

Interpretation

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Interpretation

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Civil Religion in Tocqueville's *Democracy in America*

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As it has been for at least three decades, Alexis de Tocqueville's *Democracy in America* continues to be read in undergraduate college courses in American history and American studies, political science, sociology and social philosophy. The book retains an amazing freshness and insightfulness; in reading it we are helped to gain some perspective on ourselves, to see how America is the arena in which modernity works itself out, as Joseph Cropsey has written. Modernity means here, more or less, liberal democracy, Tocqueville's theme. He is its describer, analyst, and to some extent even its counselor.

The watchwords of liberal democracy, the values on which it prides itself, are freedom and equality. What Tocqueville reveals is that while on a certain level of abstraction these two values are as two sides of a coin, on a practical level there is tension between them. Democracy means, primarily, equality, but it may in practice fail to be an equality in freedom. Tocqueville makes us see that with democracy comes an inevitable atomization of society, such that isolated and spiritually impoverished individuals may likely submit without struggle to a tyranny of the majority. He frightens us with his description of this new tyranny as being milder, subtler and more pervasive and complete than cruder tyrannies of past ages. Thus far, Tocqueville is in agreement with his now even more renowned contemporary, John Stuart Mill. The high and warm regard Mill and Tocqueville had for one another is due to their both being partisans of freedom and their mutual sense that it is threatened in modern society despite that society's pretenses. Nevertheless, Mill and Tocqueville did have an important disagreement. Mill took Tocqueville to task for restricting his argument by concentrating on majority tyranny or democratic tyranny. Mill saw this as but one, perhaps especially insidious, form of tyranny; his solution was to call for the protection and strengthening of the individual against all forms of repression, whether official or unofficial, democratic or otherwise. Tocqueville, however, shows in his book how individualism itself can become petty. In a way that distinguishes it from other sorts of tyranny, democracy co-opts individualism; it encourages individualism with the proviso that it remain isolated and therefore reduces it to a self-congratulatory idiosyncrasy. Society exhibits only

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something like Brownian motion, or the random neuron firings of a being who sleeps.

This is a chilling reflection. Woe to the generation that is incapable of being moved to sadness and fear by Tocqueville's exposé of democratic individualism. On the other hand, it is not Tocqueville's aim simply to encourage us to feel deep with anxiety. *Democracy in America* purports, at least, to be something more than an early or even original version of *The Lonely Crowd*. Tocqueville takes politics seriously. The democracy of the future is to some significant extent open as regards the prospects for freedom, and there are decisions and actions at the level of regime politics that will determine those prospects. Tocqueville is hardly reticent in declaring that he presents a "new political science for a world quite new." If we or our students are at first charmed by the way Tocqueville can hold a starkly revealing mirror to liberal democracy, then we ought to take seriously the possibility that he may also offer us some useful instruction.

Tocqueville's account of democracy in America begins with a description of the physical conditions of the North American continent. In sum, these conditions are boundless, rich and practically empty, a brand new field for the expense of human energies. This description is put first, presumably, because for us to understand the specific relevance or transportability of all that follows, we will have to bear in mind just how everything that works to preserve freedom in American democracy depends upon those unique and extraordinary conditions. To whatever extent Tocqueville's account of democracy in America is recommendatory, there is nothing in it that is intended for slavish imitation.

Then, in the second chapter, Tocqueville begins to describe the initial white settlers. Here, in his description of the New England Puritan settlements, he says that we should find "the germ of all that follows" (Alexis de Tocqueville, *Democracy in America*, ed. J.P. Moyer and Max Lerner, trans. George Lawrence [New York: Harper and Row, 1966], p. 26. All page references are to this edition.) The Puritans "tore themselves away from home comforts in obedience to a purely intellectual craving; in facing the inevitable sufferings of exile they hoped for the triumph of *an idea*" (p. 30). That idea, to be sure, was not that of republican government. Rather, the New England fathers wanted to construct a city on a hill that would stand as a model community for Christians to emulate. Puritanism itself was both their religious and their social-political doctrine. Their public-spirited dedication to their idea is measured in the extremely harsh criminal code, which they simply took from Exodus, Leviticus and Deuteronomy. Tocqueville elicits our wonder at how the Puritans adopted the legislation of "a rough and half-civilized people" (p. 35) with both enthusiasm and stern seriousness.

