

## Introductory Lecture: GOVT 179s

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Now, if you look at the bottom of the page, you will see a discussion of what the course is about, which is very spare—not at all elaborate. As I said this is an experiment. We'll just work our way through it as we go through it. It says that members of the course will produce publishable op-ed articles on subjects of contemporary urgency to submit to newspapers. In order to do so they will first spend several weeks studying monographs on the subjects of public opinion, communication, and the purpose of government. They will also review copious examples of contemporary op-ed writing from major journals. Next, they will produce several op-ed essays, specifically to be subjected to criticism in the class—class members serving as the primary evaluators. The essays will be submitted in the context of a weekly issues forum, in which the class will criticize not only the respective submissions of class members but also the contemporaneous writings in the journals included in the required readings.

Very much of political writing ends up being allegorical in quality, if not in structure or content. By which I mean to say that the political writer writes with a kind of shorthand—the writing is evocative. By definition the space is limited; the development of arguments isn't possible in the way one would in a term or research paper. One expects to do considerable research and to bottom his writing on facts, but the reality is that one tries to convey an understanding or an image in as few words as possible. That means that one has to be skilled in drawing on people's implicit understandings, so that they can fill in the additional information to make sense out of the particular argument one may have developed in a piece of writing. That is why it comes to resemble allegorical writing to some degree. Allegorical writing to a very large extent is writing that trades in the things people already believe, the prejudices they have. It uses them as the infrastructure upon which new conceptions may be raised.

*Tale of Malvina* is interesting in that way because it is an allegory about bad government. Of course, what political writers do most of all is to talk about the critical political question, whether to change a given practice or not. That is always the question in political writing. Political writers are not like, shall we say, landscape artists. A landscape artist undertakes his work, his particular form of expression, with perhaps some relationship to what is to be represented but not necessarily a critical relationship. One does not paint a landscape for the purpose of showing how it might have been done better. Nor does one paint it necessarily to suggest that it must always be the way it is. One seeks to capture a moment and to convey that moment to some other intelligence.

Political writers do not seek to capture moments. They seek always to raise the question of whether to change not to change. That is the most fundamental political question. That is the question that raises this whole notion of better and worse—whether the given circumstance is such that it can be improved, therefore better, or whether it must be protected against change, which would therefore be worse. People often use the expression *status quo* in discussing political subjects; some people are described as defenders of the *status quo*. It would be more accurate to say that such persons are

resisting bad change, while those who propose moving off of a given position are those who seek improvement. Thus, we have those who resist deterioration and those who seek improvement representing essentially the universe of political discourse.

This tale is an allegory about how that universe of discourse unfolds—what are the respective parts within the universe of discourse. One sees in the names of the place—good folk come from a place called Pancratia. All the names of course are rather thinly veiled, either Greek or Latin terms, to suggest kinds of rule. Pancratia means universal rule—everybody in. I guess that’s supposed to be even more inclusive than democracy, which means that the many rule. In Pancratia there must not be any dissent, there must be unanimity. Then one has the other regime, visited by the young princess from Pancratia, which is called Malvolia. Malvolia is just Latin meaning ill will, and of course the whole notion of ill will constitutes a direct contrast with the idea of a common good. It is the conception of a common good that ordinarily organizes our political perceptions. We say that a given society is organized around some principle, held together by some shared beliefs, which beliefs therefore figure for them the notion of a common good. This common good is what makes a people be such and such a people. They have interests also, but their interests are not, for example, oil (in the Middle East), to pull something out of the air. That is not their interest; it is an interest, a secondary interest which may become critical insofar as it permits them to sustain that unity which otherwise defines them. If being able to perpetuate their life together somehow comes to depend upon having this oil, then the oil has a much greater importance than it would otherwise have. But it gets that importance only because they have this particular unity, this shared notion, this common good.

The notion of ill will in the tale is meant to form a contrast with good will—that which informs the species of unity we now discuss. What results is the discovery of what one must do if he had a political system in which the goal were not to produce that kind of unity but were rather to produce a certain disunity. Rather to produce unhappiness, harm rather than good. The capital of Malvolia is Lamento; everybody is lamenting in Malvolia. The entire object of policy is to block the channels of commerce, to interrupt the kinds of social intercourse that otherwise bring pleasure to people’s lives.

