

# Tocqueville's Calliclean Dilemma: The Two Equalities

by

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It is much better to say that Machiavelli sometimes understands by *virtu* what everyone understands by "virtue", i.e. moral virtue; that he sometimes understands by *virtu* merely political virtue, the virtue of the citizen, of the statesman or of the public-spirited founder; and that he sometimes understands by *virtu* merely manliness and shrewdness combined ("virtue" as Callicles understood it). In a word, *virtu* is for Machiavelli a term of deliberate ambiguity: Machiavelli cannot criticize moral virtue (i.e., its inherent claim to be the norm of political life) except by reminding the reader of moral virtue. He first criticizes moral virtue in the name of political virtue, and thereafter he criticizes political virtue in the name of "Calliclean" virtue. Since political virtue is closer to the root, to "Calliclean" virtue, than is moral virtue, it has *verita effettuale*: "political virtue" designates the sum of habits which are required for maintaining a free and glorious society. Only if one has realized the precarious character of political virtue, i.e., the "unnatural" character of a free society, can one devise the proper means for establishing and preserving a free society and the virtue belonging to it. Therefore, one must first descend from political virtue to Calliclean virtue, which may be said to be the only virtue that is natural. Machiavelli replaces "the standpoint of morality" by what is very inadequately called "the standpoint of expediency," not because he is thrilled by the promises of a new method, but because he believes he has discovered that the generally accepted view of morality arises through the oblivion of the social function of morality: men falsely, but necessarily, understand as categorically and universally valid certain rules of conduct which are valid (i.e. reasonable) only conditionally and in most cases (cf. Marsilius, *Defensor Pacis* II c. 12 sect. 7-8).<sup>1</sup>

We begin by recognizing the centrality of the notion of social progress, which is evident in the epigram from Leo Strauss quoted above and which no less constitutes the heart of the argument for progressivism. That is the idea that there is a political response to natural or Calliclean virtue that improves society independently of the claims of moral virtue—that there are "habits which are required for maintaining a free and glorious society" and that those habits are not the generalized habits of morality. Progressivism, in other words, engages us in the heart of the matter and not a detour from the central political problem. One can no more dismiss the notion of social progress (as ideological illusion) than one can dismiss notions of social regress, social corruption, and social barba-

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<sup>1</sup> Leo Strauss, "Walker's Machiavelli", *Review of Metaphysics* 6, 3 (Mar. 1953), pp. 443-444. Thanks to Professor Eric Petrie for calling this review to my attention.

alism. The latter constitute the gravamen of that argument by Callicles to which Socrates failed to respond in Plato's *Gorgias*. Reformism or progressivism, as we shall see, constitutes the response to Callicles.

Three significant failures highlight this particular discussion. The first is that of Socrates already mentioned. The second is Tocqueville's failure to understand America's truest claim (the intrinsic necessity of reformism), although meaningfully addressing himself to Callicles's challenge. Tocqueville's failure, the central failure, was the failure to comprehend how far Callicles's refusal to submit to the rule of the many was predicated upon Callicles's notion of the many as effectively all and also how Callicles's insistence upon rule by the best meant the best of "all." Effectively, Callicles required a regime then undreamed, rule by the best of the many, where the many are indistinguishable from all, and which we may best capture in the neologism, *aristodemocracy*.<sup>2</sup> The third significant failure is the failure of most commentary<sup>3</sup> on Tocqueville to see that the discussion of America as a foil to critique French democracy misses the point, namely that America represents the attempt to respond to the Calliclean challenge.

A fourth, minor, failure, then, is the Progressive's failure to understand that the rule by the best that they sought (say, Woodrow Wilson, for example, who imagined that the Founding had failed by way of inculcating insufficient deference to intellectuals) required the philosophic concession that the best will always be the nominally best until better can be rationally demonstrated. For, although "enlightened statesmen will not always be at the helm," it may still be argued on the plan proposed that "it may well happen that the public voice pronounced by the representatives of the people, will be more consonant to the public good, than if pronounced by the people themselves..." (*Federalist Papers*, #10)

### THE CALLICLEAN CHALLENGE

What is the Calliclean challenge? In a word, that justice requires rule by the best in accord with their own advantage and, therefore, their own ideas of what is good and pleasant. Without undertaking to provide an exegesis of the *Gorgias* (for all that is required in these premises is the instance of the dialogue), we may observe that Callicles seems to share Socrates's interest in philosophy. It is he that introduced the distinction between nature and convention, a root distinction in philosophy. That is the distinction in light of which we learn the necessity to question every city's claims about the good – not to take the city's claims at face value, not to accept mere convention, mere law, mere social agreement as if authoritative, but rather to pose the broader question, is it true in terms of human nature.

As Richard Ruderman has argued, after noting that Socrates was unable to refute Callicles in the *Gorgias*, "Callicles, then, is not an elegant dabbler" but a man seeking the right way of life. "While he agrees with Socrates that philosophy may direct us to that way of life, he rejects Socrates's contention that philosophy *is* that way of life." Callicles

<sup>2</sup> *aristos* (the best) + *demos* (the many) + *kratein* (to rule, lord over); wherein *demos* is rendered in the genitive or possessive case, hence, *demou*, for "of the many."

<sup>3</sup> With the notable exception of an American contemporary to Tocqueville, of whom notice will be taken in due order.

speaks of Socrates's way of life rather contemptuously, treating him as a child whiling away his time or, even worse, as an effeminate, useless human being, engaged in contemplation, allowing all of his important virtues to go to rot, such that any weakling could come along and overcome him. Callicles says that philosophy is not the highest way of life. "Instead, politics is the highest way of life, the highest human art."<sup>4</sup>

Ruderman's comment focused on a paper by Patrick Kernahan<sup>5</sup> and, in doing so, suggests that the idea of politics as "highest" is problematic specifically because it encases a tension that is not resolved in the Calliclean dilemma.

Now, as Kernahan carefully explains, Callicles does not defend politics as it is routinely practiced or defended. Conventional politics are directed toward keeping the great man down, in order to protect everyone else from the harm and shame of suffering injustice. But nature, Callicles argues, sides with the great man against the many and wishes to see justice "shine forth" as the great man becomes "our master" (*Gorgias*, 484a-b).

In this view justice does not reconcile discordances; it rather subordinates if not obliterates inferiors. Progressive reformism, on the other hand, seeks a reconciliation through which inferiors and superiors exercise a common authority, but informed by the best understandings.