Nothing is more peculiar or more instructive than the legislation of this time. .

The Connecticut lawgivers turned their attention first to the criminal code and in

composing it, conceived the strange idea of borrowing their provision from the text of holy writ: "If any man after legal conviction shall have or worship any other God but the Lord God, he shall be put to death." (pp. 34–35)

The passage is followed by laws that impose terrible penalties for what seem to a modern reader to be relatively light offenses; but the content of these laws is only incidentally important for Tocqueville. His main concern is to show that "these ridiculous and tyrannical laws were voted by the free agreement of all interested parties themselves" (p. 36). These were free men. Moreover, "Alongside this criminal code so strongly marked by narrow sectarian spirit and all the religious passions, . . . was a body of political law, which, though two hundred years ago, still seems far in advance of the spirit of freedom in our own age" (p. 36).

Political freedom stands side by side with ridiculous and tyrannical civil legislation, and the two things drew nourishment from each other. The harshness of their laws was an expression of these men's religious zeal, and it was that very zeal that fired their spirit and made them free.

Clearly they had a higher and more comprehensive conception of the duties of society toward its members than had the lawgivers of Europe at that time, and they had imposed obligations upon it which were still shirked elsewhere. (p. 38)

All the general principles on which modern constitutions rest, principles which most Europeans in the seventeenth century scarcely understood and whose dominance in Great Britain was then far from complete, are recognized and given authority by the laws of New England; the participation of the people in public affairs, the free voting of taxes, the responsibility of government officials, individual freedom, and trial by jury—all these things were established without question and with practical effect. (pp. 36–37)

Passages such as these serve to establish rather clearly the fundamental debt Tocqueville owes to Rousseau. The freedom Tocqueville is here describing and praising is decidedly not a freedom of an individual to do as he pleases within the limits of the law. It is not freedom retained under mild authority. Rather, it is such freedom as consists in obedience to self-made law. What we see alive and well in Puritan New England is the general will, and everyone is an eager participant.

Once we grasp the distinctive character of the essentially Rousseauian idea of freedom that Tocqueville describes as the "germ" of what follows, we are in a position to understand the general outline of his work. His overall aim is to show how the general will, having been thus planted in America, can grow and continue to function under the conditions that pertain to a large nation among the community of other nations in the modern world. Put another way, Tocqueville intends to provide a practically useful elaboration of the teaching of *The Social Contract*, using America as a special but informative case in point. Tocqueville appears to accept Rousseau's fundamental critique of liberalism, which

may be stated as liberalism's failure to legitimize the full subjection of the individual to the terms of the social contract. As Rousseau states it, so long as the individual is allowed to continue to be final judge over some matters (i.e., his own natural rights), he will soon attempt to be judge over all. Because the social contract as understood by classical liberal theorists allowed individuals to retain their natural rights against government as a condition for the legitimacy of their submission to government, the social contract always teetered precariously at the edge of anarchy. In fact, social order depended on a kind of compromise between anarchy and the despotism that kept anarchy at bay. This was the despotism that Mill feared; but because he accepted the fundamental dichotomy of the individual versus the state which traditional liberalism had taught, Mill was unable to overcome the problem of that despotism. He could not understand civil society except as essentially a repression of individual freedom. Tocqueville's New England Puritans do not experience it that way. Their social contract involves them fully; to it they have "abandoned every last one of their natural rights," to use Rousseau's language. Their civil legislation shows them to be almost denatured or "renatured" by the power of their "idea." Tocqueville's problem is rather precisely that the social contract's being so comprehensive depends on an extreme artificiality. The conditions under which men can dedicate themselves effectively to this violence against their own natures are very precarious and quite temporary. What we will be looking for in Tocqueville's America is how the spirit of freedom planted in Puritan New England survives when the distinctive content of the idea to which that spirit was devoted has evaporated.

