

### Conversations with Bill Kristol

**Guest:** Harvey Mansfield  
Professor of Government, Harvard University

*Taped November 30, 2018*

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#### **I: A Defensible Liberalism (0:15 – 36:48)**

KRISTOL: Hi, I'm Bill Kristol, welcome to CONVERSATIONS. And I'm pleased to be joined again today by Harvey Mansfield, Professor of Government at Harvard.

MANSFIELD: Thank you, it's always good to be here and with you.

KRISTOL: Well thank you. So, let's talk about Tocqueville's [Democracy in America](#), which you've translated with Delba Winthrop, and written about in many articles. And I guess a short book on Tocqueville, all of which I recommend needless to say.

But particularly about liberalism. Forty years ago you wrote a book, *The Spirit of Liberalism*, in which you said you wanted to, I think, defend a defensible liberalism. I think – is that right? I think that's right. And I think you found Tocqueville to be important in that enterprise.

MANSFIELD: He's the man.

KRISTOL: Is that right? Okay. Well, we can end this conversation now. That's a very bold statement.

MANSFIELD: He wrote 150 years ago, so we have to bring him up to date, but he's the one to start from anyway. At the very least – and more.

KRISTOL: Okay. So why start with Tocqueville rather than other famous people, thinkers?

MANSFIELD: Well, he presents this defensible liberalism as I think a political liberalism. So he tries to make liberalism more political. And to see what that means, you have to begin from the standard theory of liberalism, which I think is rather apolitical.

Standard theory is the 17<sup>th</sup> century founders, founding philosophers of liberalism like Hobbes and Locke and Spinoza; but also you can see it in democratic theorists today and liberal theorists like John Rawls. And this liberalism, this standard liberalism begins from an apolitical situation, which in the 17<sup>th</sup> century was called the state of nature. And that's a state which is imagined or sometimes said to be historical, but at any rate imagined or posited as coming before government. It is a situation of primitive equality from

which government is constituted. So each person starts out in an unpolitical situation and has to create politics through a system of consent.

And that means that the politics that comes after is somewhat stunted because it doesn't take account of the political character of human situations. And by that I mean especially the character which is embodied in the word 'rule'. The original or standard liberalism doesn't like the notion of rule. Rule is a principle by which a society is ruled, that is which gives it its particular character and which it continually tries to indoctrinate or enforce or just insinuate to its citizens.

So ruling has to do with what a society intends to do for itself. But it also includes – I mean not every rule is perfect or correct; in fact one could even say none of them is. To rule is to take things in a certain direction and that certain direction is always partisan.

So politics in this view – this is an older view of Aristotle – politics is always partisan and that's a fundamental character of politics. And what liberalism tries to do is to take away this partisanship and to create an impartial society, a society which doesn't have a particular bent. And it does this more or less, but that's always a presiding intention.

And why did they do this? Well the original liberals in the 17<sup>th</sup> century were afraid of the government of the church. And their general prescription for preventing this, or hindering this, was to get rid of the notion of rule altogether. So you're not going to be ruled by the church because you're not going to be ruled at all by any founding principles other than those that come out of the society, which is not constituted for the sake of a particular form of rule.

KRISTOL: Neutral formal principles.

MANSFIELD: Neutral and impartial. That's the idea for apolitical liberalism. And from this come individual rights and individual maxims, and especially the notion of self-interest.

So now what Tocqueville tries to do is to bring back the notion of rule. He doesn't do it under that word. So in that way he adapts himself to the hostility of liberalism toward rule, but he does it in other ways. So what he has in mind, I think, can be seen in the idea that he attributes to America. And so his liberalism is an attributed liberalism that he finds in America and that's why he calls his book, *Democracy in America*. That's the book I'm going to discuss.

If you want to look at Tocqueville's political liberalism, you could also look at his other two books. One is [on the old regime in France](#) before the French Revolution and that has to do with the surprising incipient liberalism of the French monarchy. That the French monarchy sort of undermined and finally destroyed itself, by becoming more and more liberal so to speak without recognizing it. So that's his surprising and very interesting thesis in that book.

And then Tocqueville also wrote a book called [Souvenirs](#) which is his particular description and defense of his particular political life. This is another sign of his political liberalism, that he was not just a philosopher of liberalism but actually practiced it, ran for office, held office in a French ministry – not for very long, but was definitely involved in politics. And this is his description of his personal experiences in the 1840s, late 1840s, and in the French Republic. And from which you learn interesting things about his political liberalism.

But I want to talk mainly about *Democracy in America* because that's where everything is brought together, I think, and made a package.

KRISTOL: And liberalism is made political.

MANSFIELD: That's where liberalism is made, it's definitely made political: *Democracy in America*.

So he takes this liberalism from actual political practice. And he takes it not from France, which was not yet an advanced liberal country – they'd recently had a revolution – but in America. So where democracy was at its most advanced, most progressive embodiment and so that's where he begins from.

And he finds in America – and this is the principle of liberalism you might say in Tocqueville – the maxim of “self-interest well understood.” That Americans like to understand everything they do in terms of self-interest. They don't claim to be virtuous. They don't claim to sacrifice themselves for the common good, although they do those things. They are sometimes virtuous and they do sacrifice themselves, but they claim less than they could. So in a way they sell themselves short in that by always saying that they act only according to their self-interest.

And this self-interest can be individual, but also national, is a way we hear today of America's interests. You know, America's foreign policy should be governed solely by America's interests. So self-interest, but self-interest well understood. The self-interest by itself would be the standard liberalism. But you have to understand it “well.”

KRISTOL: So the normal American discussion of self-interest in a way is that they've read or imbibed without reading Locke or something like that, and they think that's the only ground to base things on.

