 614; cf. Mansfield and Winthrop, introduction to *DA*, xlvii.

¹²Robert Eden, “Tocqueville and the Problem of Natural Right,” *Interpretation* 17 (Spring 1990): 379–87; Lawler, *Restless Mind*, esp. chaps. 6–7; Manent, *Tocqueville and the Nature of Democracy*, esp. 67–81; and Zetterbaum, “Neutrality,” 620–21.

¹³Manent, *Tocqueville and the Nature of Democracy*, 78–79; Zetterbaum, “Neutrality,” 621.

particular historical event—the advent of Christianity. Failure to attend sufficiently to the question whether the equality principle can, for Tocqueville, be established independently of Christianity exposes these scholars to the criticism that they do not, after all, offer a real alternative to the “historical” interpretation.

In explicating Tocqueville’s analysis of aristocracy and democracy, I show that he must take great pains to demonstrate that the equality principle is not merely a historical artifact of a Christian age—that at least in principle it could have been discovered in antiquity. Partly on the basis of this conclusion, I maintain that there is little evidence for the claim that Tocqueville endorses the natural priority of the equality principle. Both the equality and inequality principles are natural, but nature does not “speak” in favor of a particular reconciliation of these principles. Arguing for a particular configuration of the principles is the responsibility of social and political actors operating in specific historical contexts.

The development of the argument will proceed in the following stages. I begin by sketching Tocqueville’s historical narrative and provide a brief overview of the “historical” interpretation to which this narrative often gives rise. Next, I discuss the primary weaknesses of the “historical” interpretation. I then explicate the portrait of human being that emerges from Tocqueville’s discussion of aristocracy and democracy, which suggests that men are naturally equal and unequal. Given the article’s contention that Tocqueville finds the naturalness of the equality principle more difficult to establish, particular attention is paid to this principle. In conclusion, I discuss a significant implication of my view, which is that on Tocqueville’s understanding nature assigns priority to neither the equality principle nor the inequality principle. In light of this implication, I suggest that we ought to understand Tocqueville’s claims regarding the greater justice of the democratic principle as rhetorical rather than as reflective of his conclusions about nature.¹⁴

Tocqueville’s Historical Narrative and the “Historical” Tocqueville

According to Tocqueville, aristocracy and democracy are the regimes characteristic of different historical periods, and the notion of a transition from the aristocratic age to the democratic age is a central feature of his political thought. In the eleventh century, he argues, European peoples knew only the aristocratic “social state,” or a social condition in which human relations were characterized primarily by inequality among different classes of men (*DA*, 3–9). A few great men exercised tremendous influence over the direction

¹⁴For Tocqueville’s claims regarding the greater justice of the democratic principle, see, e.g., *DA*, 675; and Tocqueville, “L’état social et politique de la France avant et depuis 1789,” in *Oeuvres*, ed. François Furet and Françoise Mélonio, vol. 3 (Paris: Gallimard, 2004), 36.

of society, while the majority was of little social or political consequence.¹⁵ Tocqueville insists, however, that the aristocratic condition belongs, or will soon belong, to the past. Through a diverse set of historical developments, he claims, a “democratic revolution” has been gradually unfolding in the “Christian universe” (3, 6). The democratic principle of equality has continuously gained on the aristocratic idea of inequality, and the noble and the commoner, brought “nearer” by “each half century,” will “soon . . . touch” (6).

Noting the “continuous tendency” of the past seven centuries of European history, Tocqueville describes the eclipse of aristocracy by democracy as “irresistible” (DA, 7). During this period, all “great events”—including the Crusades, the invention of the printing press, and the advent of Protestantism—have “turned to the profit” of democracy, as have the “various incidents in the lives of peoples.” Given such an apparently inexorable “social movement,” Tocqueville suggests that it would be ill considered and unwise to think that the march of equality could be immediately “suspended” (5–6). Moreover, sight of such a movement should prompt “accept [ance]” of the democratic revolution as “an accomplished fact or one about to be accomplished.” It is, men ought to acknowledge, “the past and the future of their history” (7, 13).

As with the “passage” from Rousseau’s “state of nature to the civil state,” the passage from aristocracy to democracy “produces quite a remarkable change in man.”¹⁶ The disjuncture between the ages is profound, and Tocqueville claims that the regimes cannot be evaluated by a common standard.¹⁷ As the inequality of conditions gives way to a democratic social state, aristocratic man is replaced by democratic man, and each of these “distinct humanities” has “its particular advantages and inconveniences, its goods and evils that are proper to it” (DA, 675). For example, associated with each regime is a distinct notion of moral excellence. Aristocratic notions of virtue, which called for magnanimity or greatness of soul, prove alien to democratic man, whose conception of virtue highlights the individual benefits of other-oriented action (500–501).

In response to this narrative’s emphasis on a profound shift in the human condition over time, many scholars have argued that Tocqueville abandons the category of human nature in favor of a “historical” understanding of man and human phenomena. While a few scholars maintain that Tocqueville locates the origin of this shift in a law of historical development,¹⁸ it is more common to understand Tocqueville’s account of historical

¹⁵Manent, *Tocqueville and the Nature of Democracy*, 13.

¹⁶Jean-Jacques Rousseau, “On the Social Contract,” in *The Basic Political Writings*, trans. Donald A. Cress (Indianapolis, IN: Hackett, 1987), 150.

¹⁷DA, 8–9, 675; Zetterbaum, “Neutrality,” 611.

¹⁸E.g., Swedberg, *Tocqueville’s Political Economy*, 15, 17; Salomon, “Tocqueville’s Philosophy of Freedom,” 410.

movement in evolutionary or “organic” terms.¹⁹ According to this latter interpretation, although not the product of an “immanent law of historical development” or progress, the democratic universe came into being as a result of an accidental concatenation of “political, social, and economic” forces not easily reversed.²⁰ Man is, quite simply, fundamentally different as a result of this shift in conditions.

Tocqueville does not announce in unequivocal terms that he has abandoned the category of human nature, but this position has, rather, been inferred from his methodology. The term “sociological” is often used to describe Tocqueville’s preoccupation with the distinct sociopolitical “worlds” of aristocracy and democracy and the conceptions of man they imply or presuppose.²¹ This orientation, some argue, bears witness to Tocqueville’s underlying view that man has no permanent, unchanging character or “nature.” Michael Zuckert puts the point this way: “Tocqueville’s political science takes its bearings from social state, not from nature, because, at bottom, human being is ‘nothing.’” Human being is undefined and hence “open” to being shaped and transformed by the social state. Because the social state is “variable,” human being evolves over time in response to alterations in the social state.²² Tocqueville’s political science thus illuminates the

¹⁹This would be true, for instance, of all the authors mentioned in note 2 above. The term “organic” is Ceaser’s, though I use it in a sense that implies only development, not the *necessary* development of an idea in accordance with its own internal logic (Ceaser, “Tocqueville on Political Science,” 659–62). In a more recent article, Ceaser outlines Tocqueville’s rhetorical use of “organic” historical narratives in a way that is not inconsistent with his being committed to an understanding of nature (James W. Ceaser, “Alexis de Tocqueville and the Two-Founding Thesis,” *Review of Politics* 73 [2011]: 221–27, 235–43).