#### THE PROBLEM OF CALLICLES

The discussion to which Ruderman contributed offered three essays happily cooperating to further an important conversation – namely, whether human life now or ever benefits from inquiry into the ends of human life. Kernahan's account of Callicles's view – while not so extreme as E. R. Dodd's treatment<sup>6</sup> – suggests the conclusion that motives of personal safety ought to prevail over ambition (hinting very strongly that Socrates agrees, at least with the foundation premises) and sets the standard of propriety above mere self-indulgence but not very far above. The war of the weak against the strong differs sufficiently from the war of all against all (and therefore the indiscriminate assimilation of the weak and the strong), that no more need be said to demonstrate that Hobbes does not respond to the Calliclean dilemma save by abandoning the defense of aristocracy and therefore the defense of justice.

Into this mix steps Ryan Hanley, with an elegantly formulated account of Adam Smith, who, by reason of rejecting the materialism of Hobbes and Mandeville, re-opens

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<sup>4</sup> Richard S. Ruderman (Department of Political Science, University of North Texas) Discussant's remarks for "Politics and Excellence" panel, American Political Science Association, San Francisco, CA, 31 August 2001.

<sup>5</sup> "Callicles's View of Human Excellence," for "Politics and Excellence" panel, American Political Science Association, San Francisco, CA, 31 August 2001.

<sup>6</sup> "For Nietzsche, as for Callicles, what νόμος prescribes is a morality of slaves," which "is in reality nothing but disguised self-interest or disguised resentment, the expression of the fear and envy which the strong inspire in the weak." E. R. Dodds, "Socrates, Callicles, and Nietzsche," "Appendix," in Plato, *Gorgias* (London: Oxford University Press, 1959), p. 390.

the conversation about ambitions that transcend the merely self-regarding.<sup>7</sup> That move, in turn, forced Smith to take up classical formulations that, while still being fundamentally self-regarding, extend so far beyond concern with personal safety as rightly to be called transcendent. In that stroke the conversation is refigured. Though it begins still with self-interest, or the soul moved by its immediate needs and desires – what we may call the small-souled or petty – it grows by natural ascent toward the great-souled. At this point the modern account engages the classical account not in the common account of the origins but in a common account of the ends (not in “genetics” but in “eidetics,” as Benardete might say). In other words, Smith’s account overturned the Hobbesian revolt against the ancients. It did so, however, strictly in service of re-opening the question of the Calliclean-Socratic agreement, so as to show an ambition and end beyond personal safety and yet fully realizable not merely individually but politically.

All that is required to finish this entirely secular account is to demonstrate the emergence of great-souledness, magnanimity, as the ordinary progression of moral agency, even if only in the most extraordinarily gifted. Because this gift, though, requires specifically socio-political manifestation, to demonstrate it in a man is to establish its possibility either in an actual city or at least in the realizable design of a city.

Re-stating the Calliclean argument, we might say that it poses the combination of the understandings and the tastes of the strongest and best as the criterion of natural justice. It further holds that, in conventional politics, such understandings and tastes are at the manifest disadvantage of being overwhelmed either by ignorant numbers or incontinent powers. Accordingly, natural justice, as opposed to conventional justice, requires that the strongest and best somehow contrive to rule unqualifiedly.

### NATURAL JUSTICE

Interestingly, the aspect of this question that Socrates failed to refute in *Gorgias* is precisely the definition of natural justice as opposed to the conclusion deriving from that definition. This manifests itself in *Republic*, where Socrates finally takes up the charge to prove that justice is best even at the cost of a reputation for injustice but does so only in the form of the “soul writ large.” That is, Socrates maintains in *Republic* that the only way to respond to this argument is somehow to contrive the unqualified rule of the strongest and best. In short, Socrates concedes Callicles’s end if not Callicles’s premise.

The Calliclean dilemma, then, consists in the attempt to find a way to reason from an account of the human (an equality argument) to distinctions among humans sufficient to create a foundation for justice (an inequality argument or, more precisely, an equality argument that distinguishes rather than assimilates). Insofar as humans are the same, and therefore equal, whatever distinctions may arise seem to be of subordinate importance. Insofar as humans are distinct, and therefore some better and some worse, whatever similarities may arise seem to be of subordinate importance. Because Callicles poses the claims of equality and justice (as careful of distinctions) as mutually exclusive, he is unable to prescribe a political solution that engages all the relevant parties. What makes

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<sup>7</sup> Ryan Hanley, “Magnanimity and Modernity: Aristotle and Adam Smith on Human Excellence,” for “Politics and Excellence” panel, American Political Science Association, San Francisco, CA, 31 August 2001.

this a dilemma (whatever equality claims justice disclaims) is the origin of the account of justice in the account of the human *per se*. That is to say, Callicles does not rule out of the political community any but those who are by nature unworthy; he accepts no conventional determinations of status or membership. Callicles is a democrat who does not wish to succumb to the degradation of democracy. That is, he founds politics on a democratic argument but insists that it can work justly only where the best of the many rule unqualifiedly.

The question posed by Callicles, whether democracy can ever be well founded, is the precise question of Tocqueville's *Democracy in America*. One might say that that question was never a serious question for Socrates, thus accounting for his failure to refute Callicles. It may not even have been a serious question for Aristotle, despite his insistence that politics aims at the human above all. But it is the most serious question for Callicles and for Tocqueville.

Similarly, this has been the question for interpreters of Tocqueville, typically phrased as the mutually exclusive alternatives of aristocracy and democracy. Tocqueville responds to this question, and resolves Callicles's dilemma, by discovering "two equalities," one of which is altogether compatible with rule by the best of the many – to coin a phrase, *aristodemocracy*. To make this clear, however, we need first to understand why the argument against any prospect for a public good in democracy (the pro-aristocracy argument) is unsound. The best way to do that is to invoke the strongest argument we have against the possibility of a "public good"<sup>8</sup> in democracy.

#### DEMOCRACY VS ARISTOCRACY

Now that strongest argument is mounted in Pierre Manent's 1982 *Tocqueville et la nature de la démocratie*.<sup>9</sup> It is best viewed, however, in the context of the tacit debate Manent has with the late Jean Claude Lamberti, whose 1983 *Tocqueville et les deux démocraties*<sup>10</sup> seeks implicitly to reply to Manent. Where Manent maintains that *Democracy in America* structures an argument around the tension between democracy and aristocracy, deriving democracy from the "equality of conditions," Lamberti insists that his own modification of Seymour Drescher's 1964 account of the "two democracies"<sup>11</sup> establishes a difference in kind between social equality, which is the "equality of conditions," and political equality, which is "sovereignty of the people." Where Drescher, in other words, set out to show that the democracy of volume one of *Democracy in America* differed from the democracy in volume two (and Tocqueville was therefore in tension with himself), Lamberti insists that Tocqueville is consistent – at one and the same time a "sociologist" and a "philosopher" – and sees no *necessity* for an evolution from a stable democratic liberalism to a revolutionary democracy. The conclusion Lamberti arrives at, in the "three conclusions" of his book, is precisely the conclusion that Manent refutes in

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<sup>8</sup> This term should not be confused with the technical economics term, "public goods." Commonly in the tradition of political philosophy we may refer to the public good, the common good, the *res publica*, etc.