Why, though, are the conditions of Puritan New England so precarious and temporary? The answer is, ironically, that they are destroyed by a decrepit and vicious version of the very spirit of freedom for which Tocqueville praises the Puritans. In truth, this spirit of freedom is but one manifestation of something more ambiguous, for which Tocqueville employs the phrase "love of equality." In a justly famous passage, he describes the love of equality as containing the fundamental, moral alternatives of his work.

There is indeed a manly and legitimate passion for equality which rouses in all men a desire to be strong and respected. This passion tends to elevate the little man to the rank of the great. But the human heart also nourishes a debased taste for equality, which leads the weak to want to drag the strong down to their level and which induces men to prefer equality in servitude to inequality in freedom. (p. 49)

The manly and legitimate form of the love of equality would appear possible only in a small society where citizens can express it actively through participation in self-government. Men can realistically aspire to public recognition, even distinction, in a community that knows it shares the most important things in common and so can afford such recognition without jealousy. Where there is no such genuine moral community, where the citizens do not feel any common

life or project, then only the superficial, dead-level equality of material attainment and social standing is tolerated. A small compass and a high degree of moral homogeneity are, then, the artificial limits within which the love of equality can act nobly. But the love of equality itself is innocent of an understanding of those limits and so can hardly help violating them. Its own instinct is that all men should live by one law, and it will tend to impose the rule of its own law as far as the collective strength of the community can take it. Indeed, the picture of the world all broken up into a myriad of little regimes is unrealistic just because it offends so powerfully the love of equality. Such barbarism, however romanticized, will be dismissed as irrelevant by anyone who understands how the love of equality is directing history towards democratic civilization.

On a general level, we may say that Tocqueville studies America to see what particular mode of expression the general will takes in this vast new world. More specifically, he wants to see whether and how the general will can remain active and healthy when it is stretched out, so to speak, across a continental expanse. He finds that the general will is active and healthy in America, and the complex of reasons contain, presumably, grounds for hope. Part of America's success is traceable to her federal constitution and multilayered political institutions and, relatedly, her system of decentralized administration. This, incidentally, had been the direction of Rousseau's thought, too, as illustrated by his inconclusive discussion of federalism in Book III of *The Social Contract*. The bulk of Tocqueville's discussion in the first part of Volume I of *Democracy in America* can be taken as further reflection along the same lines Rousseau had taken up. Here it is possible to state only the conclusions of that discussion. First, Tocqueville's admiration for these American political institutions is genuine and strong. They evince a real genius for politics among the Americans. Moreover, if democracy is not to succumb to its baser instinct, some variation on the themes of federalism and decentralization will probably be indispensable for any modern nation. Second, admirable as they are, American institutions are not transportable to other nations. America's physical circumstances, relatively sparse population, and, most importantly, her security from foreign threat are advantages that allow the luxury of a degree of political decentralization that European nations cannot afford. Finally, important as they are, America's political institutions do not tell the whole story of her success. They work because they are consonant with social institutions and cultural mores which Tocqueville must go on to describe in the latter part of Volume I and in Volume II.