Once one has seen the effect on a society, one sees that this is the sort of thing he can do systematically. It doesn’t have to happen by accident. One can actually set out to accomplish this if he has certain kinds of goals in mind. The point is to show by the allegory that one must appraise social patterns and policies from the point of view of some kind of goal. That is the value of the allegory, as far as I’m concerned. If we mean to discuss this universe of political discourse, in which we have those who resist deterioration arrayed in opposition to those who propose improvements, then we must be able to look at each and ask, “What is the objective?” “What is the objective condition they hope to bring about?” When folk speak of improving or deteriorating, the question must be, with respect to what end. For it is possible that each could be correct, if they do not happen to aim at the same end.

It is a very different story if one has two persons or groups whose arguments are opposed to one another and one knows that they all share a common purpose or common goal. Then one conceives the argument to be a disagreement over the means. That takes a certain kind of analysis. But how does one know that folk share a common goal? It is first

necessary to enter into their thinking at the level at which the policies they prescribe point toward some goal. People are seldom explicit about the goals they have in mind. If one follows the statements made by President Bush concerning American policy in the Middle East in the summer and fall of 1990, one will find a very good example of inexplicitness about the goals. One will also find almost every possible objective having been cited as a possible explanation for American policy and conduct in this particular episode, extending almost all the way from “our most vital interest” (which I believe the President enunciated on the second day of the crisis) to something as innocuous, perhaps, as “defending an ally from prospective attack,” along with everything else that stands in between.

These goals are not all the same, nor is it clear that they are all compatible or would require the same exertions in order to produce one or all of them. Yet, it is clarity about the goals that allows men to establish clarity about the means. The allegory, then, shows that we can make no progress in political discourse unless we first raise the question of goals.

One discovers in the first *Federalist* paper that that particular requirement is recognized and insisted upon by Alexander Hamilton (I should say, Publius, the pen name used by the authors of these essays). There is set forth a particular objective in light of which everything else that is said in these newspaper essays has to be evaluated. The *Federalist Papers* are, in their way, the first systematic op-ed writing in the American tradition. There were, to be sure, newspaper articles before, and there were the famous Cato’s *Letters* that derived from the Glorious Revolution in England fully a hundred years before that time. There have always been political writings; before there were newspapers there were political writings in the form of tracts and, sometimes, books. All of these play the kind of role that op-ed pieces apparently play.

Still, something unusual has happened in the world since the end of the eighteenth century. That is to say, political journalism has been routinized in a fashion that makes it far less obviously a source of revolutionary inspiration than it had been for many centuries prior to that time. Partly, of course, any form of writing could be a source of revolutionary inspiration in a world in which very few people wrote or read, in which this was a very treasured possession that could be used in a variety of ways compatible with secret projects, conspiracies or what have you. But, over and above the mere fact that reading and writing wasn’t so widespread prior to the end of the eighteenth century as it had become by that time, the *Federalist Papers* lay out a project that suggests the very conception of political life to have changed. This in turn is what changed the role of journalism in political discourse. The irony is, and you have all studied history sufficiently to understand this, that there has always been political discourse. Without regard to the nature of the regime or constitution, in all history that we know, people have debated political questions in some form or other. They have had assemblies in the obvious cases such as the world of ancient Greece. But even in places such as Babylonia and ancient Egypt and others from which we have gleaned small bits, or even the ancient Incan kingdom so far as we can tell, there has always been what we might call this undertone of political deliberation even though the constitution does not necessarily demand political judgment from any other than a few people in the society.

One still sees some of the remnants of this distinction in Europe. Europe is largely

a democratic society today, in which one expects most people to have political opinions. One receives newspapers and political essays are published and distributed. Nevertheless, it remains the case that if you spend time living among them often one will discover in ordinary people a strange ambivalence about their political opinions. They do have them, but they are not exactly sure sometimes why they should count or what they should count for. Americans, on the other hand, tend to expect almost too much from their political opinions. That is, for an American to render a political judgment about something is almost instinctual. Nobody hesitates to speak out, to say what should be done in this or that political circumstance in the United States. Even if they suspect that no one else is listening, they still imagine that their opinion matters or, at least, that they should be free to express it. That is the way it is usually said; we should be free to express our opinion.

Europeans are doing that more and more, but they are still a little more circumspect about it. There is just enough of the old feudal tradition that hangs on, that sense of place people had in the older societies and that makes them to recognize that there might be someone whose job it is to have a political opinion and that it certainly is not their job. They are not supposed to intrude. These things go very deeply into patterns of behavior. .