<sup>9</sup> Paris: Julliard, 1982.

<sup>10</sup> Paris: Presses Universitaires de France, 1983.

<sup>11</sup> Seymour Drescher, "Tocqueville's Two Democracies," *Journal of the History of Ideas*, 25 (2), April-June 1964, 201-216.

*Tocqueville et la nature de la démocratie*, namely that “liberal democracy” does not necessarily conflict with aristocracy.

To state the issues with greater, which is to say Calliclean, clarity, Manent and Lamberti differ concerning the fate of aristocracy in the presence of modern democracy. Taking aristocracy to mean the same thing as “individual influence,” Manent argues that Tocqueville explicitly arrays aristocracy in opposition to democracy, and that this is in any case always a “permanently implicit” opposition (Manent, 29). The development of the “equality of conditions,” the sufficient predicate for democracy, is the same thing as “the abolition of aristocracy” (Manent, 8). Now, the decline of individual influence that Manent regrets is identical to the danger to the great-souled that Callicles seeks to avert by means of confirming the authority of the great-souled over all less than great-souled persons. Thus, the issues join as the question, whether the great-souled are subtracted from shaping the public things in a democracy, in which event it becomes questionable whether a democracy can sustain anything public properly so-called.

#### LAMBERTI DEFENDS THE PUBLIC GOOD

Lamberti insists that democracy be understood either as an explicit political regime or as a social state tending toward democracy. (Lamberti, 28) The crucial difference between the two is that the mere political regime requires no more than the equality of universal suffrage (Lamberti, 124), while the social state requires the equality of conditions. (Lamberti, 29, 31) The equality of conditions is held to entail juridical equality, social equality, and equality of respect. (Lamberti, 62) It specifically is not mainly a matter of economics or even of power among men but rather a third something, namely, the authority to give human relations a new meaning. (Lamberti, 66) Insofar as aristocracy is “the first form” of social organization (Lamberti, 37), its characteristics are not altogether separable from succeeding forms of social organization. We may define the elements that are distinctly aristocratic as birth, wealth, and knowledge: “These aristocratic elements are found among all peoples; but to the extent they are concentrated in the same hands, we have a social state that is all the more aristocratic, and which acquires stability only by the effect of the political regime.” (Lamberti, 41) The first characteristic of the democratic social state, therefore, is that its social elites are divided. (Lamberti, 42) The democratic principle is first of all this altered social condition, not the political regime. It is more dangerous for a society to be governed by the democratic principle than by a democratic government. (Lamberti, 55) Lamberti insists, however, that Tocqueville nevertheless regards the equality of conditions as more just than aristocratic hierarchies, and “its justice constitutes its greatness and its beauty.” (Lamberti, 57)

For Lamberti, then, the task is to excavate from the confusion of democratic forms one that can properly bear the justice Tocqueville invoked. He takes liberty as the index of that justice; it is the first of all goods, a source of masculine virtue and great deeds. Because what is regarded as aristocratic liberty actually points toward a destination that is democratic liberty, the characteristics of aristocracy are more fully the characteristics of a properly formed democracy. In effect, Tocqueville denies that there is “a natural opposition between aristocratic liberty and democratic liberty.” “No violent crisis was necessary in order that [aristocratic liberty] might achieve the progressive universalization of rights through the advance of civilization and the diffusion of enlightenment.”

(Lamberti, 80) What results from that advance is that liberty can no longer be based on inequality; rather it “can only ever be established by respecting equality.” (Lamberti, 83) Lamberti quotes Tocqueville’s encomium to liberty: “Truly, liberty is a holy thing. There is only one other thing that merits this name: that’s virtue. After all, what is virtue if not the free choice of the good?” (Lamberti, 84) The main claim, then, is that Tocqueville successfully excavated excellence from aristocracy to make it available to democracy, and this Lamberti regards as the essence of liberal democracy. Liberty is the foundation of the democratic state, for if it were not men there “would descend to a level beneath ordinary humanity.”

Lamberti’s liberal democracy, finally, seems to respond to Callicles’s objective, producing a form of rule by the people – sovereignty in the people – that is no more complete in the whole people than it is in any one class of the people and thus compatible with liberty. (Lamberti, 124) Whether “the people are always right is any more false than” that the king can do no wrong, “it is certain that neither is true.” (Lamberti, 125) Thus, the question no longer is to know whether one can obtain aristocracy or democracy, but “whether one would have a disorderly and depraved democratic society, given to frenetic furies or checked by a heavier yoke than all that have befallen man since the fall of Rome.” (Lamberti, 134) It is here, according to Lamberti, that *Democracy in America* makes its distinctive contribution; for it uses the example of America to illustrate a pathway other than egalitarian democracy or revolutionary democracy. (Lamberti, 135) And the chief distinction to emerge from this mechanism is the argument that the equality of conditions in a stable liberal democracy is an “imaginary equality” that leads to forgetting real inequalities:

While inequalities of station (wealth and poverty, mastery and subjection) accidentally place great distances between men, public opinion...brings them to a common level and creates an imaginary equality, despite the real inequality of their conditions. (Lamberti, 68, emphasis added.)

This governing public opinion, however, must originate elsewhere than in democratic sensibilities. Democratic equality, strictly speaking, consists of political equality plus equality of conditions (the latter understood as equality before the law, a certain equality of opportunity assured by social mobility, and equal respect). (Lamberti, 70) But,

The social state of democracy produces an ambiguous idea of moral equality that quickly corrupts to egalitarian passion and to envy whenever it is not elevated above social relations and grounded in a transcendent foundation: the equality of men before God. (Lamberti, 68)

Therefore, the public opinion must originate elsewhere than in the democratic social state. He argues that “the moral state of society” does not depend strictly on the “social state,” and in a democratic state it is possible to have a diversity of minds, the chief among which could correspond to orientations very unlike the spirit of equality. “There is in effect a masculine and legitimate passion for equality which would motivate men to want to be altogether strong and respected. That passion tends to raise the lesser to the levels of the greater.” (Lamberti, 70)

To Lamberti Tocqueville's liberalism is not the apolitical liberal individualism of modernity but rather a fundament of politics and the "highest human motivation." (Lamberti, 107) It is a synonym for moral agency. For that reason Tocqueville preserves the idea of a cultivated elite, while rejecting fixed hierarchies of the enlightened. (Lamberti, 197n). "Authority in the intellectual and moral world is as necessary to democracies as to other regimes, and the only question is to know where the depositary for it will be, and what will be its measure: common opinion, philosophy, or religion." (Lamberti, 211) Despite Tocqueville's documented disclaimer of belief, he nevertheless cited religion as the leaven of stable democracy. More importantly, he suggested that a combination of ancient and Christian virtues create the foundation for such a regime. While the latter made beneficence a private virtue, modern liberals more and more make it "a social duty, a political obligation, a public virtue... Thus is established a kind of social and political morality that the ancients knew only most imperfectly and which is a combination of the political idea of antiquity and the moral notion of Christianity." (Lamberti, 205; cf. 312-313) Since the political idea of antiquity was the combination of "masculine virtue and great deeds" previously invoked, the argument means that modern opinion can preserve the valuable elements of aristocracy without its misguided elements.