MANSFIELD: That's right. And if they read contemporary theorists they see pretty much the same thing. So, Rawls, John Rawls didn't speak of the “state of nature,” but he spoke of the “original position,” as he called it. And in general you read democratic theorists and you see that they begin from this apolitical situation.

KRISTOL: So the “well understood” is a very important modification by Tocqueville.

MANSFIELD: Very important, yes.

KRISTOL: Now that, it seems like in the old days, before your translation, was that often translated or rendered “properly understood”? I somehow think of that phrase as being self-interest properly understood, but I suppose that's not the right translation.

MANSFIELD: It is a question. Yes, but the usual phrase is ‘rightly understood’. And actually Tocqueville once used that phrase. And so some people, some other translators use it in this case, but the French is “*bien entendait*.”

KRISTOL: So he was literally, well understood.

MANSFIELD: Sort of literally “*bien entendait*” means well understood. And you could see, there is this sort of theoretical issue where the complexity in this, that when you add something to self-interest, is that something which is part of self-interest? Or is it something which is outside self-interest but added to it? So is it – is everything under the name of self-interest, and that's correct? And that would be self-interest rightly understood. So to do something, sacrificing act, that would be self-interest rightly understood.

Or is it, or do you say, that that sacrificing act isn't self-interest, but you add it to it? And so it's self-interest plus X, or plus virtue of some kind. I think it's the latter, and that's why we, Delba and I, translated it as self-interest well understood.

So, the self-interest well understood. And so everything then depends on what is included in well understood. And so there's a number of items. And the first one that you could begin with is rights.

KRISTOL: And Tocqueville just in the book presents – I mean he doesn't really walk you through these in the quasi-systemic way that Hobbes or Locke seem to at least.

MANSFIELD: No. I'm trying to reconstruct. At the beginning he speaks of the need for a new political science, a political science that is altogether new, in a new world. By which he meant the new world of

not just of America but of democracy. The modern world is democratic and so it needs a new political science for that. But then when you read through the book he never says “this is my new political science that’s appropriate for the new world I’m describing.” So you have to put that together and that’s part of it. And you put it together out of the things that he says about the political practices of America.

KRISTOL: And that’s somehow important to Tocqueville’s intention, that he wants *you* to extract it. Not to simply present you some doctrine or system.

MANSFIELD: Yes. That’s exactly right. So you have to be kind of a political person yourself to put together his political theory. And he gives you the ingredients and a lot of signals and hints, but some of them go in different directions. And so it’s not an easy thing it turns out. It turns out to be quite difficult to put Tocqueville together. But I think you’re right, that was intentional. He wants us to do the work.

KRISTOL: And he thought there was something almost dangerous perhaps about giving people this formulaic doctrine? Or at least insufficient I guess.

MANSFIELD: Well, yeah. Political liberalism is about self-government and self-government isn’t something that can be a gift.

KRISTOL: And you can’t just mechanically – I mean I guess that would get to what his objection to the formal liberalism – you can’t mechanically apply rules.

MANSFIELD: That’s right. There are questions of judgement. And also you have to look to the circumstances of each country. So, democracy in America is going to be different from democracy in France, say. And he says that his book is about the nature of democracy, but also about the character of America.

And you have to watch out for things that he says are true of America which might not be true elsewhere. And so he says of this principle, self-interest well understood, that it’s what Americans believe. He doesn’t say they do it correctly. This isn’t necessarily my principle or the true principle. But it’s what you find in America. So that’s what we start from, I would say.

KRISTOL: And so, what is self-interest well understood. There are sort of all of these different items, right?

MANSFIELD: Yes. It’s a number of things that he discusses and we can run through some of them. So the first that I would mention is rights, and individual rights. See, in standard liberal theory your right is connected to your interest. You have a right to pursue your interest as you see it. So that’s an individual thing. Again, apolitical and it doesn’t take account of the actual situation in democracy.

Democracy is a situation in which all are, if not equal, all think themselves equal. So you don’t think that there’s another person or class of persons or institution that’s smarter and better-suited to rule than you. And yet you also realize that everyone else is in the same situation as you. So there isn’t any particular person that you can look to, to be sure as a guide for what you should do and what your country should do.

So, in this situation you sort of look at what others are doing. And what others are doing is also looking in the same way that you are. And it comes out that the ruling factor in a democracy is public opinion, which public opinion is ruled by its majority, so the majority.

And so rights therefore are much more difficult to sustain when there’s a powerful majority that you either follow, or have to defy, or not conform to. You could say that one of the best things you could learn from an education or get from an education is how to stand, in a democracy, is how to stand up against the majority. So therefore Tocqueville tries to understand rights as standing up for your principle; not just following it. Because the idea of just following your self-interest overlooks the weakness of each individual.

So he derives – therefore he derives rights not from this state of nature when all are equal, but from the Middle Ages, and especially in England. So this is where he gives America’s English heritage credit. I think in grade schools the kids still learn about the Magna Carta. But that’s what Tocqueville likes. And he likes the Magna Carta better than the state of nature. As the Magna Carta is the nobles standing up to the king and doing some risk to their property and even their lives. So, at risk. So you’ve got to have that kind of strength of character.

KRISTOL: Does he like it because it is actually truly the origin of rights, or because it’s better that people think of rights in that more slightly more outdated aristocratic way?

MANSFIELD: Yes, yes. He might say we in our minds find a democratic equivalent to the nobles standing up to the king. But yeah, not that we were ever careful students of English medieval history. Or even that those are our heroes.

But no, what we do – this is Tocqueville looking into us and seeing a kind of formidable aristocratic element in the notion of rights. And so this would be an example of the “well understood” and political character that he wants to infuse.