One sees the effects of this observation in various ways throughout Europe. It points to a lingering sense of place and a shrinking from expressing judgments about political matters. Thus, the political journalism that one finds in the *Federalist* introduces a new way of conceiving the role of ordinary humanity in political life. One of the most frequently made observations about the *Federalist Papers* in our time is the expression of disbelief that these essays could have been intended for ordinary people to read. Modern commentators find them erudite, the arguments sometimes sophisticated and complex and imagine that the essays could not have been written for an eighth grade education. Accordingly, they could not have been meant for the general public, inasmuch as, in our time, we discuss everything aimed at the general public as expressed on the level of the "Simpsons" or some such thing.

In fact, the essays were meant for the general public. By and large, not universally to be sure, the general public could read and understand the essays. Most importantly, the authors envisioned a society in which the general public would be able to read and understand the *Federalist Papers*. In short, they began by aiming at the goal they wanted to arrive at. It made sense, then, to write and publish the essays in the way that they did, and to appeal to the judgment of the ordinary citizen, because the kind of Constitution they expected to come to be would be a constitution within which the ordinary citizen would be able to perform precisely those kinds of tasks.

That makes of the *Federalist Papers* in some respect a model for our work. It does not respond to the second observation I made, namely, that since that time, political journalism seems to be systematic, almost endemic, to modern culture. It is no longer, of course, the great and urgent constitutional question. Yet one observes that almost every question comes to be discussed as if it were. Consider the fate of the northern spotted owl, which became a question of political disputation and not just a question of technical disputation. That is an important question for the analysis of contemporary political discourse. One finds in the journals we read constant essays written on precisely such subjects, and they are clearly political essays, not scientific essays. Why should this be?

This represents two things at once. First, one has a broadening of the arena of politics—the kinds of subjects one expects to see decided in a political way. We will consider why that has happened, what there is about modern politics that leads to that consequence. Second, this trend represents a certain understanding about how decisions are going to be made, namely, that no matter what may be said technically about important questions, the power to make the important decisions will precisely not be made by the people who are technically competent. They will not be made by the scientists. Therefore, one will find this a political dispute over arcane, technical questions precisely because the people who are going to decide will not be the scientists.

One may find this very interesting from the point of view of a class in political journalism but deeply troubling from the point of view of the society. Is it rational? Is it any way to organize a society, to concentrate most critical decisions in the hands of people ostensibly least prepared to make them? We will pursue this question, and that is one reason for our asking what it is that government does.

Let's consider the materials in front of us. The reading from Tocqueville (vol. 1, first sec., chap. 10 on parties) goes some way to explain the questions arising from the *Malvina* tale, the questions of goals and objectives. Tocqueville defined parties with a distinction between great parties and ordinary parties. Great parties were present at the founding; they established the principle of unity. The ordinary parties do not understand the principle, but they are organized in later days when the system is underway to contest over petty interests. Put that aside for now, but do bear it in mind as we go on to discuss the "liberty of the press."

Tocqueville's next chapter is on the "liberty of the press," and its appeal to public opinion.

The influence of the liberty of the press does not affect political opinions alone, but it extends to all the opinions of men, and it modifies customs as well as laws. In another part of this work I shall attempt to determine the degree of influence which the liberty of the press has exercised upon civil society in the United States, and to point out the direction which it has given to the ideas, as well as the tone which it has imparted to the character and the feelings of the Anglo-Americans. But at present I propose simply to examine the effects produced by the liberty of the press in the political world.

So, the expression "liberty of the press" for him means not the "bill of rights," as we pay attention; it is a more copious expression really meaning all the activities associated with political expression in the press—the extent to which it is carried within the United States. One must understand it both in terms of its effect upon political opinion—which means public opinion in general—and also how it shapes ideas as distinguished from public opinion.

What public opinion is—I offer a provisional definition for now—is the product of common deliberation in the society. That means that societies come at a certain point to views about certain questions; they deliberate over these questions and arrive at some settled view. That becomes the public view, the public opinion.

Ideas, on the other hand, are the various ways in which we may conceive of the

conceptions that enter into our deliberations. In other words, ideas are more fluid, more subject to change. They form the process that ultimately leads to that product that is called public opinion.

Tocqueville has this to say. Remember, incidentally, that he writes roughly fifty years after the founding. In 1830-31 he visits the United States, publishes *Democracy in America* around 1835.