On that account, Tocqueville, making America the example of the combination of Christian and ancient virtues, wrote to establish a "democratic" future not merely accidentally democratic (because of the "masculine passion for equality") but also expressly solicitous of distinctions. It is a regime whose individualism does not dissociate men, unlike the merely democratic passion that subjects men in the name of sheltering them from every superiority, and unlike the "revolutionary" regime that mistakenly imagines that it can destroy all social authority and then regenerate social and political order through the "instantaneous fusion of individual claims." (Lamberti, 211) In other words, the liberal mind is only accidentally a democratic mind, according to this argument, and not at all a revolutionary mind. Just as Tocqueville had discovered liberty not to be aristocratic in its *telos*, he also discovered individualism to be the bastard, corrupt child of aristocracy (individual influences), which therefore became the "childhood illness of democracy." (Lamberti, 243) Left untended in democratic soil it grows like a weed. What saves mere democracy is liberalism: "democracy without liberal salt fades and then becomes corrupt." (Lamberti, 293) Revolutionary democracy, on the other hand, is in principle fatal, an assault on the human itself. It needed, therefore, to be dissociated both from mere democracy and from liberal democracy.

Lamberti eventually discovered three democracies in Tocqueville, where Drescher found two, and he found in the three a consistent, coordinate account of human political possibilities. His response to Callicles, however, is provisional at best, clinging as it does to the notion that the distinction between the liberal mind and the revolutionary mind (both enlightened) sufficiently accounts for the justice that is due to the best. The liberal mind reasons from the rights of citizens to the rights of men, while the revolutionary mind reasons from the rights of man to the rights of citizens. (Lamberti, 101) In other words, this response to Callicles depends upon the rejection of the only standard Callicles acknowledged: nature.

## MANENT REPLIES

Pierre Manent has argued that Lamberti's version of Tocqueville's notion of a stable, liberal democracy, as anything other than a noble lie, is fundamentally mistaken. For, "the truth of democracy is the danger of democracy; the danger of democracy is its nature, and nature." (Manent, 106) He cites Tocqueville as teaching that insofar as nations become democratic, they become more and more alike, merging upon a universal idea of good and evil and common moral sentiments. Those common sentiments embrace the basic needs of humanity as their common measure. Moreover, this uniform, depreciated notion of honor will diminish the influence of honor in men's souls, precisely insofar as it comes to touch every soul. For this reason, the eventual triumph of nature (mere human nature) would mean precisely the "end of all public life." (Manent, 103-105) "L'humanité démocratique ne serait peuplée que de promeneurs solitaires très affairés." (Manent, 106) Effectively, Manent argues that Tocqueville believes aristocracy and democracy differ so radically in their natures as to suggest "two radically different, and therefore, incomparable modalities of human nature." (Manent, 107)

The foundation of Manent's interpretation of Tocqueville's teaching on democracy as an account of the abolition of politics, of post-politics, is his view of the "darkest and most original heart" of Tocqueville's argument. For, "the problem of democracy is the problem of the democratic man, and the characteristic of that man is the passion for equality." (Manent, 95) Hidden within this argument is the unstated argument that politics means, fundamentally, aristocracy. The tacit argument is visible, however, within the account of the democratic soul.

When equality ceases to be only either the formal norm of commutative justice, or a synonym for men's belonging to a common species or their equal dignity before God, in order to become the very horizon of social existence, the principles in the name of which everything is tested and judged, when men even give themselves the duty to construct an equal society, the nature of man knows a new condition." (Manent, 95)

That new soul is the soul that lives without conventions. "Aristocratic sentiments and passions reveal themselves as mere conventions. They disappear once aristocratic society disappears." (Manent, 102) In other words, politics as the work of making conventions necessarily engenders aristocratic society. By acknowledging "large scale individual influences" the schemas of conventions create the ground upon which "large scale natural influences" operate, highlighting the "personal talents and merits of individuals." (Manent, 110)

The reason it is important to discuss democracy – besides its contemporaneous significance – is precisely because the emergence of the equality of conditions eventuates in "the abolition of aristocratic order," which is nothing less than to render personal talents and merits politically irrelevant. (Manent, 8)

The mechanism of *Democracy in America* is an explicit, and permanently implicit, comparison between democratic society and aristocratic society, a society

in which individual influences [distinctions] have been abolished (or one which has never known them) and a society in which they predominate. (Manent, 29)

Because his unique point of reference is the formula, “inequality of conditions, individual influences,” Manent seeks to know how “the light Tocqueville casts on the nature of democracy evokes for us the lengthened shadow of aristocracy.” (Manent, 30)

It is moreover important to discuss democracy because of the fallacious view that democratic rule is leveling rule. No, Manent’s argument in sum is that democratic liberty forecloses the very thing it most requires, “a flowering or birth of civic virtues” – that is, knowing how to command and how to obey – precisely on account of extending the privilege of liberty to every citizen in response to the equality argument’s insistence upon “equal liberty or common right.” “The extension of liberty to every member of the social body alters the composition of the social body” and spawns enemies to liberty. (Manent, 41) This argument, however, fails to observe that it is only through democratic liberty, in effect, that the social body, and any social body, is formed; whereas the privileged liberty of aristocracy is derivative. Callicles did not make that mistake.

The way in which the composition of the social body changes when the people in it have not changed is through the fading of distinctions between those who command and those who obey, despite the fact that such distinctions are just as real in democracy as in aristocracy. “The truth and morality of command as of obedience becomes obscure, since those who command are believed to obey [the will of the majority], while those who obey are believed to command.” (Manent, 41) It would be a mistake to see democracy’s disguised hierarchies as means to preserve aristocratic elements in the midst of democracy, for the compromises men must make in such circumstances defeat their aristocratic pretenses.

The ultimate supposition of the majoritarian idea is that the greatest justice is with the greatest strength: the very thing by which democratic men more and more resemble one another, the very thing by means of which they conceive and perceive one another, the very thing which is more intimate and dearer to them than their own selves, is nothing human...the irresistible embrace of society. (Manent, 71)

Even the idea of the “tyranny of the majority” is too feeble an idea to express what Tocqueville means, which is a “transformation of the human condition.”

