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# Illuminating or Blinding? An Examination of Tocqueville's Conceptions of Liberty and Equality

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# Illuminating or Blinding? An Examination of Tocqueville's Conceptions of Liberty and Equality

## **Abstract**

Alexis de Tocqueville's *Democracy in America* has served for centuries as one of the foundational works on American government. This in turn has led to many readers accepting the prescriptive statements made about democratic governments. This paper seeks to examine *Democracy in America* to develop a precise understanding of Tocqueville's definitions of liberty and equality. Upon arriving at a definition, this paper will then examine democracies past and present in order to determine whether or not Tocqueville's definitions are the most desirable for a modern democracy.

## **Keywords**

Tocqueville, Liberty, Equality

## **Disciplines**

Political Science

## **Comments**

POL 467 - Political Science Honors Thesis

**Illuminating or Blinding? An Examination of Tocqueville's Conceptions  
of Liberty and Equality**

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A Proposal Submitted for Honors in Political Science

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Approved: \_\_\_\_\_ Donald Tannenbaum, Honors Project Director

## Introduction

Alexis de Tocqueville's inspiration for writing *Democracy in America* was to achieve an understanding about why a republican democracy succeeded in the United States when it failed in so many other places throughout history. This was especially poignant to Tocqueville and his native France which had already had one disastrous encounter with democracy during the French Revolution decades before. First published in 1835 (with a second volume in 1840), *Democracy in America* is Tocqueville's masterpiece and is his own response to the three pillars of the French Revolution: liberty, equality, and fraternity.<sup>1</sup> Seeing that those ideals had previously failed in his own country, Tocqueville journeyed to the United States to learn about what conditions would allow them to succeed.<sup>2</sup>

In 1831, under the guise of writing a report about the American Penal System with Gustave de Beaumont, Tocqueville journeyed to America to learn about American society and democracy.<sup>3</sup> He arrived in New York City in May of that year and spent approximately nine months travelling across the United States and collecting information. With a thorough examination of the historical beginnings of the United States, its current political structure, and its unique society, Tocqueville hoped to gain unique insights that would aid France as it transitioned from aristocracy to democracy.<sup>4</sup>

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<sup>1</sup> Harvey Mansfield and Debra Winthrop, "Editor's Introduction," *Democracy in America* University of Chicago Press 2002, xli.

<sup>2</sup> *Ibid.*, xxxix.

<sup>3</sup> *Ibid.*

<sup>4</sup> *Ibid.*, xl.

After finishing his research, Tocqueville (along with Gustave de Beaumont) returned to France in 1832.<sup>5</sup> Tocqueville saw his book as a guide for individuals whose governments were also shifting towards a democracy. By tracing the economic and social development of the United States, Tocqueville hoped to outline “the natural process for democratic development within the state.”<sup>6</sup>

Tocqueville’s analysis of American Democracy hinged on two crucial ideas, his concepts of liberty and equality. Tocqueville considered himself a strong proponent of liberty stating, “I am neither of the revolutionary party nor of the conservative...Liberty is my foremost passion.”<sup>7</sup> Equality was given a less exalted place. While he still saw it as beneficial for the creation of a democracy, too much was certainly a danger, “But one also finds in the human heart a depraved taste for equality, which impels the weak to want to bring the strong down to their level, and which reduces men to preferring equality in servitude to inequality in freedom.”<sup>8</sup> From this it is evident that Tocqueville defined liberty and equality as opposite poles in his spectrum of government.

This understanding of liberty and equality, while not unique, has heavily influenced the continued development of American Democracy to the point of impacting daily policy decisions in the American government. Despite Tocqueville’s brilliance as both a forerunner of the modern political scientist and as a historian, his understanding of

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<sup>5</sup> Editor’s Introduction, xl.

<sup>6</sup> Ibid., xli.

<sup>7</sup> Powell, Jim. “Alexis de Tocqueville: How People Gain Liberty and Lose it.” *The Freeman*. July, 1996, p. 520-526.

<sup>8</sup> Alexis de Tocqueville, *Democracy in America*. University of Chicago Press 2002, 52.

liberty and equality has had a strong negative effect on American Democracy. His economic understanding of liberty and equality, as outlined below, has created a limited contemporary understanding of those two concepts. In turn, this limited understanding has led to a multiplicity of policy issues which have had a strong negative impact on the American people and American Democracy as a whole. In place of Tocqueville's understanding, new definitions of liberty and equality from other areas of the liberal democratic tradition and modern economic and political research need to be internalized into all parts American society. This new understanding of the complex relationship between liberty and equality will not see them as opposite poles but rather collaborative partners. To further explore this, an in depth examination of Tocqueville's use and understanding of the terms liberty and equality will be done and compared to several other notable philosophers' definitions, including Aristotle, Immanuel Kant, John Rawls, as well as contemporary economists.