I confess that I do not entertain that firm and complete attachment to the liberty of the press, which things that are supremely good in their very nature are wont to excite in the mind.

So, he does not care about the liberty of the press itself.

I approve of it more from a recollection of the evils it prevents than from a consideration of the advantages it ensures. If anything can point out an intermediate and yet a tenable position between the complete independence and the entire subjection of the public expression of opinion, I should perhaps be inclined to adopt it.

You must remember that Tocqueville is a European aristocrat. He speaks against the background of that social background I described above. It is a social order that was brought home to me when I attempted to play basketball in France. One does not simply find a pick-up basketball game there. Everything is organized and formal. I had to join a municipal team merely in order to be able to play basketball regularly. I practiced with the youngsters from a team in a small country town, Richelieu. They asked me who I was and what I did. I explained that I was in France on a sabbatical leave, which they did not understand. They thought it was a vacation. Inquiring again what I did, I responded that I was a professor of political science. This occurred in November. We practiced until about May, and traveled around France for our games. Yet, every single week they renewed their inquiry: "What do you do?" I repeated, "I am a political scientist." Initially, I suspected my French; ultimately, however, I realized that something else was amiss. They kept asking me the question was that they did not believe me, not because they did not understand. The reason is that these were farm kids, peasants, mainly. They did not believe me, because they were aware that, if I were a political scientist I wouldn't even speak to them, let alone play with them! The gulf between social orders is still that great in that part of the world. Thus, when Tocqueville makes this comment, namely, that he would be happy to find some middle position that does not invite the universal expression of public opinion, what he really means is that it is not necessarily a good thing to encourage any and everyone to imagine that he has something to say. That is an important question. The difficulty is, then, to discover this middle ground.

If it is your intention to correct the abuses of unlicensed printing, and to restore the use of orderly language, you may in the first instance try the offender by a jury.

Then, in the lines following, he shows how complicated that becomes. For once one apprehends someone who has printed something, and holds a trial about it, he ends by publishing the offensive material to the whole world. Any who have followed the debates over NEA funded projects, such as the Mapplethorpe exhibits that were described as

obscene, will find it interesting to reflect that far more people in the United States came to know of the content of those works from the controversy than ever would have known about it otherwise—even with the government funding. The works were graphically described in countless publications, such that virtually everyone ended by having the Mapplethorpe experience, whether they wished it or no.

Tocqueville maintained, then, that one must be careful what one decides to prosecute, and how, for one might otherwise defeat his purpose in the process. That takes it beyond the first phase of the discussion of the liberty of the press. Tocqueville does not argue in its behalf because he is simply a blind advocate of liberty of the press. Rather, there are certain other advantages that have surfaced in the United States and which deserve our attention. At page 206:

But in a country in which the doctrine of the sovereignty of the people ostensibly prevails, the censorship is not only dangerous, but it is absurd.

The first qualifying condition is the sovereignty of the people, the very thing that the old order, of course, never would admit.

When the right of every citizen to cooperate in the government of society is acknowledged, every citizen must be presumed to possess the power of discriminating between the different opinions of his contemporaries, and of appreciating the different facts from which inferences may be drawn.

That is a terribly important sentence. “Every citizen must be presumed intelligent” is what that means. Is it clear why this is so? In order to have the sovereignty of the people, in order to have mass democracy, one must presume every citizen to be intelligent. The whole constitution makes an argument not just about human nature in the abstract, but about the abilities of all of us. That is what Tocqueville means: democracy is not justifiable; it is not defensible as a way of life without that presumption. Therefore, citizens must be free to express their opinions and to deliberate in such a way as to permit them to develop intelligent opinions.

The sovereignty of the people, and the liberty of the press, may therefore be looked upon as correlative institutions. Just as the censorship of the press and universal suffrage are two things which are irreconcilably opposed.

His argument maintains that folk have a constitutional mandate—that does not mean mere positive law—that it is written in the constitution and therefore must be done. It means that folk have a constitution that they can keep only if they do certain things. It is a functional requirement. For whatever reason, having a constitution based on sovereignty of the people, based on universal suffrage, one of the things that must follow is liberty of the press. One of the things the liberty of the press will do is to structure public opinion. That is the reality to be dealt with; that is where politics will unfold. An intelligent understanding of this means understanding how politics arises within that particular context.