What Tocqueville discovered – and sought – in America, is the understanding that the customary separation of direct democracy and representative democracy, and of ancient democracy and modern democracy, has been “nullified in America.” (Manent, 22) The truth about the equality of conditions, which is the only meaningful equality, is the “absence of an aristocracy of birth...the great weakness of individual influences.” (Manent, 21) In making the argument from the perspective of aristocracy, Manent not only underscores the argument that to reason from nature to discern human duties is a fundamental mistake but also creates a foundation for discovering a continuing connection between the ancient and modern worlds that terminates in the residues of modern aristocracy.

What the European aristocratic order and the ancient city have in common is the conviction that the mere fact of being man is not a sufficient title to claim the rights of liberty and the other eminent advantages of political life . . . liberty could not be conquered or possessed by some except at the cost of the more or less complete subjection of others. (Manent, 39)

Here, then, we face the Calliclean argument in its starkest reality, notably observing that the Calliclean condition is the political condition par excellence. Manent, in other words, constructs from Tocqueville a response to Callicles that embraces Callicles's argument.

The reason for this particular move is the view that the democratic social condition unhinges the social connection and arrays "individuals side by side, each regarding himself as the base unit of the social body, equal to every other." (Manent, 92) What touches democratic man touches all men, and what touches all "particularly concerns him." The greatest threat to this identity, an impassioned presumption, is "inequality and everything that hints at it." (Manent, 92) The idea of *liberal* democracy effectively attempts to invest a system or institutions with virtues or characteristics that by definition must be personal. Now, the fact that Tocqueville was liberal can not serve to characterize any democracy – including one Tocqueville might defend – unless it were necessary and not merely incidental that Tocqueville or a soul like his would actually rule there. And that is impossible. Tocqueville, therefore, is best read not as prefiguring a prudent course for democracy. Rather, he demonstrates that even democracy's best hopes amount to the renunciation of politics. There are not two or three democracies; there are not two equalities. There is only politics, which is aristocracy, or post-politics, which is egalitarian democracy.

#### WHAT TOCQUEVILLE HIMSELF SAW IN AMERICA<sup>12</sup>

That Lamberti and Manent each discover Calliclean, if opposed, elements in Tocqueville reveals compellingly that neither argument may be regarded as comprehensive. This remains true even though Lamberti strives to present an argument for the attractiveness of the new regime. Despite the attractive persuasiveness of Lamberti's argument, Manent has surely read Tocqueville more accurately. That is, although Tocqueville does indeed plausibly offer two equalities (first, the equality of conditions and, second, political equality), in his account they do in the end merge as the single democratic spirit. Although Tocqueville strove to respond more fully to Callicles than Socrates had done, he, too, foundered on the rock of political reality. This shows up in his most notable failure – namely, the failure accurately to understand America and therefore politics altogether. Although he was close to the truth, the inability to see how men within a particular society could reduce individual differences into a coherent form of universal politics betrayed him, as became apparent in his view of the prospects for American slavery. In order to show this clearly, we need to rehearse still more clearly than did either Lamberti or Ma-

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<sup>12</sup> The substance of the following argument derives from my "Equality and Right in the Contemporary World," *The Good Society: A PEGS Journal* (1999: 9,1, pp. 84-89).

ment<sup>13</sup> how he thought the United States presented itself to the world. Let us first, though, re-establish independently a view of the United States in the World.

### The America Tocqueville Visited

The constitutive principles of the United States are equality and right – I say “right” in the singular rather than in the plural because, in fact, the plural form only derives from the fact that one of the common effects of equality is to nourish particular claims that present themselves as claims of right. Indeed, there is a “right” synonymous with “claim,” but there is also a transcendent right that is therefore singular. Now, individual claims, which are as numerous as the persons and their tastes, propagate to infinity. Thus it matters above all to distinguish right itself from the mass of individual claims and next to settle right with respect to equality.

The meaning of equality has evolved so as to separate that term from transcendent right (and, by extension, from every ethical principle), transforming the second form of equality – ethical principle – into an enemy contradicting the givens of equality in the form of self-love and self-preservation.

### Basic Equality and Right

Of the two equalities (one ethical or moral, the other egoist), we may say that one form liberates the pious to rule, while the other form constrains the pious to submit to the rule of the non-pious. The equality that constituted the foundation of the consent of the governed was originally nothing other than a moral or ethical principle. It naturally reflected the concept of “self-government,” and that understood as a moral restraint. The concept of self-government, in its turn, derived from a conception of right or a way of acting according to which the conduct of every individual may be characterized either as orderly or subject to the control of another. Therefore, the original equality of the “Declaration of Independence” applied to human beings universally, no matter where; it established the limits of an ethical conduct for men in society; and it justified a transcendent right (called “the laws of nature and of nature’s God”) through which and only through which individual powers were definable as “certain unalienable rights.” This understanding reflects the difference between “created equal” meaning equally subject to the “laws of nature and of nature’s God,” and “created equal” meaning no more than equally un-governed save by consent. The organizing principle of the “Declaration of Independence,” that “all men are created equal,” is ultimately hierarchical and moral.

Since the era in which the “Preamble” to the American Constitution was ratified, America has become a country of several races and beliefs. Nevertheless, it remains a country with a single right for everyone, in which the rule of law profits everyone and not only certain persons at the expense of others. It is a democratic country, in which the idea of majority rule comprises the idea of “justice for all.” The majority is a sacred and republican expedient, not a caste or a class. When American progressives affect to rec-

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<sup>13</sup> Lamberti, for example, imagined that the Founders expected the Constitution to fail; “Franklin found it to monarchical and Washington too democratic.” (143) Not only are the particulars false, but the greater reality more importantly is that their intentions explain America far more fully than their expectations. Mament, for example, believes the Americans remain moderately attached to democracy only because of a strong attachment to religion, to a God that “is doubtlessly no more divine than the democracy itself.”

ognize in the majority, not the voice of republican liberty but rather, one group in opposition to other groups in the society, they pervert their own heritage. When they reject ideas like this as nothing but the pleadings of the majority in its own cause, in this metaphorical and lyrical turn of phrase they risk tarnishing a sacred emblem of republicanism and converting it into a mere epithet. Still worse, they array race against race, man against woman, and faith against faith, without any means of reuniting them. Men can be united only in and through government.

#### Concerning Ancient and Modern

All who understand Aristotle will easily know how equality comes to be situated at the center of political thought, whether ancient or modern. Further, they will recognize the very form of the compromise with right imposed by the discovery of the gulf between nature and convention. The compromise revealed a vision of political excellence that could not be realized in an actual regime, since, although wisdom may justly prevail over, it cannot dictate to, strength or force.