Decentralized administrative and governmental institutions are appropriate structures for a people like the Americans who have a penchant for doing for themselves in casual and voluntary cooperation with others. In fact, Americans learn how to cooperate because the advantages of cooperation are brought home to them on the level of their self-interest. Americans form committees

and groups for all sorts of purposes, economic and social as well as political. Tocqueville makes us see the ingenuity in all this, for what the Americans have done is to take a genuine defect of democracy, namely “individualism,” and transform it, or an aspect of it, into a virtue. The argument is almost summarized by the title of one of the chapters of the second volume, “How the Americans Combat Individualism by the Doctrine of Self-Interest Rightly Understood.” With respect to this point, as with respect to the argument about decentralization, Tocqueville’s admiration for America is genuine and invites imitation. It is a certainty that other modern nations will have to rely on something like the American example of the way to set men free from the “prison of their own hearts” as democracy grinds down the more traditional structures of authority and prerogative that once tied men together through duty.

There are, however, reasons why we cannot accept “self-interest” as the core and kernel of the solution Tocqueville intimates to the problem of democratic individualism. The formula, we note, is “self-interest *rightly understood*”; therefore, what are the causes or conditions whereby Americans do understand their self-interest rightly? Calculation of self-interest may not always lead men to a better understanding of the mutual advantages of cooperation and their obligations to one another. Sometimes men conceive their self-interest in opposition to others; democratic citizens may likely do so in a petty and shortsighted vein. The combination of egalitarian idolatry and mutual jealousy and fear simply does not trouble Americans as much as it may trouble other democratic peoples. Their very conception of “self”—the mode of their pursuit of self-interest—is healthy. Since self-interest is ambiguous regarding such health, however, we are bidden to consider still more carefully what accounts for the American success and how far their example can be instructive.

It seems pretty clear that the specifically American version of “self-interest rightly understood” is dependent upon two outstandingly important and unique circumstances that Tocqueville calls to mind again and again. First, there is the sheer vastness and openness of the continent. It is an open field for individual endeavor. Quite literally, any able-bodied person can strike out into the wilderness and make his fortune without disadvantaging anyone else. The condition which according to Locke makes private acquisition legitimate in the state of nature, namely that “enough and as good” be left for others, is so obviously pertinent to America that all men easily grant the legitimacy of each other’s acquisitions. Second, America is the one nation to have attained a democratic social condition without a revolution. Therefore, there are no memories of ancient hostilities between social classes to contend with. Wealth itself, not being the mark of a social class opposed to the sway of democracy, is less the object of jealousy. So these two conditions allow Americans to pursue their self-interest in a spirit of healthy, youthful innocence—not to say naïveté. The “right understanding” of self-interest among them is the almost automatic result of their wonderfully lucky circumstances.

The point to be emphasized here is that because the pursuit of self-interest does not run afoul of egalitarian sentiment in America, its legitimacy is granted, and not only granted but recommended with enthusiasm. Americans all believe that virtue is useful, and that by following one's own personal advantage intelligently one will be led to do good. Tocqueville says that there is nothing especially new or remarkable as far as the content of this doctrine is concerned; moreover he exhibits sublime disinterest in any discussion of the possible truth of it. He passes that off with the remark that "I do not want to follow [the Americans'] arguments in detail here, as that would lead too far from my subject" (p. 498). What is important to him is rather that the Americans have accepted this "doctrine of self-interest rightly understood" as if it were the complete and final answer to all questions of moral philosophy and intelligent living. Tocqueville's account of the Americans' unblinking acceptance of this doctrine can hardly be read without a wry smile.

The Americans, on the other hand, enjoy explaining almost every act of their lives on the principle of self-interest properly understood. It gives them pleasure to point out how an enlightened self-love continually leads them to help one another and disposes them freely to give part of their time and wealth for the good of the state. I think that in this they often do themselves less than justice, for sometimes in the United States, as elsewhere, one sees people carried away by the disinterested, spontaneous impulses natural to man. But the Americans are hardly prepared to admit that they do give way to emotions of this sort. They prefer to give credit to their philosophy rather than to themselves. (p. 498)

How enlightened are these hedonists, that they would deny themselves the pleasure of a truly generous deed rather than present an occasion whereby their public creed might prove doubtful!