KRISTOL: But he’s adding sort of, more than –

MANSFIELD: He is.

KRISTOL: He’s both seeing it in us, and adding it to us, though.

MANSFIELD: Yes, that’s right.

KRISTOL: Or encouraging us to – think of ourselves more in that way I guess.

MANSFIELD: Almost all of his description has this character. He’s describing how he wants us to behave and so therefore it’s often he makes us more perfect than we actually are.

KRISTOL: Right.

MANSFIELD: That we’ll see especially when it comes to American women. But also then another element would be mores, mores. And then the French word ‘*moeurs*’. A notion that came to be added to standard liberalism of the 17<sup>th</sup> century. And so you see it in 18<sup>th</sup> century writers, especially for Tocqueville, Montesquieu and Rousseau. And mores are a vital element.

And then Tocqueville himself sort of, in fact he gets his reputation as one of the founders of sociology. Because he so much relies on the notion of mores. Mores have a certain relation to law, standard liberalism just relies on law. It wants to supply you with limits to your freedom that will keep your freedom secure, and other people’s too.

KRISTOL: Right.

MANSFIELD: And so then Hobbes compares laws to hedges, the hedge that keeps you from getting off on the wrong path. But mores are what you actually do or where you actually want to go. So they have a relationship. He says that mores is often the source of a law, but it then can – the law can on the contrary can also be a source of mores, customs.

KRISTOL: What would be the right translation do you think, in actual English as opposed to Latin.

MANSFIELD: Yeah, that’s a Latin word. Well, it’s in English now.

KRISTOL: Habits. Yeah, it is in English.

MANSFIELD: Yeah, habits or customs. Or ways.

KRISTOL: Informal, yeah.

MANSFIELD: It's informal, yeah, you're right.

KRISTOL: I guess these days, in the context of our current President, one often hears that he's challenging both the rule of law and constitutional norms or democratic norms.

MANSFIELD: Yeah, norms.

KRISTOL: I guess that's not a bad – captures it sort of, right?

MANSFIELD: Yeah. Norms is a –

KRISTOL: Informal.

MANSFIELD: Yeah. So this informal thing, as opposed to a statutorily declared law which formally requires you usually not to do something, but also sometimes to do something. So, mores and laws. And then also – but mores also have to do with how you actually live.

And so, in the first volume – *Democracy in America* has two volumes – in the first volume he takes up mores and laws – and also brings in religion, that we'll come to next, maybe. And in the second one he talks about mores as work. And work in America is democratized as compared to aristocracy.

So there's a new relationship between master and servant or you could say just between the employer and employee. That you might think is a source of inequality and obviously it is. But in a democracy inequality only on the job. So the servant or the employee doesn't belong to a lower class of human being. But he gets paid, he gets a salary and actually so does the boss. So the President of the United States has a salary. And this equalizes us. You might not think, we don't tend to think of having a salary as a democratic thing because it's a source of inequality, but it's a great source of equality that everybody gets paid for what he does as compared to an aristocracy where getting paid is a sign of being in the lower class. And the ruling class doesn't get paid. So that's an example of democratic mores.

And now to turn also next to religion. In the first volume, Tocqueville speaks of religion as in the form of, as a kind of social force in the form of mores that direct your attention to things that are beyond material gain.

So the characteristic activity of democracy is a love of material well-being. This isn't something extra or added on to democracy, but it's in the very nature of democracy. That it doesn't seek immaterial goods and that's because once again in a democracy everyone's equal and there's no great authority. So there's nobody to tell you to direct your activity to something which is beyond your view. And your view is what is materially good for you; what is right in front of you; what is your immediate goal is to gain a living and gain a certain status which goes with the living. And beyond that, you need a church or a King to tell you that you should sacrifice your life and devote it to something that you don't really see and appreciate.

So democracy – the life of democracy is in the life of material enjoyments. And Tocqueville thinks that this is a great danger to democracy, that it doesn't fully appreciate. And he tries to find ways to combat this and to elevate democracy. And the main one that he sees is religion.

KRISTOL: And I suppose that would particularly be the case maybe where the recourse to the liberal philosophers who founded liberal democracy presumably, isn't helpful because they are or seem to be fairly materialist in their actual foundations – Hobbes and Spinoza and so forth.

MANSFIELD: Yes.

KRISTOL: So there's a connection, a philosophic connection between materialism and democracy.

MANSFIELD: Right. And liberalism pretends to be neutral between materialism and spiritualism or whatever it is that's not materialism. But it isn't. So it wants materialism.

And that goes together with not being political, and not having rule, because materialism gives you a goal that seems to be politically neutral. And you judge your president saying "Are you better off now?"

KRISTOL: Right.

MANSFIELD: That's a famous question of Jimmy Carter and of Ronald Reagan I guess.

KRISTOL: Right. And, "Are you safer?" Which is also a very –

MANSFIELD: Yes. Are you safer? That's another one. Yes.

KRISTOL: Materials. Bodily safety.

MANSFIELD: Security. Yes. So that's both domestic and foreign policy. Judged by this sort of material well-being.

So, religion is first presented as a force, social force, that ennobles the life of democracy and it keeps us devoted to something, especially Christianity gives you a soul.

Every human being has a soul that is his and his alone. And this gives him a duty to perfect or cultivate his soul, to make it as good as he can. This is a goal in life, which is quite different from making money or gaining security. But it gives you something hopeful and inspiring. And this is just what democracy needs to lift itself out of its doldrums.

And then in the second volume he takes up religion again, and this is in the first part which is on the intellectual movements of democracy. And there he contrasts it with philosophy. He says that Americans are followers of Descartes, the French philosopher whom Tocqueville identifies contrary to most scholarly opinion, as a philosopher of democracy.