²⁰Lamberti, *Tocqueville and the Two Democracies*, 10; see also Gargan, “Problem of Historical Prognosis,” 335; Michael Burrage, “On Tocqueville’s Notion of the Irresistibility of Democracy,” *European Journal of Sociology* 35 (May 1972): 158–59; and Jack Lively, *The Social and Political Thought of Alexis de Tocqueville* (Oxford: Clarendon, 1962), 33.

²¹See, e.g., Lamberti, *Tocqueville and the Two Democracies*, 46; Masugi, “Citizens and Races,” 330, 332; West, “Misunderstanding the American Founding,” 166, 172; and Zuckert, “On Social State,” 7.

²²Zuckert, “On Social State,” 8. According to Zuckert, Tocqueville does identify “egoism” or “self-interest” as a persistent and universal human trait. This trait is, however, “under-determined,” and its expression varies according to the social state (9, 14). This underdetermination is so profound and the shaping effects of the social state so powerful that the content of Tocqueville’s self-interested self is in fact determined entirely by the social state (14). Thus, the “malleability” of what Tocqueville recognizes as a persistent, universal human characteristic is such that he cannot be said to defend a conception of human nature (7–8, 15). My interpretation suggests that Tocqueville’s understanding of nature is sufficiently robust to afford us resources for critically evaluating the way of life and dominant ideas associated with any

decisive influence of man's historical context—the culture, epoch, or social “world” to which he belongs—in determining who or what he *is*, a determination that varies across time and space.

Critique of the “Historical” Tocqueville

Tocqueville encourages his readers to dwell on the “incommensurability”²³ of the aristocratic and democratic ages, and the “historical” interpretation rightly picks up on this. There are, for Tocqueville, qualitative differences between the aristocratic past and the democratic present. In modern times, equality, not hierarchy, is the principal foundation of human relationships, and the novelty of this situation motivates his call for a “new political science” to direct a “world altogether new” (*DA*, 7). The problems that threaten modern democratic peoples—such as individualism and democratic despotism—have few historical precedents and require the attention of social and political actors attuned to the distinctiveness of modern politics.²⁴ In important respects, one cannot turn back.²⁵

Despite this well-founded emphasis on Tocqueville's past/present distinction, defenders of the “historical” Tocqueville fail to account for currents in his thought that run counter to the notion of a permanent temporal rupture.²⁶ First, Tocqueville does not merely describe the aristocratic and democratic ages “sociologically,” but he evaluates them. He is particularly critical when the dominant tendency or principle of either age becomes omnipotent, leading to the neglect or exclusion of the opposite principle. He indicates, in other words, that both the aristocratic and democratic principles will or at least ought always to have a place in all societies.

In his discussion of the “Tendencies Particular to Historians in Democratic Centuries,” Tocqueville draws attention to individuals' tendency to overlook the principle that is not regnant in their age by describing the epistemological biases of aristocratic and democratic historians. Aristocratic historians easily perceive “particular influences” on the course of events, for in aristocratic

particular social state. See Zuckert, “On Social State,” 17, for some gestures toward the difficulty of reconciling Tocqueville's “emphasis on the social state” and “reconsideration of nature” with his abiding concern for liberty.

²³Kahan, *Aristocratic Liberalism*, 93.

²⁴Individualism is the tendency of the democratic individual to abandon public concerns and his fellow citizens by “withdraw[ing]” to the private sphere (*DA*, 482–84). Democratic despotism consists in the well-intentioned but ultimately enervating and dehumanizing rule of a centralized administration over formally free but weak citizens (661–65).

²⁵Tocqueville, *Old Regime*, 1:107.

²⁶Cf. Kahan, *Aristocratic Liberalism*, 97–98.

societies a small number of individuals stand out and seem to make the socio-political world move as a result of their own efforts (*DA*, 470). They tend to be inattentive, however, to the possibility that larger cultural or social forces might affect the course of events. Democratic historians, on the contrary, are overwhelmed by the action of society as a whole and consequently tend to speak only of the “general causes” of historical movement, for example, “the nature of races, the physical constitution of the country, or the spirit of the civilization” (469–70). By privileging such explanatory factors, however, they fail to do justice to the dynamics of historical movement. Tocqueville declares himself “very convinced” that the thought and action of particular individuals do matter in democratic nations but admits that these “particular influences” are extremely difficult for the democratic historian to perceive. Nevertheless, while these historians rightly ascribe a great deal of explanatory power to general causes—which in fact “explain more things in democratic centuries than in aristocratic centuries”—they wrongly deny the efficacy of individual action simply “because it is not easy to find and follow it” (470–71).

Additionally, while Tocqueville consistently asserts the triumph of democracy, he also intimates that history is not over. For example, it is conceivable, though quite unlikely, that democratic nations could encounter setbacks and even reversals in the midst of the supposedly progressive unfolding of democratic equality. He mentions the “manufacturing aristocracy” as the “door” through which “permanent inequality of conditions and aristocracy” might reappear (*DA*, 532). The successful reintroduction of old-style “inequality in principle” he considers virtually impossible—the “spectacle” of aristocracy issuing from democracy “would be something new in the world” (383–84). Nonetheless, this possibility is not in principle excluded in *Democracy*, and in Tocqueville’s later work his commitment to the openness of the future only intensifies. A central theme of the *Souvenirs*, for instance, is that one can count on chance and the unexpected to destabilize the coherence of both settled human designs and “absolute systems” of historical explanation.²⁷

The reason for Tocqueville’s sending rather mixed and contradictory messages regarding the nature of history has to do, I believe, with his attempt to achieve two aims that are necessarily in tension with one another. On the one hand, he is striving to reconcile individuals—French aristocrats in particular—to the reality of their historical situation. Tocqueville recognizes that a confluence of historical developments has redounded to the advantage of the idea of equality—an idea that is likely to remain ascendant for a long time. The edifice of his political science is constructed on this assumption. To counter futile antidemocratic and counterrevolutionary sentiment and secure the attachment of elites to the cause of democracy, he exaggeratedly

²⁷Gargan, “Problem of Historical Prognosis,” 342, quoting Tocqueville, *Souvenirs*, ed. Luc Monnier (Paris: Gallimard, 1942), 72.

speaks of the “irresistib[ility]” (e.g., *DA*, 3, 6, 13) and permanence of the democratic revolution.²⁸ These are, of course, suspect claims coming from a thinker committed to the ultimate inscrutability and openness of history, not to mention the “ability” of peoples to “modify their own fate” as well as the “power” of a “few citizens” to influence “the destiny of a people.”²⁹ Nevertheless, prudence prompts Tocqueville not always to stress the ultimate truth of historical indeterminacy, which might undermine his own efforts to help consolidate the democratic revolution. At the same time, Tocqueville seeks to defend the truth of individual and collective agency against the fatalism and resignation that democracy breeds. Individuals must not become fully reconciled to democracy, which tends to deny their importance and distinctiveness as individuals as well as their efficacy as members of a body politic. This commitment to fortifying the notion of agency is also likely intended to counter the soft fatalism of his own prudential defense of the “irresistib[ility]” of the democratic revolution.