Tocqueville cites an article, during the Administration of Andrew Jackson and which describes the President.

In all this affair the language of Jackson has been that of a heartless despot, solely occupied with the preservation of his own authority. Ambition is his crime, and it

will be his punishment too. Intrigue is his native element, and intrigue will confound his tricks and will deprive him of his power. He governs by means of corruption, and his immoral practices will redound to his shame and confusion. His conduct in the political arena has been of a shameless and lawless gamester. He succeeded at the time, but the hour of retribution approaches, and he will be obliged to disgorge his winnings, to throw aside his false dice, and to end his days in some retirement where he may curse his madness at his leisure. For repentance is a virtue of which his heart is likely to remain forever unacquainted.

Pretty pungent political commentary, that! We do not often see that in our own time, and one of the questions we must ask is why American political writing changed in that way over the last 150 years. We find the equivalent of that kind of speech today only in such exchanges as those between President George Bush and Sadaam Hussein.

It is not uncommonly imagined in France that the virulence of the press originates in the uncertain social condition and the political excitement and the general sense of consequent evil which prevail in that country, and it is therefore supposed that as soon as society has resumed a certain degree of composure, the press will abandon its present vehemence. I am inclined to think that the above causes explain the reason of the extraordinary ascendancy it has acquired over the nation, but they do not exercise much influence upon the tone of its language. The periodical press appears to me to be actuated by passions and propensities independent of the circumstances in which it is placed.

Independent of the circumstances! Now, what are those? Tocqueville looked to America to identify those circumstances, because he thought that America showed what the future in France (and everywhere else) would be. That is what he declared at the opening of *Democracy in America*, namely, that this is a providential development, the spread of equality which reached its fruition in the United States. Ultimately, he claimed, equality will engulf the globe, very much in the manner of contemporary twentieth century discussions of the “end of history.” Therefore, there are consequences that one can perhaps observe, in 1830 in the United States, before they come to the rest of the world. That seems to be the reason Tocqueville wrote his book. He was not just some scholar interested in America, but rather he was above all a patriotic Frenchman in an era of endless French revolutions seeking to point some out of the instability and turmoil in France.

He goes on then to describe the power of the press as great thing in the United States, relying upon the sovereignty of the people. Having said that much, Tocqueville was then able to speak precisely of what happens in the United States. At page 209 he contrasted a French journal, that has much news and interesting arts tidbits, with an American newspaper, in which,

three-quarters of the enormous sheet which is set before the reader are filled with advertisements, and the remainder is frequently occupied by political intelligence or trivial anecdotes. It is only from time to time that finds a corner devoted to passionate discussion like those with which the journalists of France are wont to indulge their readers.

It is fairly obvious why that happens: the journalists in France write to a fairly narrow audience in the 1830s. They constitute an intelligentsia who speak to one another, and who can spend long hours spinning out theories of aesthetic sensibility. Democratic journalists do not do that; they do not write for an intelligentsia. They write for ordinary folk, and they also do a lot of advertising (for reasons Tocqueville explains but which do not need to detain us).

Now, consider at page 211, a more particular account:

In America there is a scarcely a hamlet which has not its own newspaper. It may readily be imagined that neither discipline nor unity of design can be communicated to so multifarious a host, and each one is consequently led to fight under his own standards.

That is, newspapers are very rare in France. They appeared everywhere in the United States. That is the first observation. It is still true today. Television stations are very rare in Europe, comparatively, whereas they proliferate throughout the United States. It is a continuing influence of the differences in the societies. Tocqueville commented that would lead one to imagine that not much unity or discipline would be possible; for where one has that extraordinary multiplicity of vehicles of expression, one would expect enormous diversity.

All the political journals of the United States are indeed arrayed on the side of the Administration or against it. But they attack and defend it in a thousand different ways; they cannot succeed in forming those great kinds of opinions which overwhelm the most solid obstacles. This division of the influence of the press produces a variety of other consequences which are scarcely less remarkable. The facility with which journals can be established induces a multitude of individuals to take a part in them.

I have always wondered why we have college newspapers, by the way! They do not do that in most other places. They have begun to do so somewhat in recent years, but that is an obvious example of the influence of the United States on those foreign countries. American colleges and universities, on the other hand, have for a long time always seemed to have to produce newspapers. It is not clear why. After all, they are usually rather small; and even when not small, as in great multiversities like the University of Wisconsin, the various schools and colleges are small enough to facilitate communicate among persons. Nevertheless, the newspaper is so rooted in the political and cultural traditions of the society, that wherever one assembles Americans in numbers more than just a handful for periods of time more than just a few days, they seem to create newspapers. This is the dynamic Tocqueville describes.