And so we live democracy and therefore we don't need Descartes the philosopher. So we're avid followers of Descartes without ever reading him and we don't need to read him because we already have the conclusion. So this is a kind of comical way of kidding, I'm saying kidding Americans for their perhaps lack of interest in philosophy and in French philosophy, Descartes, a French philosopher of the 17<sup>th</sup> century. One of the standard liberals you could say.

And so the whole principle of Descartes' philosophy is to doubt all authority. And here he is, here in America he appears as the authority which no one doubts. So there's a kind of play here between doubt, which is characteristic of philosophy, and faith which is characteristic of religion. And Americans have a kind of religious faith in the philosopher of doubt, you might say. Or in the principle of doubt.

And then he goes on, this is the big question of whether religion is true or not. That it's not only socially effectual and powerful but is it true? And there is this truth in it he says, that if you doubt, you can't move or act until you somehow resolve your doubt.

So you wake up in the morning, what are you going to do next? So you've got to have an answer to what's good about your life that you want to pursue in order to get up. But once you get up, then you've put your doubt behind you. You've either dismissed it, or put it aside in order to act. And so, acting requires faith or belief. That all action, even the action of atheists, requires that you believe in something. You can't just be an agnostic. Because in order to act you're assuming that it's safe to do so or that it's reasonable to do so, when in fact you don't really know that.

So this is the kind of truth of religion, that it gives a principle of action, of action on your own behalf or on behalf of God or both together. It makes sense out of life. In a way that philosophy, which is doubt, cannot.

KRISTOL: And Tocqueville was well disposed to at least this version of religion I suppose in a democracy.

MANSFIELD: You know, this understanding of religion.

KRISTOL: This understanding of religion, right. He's less fearful than Hobbes and Locke that it'll go off and seek to take everything over or whatever.

MANSFIELD: Yeah, that's right, he is. Especially in Christianity which gives you the possibility of a distinction between church and state. Of Christianity – but Christianity is apolitical, strangely enough. And this is what – liberalism imitates this characteristic of Christianity so that Christianity doesn't have a law attached to it as Judaism and Islam do. And this means that it's possible to be, to have a pure Christian soul without its having any political consequences. And this is what Americans believe, and this is what they practice.

And so I think that's – you could take that as another feature of the new political science of Descartes. Religion is absolutely necessary, but it's very important and necessary to keep it out of politics. So, in this way he finds a way to keep religion out of politics without disposing of it, without dismissing it or without transforming it into something purely political or purely democratic, as all of which the standard liberals of the 17<sup>th</sup> century attempted to do.

KRISTOL: That's part of mores, really. Or it comes from mores or supports mores or something.

## **II: Self-Interest Well Understood (36:48 – 57:45)**

MANSFIELD: Yes, religion. And this particular religion which he seems to recommend. Although perhaps his own faith – there's a letter he wrote early in his life, his own faith he seems to have questioned or even lost. He said once when his father led him into a library full of atheist books, he went in. So yeah, it's something he recommends, and sees the value of, and even the truth of, but that didn't quite follow or didn't quite himself believe. So that's doubt and faith in religion in the first part of the second volume.

Now religion can take us to the question of women. Women are taken up as part of the mores in – there's five chapter on women in the third part of the second volume where Tocqueville takes up women. And the connection between women and religion is, he says in the first volume that "the soul of woman is religion." It's interesting, I don't know how to understand that fully. But it's true that they're traditionally known as the pious sex. So I think that's the case.

And then when it comes to the chapters on women, those are very interesting. How does this supposed inequality of the sexes, inferiority of women to men, how does democracy deal with that? And the answer he says, again, is found in America in what Americans do and believe. And it's not something which he claims to impose, or to have a personal solution for, but this is, again, to be found in the practice of American life.

And there he says that women are maybe – are found equal to men in American life. They're equal in everything. Except that they have to submit to the bonds of matrimony. That's the phrase which is used. They have to be married. This is a necessity of life in those days, would be very much more difficult for a woman to have lived by herself in those days than it is today for sure.

But since women necessarily have to marry, or find someone to protect them and to support them, they do this willingly and voluntarily. So they submit to the authority of men or husbands it is, really, because there's no alternative. But they're sensible enough to see that there's no alternative, and also they get a

choice as to which one. Again, not every man is available, but yeah, it's a necessary thing which is also a chosen thing.

There you have another criticism of standard liberal theory. Standard liberal theory says we're all free, perfectly free; that's within the bounds of the law of nature, that's how Locke describes the state of nature. But then it turns out we have to give up our freedom because it's necessary to do so. So liberalism is composed of promises of freedom, and laws of necessity. That's a kind of a contradiction and weakness in standard liberalism.

Well, it is true that we human beings face this problem: things are necessary for us, but also we want to be ourselves, and this means we have to be free. So I think Tocqueville puts that together in a better way. He finds the model for submission to necessity in women, the behavior of American women, and especially in the bonds of matrimony, the marriage contract, you might say, as opposed to the social contract.

That is another way of well understanding self-interest. He doesn't say that men or by nature superior to women; it just seems that the greater physicality maybe of the husband makes him the authority in the family. But then women with their example of willing acceptance, willing, voluntarily – it's not reluctant or submissive, it's neither of those two things, but willing as equal. He finds that example so impressive that he says if you wanted to understand what makes America itself, "you should look to the superiority of its women."