To reconcile these competing ends to the extent possible, Tocqueville insists that individuals and peoples have an indispensable role to play in an “irresistib[ly]” democratic age. While equality of conditions is here to stay, he argues, the outcome of the democratic revolution—whether democratic societies remain free or succumb to some form of despotism—is dependent on the application of individual intelligence and collective energy. In other words, he claims, the “fate” of democratic societies “is in their [own] hands” (*DA*, 7, 675).

²⁸Manent, *Tocqueville and the Nature of Democracy*, 74–75; Zetterbaum, “Neutrality,” 619–20. It has been noted that *Democracy* has many of the features of “democratic history” to which Tocqueville objects. In addition to the promulgation of a grand historical narrative, it is noticeably empty of particular individuals with proper names (see, e.g., Cheryl Welch, *De Tocqueville* [Oxford: Oxford University Press, 2001], 150). The essay suggests why Tocqueville might have engaged in writing democratic history, despite its many shortcomings, but one should not overlook the fact that *Democracy* also defends particularity and the importance of particular individuals, albeit in somewhat general terms.

²⁹*DA*, 471. My discussion stresses Tocqueville’s quasi-empirical objections to the explanatory power of democratic and aristocratic historians’ hypotheses, but Tocqueville also expresses moral concerns regarding democratic history in particular. More specifically, he is concerned with the inimical effect on man’s spirit of historical narration that denies free will by suggesting that, “without knowing it, societies obey a superior, dominating force.” By arguing that a nation’s “position,” “origin,” “antecedents,” or “nature” inalterably binds it to a particular “destiny,” these historians “subject” peoples “either to an inflexible providence or to a sort of blind fatality.” Even if true, a possibility Tocqueville considers unlikely but leaves open, such hypotheses imperil human freedom by denying that individuals or peoples can so much as resist the bent of their epoch (471–72).

Tocqueville on the Nature of Man

As suggested above, Tocqueville's historical narrative is not simply a descriptive, sociological account of the shift from aristocracy to democracy, but it has a critical, evaluative dimension that focuses on the incompleteness or partiality of both the aristocratic and democratic principles. Underpinning this critical sociology is a positive claim about the nature of reality—namely, that inequality and equality are both natural. The aristocratic and democratic epochs both have their origins in nature, but each era tends tyrannically to interpret all of reality on the basis of a single principle. Though it rightly emphasizes human equality, democracy neglects—and at worst seeks to extirpate—the heterogeneity within the species. On the other hand, aristocracy establishes social conditions that foster manifold ways of being human but tends to exaggerate the differences among beings to the point that the idea of a common humanity is virtually inconceivable.

Other scholars have argued for various versions of the view that Tocqueville understood the two great historical epochs, when taken together, to reveal a relatively complete portrait of the nature of man.³⁰ Nevertheless, a close reading of *Democracy* suggests that these accounts are overly sanguine when discussing the naturalness of the equality principle in Tocqueville's thought. Tocqueville does ultimately affirm its naturalness, though not without demonstrating how elusive the principle is absent the attention it receives from the Christian tradition. Discussion of the status of the equality principle in Tocqueville's thought will thus be our primary focus, but a word must first be said regarding his treatment of the aristocratic principle.

Aristocracy

Aristocratic regimes presuppose the principle of human inequality (*DA*, 383), and Tocqueville maintains that there is a natural basis for the proposition that men are fundamentally unequal in important respects. His basic argument can be stated quite simply: nature spontaneously differentiates among men as among things, and difference implies inequality (411–15). Excepting the case of natural inequalities of intellect (432, 513), Tocqueville does not attempt to enumerate the various ways in which men might naturally differ and hence be unequal. He is undoubtedly aware, moreover, that various structural or conventional factors contribute to the observable differences among men; distinguishing between the natural and conventional determinants of these differences will not be a very precise science. Nevertheless, Tocqueville assumes that his hypothesis regarding natural inequality has been tested and confirmed after a fashion by ordinary

³⁰See note 12 above for references.

human experience. He confidently asserts that despite the leveling pressures of democracy, we will continue to see differences in intelligence and capacity. The “legislature . . . no longer grants privileges,” he claims, but nature does (431; see also 577). Indeed, he says that “natural inequality” is “very great” and will “see the light of day” whenever men are allowed to live in freedom.³¹

According to the classic theory of aristocratic government, these natural inequalities play a role in justifying the right of the few to rule the many. In his discussion of the different types of political regimes in the *Politics*, Aristotle states that the justification for aristocracy rests on the claim that a small number of individuals—the *aristoi*, or “the best”—are superior to the majority in virtue, a distinction based in part on differences in natural capacities. On the basis of this qualitative difference, it is argued, a few leading citizens ought to be vested with the right to govern on behalf of the entire body politic with an eye toward the common good.³²

In practice, of course, the distinctions made by aristocracies were often manifestly grounded in “blood” and fortune, with less attention paid to natural ability or personal merit than the theory would seem to advise. Gentle birth and wealth are poor proxies for real natural differences, and using them to divide up the world’s opportunities and advantages virtually guarantees that nature’s rather promiscuous distribution of her favors will not be respected. Indeed, the shift from aristocracy to democracy proved an ideal moment for observing the extent to which conventional social arrangements had enhanced aristocrats’ supposedly natural endowments while stymieing the latent potentialities—individual and collective—inherent in the majority.

As we shall see, Tocqueville ultimately criticizes the injustice of both aristocratic practice *and* aristocratic theory. Nevertheless, he does confer on actual aristocratic regimes a great deal of high praise. However conventional, the distinctions recognized and maintained by these regimes provided a social and institutional “framework” in which the talents and abilities of certain men were developed.³³ Such cultivation often produced—to borrow Aristotle’s phrase—“people of quality”³⁴ well equipped for the “art” and “science” of governing (*DA*, 222–24, 234–35). Furthermore, this “framework” afforded some the leisure necessary for the pursuit of scientific knowledge for its own sake and of excellence in art and literature.³⁵

³¹*DA*, 431; see also 170, where Tocqueville claims that aristocratic and democratic “instincts” or “passions” have always divided men in free societies into two great parties.

³²Aristotle, *The Politics*, rev. ed., trans. T. A. Sinclair (London: Penguin Books, 1981), 1279a35–38, 1294a9–28.

³³Manent, *Tocqueville and the Nature of Democracy*, 77–78.

³⁴Aristotle, *Politics* 1294a21.

³⁵See *DA*, 428–72, for Tocqueville’s comparison of the various realms of aristocratic and democratic intellectual life and culture.

By elevating the few permanently above the many and concentrating society's resources in their hands, aristocracies conceived a "lofty" and exalted idea of man and produced "brilliant" testimonies to human greatness (234–35).