Since wisdom is incapable of dictating to strength, the authority of wisdom is attenuated in the body politic. Nevertheless, one form of attenuation continues to leave scope for the activity of wisdom: that is the democratic principle (i.e., modern principle) of consent, or what is the same thing, moral equality. Moral equality is partially a consequence of natural inequality and therefore of nature, but it exists and expresses itself positively – that is, in relation to citizens. In the universal sense moral equality exists only to the extent that it serves to reveal the circumstances that determine human political association.

For the ancients moral equality was not the source of politics, but it furnished the decisive means to establish wise political rule. Therefore it was in no way contradictory among the ancients to base themselves on an idea of consent even as they derived the necessities of life by means of slavery – for they justified slavery by circumstances and never by interest or passion.

The principle of consent derives from the double discovery of what is right by nature and its eventual corollary – the fact that what is right by nature is not prescriptive. Many succeeding considerations sought to deny this corollary by defining natural right as law – the natural law. That *is* the Calliclean dilemma.

Natural law regarded as binding upon reason or the human conscience dominated modern versions of equality, and to that extent eventually became rather the source of politics than a means to accomplish just political rule. Justice, then, came to be seen as a derivative principle rather than as the originating principle of political life. This change has been elaborated with remarkable clarity in a classical text of American jurisprudence, Corwin's *Higher Law Background of American Constitutional Law*, as deriving from theories and practices that began with the discovery of the gap between nature and convention.

In summary, we may say that the development of universal standards vitiated the claims to moral sufficiency of every existing regime. Ancient thought pointed to a single regime perfectly in accord with nature. In the meantime, although men everywhere could attain to the minimal exigencies of association, nowhere were men capable of attaining to

the maximal exigencies. Therefore between these two poles – the origin of political exigencies, on the one hand, and the expected accomplishment of the good, on the other hand – men become moral wanderers. Politics as we know it takes place precisely in this circumstance.

This triumph of conventionalism (read positivism) seemed to prevail thanks to the impossibility of dealing with the political problem by means of a collective will (read communism). Because we can not deal with every mind (read soul) as a single mind – and the best at that – what results in the second instance is to establish for every mind a single duty and, indeed, to attribute to every mind a capacity – to pronounce judgments of justice. Thus, a fundamental equality taken as ethical virtue – and which absorbs by implication the importance or at least the utility of wealth and wisdom – becomes the foundation of political legitimacy.

Now, what results from this is that wisdom in the end may contribute to the salutary direction of political life, provided it be established by virtue; that is to say, right or the rational and objective “ought” neither guides nor even influences human life except by means of ethical commands. The latter, in turn, can very well accord with a rational order but only by chance. We may conclude, therefore, that the consent of the governed (equality) may be an accident or a political convention by which men attribute legal authority to the wise but quite deliberately not political power.

In such a situation the idea that the opinions of the wise are the obligatory dictates of nature was a discovery of immense importance. The law of nature – its discovery – rescued humankind from the compromise of right. Regimes were no longer obliged to follow unforeseen accidents [See *The Federalist Papers*, #1]. Consent persisted, but it conformed to a law natural to all humankind – every man in his right mind would consent to the dictates of nature. Consequently men’s errors were no longer going to pose an obstacle to the common good, the public good.

This impossible standard could not survive, and it succumbed to the attacks of Machiavelli, Bacon, Hobbes, Spinoza, Locke, et. al. Nevertheless, Corwin insists, equality and its partner consent, remain at the center with the law of nature. The new *instauration* converted the natural law from a voice speaking directly to the individual human soul into a general law of the universe (see Montesquieu, Book I, *Spirit of the Laws*)—souls in fact disappear. Purely descriptive laws replace purely prescriptive laws. Descriptive laws disclose human life such as it is, but, in consequence, re-formulate the conditions of legitimacy. Human association is legitimate when it is *the* means of securing the ends (and, therefore, the rights) to which the activities of human life are subject.

Now, foregoing much of the detail about the process that Corwin relates, he opposes Locke’s version of natural law to the English constitution in the form elaborated by Coke. His emphasis is clear: it is Locke’s universal aspect and, what is more, the transition from an objective right to heterogeneous rights that require notice: “...those rights which are implied in the basic arrangements of society at all times and in all places.”

Further, Corwin insists that Locke’s detachment from the “historical method” – Coke’s *stare decisis* – is the direct point of access to the issues that underlie an appeal to higher law in America. For Corwin this indicates the roots of the eventual conflict between the principles of the “rule of law” and “popular sovereignty,” in which the former

take the expression of legislative sovereignty. The conflict is resolved, according to Corwin, by the conjunction of the concrete though indirect form given to popular sovereignty and judicial review. We have, in effect, an institutionalized version of what Leo Strauss called "natural public law."

Now, it is not at all evident how natural right or transcendent right – even when become descriptive – can be reduced to the struggle between legislative supremacy and popular sovereignty. The missing element is evidently the social contract, prefiguring as it does the separation of state and society. According to Corwin that is the very vehicle through which natural right is transformed into natural rights (as well as that by which an equality of social conditions is distinguished from political equality).

The question becomes: Can the consent that accompanied natural right be the same as the consent implied in the social contract? And, if it is not, is it still justified? Locke's consent assures the minimal conditions of association, but it also seems to restrict the purposes of association to those minimal conditions. Therefore, the discovery of individual rights (strictly deduced from natural laws) is in fact the enunciation of a moral horizon. When the main interest is self-preservation – even comfortable self-preservation – this minimum becomes in consequence a maximum.

Thus, it is undeniable that it requires no more wisdom, in principle, than every man possesses in order to understand such a goal. As a guide to human action, therefore, this natural law acquires the force of a *first positive law* – and the only one obedience to which would be guaranteed by nature. Men may, therefore, appeal to it as a source of justification for lesser laws and actions. This doubtlessly explains why resistance to aggression is a universal trump.

Consent became important when it was put forth as an intermediate course in the struggle between strength and wisdom (meaning, as well, revelation) and against conventionalism. That constitutes a first-level reply to Callicles, who was contemptuous of all conventions. But the emergence of consent did not eventuate in a democratic age of necessity. Only when consent became identified with reason or the principle of nature did it become the ultimate convention – that is, the ultimate source of political legitimacy. Thus, it was as a law above ordinary law and precisely as higher law that consent, and by analysis, equality, came to prevail.

#### ASCENDANT, WHICH IS TO SAY, DEMOCRATIC RIGHT

Let us now revisit Tocqueville in order to learn how equality understood in this fashion developed. His analysis of the 17<sup>th</sup> and 18<sup>th</sup> centuries leads inexorably to an understanding of contemporary practices and dilemmas and also to the habits of mind and character that conform to them. In the first chapter of *Democracy in America* Tocqueville demonstrated that nature and circumstances anticipated the emergence of the regime of equality in North America. Chapter two explained the political or constitutional provisions that opened the way to the regime of equality. Chapter three described the social conditions of the regime of equality, but in such a manner as to reveal the political practices necessary to it. Tocqueville attained the objectives of chapter one by opposing natural or climatic circumstances to the practices of both the indigenous Americans and the European pioneers. A second contrast opposed Northern Europeans to Southern

Europeans. The consequence of the two contrasts is to establish moral and political causes as prevailing over natural or climatic causes.