What serves the Americans is not simply self-interest; it is the *doctrine* of self-interest, which as doctrine provides the basis for a public creed. The whole way of life in America can even be thought of as a sort of ritual through which Americans participate in that creed. Thus, towards the end of the first volume of *Democracy in America*, Tocqueville brings us back to considerations of the sort connected with the discussion of Puritan New England. Tocqueville's contemporary Americans too are animated by the concern for "an idea." To be sure, the idea is not that of the Puritan fathers, but it is still something that provides a form for the common life, or a mode of articulation for the general will. Americans pursue self-interest in such a public-spirited fashion that it almost loses its character as self-interest and exhibits instead the features of martial valor.

What the French did for sake of victory, [the Americans] are doing for the sake of economy.

An American navigator leaves Boston to go and buy tea in China. He arrives in Canton, stays a few days there, and comes back. In less than two years he has

gone around the whole globe, and only once has he seen land. Throughout a voyage of eight or ten months he has drunk brackish water and eaten salted meat; he has striven continually against the sea, disease, and boredom; but on his return he can sell tea a farthing cheaper than an English merchant can: he has attained his aim.

I cannot express my thoughts better than by saying that the Americans put something heroic into their way of trading. (p. 369)

If Americans conduct their commercial activities in a spirit of heroism and with the sense of their glorious destiny as a nation, they must presume, however vaguely, some notion of a moral structure for the universe. They must have a sense of cosmic sanction for their exploitations of nature. Put another way, self-interest rightly understood must have a religious dimension, and in the second volume of *Democracy in America* Tocqueville lays out its terms clearly and explicitly. The immediate context is a discussion of the intellectual proclivities of democratic citizens. Tocqueville tells us that, because of the equality among men and their conditions, democratic citizens tend to think in terms of broadly sweeping generalizations, reducing the particulars to the status of interchangeable elements—atoms. On the level of metaphysical speculation, the most direct result is pantheism, a dangerous doctrine which “destroys human individuality, [and] just because it destroys it, will have secret charms for men living under democracies” (p. 417). We recognize pantheism as the negative or debased side of the taste for equality operating on the level of intellectual movements. And as we expect, there is a positive side, which is illustrated by the Americans. This Tocqueville describes for us in his chapter “How Equality Suggests to the Americans the Idea of the Indefinite Perfectibility of Man.”

. . . when castes disappear and classes are brought together, when men are jumbled together and habits, customs, and laws are changing, when new facts impinge and new truths are discovered, when old conceptions vanish and new ones take their place, then the human mind imagines the possibility of an ideal but always fugitive perfection. . . .

Thus, searching always, falling, picking himself up again, often disappointed, never discouraged, he is ever striving towards that immense grandeur glimpsed indistinctly at the end of the long track humanity must follow. (pp. 419–420)

So “indefinite perfectibility” is the idea that enables and spurs indefinite progress in material well-being, and thus it is “the general and systematic conception by which a great people [the Americans!] conducts all its affairs.” It yields to democracy a vision of itself that can enlarge the heart and provide sanction and opportunity for noble exertions. Although Americans are almost wholly consumed by materialistic pursuits, Tocqueville suggests that they are neither demeaned nor dissipated, since they interpret material improvement as the sign of a greatness in human nature.

If we are to recognize “the idea of the indefinite perfectibility of man” as amounting to a civil religion for democratic Americans, it must be acknowledged that this is a thoroughly humanized religion. Can it be that, though, and still function as a religion? That is, to the extent that religion accommodates itself to mundane concerns, does it not jeopardize its power to lift man’s sights beyond them and to speak to man’s longing for immortality? With this question we are led to what I suggest is the deepest and subtlest stratum of Tocqueville’s thought. Our attention is drawn to the discussions near the end of the second part of Volume One of *Democracy in America*, where Tocqueville explains the Americans’ attitude towards religion as such and how religion serves as chief among the causes tending to maintain a democratic republic.