On Tocqueville's view, aristocratic practice, with its inevitably conventional distinctions, is obviously oppressive and unjust (*DA*, 92, 180, 224, 436). It is perhaps not very surprising that even an "enlightened" and "liberal" aristocracy such as England's would, despite the best of intentions, be less inclusive than merit would recommend and tend to formulate policy in its own interest rather than in the interest of society as a whole (210, 224). Nevertheless, while aristocracies oppress in fact, the aristocratic principle might still be rendered blameless. No aristocracy can in reality govern as would an ideal type; the combination of self-interest and the inescapable epistemological limitations of every man's (or group's) point of view makes this impossible. Notwithstanding the complications of practice, however, one might still identify as one's lodestar the aristocratic ideal of government by the wise and virtuous few in the interest of the whole.

Tocqueville's criticism of aristocracy goes further than this, condemning the bias and partiality not only of aristocratic practice but also of the aristocratic principle. On the one hand, his analysis suggests that the traditional theory of aristocracy rightly recognizes the existence of a "natural aristocracy" of intelligence and virtue (*DA*, 50). On the other hand, in its exclusive attention to such distinctions, the aristocratic principle neglects or excludes the reality of natural equality, making it *necessarily* oppressive and unjust. One significant indicator of this fundamental injustice is the visceral reaction the oppressed have to political and social arrangements founded on the principle of inequality. Tocqueville says that the "subjection" experienced by the many when a "number of citizens" are "elevated above [the crowd] in a permanent manner" is "contrary to the nature and the secret instincts of the human heart." He also claims that the practical requirements of introducing "inequality in principle" into a society are "so strongly repugnant to natural equity that one can obtain them from men only by constraint" (383). The violation of a sense (some) men have of natural equality is of course not identical to the violation of a real, ontological relationship among men. As we shall see below, however, Tocqueville does ultimately endorse the view that natural equality is something real. The sense of injustice felt by those oppressed by aristocracy does in fact signal an affront to natural justice.

Generally speaking, the political implications of Tocqueville's partial critique of the aristocratic principle are two. First, however real, natural differences seem not, on his view, to translate into a natural and exclusive right to rule. While Tocqueville certainly celebrates the rare opportunities experienced by the "few" to wield political influence in democracies and no doubt wishes such were more common (*DA*, 168–70, 191–92), his analysis suggests that the many cannot in principle be excluded from ruling

and being ruled in turn.³⁶ All men have enough in common to participate in self-government, hence one factor motivating Tocqueville's paean to the township—the level of government that is both an expression of and a support for the ordinary individual's political nature (57–58). Secondly, although natural differences do not translate into a natural right to rule, one must endeavor to accommodate such differences in democratic societies. While history and philosophical reflection do expose the partiality of the aristocratic principle and the conventionality of specific aristocratic institutions,

³⁶While there is no *natural* right for some to rule others, Tocqueville does maintain that there are circumstances in which the politically experienced and enlightened ought to rule the less politically experienced and less enlightened. Despite his claim that the white race in America was superior in civilization and enlightenment to the black and Indian races, Tocqueville does not advance this argument in *Democracy* (302–7). Rather, it is in his writings on Algeria that he attempts to justify the subjugation and political domination of one nation by another he perceives as politically liberal and administratively competent (Richard Boyd, "Tocqueville's Algeria," *Society* 38 [Sept.–Oct. 2001]: 67). Here, Tocqueville says much that is illiberal, describing as "unfortunate" various harsh measures (e.g., "burn[ing] harvests," "empty[ing] silos," and "seiz[ing] unarmed men, women, and children") that he considers necessary for the French to subdue the Arab portion of the Algerian population (Tocqueville, "Essay on Algeria," in *Writings on Empire and Slavery*, ed. and trans. Jennifer Pitts [Baltimore, MD: Johns Hopkins University Press, 2001], 70). Melvin Richter provides the classic articulation of the claim that such illiberalism cannot be reconciled with *Democracy* (Richter, "Tocqueville on Algeria," *Review of Politics* 25 [July 1963]: 362–98). More recently, Jennifer Pitts has explored the complexities of Tocqueville's thoughts on Algeria within the larger framework of his views on liberalism and empire. One reason Tocqueville supported the colonization of Algeria was his belief that France "needed a grand undertaking" or "project" that would energize and unite its citizens, providing "an antidote" to the political lethargy that affects centralized liberal states in particular (Jennifer Pitts, "Democracy and Domination: Empire, Slavery, and Democratic Corruption in Tocqueville's Thought," in *Tocqueville and the Frontiers of Democracy*, ed. Ewa Atanassow and Richard Boyd [Cambridge: Cambridge University Press, 2013], 250). Additionally, Tocqueville was initially hopeful that the French settlement of Algeria would prove a successful experiment in self-government for the French settlers and that over time and through intermarriage, the French and Arabs might coexist peacefully. Although these initial hopes were quickly dashed, Tocqueville continued to adhere to the colonization project as a source of both glory and unity for France despite concerns about the increasing violence of the situation (Jennifer Pitts, "Empire and Democracy: Tocqueville and the Algeria Question," *Journal of Political Philosophy* 8 [Sept. 2000]: 299–300; Pitts, "Democracy and Domination," 250–51). For a collection that includes Tocqueville's major writings on Algeria, including his 1841 "Essay on Algeria," see *Writings on Empire and Slavery*. For additional commentary on Tocqueville and Algeria, see John W. P. Veugelers, "Tocqueville on the Conquest and Colonization of Algeria," *Journal of Sociology* 10 (Nov. 2010): 339–55; and Cheryl B. Welch, "Colonial Violence and the Rhetoric of Evasion: Tocqueville on Algeria," *Political Theory* 31 (April 2003): 235–64.

they also confirm the existence of natural differences. However imperfectly or maladroitly, aristocratic regimes gesture toward the truth of natural inequality. Such inequality, on Tocqueville's view, ought to be acknowledged and respected alongside the equality principle, a task that proves difficult for democratic communities, which are inclined to cherish equality alone (479–82).

The democratic tenor of *Democracy* obscures only slightly the fact that Tocqueville perceived a basis in nature for the inequality principle. By contrast, his references to “natural equity” and natural equality do somewhat distract the reader from the actual difficulty he has in establishing the naturalness of the equality principle. It is to a fuller consideration of this problem in Tocqueville that we now turn.

Democracy: The Problem of Natural Equality in Tocqueville

Despite Tocqueville's insistence on the eclipse of aristocracy by democracy, one can without too much difficulty uncover evidence that he perceived a basis in nature for principle of inequality. With the democratic principle, it is otherwise. In its most elemental form, the democratic principle holds that men are fundamentally alike and similar. Whatever inequalities may exist between and among them, they resemble one another enough to be considered a common species, and no one of them is so manifestly superior as to possess a natural right to rule. Men living in democratic times certainly perceive and experience this likeness and similarity of the “other,” whom they imagine an equal member of the same species (*DA*, 412–13). Nevertheless, Tocqueville explicitly highlights the obscurity—some might say the unavailability—of the idea of equality to natural reason. This point comes into focus most clearly in his discussion of the absence of the idea of equality in the aristocratic world and suggestion that the idea was born at a particular historical moment.