The facility with which journals can be established induces a multitude of individuals to take a part in them. But as the extent of competition precludes the possibility of considerable profit, the most distinguished classes of society are rarely led to engage in these undertakings. But such is the number of the public press, that even if they were the source of wealth, writers of ability could not be found to direct them all.

Tocqueville returns to the presumption of intelligence and universal suffrage, but now we

see that the more people one involves in public expression, the greater number, the more certain it is that the level of intelligence guiding it will fall. This is a straightforward equation, nothing fancy.

The journalists of the United States are usually placed in a very humble position, with a scanty education and a vulgar turn of mind.

Remember, “every hamlet has its newspaper.” This is not prejudice against the United States. If there are these millions of people, living in thousands of little communities since America is very greatly decentralized, and their mobility sponsors ceaseless change, they are greatly disbursed, there is not much density of population, and every single of these communities has a newspaper, a consequence will be that the people who publish their sentiments to the world will be people of “slight education and a vulgar turn of mind.”

The rule of the majority is the most general of laws, and it establishes certain habits which form the characteristics of each peculiar class of society. Thus it dictates the etiquette practiced at courts and the etiquette of the bar. Characteristics of French journalists consist in a violent, but frequently an eloquent and lofty manner of discussing the politics of the day, and the exceptions to this habitual practice are only occasional.

That reminds me that, when giving a paper in France recently, with mainly professors from France, Brussels, Canada, and the Caribbean around the table, the first question I was asked seemed rather odd. I studied with a famous professor in the United States, Leo Strauss. Recently they have discovered his writings in France, and there is a big debate concerning his influence. The first question I was asked, after delivering my paper on “equality and rights,” was “Is it not true that students of Leo Strauss are anti-human rights?” That was the literal form of the question, and it was such a question as I had never heard posed in that way before. Its import was not immediately clear, but in some sense what I finally understood to underlie the question is what Tocqueville has described for us. The French tend to pose questions not in the immediate terms of personal understanding or commitment, but in terms of broad universal principles and abstractions. I was a student of Leo Strauss, and thus it seemed to appropriate to ask me whether it were so that all such students were anti-human rights. I am less certain how lofty the question was than it was certain eloquent enough to give me pause, to consider the manner of people I was dealing with.

The characteristics of the American journalist consist in an open and coarse appeal to the passions of the populace. He habitually abandons the principles of political science, to assail the characters of individuals, to track them into private life and disclose all their weaknesses and errors.

In other words, had I been asking the question, and the other chap had given the paper, I would presumably have asked, “Are you anti-human rights?”

Nothing can be more deplorable than this abuse of the powers of thought. I shall have occasion to point out hereafter the influence of the newspapers upon the tastes and the morality of the American people, but my present subject concerns exclusively the political world.

The personal opinions of the editors have no kind of weight in the eyes of the public. The only use of a journal is that it imparts knowledge of certain facts. It is only by altering or distorting those facts that a journalist can contribute to the support of his own views.

In the United States the democracy [the general standard of public opinion] perpetually raises fresh individuals to the conduct of public affairs [constant turmoil, turnover; too many people involved], and the measures of administration are consequently seldom regulated by the strict rules of consistency or of order [There is no political science to speak of]. But the general principles of the government are more stable, and the opinions prevalent in society are generally more durable than in many other countries.

Now this presents what for Tocqueville is the paradox: a vast proliferation and diversification of organs of opinion, with an attendant lowering of the abilities of those who are charged with the responsibility to carry on this activity. Out of this comes less system, less reason or science one might say, in the administration of common life, and yet, more stable government, with opinions once established being more durable than they are in most other societies.

Tocqueville attributes this specifically to the constitution of the United States and describes why it happens.

In countries where all the theories of social science have been contested in their turn, the citizens who have adopted one of them stick to it not so much as they are assured of its excellence as because they are not convinced of the superiority of any other.

In a skeptical world, people settle on one course because they have been made uncertain about what is a solid foundation of understanding.