What is religion? Tocqueville raises the question explicitly and from a “purely human point of view.” What is the psychological necessity for faith? He answers:

The short space of sixty years can never shut in the whole of man’s imagination; the incomplete joys of this world will never satisfy his heart. Alone among all created beings, man shows a natural disgust for existence and an immense longing to exist; he scorns life and fears annihilation. These different instincts constantly drive his soul toward contemplation of the next world, and it is religion that leads him thither. Religion, therefore, is only one particular form of hope, and it is as natural to the human heart as hope itself. It is by a sort of intellectual aberration, and in a way, by doing moral violence to their own nature, that men detach themselves from religious beliefs; an invincible inclination draws them back. Incredulity is an accident; faith is the only permanent state of mankind. (p. 273)

The need to hope that the significance of our lives is not exhausted during the time that we draw breath is itself productive of faith that this is so. What is important, then, is not doctrinal rectitude nor the ability of the apologetics for the faith to pass the muster of a searching intellect. All that is necessary for faith to exist is that it be preserved against the things that would interfere with it; these are schism and indifference. Neither of these two things will be a problem, however, provided church and state be kept separate. For since there is nothing in the natural need for religion that makes dogmatic distinctness necessary, religious schism is traceable to distinct political systems investing religion with accidental features which faith does not know how to compromise. America shows by way of example how the problem of religious schism can be negated by separating political and religious authority.

When a religion seeks to found its sway only on the longing for immortality equally tormenting every human heart, it can aspire to universality; but when it comes to uniting itself with a government, it must adopt maxims which apply only to certain nations. Therefore, by allying itself with any political power, religion increases its strength over some but forfeits the hope of reigning over all. (p. 273)

Indifference, too, becomes a political problem only where religion and politics are improperly mixed. This is not to say that there is no worldly disen-

chantment with religion among Americans, for despite the naturalness of faith there will always be some fastidious sorts who deny themselves its satisfaction. Americans who deny faith in their own hearts, however, do not burden the conscience of their fellow citizens by preaching such denial. There is no reason for them to do so, except where religion is made use of by political partisans in such a way that to oppose their measures one must oppose their religion. In America that does not happen, and so the unbelievers can afford to be both kind and sensible in allowing those who profess faith to do so without embarrassment.

One sees some men lose, as from forgetfulness, the object of their dearest hopes. Carried away by an imperceptible current against which they do not have the courage to struggle but to which they yield with regret, they abandon the faith they love to follow the doubt that leads them to despair. . . . In such ages beliefs are forsaken through indifference rather than from hate; without being rejected, they fall away. The unbeliever, no longer thinking religion true, still considers it useful. Paying attention to the human side of religious beliefs, he recognizes their sway over mores and their influence over laws. He understands their power to lead men to live in peace and gently to prepare them for death. Therefore he regrets his faith after losing it, and deprived of a blessing whose value he fully appreciates, he fears to take it away from those who still have it. (pp. 275–76)

We may suppose that such persons are not entirely free from the disposition or essential sentiment of religion. To the extent that they feel nostalgia for what they lack and remain too true to themselves to adopt any palliative, they are, so to speak, religiously agnostic. And insofar as they respect and revere the more innocent faith in others, they are rather self-conscious participants in the sophistry whereby religion maintains its authority in public.

Thus, the separation of church and state, which Tocqueville so much admires in America, is valuable not because religious issues are matters of indifference to a legislator. Rather it is important as preserving the purity and civility of religion as such, considered in its own nature from “a human point of view.” Religion considered that way seems essentially sophisticated. The “official” religion in America, their version of Protestantism, reveals how men can feel themselves to be deeply religious and yet amazingly casual towards the doctrinal content of their faith which divides them into sects. At first it might appear that Tocqueville’s Americans are all too cleverly political about matters of religion. They do exhibit a rustic shrewdness which Tocqueville describes in a way that makes it border on hypocrisy. “I do not know if all Americans have faith in their religion—for who can read the secrets of the heart?—but I am sure that they think it necessary to the maintenance of republican institutions. That is not the view of one class or party among the citizens, but of the whole nation; it is found in all ranks” (p. 269). On further reflection, however, we see that this conviction of the utility of religion is itself a religious conviction. They

have the faith that by preserving a friendly, encouraging tolerance towards all religions, God will see that they deserve their freedoms.