In his chapter devoted to “general ideas,” Tocqueville argues that the aristocratic mind simply did not entertain the abstract idea of humanity, a precondition for thinking about men as a species of equal beings. The reason for this is that under conditions of extreme and “permanent” inequality, individuals in different social classes become so dissimilar that the classes might be perceived as “distinct humanities.” The aristocratic mind therefore always sees only “some men, not man”—a sociological fact that Tocqueville does not observe uncritically. On the contrary, he implies that in their preoccupation with what distinguishes men from one another, individuals living in aristocratic societies overlook important commonalities among men who are separated by circumstances and rank: under aristocracy, one “los[es] sight of the general bond” that unites all in the “vast bosom of the human race” (*DA*, 412). In other words, Tocqueville acknowledges the aristocratic orientation as a reasonable response to a certain social reality but also seems to accuse

those living under aristocracy of a measure of blindness to the phenomenon of natural equality.

It is not clear that this charge is a fair one. In his discussion of general ideas, Tocqueville himself suggests that the aristocratic emphasis on the diversity of beings and hence inequality might be more consistent with the heterogeneous character of natural phenomena than the democrat's assertion of the "general idea" of humanity: "There are no beings in nature exactly alike," thus general ideas "attest" to the limitations of the human intellect, not to its "strength." Furthermore, this philosophical perspective concerning general ideas seems to accord with the divine point of view:

God does not ponder the human race in general. At a single glance he sees separately all of the beings of which humanity is composed, and he perceives each of them with the similarities that bring [each one] closer to all and the differences that isolate [each one] from [everyone else]. God therefore has no need of general ideas. (*DA*, 411)

Musings of this sort have been interpreted as hostile to the idea of natural equality, emphasizing as they do the "infinite variety" of being.³⁷ To be sure, Tocqueville's description of the divine orientation toward humanity seems to entail a partial critique of the aristocratic mind: the aristocratic mind readily comprehends diversity, but it is disposed to neglect similarities (especially very general ones), a mistake God does not make. Nevertheless, Tocqueville does not here identify the basis on which any mere mortal living in a predemocratic age could reasonably have been expected to conclude that men were fundamentally similar in important respects. Regardless of whether he acknowledges them, the democrat is every day confronted with real and persistent inequalities among men—the natural basis of aristocracy. These encounters afford him an experiential basis for arriving at an interpretation of reality that accommodates difference as well as similarity. According to Tocqueville, the aristocrat, on the contrary, has no such experiential (and hence epistemic) basis from which to construct the notion of humanity. His survey of extant beings suggests mainly differences. For him to conclude on the basis of such a survey that men were fundamentally one another's equals would seem to require an act of imagination that negated, rather than reflected or illuminated, the order of nature.

Tocqueville's discussion of the relationship between Christianity and the idea of equality complicates matters further. He suggests in *Democracy* and elsewhere that the idea of equality entered the world following the advent of Christianity—a claim that ought to anchor more explicitly the various "historical" interpretations inasmuch as it ties the birth of equality to a particular historical event. In an article entitled "The Emancipation of Slaves,"

³⁷West, "Misunderstanding the American Founding," 176.

Tocqueville refers to the notion that “all men are born equal” as a “Christian idea.”³⁸ In *Democracy*, he states,

The most profound and vast geniuses of Rome and Greece were never able to arrive at the idea, so general but at the same time so simple, of the similarity of men and of the equal right to freedom that each bears from birth; and they did their utmost to prove that slavery was natural and that it would always exist. . . . All the great writers of antiquity were a part of the aristocracy of masters, or at least they saw that aristocracy established without dispute before their eyes; their minds, after expanding in several directions, were therefore found limited in that one, and it was necessary that Jesus Christ come to earth to make it understood that all members of the human species are naturally alike and equal. (*DA*, 413)

Here, Tocqueville does suggest that democracy has a basis in nature—“all members of the human species are *naturally* alike and equal.” However, one cannot but notice the possible irony in his claim that a particular historical event was required “to make” this fact “understood.”

On its face, the notion that the advent of Christianity was “necessary” to elucidate the phenomenon of natural equality admits of two interpretations. Perhaps the more obvious reading is that the advent of Christianity was “necessary” to assist the mind in acquiring an idea that it could not have otherwise obtained. The ancients did not “arrive” at the idea of equality because such was, in principle, unavailable to natural reason. If an inbreaking of the supernatural in historical time is necessary for conceiving of this idea, Tocqueville must speak somewhat ironically of *natural* human equality. On the other hand, Tocqueville might mean that the ancients’ minds were “limited,” albeit owing to circumstances other than the unavailability of the democratic idea to natural reason. In any event, although Tocqueville intimates that Christianity illuminated a preexisting condition of human equality, he does not here indicate how the ancients could have arrived at an inclusive understanding of humanity independently of Christian premises.

Natural Equality in Tocqueville

To make an argument for natural—as opposed to “merely” supernatural—equality, Tocqueville must identify a natural basis for a universal conception of humanity. Scattered throughout *Democracy* are claims about or at least hints at such possible bases. There are, Tocqueville suggests, several things that all men have in common or that are “natural” to man as such.³⁹ First, “all men”

³⁸Tocqueville, “The Emancipation of Slaves,” in *Writings on Empire and Slavery*, 207.

³⁹Generally speaking, I am more concerned *that* an idea, passion, or instinct be general or natural than with the way in which it is general or natural. However, for a discussion of subtle distinctions in Tocqueville’s use of the term “natural,” see

have a “natural and instinctive taste” for material well-being. While this “taste” might manifest itself differently in democratic and aristocratic societies, it is nonetheless quite general and persistent over time (*DA*, 506). Some of Tocqueville’s other claims about what is generally true of men appear to be grounded in the desire for material well-being. For example, this “taste” is certainly among the “permanent and general needs” felt by the “human race” that provide the natural basis for a “widespread” basic sense of justice and morality, a second generalization about man or humanity (589). Humans’ basic sense of justice and morality is partially rooted in the fact that we recognize others’ need for material well-being and security. A third possibility Tocqueville mentions is the desire for honor, which, like the desire for material well-being, is persistent over time but has various manifestations. The most general manifestation involves the desire to win the esteem of one’s fellow human beings (i.e., “those like oneself”), which occurs when one recognizes and attends to their “permanent and general needs,” presumably including the desire for material well-being.⁴⁰ Tocqueville also argues that men are naturally religious. Because they are mortal, men will always both hope and fear, the natural grounds of religious belief (*DA*, 282–88). Finally, he indicates that the pleasant sentiments of mildness and familiarity, which are widely experienced in democratic times, offer confirmation of equality’s naturalness.⁴¹

Tocqueville speaks most directly of “man himself” and of man’s being the “same everywhere” in passages other than the aforementioned ones in which he discusses specific resemblances among men (*DA*, 476, 588). Nevertheless, there is every reason to see these two kinds of passages as complementary. For example, in defending Tocqueville as a theorist of human nature, Manent expounds Tocqueville’s references to the unity of the human race by drawing on passages indicative of the content of that unity. He acknowledges several of the commonalities mentioned above but places special emphasis on how the sentiments of mildness and familiarity that characterize human

Welch, *De Tocqueville*, 168–72. Carl Scott draws on Welch in helpfully surveying Tocqueville’s treatment of the “natural” (Scott, “The Inconstant Democratic Character: A Comparison of Plato’s *Republic* and Tocqueville’s *Democracy in America*” [PhD diss., Fordham University, 2009], 292–93).