In the present age men are not very ready to die in defense of their opinions, but they are rarely inclined to change them. There are fewer martyrs, and there are fewer apostates. Another still more valid reason may be adduced. When no abstract opinions are looked upon as certain [and the Americans, per Tocqueville, look upon none as certain], men cling to the mere propensities and external interests of their positions, which are naturally more tangible and more permanent than any opinions in the world.

It is not a question of easy solution whether the aristocracy or the democracy is most fit to govern a country.

By aristocracy Tocqueville means the few talented, wellborn; democracy, the many.

But it is certain that democracy annoys one part of the community, and that aristocracy oppresses another part. When the question is reduced to the simple expression of the struggle between poverty and wealth, the tendency of each side of the dispute becomes perfectly evident without further controversy.

In light of this Tocqueville went on to declare the victory of the majority in America. That later led him to discuss what he calls the effects of the “unlimited power of the majority,” which he described not as an actual tyranny but as a potential tyranny of

the majority. At page 309, he reasoned,

It is in the examination of the display of public opinion in the United States that we clearly perceive how far the power of the majority surpasses all the powers with which we are acquainted in Europe.

The relevant question is, how do we get from fractured opinion, from a diversity of sources, not very intelligent people, to a public opinion that is more powerful than any European prince ever enjoyed. Tocqueville showed that what happens in the United States is that the standard of acceptable conduct and belief comes to be established through this broad expression of opinion, such that people, while being very adventurous within the limits of what is permitted, rarely go beyond established opinion, since all power and prestige ultimately in the society depends upon the opinion of the majority. Therefore, the ordinary soul becomes in some sense a slave to majority opinion. That next provides a power over the minds and souls of people that exceeds anything that ancient despots ever hoped to accomplish. At page 311, he says precisely that:

The democratic republics of the present day have rendered it as entirely an affair of the mind as that will which it is intended to coerce. Under the absolute sway of an individual despot, the body was attacked in order to subdue the soul, and the soul escaped the blows which were directed against and rose superior to the attempt. Such is not the course adopted by tyranny in democratic republics. There the body is left free, and the soul is enslaved.

That is, no one wants to stand out in a democratic society. No one wants to be recognized as holding an opinion that differs markedly from the commonly accepted opinions in the society. Therefore a certain standardization ultimately begins to take place, as a consequence not of some despot in control ordering it, but from the mere dynamics of universal suffrage itself, of the sovereignty of the people.

That is Tocqueville's argument. What it does is to raise a very serious question about what I called the project of the *The Federalist Papers*. Did it produce a society of individuals who could read *The Federalist Papers* with understanding? Or, did it produce a society of individuals who neither could read nor needed to read, because even if they did read they would not dare to express themselves differently than everyone else seemed to express himself? That is the question raised by Tocqueville. At page 312 he again contrasted America with Europe, with respect to the question of literary genius. He held that there had been no great writers in America.

If great writers have not at present existed in America, the reason is very simple, given these facts. There can be no literary genius without freedom of opinion, and freedom of opinion does not exist in America.

Remember, liberty of the press does exist in America, and we have read at great length of its advantages. Still, Tocqueville denies that freedom of opinion exists in America. Liberty of the press does not convey freedom of opinion, because the tendency towards the mean, the pressure to conform in one's opinion, constrains one sufficiently that freedom of opinion disappears.

The inquisition has never been able to prevent a vast number of anti-religious books from circulating in Spain. The empire of the majority succeeds much better

in the United States, since it actually removes the wish of publishing them. Unbelievers are to be met with in America, but to say the truth, there is no public organ of infidelity. Attempts have been made by some governments to protect the morality of nations by prohibiting licentious books. In the United States no one is punished for this sort of work, but no one is induced to write them; not because all of the citizens are immaculate in their manners, but because a majority of the community is decent and orderly.

What he has described is the process whereby Americans communicate to one another the acceptable standards of democratic conduct. Living within those acceptable standards causes a certain uniformity of opinion. That uniformity of opinion, then, narrows the range of possible moral and political accomplishments.

This was 1830, as I indicated. The balance remains of value for further reading. Again, this was only fifty years after the *Federalist* held forth the notion of the people able to make that important, rational judgment that is described in the first essay, in the following words:

It has been frequently remarked that it seems to have been reserved to the people of this country, by their conduct and example to decide the important question, whether societies of men are really capable or not, of establishing good government from reflection and choice, or whether they are forever destined to depend, for their political constitutions, on accident and force.

(END OF TAPE]