Tocqueville's chapter one established the "new American" as a paradigm for studying the nature and origins of the moral and political causes at the foundation of democratic civilization. Initially Tocqueville observed the condition of the European pilgrims, who were nearly in a state of nature. Then he considered them as distinguished by conflicts and differences over the question, how should one act, as opposed to the question of whether one had the right to act. The pioneers manifested a high regard for their fellow citizens – a sense of their moral value. They pursued the idea of consent by reason of its moral value and not on account of any intellectual or moral default. Therefore, they operated without a fully worked out theory of the rights of individuals, beyond the right to property, which was an instrument of good action as well as of survival.

The anomaly of the American legislation of the pre-revolutionary era, then, was its pursuit of more or less aristocratic or even utopian objectives by democratic means. Tocqueville, however, considered the democratic means to have prevailed decisively over the aristocratic objectives. This led ultimately to the ascendancy of democratic ends. He did not call this development a derailment [One may well ask, with Manent, why not?], but he did strongly imply that the goal in America was perhaps less certainly the initial piety than the end of comfortable preservation that is associated with the democratic constitution and its necessary emphasis on equal rights.

In chapter three Tocqueville argued that political or constitutional laws might determine a social condition – the spirit of the laws. He found the spirit of American laws by analyzing the changes brought to bear on the laws of inheritance, primarily primogeniture and entail. Their spirit was equality, revealed by a process of progressive or advancing equality among the citizens.

Now, the first three chapters of *Democracy in America* constitute three concentric layers, each of which builds upon the preceding chapter, and all of which together provide the theoretical foundation for the whole book. Chapter one provides a natural and universal foundation that we consider not only relative to America but also relative to the whole of political life. Next we look at the particular origins of the moral cause operating in America. Then we analyze the particular form of that moral cause insofar as it is a specific political law.

#### TOCQUEVILLE'S VIEW OF THE AMERICA HE SAW

Chapter one initially presents a view of the entire breadth of the continent of North America; next it shows what is the most habitable portion of it (the continental United States); finally, it focuses upon that dearest part, that most fit to nourish and support civil life – rich, fertile, and protected by great mountain chains and oceans. We next read just how civil life actually developed (along the exposed, harsh, inhospitable upper Atlantic coast), and where it remained three hundred years later.

This long apprenticeship in "efforts concentrés de l'industrie humaine" appears the price of gaining access to the rich interior. It differs altogether from the indulgent and illusive ease of the lush tropical regions, where men are seduced by passions from attending to what causes "efforts concentrés:" regard for the future, for preserving oneself and

one's kind. The "cradle of America" was "created to become the domain of intelligence," the necessary condition for united efforts. That means that the circumstances or conditions, nature, were opposed to man and had to be conquered.

Nevertheless another path remains open for man—namely, to accept nature's inhospitality as necessary or providential and to stay the hand of improvement. The aborigines adapted in this manner, thus revealing no concern for that cultivation (of lands or of minds) which is the exclusive sign of civilization. The Indians occupied the whole space of the continent, but remained too primitive to benefit from it—that is, to "possess" it. Possession requires improving, mastery over nature. Accordingly they produced a society in which each minded his own business, but in which none took it to be the business of man to pursue goodness as such.

One might well recall here the general query to which Thomas Jefferson responded [*Notes on the State of Virginia*, 1783], namely, whether the North American climate produced inferior creatures in general. Tocqueville agreed with Jefferson; it does not. Excepting the moral-political virtues, the Indians showed all the excellences of humankind. Nevertheless, it is precisely moral-political causes that distinguish the inferior and superior among and within societies. Tocqueville offered proof in the form of a high civilization that disappeared before the primitives arose and another such to arise thereafter. Civilized peoples appeal to human memory. The intermediate Americans failed to do so. Historical time is characterized by the passage of civilizations that leave tracks behind.

Reasoning from effect to cause, Tocqueville held that Providence might have intended to supplant the Indians with an industrious people—exploiting the natural advantages of the country. But he reasoned also from cause to effect—producing a slightly different result. The ruin of the Indians did not begin autonomously but rather from the moment the European appeared. The European who displaced the Indian arrived in America ready and determined to develop civilization. He brought theories—unknown and thought impracticable—to bear on the task. The origins were ominous; but the uncertain prospects were ultimately bright. One sees in America, therefore, the entire evolution of a society from its origins.

Tocqueville's second chapter portrays that evolution and establishes equality as its moral and political foundation. The great uncertainty in the matter reposes in the question: How to maintain good morals in a democracy. The Americans undertook initially to follow holy writ in matters of morality, which led to the union of the extremes of narrow sectarianism and political liberty. This means that there wanted a source of limitation on the power of the majority.

The error was essential, not incidental. "L'infériorité de notre nature [est] incapable de saisir fermement le vrai et le juste," even in the most favorable circumstances at the founding of a utopia (in New England there existed in the beginning an almost "perfect" democracy.) We cannot question the honest intentions of the Puritans but only the outcome of the appeal to natural or divine laws as a conclusion of reason.

Nevertheless the defect of Puritan piety contained the means of its own correction, for it left open the way to rational inquiry. "C'est la religion qui mène aux lumières." Piety gives authority to Babel, where before it had been denied. This results

from the strict separation of religion and politics, and the necessity to encourage good morals independent of politics. The Puritans became “d’ardents sectaires et des novateurs exaltés” at the same time. Although the reformers (“innovators”) were inspired, it did not follow that the reforms had to be. Hence, for the first time organized Christianity was denied the place of political superintendence as such.

Let us next distinguish between a people’s social condition and its political condition, following chapter three of *Democracy in America*; for the latter we look to the political law, for the former “faits” and “des lois réunies.” The Americans previously allowed a natural aristocracy to prevail in their politics. In the society at large, however, “un certain niveau mitoyen” came to prevail, and, soon or late, that social condition must conform the political law to its own measure. Equality, arising outside of politics, became the very soul of politics.

The balance of *Democracy in America* elaborates upon these principles, which Tocqueville used to explain the character and the future of democracy in the middle of the 19<sup>th</sup> century, above all distinguishing equality and the menace of majority tyranny. By the end of the 20<sup>th</sup> century we modified these concepts as a direct result of the War of the American Union, in which the Americans freed themselves from the dilemma of slavery in the very manner that Tocqueville least anticipated – that is, the brothers’ war. In the process Americans discovered a new, or perhaps latent, dilemma – that is, the dilemma of race. Tocqueville, however, saw only the dilemmas and not the solutions (despite coming quite close indeed with his “innovateurs exaltés,” which may be rendered as “high-minded progressives”). For he concluded volume one of *Democracy in America* with the bold prediction that only a war of racial extinction could free the United States from this curse.