And he doesn't say whether that's American women are superior to other *women*, or whether American women are superior to American *men*. So it's this superiority of behavior and of thought. And that's why women sort of stand for morals or mores. They give this example of willingness to be good, or to do the right thing morally. And they do this freely because as girls, they haven't been brought up in convents or given an education which tries to maintain their innocence – nothing like being taught by nuns in a convent. So they're not chaste in their minds, but they're correct in their behavior. So they're aware of the possibilities of immorality. Their morality is not ignorant.

KRISTOL: And also, don't you think, and I've always been struck by these chapters, even if the current situation of men and women is different, the lesson there of accepting the limits of what one can do. But then as Tocqueville says, they're very powerful or very influential, at least in America by accepting their role, you might say.

MANSFIELD: Yes.

KRISTOL: That's a model not just for women, right? But maybe for legislators or aristocrats, philosophers. I mean, it's sort of a model of not what you have to accept. Democracy; you have to accept that in this era.

MANSFIELD: Yeah, this picture of the democratic family, or the American democratic family is not that flattering to men. Men, American men, are engaged in making money. They are out of the house, they are out of home.

KRISTOL: Sort of mindlessly.

MANSFIELD: Yeah. So the American women represent the private sphere, the authority of that private sphere. That you can live a dignified and free life in private life, as well as in public. And what are American men doing in making money? They're engaging in this very un-erotic activity that makes them rather boring husbands.

So again, a trial to their wives to the point that Tocqueville says that American women are "sad and resolute." Well, he says that of the pioneer woman, but I think the pioneer woman is the essential woman.

So economics is sort of put down, I would say, in this picture of political liberalism. He doesn't offer the economic life as the example of the private sphere as today people tend to do. Especially conservatives say, well, let's rely on the private sphere, and by that they mean the economy. They don't mean the family. Incidentally, the word 'economy' originally meant in Greek, in Aristotle's presentation, household management.

So, we would say Tocqueville wants to return the attention of today's liberalism to the private sphere in the family and what goes on there, more than the economic sphere, which is actually, to him, the public sphere because it's out of the home and it's making money.

Economics is something, is rather, is less praised and admired, I think, in his presentation. I would guess that he doesn't think highly of [Adam Smith's](#) so-called system of liberty, which is an economic liberty that doesn't rely on political guidance, to put it mildly. It's directed against that. So this anti-political character of today's conservatism, I think, would not be shared by Tocqueville.

KRISTOL: But also making the, I think the mores are so important there. I don't know that much about Smith, but he has *The Wealth of Nations*, so that's the economics, and *The Theory of Moral Sentiments*, so that's morality, but nothing on politics.

MANSFIELD: That's right.

KRISTOL: Nothing is too strong, of course, but I mean Tocqueville seems so, that by itself is – either the economics or let's say sentiments are not connected to politics is not enough to prevent liberalism from declining into a kind of, what, sort of –

MANSFIELD: Yeah, for Adam Smith, when an economic person turns to politics, that's a bad sign. That's corruption or trouble.

KRISTOL: Smith would have materialism plus sentimentality or something. That would be too harsh, but I mean, Tocqueville would be more sentimental.

MANSFIELD: That doesn't cut it for Tocqueville.

KRISTOL: Right, materialism and morality, but not – the politics is so central for Tocqueville, I guess.

MANSFIELD: Right. Now that takes us to another point on – well understood, which is self-government. So the most valuable liberty is political liberty. And you musn't pursue other liberties to the extent that you forget about political liberty because that's the one which makes all the other liberties possible.

Economic liberty requires political liberty. This also would apply to artistic liberty or philosophical liberty. So philosophers should take an interest in political liberty and in the question whether sort of human freedom is possible.

So that first volume of *Democracy in America* is mostly about political liberty. And it has two parts, there are two parts to the first volume and the first is about the formal institutions of self-government. And here is Tocqueville's famous analysis of the township, his spontaneous one.

A pioneer moves into the forest, he finds others living nearby and he wants to connect with them or be able to see them or deal with them, he needs a road. A road is something that you can't build by yourself; you need others. So these useful needs sort of bring people together and they cooperate.

And to cooperate they need a little bit of government. And to have a little bit of government, they need a little bit of formality, offices, people elected. So this is democracy in its sort of original or primitive spontaneity. That there is something in the human soul that's just the need for useful things that you can't do by yourself.

And that send you into political relationships, into the creation of political institutions, that is continuing institutions. And which are electable, because you would want to get the best person to run the show and take advantage of differences or inequalities in this common enterprise that's very low level, and then he goes up through state governments.

An interesting discussion of governors, what they do, and the judiciary. That not only do democracies sort of create institutions of ruling, but they create judges who check or watch over the rule. So, you need – freedom requires both legislating and then checking on the legislators. So a certain distinction of function, that again doesn't come from any theory, but is seen in actual practice.

And then finally the Constitution, the American Constitution is based on a theory. But there was this difficulty, it's based on two theories. So, in a way the importance of theory is lessened by the fact that there are two that were chosen: that whether a union is a union of individuals, or a league of states. And so the Constitution combines those two opposite definitions of union.

So you've got in the formal institutions of self-government in America a spectrum, from what is pure spontaneity to what is almost pure artificiality, requiring a lot of thought and referring to theories. And if you look at the *Federalist*, you see that the American Constitution is indeed based on political science and on theory to a surprising extent. So this is the formal, these are formal institutions of self-government. But again, they turn out not to be as important as they think they are.

KRISTOL: Right.

MANSFIELD: And here you can say, enters Tocqueville's criticism of the *Federalist*. Because in the second part of the first volume of *Democracy in America*, he introduces you to the informal institutions or non-institutions really, of self-government, like parties, and the free press, lawyers, their importance. And also to the problem that in a democracy, in American democracy, the people really rule. He speaks of the sovereignty of the people.