⁴⁰*DA*, 589 with n1. While the desire for honor is universal, notions of honor differ across societies. The most fundamental distinction, however, is between notions of honor that win one the esteem of other members of the “vast human association” and notions of honor that win one the esteem of a particular society or class (*ibid.*). It should be noted that the desire for both kinds of honor is in some sense aristocratic, as both involve the desire for recognition and acknowledgment of one’s distinctiveness. On this latter point, see Scott, “Inconstant Democratic Character,” 298.

⁴¹*DA*, 306–7, 558–63. Note also the pleasant, dehumanizing “mildness” of democratic despotism (661–65).

relations—especially within the family—in a democratic age reveal the naturalness of equality, which is the foundation of such sentiments.⁴² It turns out that everyone, aristocrats included, prefers the closeness and intimacy made possible when the idea of equality penetrates into the very heart of the family, evidence Manent uses to claim that the democratic conception of man is rooted in “nature itself.”⁴³

For our purposes, it is necessary to indicate one possible difficulty that all of these claims and intimations about the naturalness of equality appear have in common—namely, that they all seem to rely to some degree on post-Christian insight about the nature of the human person. For example, it is one thing to note that man is naturally religious, but it is another thing entirely to construe the religious orientation—as Tocqueville seems to—in light of the equality of souls. Tocqueville suggests that all men are equally capable of experiencing the joy but mostly the misery of the human condition, which consists in subjection to mortality as well as in proud but ultimately futile resistance to it.⁴⁴ This thought, however, seems to presuppose that every human soul has “hidden spiritual depths,” an assumption many would consider an insight of Christian revelation.⁴⁵ Similarly, one could argue that while the “taste” for material well-being is in some sense universal, the perceived importance of well-being and prosperity for all comes to light only following the revelation of the equality of all souls. Finally, Manent presents his “Rousseauistic”⁴⁶ account of sentiment as evidence that the democratic idea conforms with the nature of man, but he does not consider whether this rather novel era in interpersonal relations is attributable to a progression of the human spirit made possible by the advent of Christianity.⁴⁷ In short,

⁴²For Tocqueville’s treatment of the democratic family, including his comparison between it and the aristocratic family, see *DA*, 558–63. See Manent, *Tocqueville and the Nature of Democracy*, 69–70, 71–74, and 87–88, for his respective discussions of the family, universal notions of honor and morality, and the naturalness of religious belief.

⁴³Manent, *Tocqueville and the Nature of Democracy*, 69–70.

⁴⁴Lawler, *Restless Mind*, 128. Tocqueville’s discussion of funeral mounds is an important mediation on the theme of mortality (*DA*, 26).

⁴⁵I borrow this language from Lawler, who argues that Tocqueville endorses the view that Christianity is the source of our acquaintance with the soul’s “spiritual depths.” While this does amount to a version of the “historical” interpretation, it is a rather mild one. On Lawler’s view, there is such a thing as human nature for Tocqueville, but such is partially latent or submerged until the advent of Christianity. The advent of Christianity precipitates more of an epistemological shift than an ontological one, though the latter does occur to a certain extent. As the essay suggests, I think that Tocqueville is more determined than Lawler allows to show that “humanity” could have been discovered, in principle, prior to the birth of Christianity. See Lawler, *Restless Mind*, 128.

⁴⁶Manent, *Tocqueville and the Nature of Democracy*, 70.

⁴⁷Additionally, Tocqueville implicitly acknowledges the limitations of relying on sentimental evidence as indicative of anything about the moral status of human

when considering possible natural bases for the equality principle in Tocqueville's thought, one should not underestimate the influence of Christianity on his democratic interpretation of nature or the difficulty of isolating any strictly natural evidence for equality given this Christian inheritance.

That Tocqueville speaks of nature and equality together shows that he is aware of the desirability of making at least a plausible argument for the naturalness of equality and the universality of humanity. Furthermore, he uses the language of "nature" in his condemnation of both slavery ancient and modern and America's mistreatment of the Indians. In denying "humanity," the former "reverse[s]" the "order of nature," and Tocqueville implies that arguments from "natural right and reason" might speak to the plight of the latter (*DA*, 348, 325n29). Nevertheless, to show that "unredeemed" nature provides support for the equality principle, Tocqueville needs to demonstrate that Christian insight into the nature of man is not absolutely necessary to establish his claims about the equal humanity of all. To put it slightly differently, he needs to show that the ancients could have "arrived" at this idea on their own. To see how he attempts this, it is necessary to consider his discussion of slavery, where the question of natural equality is posed most sharply. In this discussion, he suggests that slavery ancient and modern contravenes the order of nature by pointing to evidence in the workings of political economy. More specifically, he attempts to show that nature frowns on political communities that do not presuppose the existence of a common humanity and accept its corollaries, such as the importance of freedom and material well-being for all.⁴⁸

Christianity furnishes the moral argument against slavery, but Tocqueville singles out the economics of slavery as a distinct but complementary basis on which slavery can be "attack[ed]" (*DA*, 334). As time passed following the introduction of slavery in America, he claims that "the same fact recurred" at every turn in the life of the American people: generally speaking, free states were "more populated and more prosperous" than slave states.

beings—a key difference with Rousseau to which Manent does not speak. Tocqueville does say that sentiments of mildness and familiarity offer confirmation of equality's naturalness, and he further suggests that such "attachments" and "bond[s] of affection" are signs of nature's "striving" to bring together those separated by "prejudices and laws" (*DA*, 307). Nevertheless, while he is happy to affirm humane psychological attachments where they exist, Tocqueville would not have us make too much of sentiment, which has often been unmoved by human suffering (e.g., 536–38). Moreover, because he lacks Rousseau's state-of-nature optic (Mansfield and Winthrop, introduction to *DA*, xxvii), such insensitivity cannot be understood merely as an effect of civilization and hence less natural than mildness.

⁴⁸In part, Tocqueville is attempting to defend the universal and ahistorical character of the "material well-being" standard discussed above.