The Americans have a sort of faith that can be called "natural," which holds that God loves an honest conscience rather than a specific understanding. Their disposition to tolerance bespeaks a trust in what one might call God's humanity. On this reflection we can understand the affinity between American Protestantism and democracy that Tocqueville said at the outset of the discussion of religion must exist. In a way quite consistent with the separation between church and state, the Americans have given their own expression to that "spirit of man [which seeks to] regulate political society and the City of God in uniform fashion" (p. 265).

Tocqueville's illustration of American Protestantism parallels exactly Rousseau's discussion of civil religion in the fourth book of *The Social Contract*; his thought is based on the same interpretation of society's requirements. The argument for separation of church and state is not based on a naive secularism and is in some respects a sham. In fact the separation of church and state is an institutional feature of the civil religion whose principal article of faith is that God loves an honest conscience. The thought that outside the church there is no salvation is anathema. Of course, when the civil religion is penetrated in this way it makes for bafflement. Apart from the somewhat question-begging admonition to tolerance, what is the content? The question has no answer. Instead we may observe that the contentlessness of the civil religion is a feature that it shares with the general will itself. Rousseau had explained that to be general, the general will can will nothing but itself. What probably happens is that in its spiritual life the general will senses its own existence but not as its own existence; therefore, it worships itself as God.

In his account of the way American Protestantism partakes of the essential sophistry of democratic life, Tocqueville is especially compelling. This is the spiritual core of all those features of democratic life that Tocqueville depicts with such remarkable and disturbing aptness. But despite the amazing staying power of Tocqueville's work, despite the continuing freshness and penetration of his insights, it has to be acknowledged that *Democracy in America* has not been altogether successful on its own terms or, that is to say, according to Tocqueville's avowed intention. It has not brought a "new science of politics to a world quite new" that would be both analytical and recommendatory. Tocqueville has not been the teacher for democratic legislators. The reason, I suggest, does not lie in the difficulty of translating Tocqueville's qualified praise of American institutions into recommendations for other democratic nations. The deeper reason is precisely that as we move beyond our fascination with Tocqueville's reading of democracy's soul and assume, as he bids, the perspective of the legislator, we transcend democracy's whole moral horizon. That is to say, we are brought to see that even at its best democracy is wrapped up in a sophistry that penetrates its spiritual life; and this recognition releases us

from even the noblest of democracy's aspirations. To this it might be rejoined that this is nothing new. The wise have always understood and even taught that their deepest satisfactions cannot be found within the terms of political life however structured, and so they have always looked down towards politics with a genuine but dutiful interest. This rejoinder, however, is not specific enough to explain the fate of Tocqueville's "new science of politics."

The problem is that Tocqueville's "new science of politics" presumes a disjunction between the perspective of the legislator and that of the ordinary citizen who will live within the legislator's artifices. But this presumption takes no account of how contemporary life is penetrated by philosophy and the corresponding politicization of philosophy. Despite its shrewdness, one obvious deficiency of Tocqueville's work is that his Americans are philosophically naive, almost innocent. Their love of equality has not become the philosopher's intractable demand for a universal and homogeneous society. Tocqueville stands to one side of the movement in modern thought that leads from Rousseau, through Kant and Hegel, to Marx. More than Rousseau's other successors, Tocqueville retains a presumption of opportunity and latitude for the legislator. It is intriguing that this very fact should be responsible on one hand for the remarkable richness of Tocqueville's work and thought and on the other hand that it should measure the limited practical utility of his teaching today.