Now in Hobbes, a standard liberal theorist, you've got a theory of sovereignty in which the sovereign is given authority, but it doesn't say how the sovereign will use that authority. That's again the neutrality or impartiality of standard liberal theory.

But in America, the people are sovereign in a much more definite and principled sense and they overrule, override their representative institutions. Which are designed to take government sort of a little bit away from them, and to take it out of their hands, and to give them the power to say yes or no every four years or two years, but not really to wield it.

KRISTOL: Right.

MANSFIELD: But so here is where he discloses his definite, I think, conclusion that rule in a democratic society is there, and has to be there, and will always be there, and there isn't any neutral or impartial way of avoiding what the people want. A democracy is a government in which the people rule and that means also one in which they can misrule.

And so we come to the famous phrase of "the tyranny of the majority" in the second part of the first volume. And the tyranny of the majority is – has checks in it; there are ways in which it doesn't operate fully. And that's because of the influence of lawyers and the decentralization of administration, things like that. But still the tyranny of the majority issues in the American institution of slavery.

KRISTOL: It's striking, as I recall, at the end of that part, to have that long chapter though, which is an example of democracy tyrannizing and brutalizing you might say, in terms of the Indians, the Native Americans. And historically I think this is true, I don't know if Tocqueville really makes this point, the treatment of the blacks and the Indians gets worse under democracy, not better.

MANSFIELD: That's right.

KRISTOL: Or slavery gets more embedded by the time Tocqueville's here.

MANSFIELD: Yeah.

KRISTOL: Andrew Jackson, the great democrat, the first real, you might say, democratic President as opposed to the slightly aristocratic founders –

MANSFIELD: That's right.

KRISTOL: – is a much more unabashed partisan of slavery.

MANSFIELD: He was, yes.

KRISTOL: And a much more unabashed destroyer of the Indians.

MANSFIELD: Yes. Andrew Jackson, he was President when Tocqueville came to America, democratized support for slavery, and made it necessary to have a civil war. You weren't just – it wasn't just that the slave owners and aristocracy; very few in the South wanted slavery, but all, a great majority of the whites down there. So yeah that made things a lot more –

KRISTOL: So that's kind of a picture I suppose, of a majority uneducated, un-elevated, untempered by all these sort of things.

### **III: Equality and Freedom (57:45 – 1:25:11)**

MANSFIELD: By these things, yes. Right.

That brings us to, well, the purpose of the second volume you could say, in *Democracy in America*, is to solve this. The problem that the first one ends with, democracy in Russia and democracy in America. So it's democracy with slavery, or servility, versus democracy with freedom. So which is it going to be? And the answer you get in the second volume: well, it may be America. Not for sure, but maybe.

And what comes out of this is the importance of associations.

KRISTOL: Right.

MANSFIELD: That associations stand between the individual and the government or the central authority, and they enable a weak individual to become stronger by being in an association that isn't everybody. And so Tocqueville seems to think that the American gift of forming associations is the best cure for the ills of democracy, which focus on the weakness of the individual. How to strengthen the individual is to understand him as a being who associates.

So you have to understand what he calls both the art and the science of association. The science of association: how it is that a being with human necessities can also be free and choose how to deal with those necessities by cooperating with other people. And the art of association: that's just how to do it and the experience of it.

So, I compare American universities with European to see the difference. An American university has hundreds of – you know, Harvard we have about 250 student organizations, whereas in a European university, these don't exist. And what happens, happens because the central authority, the institute recommends it or requires it. So you don't have all these student-run activities. Extracurricular in an American university is more important than the curricular part, these days especially.

KRISTOL: Which Tocqueville wouldn't entirely object to though.

MANSFIELD: No.

KRISTOL: That's a habit of sort of self-government, right?

MANSFIELD: And also there's a price to be paid for this associating, and that's inefficiency. That it's better for people to get it up on their own, than for it to be done more efficiently by a central bureaucracy. And you learn something by – you learn the art of being free. There's an art of it. Being able to be with other people who are also free. And getting something done, or espousing some principle or some policy. So all that is the art of association.

He even speaks of the "human association," as if all humanity could be associated in some way. And he certainly speaks of the nation as an association. And he also speaks of the marriage association. So all of this associating – So the standard liberal theory has us as individuals, as fundamentally individuals.

KRISTOL: And then the state.

MANSFIELD: And then we add – and then the state, that comes from our consenting to the state. But it doesn't come from this associating. So Tocqueville wants us to look at what people actually do, and especially in America, to see how association can be the essential part of human nature, the essential activity.

And this brings about, and we're getting towards the end now, the importance of honor.

KRISTOL: But just on association, I mean, making that fundamental – it is a pretty fundamental challenge, I suppose, to the liberal, the formal, original liberal view of things.

MANSFIELD: It is.

KRISTOL: It seems so much more like Aristotle.

MANSFIELD: It is, saying that man is by nature a political animal, something like that. Or an associating animal.

KRISTOL: I certainly see that just in real life. I mean, the habit of having to make decisions and be responsible for those decisions, and see the consequences of them in whatever neighborhood association, or civic or religious or a million kinds. It does lead people to think in a different way, or to almost be in a different, act and live in a different way, than thinking of yourself as voting once and then submitting for four years to dictats.

MANSFIELD: Right.

KRISTOL: I mean it really is a very different, I suppose as Tocqueville would say that the original liberals didn't think enough about people becoming formally free but actually servile, or something like that.

MANSFIELD: Yes. And this applies to economics too, and what is important about economics is getting together – a start-up company.

KRISTOL: Right.