“While so cruel to the slave,” it can be shown that slavery violates its own principle—the interest of the master, for whom it is “fatal.” The “final demonstration” of this “truth” is illustrated in Tocqueville’s famous depiction of the “two banks of the Ohio”:

The traveler who, placed in the middle of the Ohio, allows himself to be carried along by the current to the mouth of the river in the Mississippi, therefore, navigates so to speak between freedom [Ohio] and servitude [Kentucky]; and he has only to cast glances around himself to judge in an instant which is more favorable to humanity. (331)

In this passage, freedom’s being “more favorable to humanity” is an argument from political economy concerning “the influence of slavery on the production of wealth” (334). In Kentucky, “man seems idle,” while in Ohio man is active and thus “rich and content” (331–32). Tocqueville cites population figures and mentions public works projects in support of the traveler’s initial impression concerning the merits of free labor for both the individual and the community of which he is a part (332 with nn36–37).

According to Tocqueville, the discovery of “the diverse effects of slavery and freedom” on “material prosperity” is a modern one, but these effects were no different in the ancient world. In antiquity, however, the “influence” of slavery on economic production “could only be very imperfectly known,” for “servitude” was ubiquitous among all who were not “barbarians” (*DA*, 332, 334). The ubiquity of servitude in antiquity thus obscured from the ancients’ view the natural relationship between freedom for all and the foundation at least of collective greatness, that is, material prosperity. By drawing attention to the fact that there was such a relationship for the ancients to perceive, I believe Tocqueville intends to signal that the ancients might well have subscribed to the merits of an alternative set of political arrangements, one in which society—rather than a select number of individuals—was strong, prosperous, and vigorous.⁴⁹ The conditions of such a society would include the abolition of extreme forms of inequality and an altered attitude toward work and leisure. As part of his defense of the naturalness of equality, Tocqueville aims to show that settling on this sort of preference was at least a path open to the ancients, not a possibility uniquely available or estimable in the Christian world.

By condemning slavery as an affront to the created order, Christianity provided the impetus for this discovery of political science or political economy. The advent of Christianity eventually led to the establishment of political

⁴⁹Slavery might in principle and practice support a regime of vigorous aristocrats, but it also permits the master to be a slave to his passions, with the result that aristocracies supported by slavery might well be regimes of indolence. Even when one has a vigorous aristocracy, Tocqueville’s analysis suggests that the economic dynamism of democracies affords them a comparative advantage. I thank Jeremy Mhire for raising this objection.

communities less marked by and structurally dependent on extreme forms of servitude.⁵⁰ It thus rendered comparative political analysis both easier and more likely, if not possible simply. Nevertheless, the economic argument against slavery is logically independent of Christianity's indictment of the practice. One can imagine a host of circumstances that might permit the direct observation or intuition of the connection between freedom and material prosperity. With perhaps greater difficulty, one can imagine its intuition independent of any observable instances—Tocqueville does not yoke material circumstances and thought so tightly together so as to preclude this possibility (*DA*, 273).

If Christianity proclaims boldly the existence of a common humanity, nature suggests this possibility indirectly and with somewhat less confidence. Natural inequalities surface spontaneously and despite the leveling pressures of democracy, but natural equality remains hidden when asymmetries of power are “established without dispute” by way of counterexample (*DA*, 413). Though not strictly necessary for the discovery of this idea, Christianity lends necessary, perhaps indispensable, support to an idea that nature proposes only weakly at times.

Tocqueville appears content to allow Christianity to perform this function. As we have seen, the idea of human equality is not always manifestly given to reason. Indeed, there is no small amount of “Western parochialism”⁵¹ lurking in one scholar's assertion that the democratic principle is “evident in human nature.”⁵² Again, Tocqueville does maintain that the idea of equality is always available to reason, however difficult to apprehend it might be in particular historical circumstances. Nevertheless, starting from the givens of experience, this inference is often an extremely difficult one to make. Tocqueville's strategy for indicating the naturalness of equality, which draws on comparative political-economic analysis, does have the surprising implication that the historical record is not as ambivalent concerning the democratic principle as it might at first appear. Still, compared to the aristocratic principle, the democratic principle is more susceptible to being overlooked in unfavorable historical circumstances. Tocqueville thus does not object to Christianity's amplification of the equality principle, though his acceptance of this amplification does tend to obfuscate the indications he gives that the principle has a foundation in nature that is available to reason.

⁵⁰See, e.g., Hugo Grotius, *De jure belli ac pacis libri tres*, trans. Francis W. Kelsey et al. (Oxford: Oxford University Press, 1925), esp. book 3, chapter 8.

⁵¹I borrow both the language and structure of John Dunn's critique of Peter Laslett's contention that human equality is a “matter” of “common sense.” They are speaking in the context of John Locke's thought. See Dunn, *The Political Thought of John Locke: An Historical Account of the Argument of the “Two Treatises of Government”* (Cambridge: Cambridge University Press, 1969), 99, quoting Laslett, editor's introduction to *Two Treatises of Government* (Cambridge: Cambridge University Press, 1960), 93.

⁵²West, “Misunderstanding the American Founding,” 162.

Tocqueville's economic argument against slavery and for equality is not, as some have claimed, simply a pragmatic argument.⁵³ While less convinced than some regarding the self-evidence of natural equality,⁵⁴ Tocqueville still locates the equality principle within the realm of nature. Indeed, this is part of the point of his economic analysis of slavery. By drawing attention to the negative consequences of slavery on economic production—a relationship that holds in both antiquity and modernity—he intends to demonstrate with evidence from a universal form of human activity that something in the very structure of reality protests against slavery. This just *is* an argument from nature that entails something like a doctrine of natural rights.

Conclusion: The Political Character of Democratic Justice

The realization that Tocqueville recognizes the naturalness of both the equality and inequality principles leads to the question whether he understands there to be a natural order governing the principles themselves. Scholars who defend Tocqueville as a theorist of human nature by reference to his aristocracy/democracy juxtaposition generally argue that he understands nature to recommend a specific and ideal reconciliation of the inequality and equality principles. While Tocqueville holds that both principles are natural, they argue, he endorses the natural priority of the democratic principle.⁵⁵ Two primary arguments are offered in support of this interpretation: (1) the argument that for Tocqueville sameness and generality are more

⁵³For example, Masugi and West claim that Tocqueville's defense of equality and condemnation of slavery are not grounded in an understanding of nature, but are instead rooted in a sociologically sensitive pragmatism, i.e., in history (Masugi, "Citizens and Races," 326, 328, 328n23; West, "Misunderstanding the American Founding," 155, 161–62). Rather than arguing boldly and directly for "natural standards," Masugi states, Tocqueville merely draws attention to the negative "consequences" of rejecting such standards (326). In doing so, he neglects the self-evident truth of the democratic principle, which is, claims West, "a precise deduction from a rational insight" about human nature (161–62). On my interpretation, West and Masugi miss the significance of Tocqueville's overt appeals to "consequences" in the case of slavery, which point toward an understanding of nature. Eduardo Nolla provides useful references and discussion related to Tocqueville's primarily economic arguments against slavery (*Democracy in America / De la Démocratie en Amérique*, ed. Nolla, trans. James T. Schleifer [Indianapolis, IN: Liberty Fund, 2009], 561n).