Tocqueville’s signal failure to anticipate the brothers’ war was nothing less than the failure to see how intrinsically political reform characterized the new regime (and therefore the extent to which the citizens of that regime would press themselves to conform to *avowed* principles of right). It would have sufficed to apply to the political union the same trope of improvement Tocqueville applied to the land, in order to discover this additional element in the definition of civilization on modern terms. That is, incidentally, the very application of the trope that inspired and generated the movement of Progressivism. Had Tocqueville taken this fortuitous turn, he would have forestalled meditations on the lost aristocracy and, more importantly, opened the window onto *aristodemocracy*. That is, he would have replied to the Calliclean dilemma.

#### AN AMERICAN RESPONSE TO TOCQUEVILLE

Much of the controversy surrounding interpretation of Tocqueville derives from the fact that he published two volumes of his famous work, separated by five years in their publication and assuming importantly distinct emphases to all appearances. Thus it is that the “democracy” in 1835 is thought to differ from the “democracy” in 1840. Thus it is that some take the 1835 Tocqueville still to be a youthful, though intelligent American enthusiast, while the 1840 Tocqueville is already a more mature and alert critic of democratic egalitarianism. It is accordingly of considerable value that we can identify an American contemporary to Tocqueville who analyzed *Democracy in America* after the appearance of volume one and before the appearance of volume two, but who in doing so

managed to surface all of the issues and tensions otherwise believed to rely upon the existence of the disparate volumes for their pertinence.

Professor Calvin Ellis Stowe published in 1839 an essay written early in 1838 on "Advantages and Defects of the Social Condition in the United States of America."<sup>14</sup> In the essay Stowe distinguished the social condition and the political condition and dwells upon the relative influence of each in determining the fate of this "rising civilization." This is not the venue for an exegesis of Stowe's argument. Suffice to say that he engages directly the question he thinks Tocqueville clearly to have posed: whether government upon democratic principles can pursue the public good? And in doing so Stowe develops a reply to the Calliclean dilemma that announces, if it does not name, the advent of *aristodemocracy*.

1. Men of principle and piety must interest themselves in the political affairs of the country.

If God has given to a religious man political influence, he is just as much responsible for it as he is for wealth or talent or any other gift. If he has given us the privilege of choosing our rulers, it is our duty to see that our public offices are filled with capable and honest men. If we neglect our duty, and in consequence of our neglect bad men bear rule, we are responsible for the mischief done; and if we suffer through misgovernment, we do but suffer the *natural effect* of our own sins. Why has God permitted such a form of government to be established, and established too in the first instance by religious men, if not for *the very purpose of giving men of principle an entire and unobstructed field for the exertion of their influence?* (Stowe, 157. Emphasis added.)

Men of "principle and piety" are decidedly the best of men, gaining by their particular superiority an advantage comparable to the advantages that accrue to the wealthy and talented. Such men live with heightened consciousness of a responsibility to exert political influence – not so much "personal influence" as the influence of conscious superiority. Indeed, that heightened consciousness takes the form of a moral or at least political duty, the failure to develop which seems alone to be the cause of the rule of the bad. That follows from the observation that "misgovernment" is only the "natural effect" of neglect by the best.

The same nature upon which Callicles relied to distinguish the best, in other words, not only distinguishes the best for Stowe but also commands them to act in a manner that no others can resist. Since the field of their exertions is the entire field of human endeavors, and they operate in it "unobstructed," then we may say we have found the foundation for the unqualified rule of the strongest and best.

Here is our only hope. If the Democracy is to rule, as it surely must in this country, then the democracy must be enlightened and well principled, or it will speedily run into reckless anarchy, and end in military despotism, as it did in France. (Stowe, 158).

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<sup>14</sup> *American Biblical Repository* (January, 1839, pp. 130-161).

Only such a prospect can rescue democracy from an otherwise necessary degradation, much as Manent and Tocqueville foresaw. Stowe, however, insists that true rule in *aristodemocracy* consists in sustaining the principles of and enlightening democratic rule. It is the rule of democratic opinion that forms the instrumentality for rule by the strongest and best. We recognize Abraham Lincoln in this formulation (he who rules public opinion to that extent rules the democracy). We must note, though, that here we encounter not only the theory but also the practice of the argument. For Stowe, and eventually his wife, Harriet Beecher Stowe, undertook just such an effort, leading to the famous apothegm attributed to Lincoln upon the occasion of his meeting Mrs. Stowe, "So this is the little woman who caused this great war!" We would not be mistaken to insist upon substituting for "the little woman who" the expression "the reply to Callicles that," by which we would mean the particular argument practiced in the Stowes's public writings and speakings.

It further bolsters the demonstration here elaborated that *Uncle Tom's Cabin* was constructed upon the frame of a Tocquevillean trope (the descent along the Ohio and Mississippi Rivers) and specifically addressed the Tocquevillean question, whether there remains room in a democracy for the influence of the human being of surpassing excellence (even when otherwise burdened with every disadvantage). By seeking to respond to that inquiry, at once Socratic and Calliclean, the Stowes insisted upon a reply to Callicles stronger than Tocqueville himself was able to enunciate. Their reply eventuates in a formula: where social equality is the given, political equality must be the agency, and reformism the mechanism for pursuit of the public good.

Progressive reformism necessarily invokes the elements critical to solving the Calliclean dilemma; namely, recognition of differences (and claims of justice) on the basis of a non-conventional understanding of human nature, accessible at least to the very best if not to all men. The defense of the liberty of the strongest and best is none other than the defense of liberty of all, where one expects the efficacious application of liberty to make a difference. Thus, Stowe's rule:

5. We enjoy in this country entire freedom of action.

If one is disposed to do good there is no law and no governmental authority to prevent him. Whatever obstacles may be interposed by public prejudice or popular violence, they are but transient, and can have no permanent influence to injure the cause against which they are used. Our government has so little power to interfere with the movement of individuals, that *in all our benevolent operations, it scarcely occurs to us that we are under any government at all.* (Stowe, 135-136. Emphasis added.)

Precisely because mere democracy has been shorn of all conventional authority (and thus open to egalitarian excess), it has become subject to the determining influence of superior understandings and judgments. Hence, those who act for the sake of the good acquire an advantage over all of those who act in a narrower sphere. One can almost say, with Callicles, that those who act for the sake of the good justly pursue their own advantage, but one must add that their greatest advantage is the public good.