MANSFIELD: That's what all the students want, what the college students want to do when they graduate – a startup company. Or joining an association which exists and getting a job there. So it's not so much individual decision making, or looking at economics from the standpoint of the consumer, choosing what to buy. And so not so much a free market in the sense of individualized choices with a spontaneous order that emerges from this kind of individualized freedom.

KRISTOL: Right.

MANSFIELD: So to understand an economy, you would have to look at it to see what actual companies there, what industries, and how those industries are organized, rather than just thinking of an economy as a purely theoretical construct.

KRISTOL: Right.

MANSFIELD: Now, honor and ambition – this comes in under the discussion of mores in the third part of the second volume. So here again, honor might seem to be a totally aristocratic thing and it is essentially an aristocratic thing, Tocqueville says. That those who live their life according to honor are really – that's a very different life from democracy. In particular there is a distinction between what is honorable and what is honest. Or what is just. And this is a particular characteristic of aristocratic society. So, fighting duels – it's unjust to fight a duel. The King doesn't like that, because of the waste of our talent and energy.

KRISTOL: Right.

MANSFIELD: But honor requires it.

So a thing can be honorable, but not just, or not really honest, or not sensible. And democracy tends to bring those two things together, that what is honor is made more sensible.

So it brings, within the family, it brings fathers and sons together. That's sort of the essential thing of a democratic family, that the son is not the successor to his father, the eldest son. But the two are closer and they can have a more natural sort of loving bond of affection.

He's pointing out to aristocrats with their families that there are attractions to a more democratic way of thinking and living. That you have more of – you just have a more genial, more congenial family and life is sweeter in this way. So.

But still, honor still remains. And you see this, he says when Americans travel abroad, each of them tries to make out some way in which he is different from all other Americans. So this makes Tocqueville think that every American has a secret desire to live in an aristocracy where he is the noble and the aristocrat, so that democracy is not so far – within a democracy is a hidden sort of lowering aristocracy, in which each individual actually wants rule that is quite different from the public rule that he supports and acknowledges.

And this shows in democratic vanity, the vanity of democratic representatives. Democratic representatives usually are nobodies, as compared to nobles and an aristocratic assembly, so they have to establish their own importance. And they do this at the same time that they establish the importance of the people they represent. So you hear that all the time in Congress. They say, 'my constituency' or 'people in my constituency think' thus and so.

KRISTOL: Right.

MANSFIELD: And so you try to make them important and yourself important in the same breath. So that's in democratic speechifying you see this, but this is also ambition. So it's very honorable to – ambition is the seeking of honors – and it's very honorable to acquire – to use your ambition to acquire some valuable office or situation. And this leads him to discuss revolutions, that the most honorable thing might be to lead a revolution. But he thinks that great revolutions will no longer be likely in a democracy, because democracy tends to give everybody a little bit of ambition, and at the same time to pull down greatness of ambition.

So there's no greatness in democratic ambition. Except that it seems that there was some greatness earlier on than the 17<sup>th</sup> century of official liberalism and that was, he says, 300 years before Napoleon.

So, greatness of revolutions lead you to discuss war, and war leads you to discuss armies, and how armies have kind of a scale of ambitious office – officers and non-commissioned officers. Tocqueville says watch out for the non-commissioned officers; they're the ones who are the most ambitious. Because the commissioned officers don't want to do anything, they just want to sit there. And democracies don't like to fight; they prefer peace. So a democratic army has only these few non-commissioned officers who are unsettled and whose ambition is maybe dangerous.

But a revolution can also be a revolution in ideas, and he brings this up at the end of part three in volume two – a revolution in ideas. And the example he gives is of Luther. And then in the 26<sup>th</sup> chapter of what is the last chapter, he mentions the name of Machiavelli, quotes something from [The Prince](#); actually misquotes something from *The Prince*, just as Machiavelli likes to do – a master of misquotation. And he gives you to wonder whether Machiavelli wasn't a kind of founder or great revolutionist of ideas. He refers to Napoleon and Machiavellian in that same chapter. And he uses a phrase, the greatest "captain of modern times," believed that revolution is most likely to be done by the young, and therefore the rules should be put in their hands, in the hands of the young.

Now, the greatest captain in modern times is obviously Napoleon. And yet he said if you look 300 years before, you would see that Napoleon could have been a great revolutionist, only in a different way. That he couldn't be as he was, an actual commander of an army, but he might have to command his army as a captain of philosophy, and making people think differently and bringing about modernity. Now he mentions the name of Luther, and that's 300 years before Napoleon and he also mentions the name Machiavelli, who was a contemporary of Luther. And both of them you could say were great ambitious leaders of revolutions in ideas. And one wonders whether Tocqueville wasn't comparing himself, or his situation, to that of Luther and Machiavelli.

KRISTOL: The term 'captain' reminds of Machiavelli, right?

MANSFIELD: It does. He refers a lot to captains. It's also used in Christian thinking too. In Christianity you often get the analogy between actual warfare and spiritual warfare, like as in "Onward Christian soldiers, marching as to war." As to – not actually in war but "as to war."

KRISTOL: So Machiavelli took that –

MANSFIELD: So Machiavelli picked up that analogy, yeah.

And what Machiavelli did was to attack aristocracy. There's nothing that he despises more than the gentleman, as you can see in his work. The gentleman pretends to be gentle, but no one who actually is gentle can succeed. Gentle might be or must be a fraud. And so Machiavelli thinks that the people who succeed are those able to use both force and fraud.

So he deconstructs the notion of gentleman and thereby the whole principle of aristocracy. And what you're left with is the prince and then the people whom the prince treats as his subjects or slaves. And that this is what Tocqueville quotes from Machiavelli's fourth chapter of *The Prince*, in that sole mention of Machiavelli that he has.