⁵⁴See references in previous note. Tocqueville *is* less confident than Masugi and West about the obviousness of natural equality, but an additional reason he might have hesitated to argue directly for modern natural rights was his belief that introducing them directly into political life could in certain circumstances be dangerous. See Ceaser, "Tocqueville and the Two-Founding Thesis," 223, 237–38, 240–41.

⁵⁵Manent, *Tocqueville and the Nature of Democracy*, 78–79; Zetterbaum, "Neutrality," 621.

natural than difference and particularity, and (2) the argument that Tocqueville asserts the greater justice of the democratic principle.

As suggested above, in *Democracy*, Tocqueville indicates that the democratic principle is more general than the aristocratic principle inasmuch as it seeks to encompass a “great[er] number of objects” (DA, 411). For example, the democratic mind gathers into a single species, designated “humanity;” all those particular “humanities” the aristocratic mind would keep separate and distinct.⁵⁶ At its extreme limit, the democratic mind is even inclined to conceive of the manifold “parts” of reality—all “things material and immaterial, visible and invisible”—as belonging to a single “immense being,” thereby collapsing all distinctions in a quest for unity, generality, and simplicity (426).

The notion that the democratic principle is more general than the aristocratic principle appears to undergird Manent’s claim that the democratic principle is ultimately “close[r]” to nature than the aristocratic idea, which is “more visibly distant from nature, more manifestly conventional.”⁵⁷ The democratic idea of course also rests upon a convention—it “supposes men equal and knows that they are not.”⁵⁸ However, this tendency toward generality is, in Manent’s view, less manifestly conventional than aristocracy’s tendency to embrace distinctions, especially arbitrary ones.

This kind of thinking seems to privilege the democratic point of view a priori, and it is certainly not in keeping with Tocqueville’s own analysis of nature. While the democratic principle is in certain respects more general than the aristocratic principle, Tocqueville in no way suggests that the more general is the more natural. Indeed, his discussion of general ideas concedes a great deal to the modern view that all things are particular.⁵⁹ In generalizing, the democratic mind often imagines that individuals are more alike than they are in fact. Up to a point, this propensity can have the effect of producing substantive uniformity, but it cannot eliminate the stubborn reality of natural differences among men. On the other hand, although it exaggerates the similarity among beings, the equality principle, too, is ultimately based on something real. However, it is unclear why these substantive commonalities are more natural than the myriad ways in which men naturally differ.

In defending Tocqueville’s commitment to the natural priority of the equality principle, scholars have also pointed to his assertion that the democratic principle is ultimately “more just” (DA, 675). The democratic principle is “more just” than the aristocratic principle and, therefore, presumably more natural.⁶⁰

⁵⁶Manent, *Tocqueville and the Nature of Democracy*, 79.

⁵⁷Ibid.

⁵⁸Ibid., 78.

⁵⁹For a paradigmatic account of the modern view, see John Locke’s critique of natural species in *An Essay concerning Human Understanding*, ed. Peter H. Nidditch (Oxford: Clarendon, 1975), esp. II. 23 and III.6.

⁶⁰Manent, *Tocqueville and the Nature of Democracy*, 71–74; Zetterbaum, “Neutrality,” 621.

In an 1836 essay, Tocqueville “dares to say” that the “modern,” “democratic notion” of liberty for all is “the just notion of liberty.”⁶¹ The context for this claim is a juxtaposition of the democratic and aristocratic conceptions of liberty, the latter being understood as a “privilege” belonging to particular individuals or a particular class.⁶² Volume II of *Democracy* (1840) concludes with a similar pronouncement in favor of democratic justice. Though the effects of the democratic revolution “woun[d]” Tocqueville, he states that they are no doubt pleasing to the “creator and preserver of men.” Though “perhaps less elevated,” equality is “more just” (674–75). While both of these endorsements are made with considerable reluctance, they appear to reflect Tocqueville’s considered view; nowhere does he defend the superiority of the aristocratic principle.⁶³

If my interpretation of Tocqueville is correct, his pronouncement in favor of democratic justice cannot be grounded in nature. On his view, nature indicates that men are both equal and unequal. Human equality thus ought to be respected, but nature does not pronounce unequivocally in favor of the democratic conception of man. Rather, nature’s ambiguity and concomitant reserve with regard to the appropriate mixture of its principles would seem to give a wide berth to human societies as they proceed to interpret and acknowledge nature. Because nature is not decisive, one must defer to politics and history when determining how best to reconcile equality and inequality in particular historical contexts. A particular social state will tend to call forth one aspect of human nature while suppressing the other; thus the art of legislation or the labors of political science must ensure that the other aspect is not neglected. However, while a just political order would need to account for both principles, it is prudent, when reconciling the principles, to pay qualified obeisance to the spirit of one’s time. Such prudence, not a commitment to the natural priority of the equality principle, is what motivates Tocqueville’s praise of democratic justice.

The tendency to view equality as more natural than inequality in Tocqueville’s thought has, I think, less to do with what Tocqueville actually says about the natural status of the two principles than it does with the desire of some scholars to identify a natural basis for Tocqueville’s endorsement of democratic justice. In general, scholars who defend Tocqueville as theorist of human nature who prioritized the equality principle are determined in their opposition to the “historical” Tocqueville and object to the notion that he understood history to have an immanent tendency toward democracy. They maintain, moreover, that the rhetoric of “irresistib[ility]” serves a political purpose and is not indicative of an overly theoretical attitude toward history or the historical process. At the end of the day, however, they

⁶¹Tocqueville, “L’état social et politique de la France,” 36 (translation mine).

⁶²Ibid., 35 (translation mine).

⁶³Quite the contrary; see *DA*, 379–84.

argue in effect that the tendency of historical development does reveal the truth about nature, which has a democratic cast. In achieving this congruence between historical development and nature, however, they democratize Tocqueville's understanding of nature, ignoring or minimizing the difficulties he has in establishing the naturalness of equality in the first place. In this way, these scholars also unintentionally collapse the distinction between nature and history in Tocqueville's thought that they set out to defend.

Tocqueville's endorsement of democratic justice does not mirror his conclusions about nature, which simply suggest that justice requires the coexistence of the aristocratic and democratic principles.⁶⁴ His endorsement is, rather, a corollary of the "irresistib[ility]" thesis and, like the rhetoric of irresistibility, is a prudential concession to circumstances. Privileging one principle in politics is almost always necessary and prudent, but Tocqueville does not forget that doing so involves a departure from nature into the realm of history.

⁶⁴In *Democracy*, Tocqueville suggests that the mixed regime is a "chimera," for in every society "one principle of action . . . dominates all the others" (*DA*, 240). Although he insists that it is impossible to instantiate the perfectly mixed regime in real political life, one should not lose sight of the fact that he also insists that justice requires the aristocratic and democratic principles to be combined to some degree in actual political regimes. The particular configuration of principles will vary according to the circumstances, but my analysis suggests that approximating the mixed regime is probably the Tocquevillian ideal. In a democratic age, for example, one must support the aristocratic principle to the extent possible (see, e.g., *DA*, 251–58, 450–52, 469–72, 489–92, 599–604).