And so you can say that Machiavelli didn't want democracy, didn't want to – he wasn't intending to found the democratic principle or democratic rule. But he led to that, because he destroyed the alternative to it, namely aristocracy, or some kind of elevation of the human spirit and therefore of those who ruled in the name of some elevating principle.

And so what Tocqueville does is he doesn't try to attack democracy in the way that Machiavelli tried to attack aristocracy, and thereby produced democracy without meaning to. So he doesn't try to attack democracy, but he tries to revive, re-inspirit democracy with features of aristocracy.

I think that would be a kind of summary understanding of self-interest well understood. The well understood consists of bringing back aristocracy to democracy without saying so, and still without really challenging the democratic principle of the rule of the people.

KRISTOL: And you can't challenge it? I mean why, why not be more explicit in saying the rule of the people or democracy is only partly true or partly correct?

MANSFIELD: Well, you could say 20<sup>th</sup> century totalitarianism shows you why not. You try to challenge the principle of democracy, but to do so you have to yourself become democratic, and to appeal to the worst features of democracy. It's another kind of tyranny.

KRISTOL: So you have to submit so to speak to democracy, to guide it.

MANSFIELD: Yeah. Well, both the Nazis and Communists were democrats, democratic movements in the bad sense.

So I guess somehow democracy is just more powerful and it's a rule we have to submit to. It's a present state of civilization. To be civilized, you have to be democratic. But to be democratic, you have to be a little bit aristocratic.

KRISTOL: And you have freedom. I mean, freedom is a democratic principle that you can appeal to, right?

MANSFIELD: That's right.

KRISTOL: Self-interest well understood.

MANSFIELD: So additions of aristocracy enable democracy to be both equal and free. Equality and freedom go together in democracy because it wants both. If people are totally equal, they can only be so by being equally free. And if people are equally free, then they can only be so by being equal. No authority, no natural principle justifies the rule of some over others.

So Tocqueville says that there is a kind of theoretical point at which equality and freedom converge, and this is what democracy wants. We're all equal and we're all free. But you can have that only if you understand that there are also ways in which the desire for equality hurts freedom, or the ways in which desire for freedom limits equality.

KRISTOL: And he shows you all these aspects of aristocracy, which on the one hand he says are no longer relevant in a sense or no longer achievable. Yet, they can be – not replicated, but their effects can be replicated or achieved in a democratic way. I mean, it's funny. For a book that says we're in a democratic age, aristocracy is gone, there's an awful lot of discussion of aristocracy.

MANSFIELD: There is, there is indeed.

KRISTOL: That shows you something, that teaches you something.

MANSFIELD: It does, it does. So he lived in a time when the two principles were still alive, or at least when aristocracy had recently been overthrown. So he was very – and he was an aristocrat himself. So in his life he could see both those things at work.

KRISTOL: He keeps it alive for us.

MANSFIELD: He keeps it alive for us, yeah. So he brings back aristocracy in the way that we can appreciate it, and use it. And that is, I think, still valuable – more than valuable, essential.

KRISTOL: Right, that's key to a defensible liberal or liberalism

MANSFIELD: It is, I think, to a renewed political liberalism, which understands how the people rule and therefore takes care that they do so properly, or rightly, or well.

KRISTOL: That's a wonderful tribute to Tocqueville, which he would appreciate. I mean, I do think one thing about his method is he disguises his own radicalness and fundamental character of his thought in order to – it makes us discover it, in a way, as you have laid out here.

MANSFIELD: That's right. And he takes, and he seems to have a very modest position which I think is – which I think is totally not the case.

KRISTOL: So the opposite of Machiavelli.

MANSFIELD: He's another Machiavelli, but the opposite, yeah. Both of them sort of disliked "philosophy," in quotes – official philosophy.

KRISTOL: So Machiavelli is different from the Marsilius and the Averroes-tic types because –

MANSFIELD: Yes, that's right. So he makes a direct and open attack on Christianity – he was the first to do that in the Renaissance. And so that's really, the most obvious sign of his making a fundamental revolution in ideas. And so he attacks philosophy because philosophy at that time was Aristotelian.

And Tocqueville just dismisses, omits, ignores standard liberalism because he thinks that that is the philosophy, the present philosophy, which must bear, so to speak, all the troubles and difficulties that one can assign to philosophy.

KRISTOL: But left alone leads to a kind of materialism and lack of ability to defend the freedom –

MANSFIELD: Yeah, liberal philosophy leads to the triumph of non-philosophic materialism. And so at the same time that Tocqueville enlivens liberalism, he sort of wants to revive philosophy and make philosophy understand and cooperate with democratic principle.

KRISTOL: So he accepts Machiavelli's revolution, but corrects it or –

MANSFIELD: Corrects it.

KRISTOL: From a point of view, from beyond Machiavelli, one might say.

MANSFIELD: Yeah, from the unintended consequence of Machiavelli, that Machiavelli didn't see.

KRISTOL: And Tocqueville therefore has to have some vision, I mean, some understanding that's not simply derived from Machiavelli.

MANSFIELD: No, that's right.

KRISTOL: That goes back before Machiavelli, I suppose.

MANSFIELD: It's been said, I think correctly that Tocqueville is Aristotle's modern representative.

KRISTOL: High praise. And a good note to end on. Thank you so much for explaining Tocqueville so much, I won't say so much more clearly than he explains himself, but he's a wonderfully clear writer in so many ways. But his great clarity, of course, disguises in some ways, the fantastic brilliance of the exposition, and disguises the underlying depth of thought in Tocqueville, which you have brought out. So thank you, Harvey Mansfield for being with me today.

MANSFIELD: My pleasure.

KRISTOL: And thank you for joining us on CONVERSATIONS.

[END]