### **Aristocracy and Democracy**

For Tocqueville, liberty and equality were directly related to the type of government a given society possessed.<sup>9</sup> Aristocracy and democracy were the two forms of government most familiar to Tocqueville. Governments more based in equality were of a democratic nature while those with a tendency toward liberty had an aristocratic influence. As the child of an old aristocratic family in France, Tocqueville had clear

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<sup>9</sup> Tocqueville, 30.

access to a close view of an aristocratic government in action.<sup>10</sup> Despite, or possibly because of, this close interaction, Tocqueville found himself in the perfect position to examine the shortcomings of aristocratic government.

The word aristocracy actually comes from the Greek word *aristokratia* meaning “rule of the best.”<sup>11</sup> However, Tocqueville noted that this form of rule often limited too much of man’s equality. “I take myself back to what France was seven hundred years ago; I find it divided among a few families who possess the land and govern the inhabitants.”<sup>12</sup>

On the other side of aristocracy existed democracy, the form of the “Anglo-American social state.”<sup>13</sup> According to Tocqueville, democracy, from the Greek *demokratia* for “rule of the people,” took hold in America for several reasons.<sup>14</sup> First, after sharing in the fight for freedom against Great Britain, Americans developed a taste for “every kind of independence.”<sup>15</sup> By this he meant economic, political, spiritual, and even social independence. Second, the lack of primogeniture in the United States created more divisions of land and wealth as estates were divided among many heirs. “In the United States, its work of destruction is nearly ended. It is there that one can study its

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<sup>10</sup> Editor’s Introduction, xx.

<sup>11</sup> Lidell and Scott, “A Greek-English Lexicon.” Oxford University Press, 1935.

<sup>12</sup> Tocqueville, 4.

<sup>13</sup> Ibid., 46.

<sup>14</sup> Lidell and Scott.

<sup>15</sup> Tocqueville, 47.

principal results.”<sup>16</sup> Tocqueville believed as these divisions continued through the generations, members of society steadily grew more and more equal from a wealth standpoint.

Finally, education was a third key factor for American Democracy. “I do not think that there is a country in the world where, in proportion to population, so few ignorant and fewer learned men are found than in America.”<sup>17</sup> By this, Tocqueville meant that almost all free men possessed the opportunity for a primary education while almost none could approach a higher education.

This balance of wealth and education along with the shared influence of the American Revolution, according to Tocqueville, created the perfect set of conditions to incubate a growing democracy. The relative equality of conditions among Americans in the late 1700s gave way to the birth of the great American Democracy. “The social state of the Americans is eminently democratic...a very great equality reigned even among the emigrants who came to settle on the shores of New England.”<sup>18</sup>

The growth of equality in society, according to Tocqueville, was itself inexorable. “The gradual development of equality of conditions is therefore a providential fact, and it has the principal characteristics of one: it is universal.”<sup>19</sup> This march towards equality also served as a march towards democracy, a type of government which had not been

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<sup>16</sup>Tocqueville, 49.

<sup>17</sup> Ibid., 51.

<sup>18</sup> Ibid., 46.

<sup>19</sup> Ibid., 6.



prominently seen in Europe for millennia. Despite this fact, Tocqueville saw nothing that would prevent the rise of democracy in Europe and the rest of the world. “Does one think that after having destroyed feudalism and vanquished kings, democracy will recoil before the bourgeoisie and the rich? Will it be stopped now that it has become so strong and its adversaries so weak?”<sup>20</sup> With this change towards a more democratic government however, Tocqueville also foresaw several serious problems that could (and ultimately did) arise.

The ascension of democracy in America created an entirely new set of fears for the state’s future. Foremost among them, was Tocqueville’s concern that America could overdose on equality. “On the other hand, when citizens are all nearly equal, it becomes difficult for them to defend their independence against the aggressions of power.”<sup>21</sup>

Tocqueville saw inequality as a motivating force. To him, the upper class of the United States had all started out as poor and it was the possibility of moving beyond that that motivated them to be productive members of the state. In addition, Tocqueville harbored the fear that a democratic nation such as America could develop into a despotic government. He saw all of society as equal with a singular individual or group placed above them with an almost paternalistic power.<sup>22</sup> The ultimate effect of this is “that every day it renders the employment of free will less useful and more rare; it confines the action of the will in a smaller space and little by little steals the very use of it from each

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<sup>20</sup> Tocqueville, 6.

<sup>21</sup> Ibid., 52.

<sup>22</sup> For a strong example of this, see Plato’s *Republic*.

citizen.”<sup>23</sup> Finally, Tocqueville also feared the same tyranny of the majority that Madison described in Federalist 10 with “majority factions.” However, unlike Madison, Tocqueville did not see a simple solution for this problem. “I do not say that at the present time frequent use is made of tyranny in America, I say that no guarantee against it may be discovered.”<sup>24</sup> Rather, it was something that all democracies must struggle with in all areas of life.

Despite these concerns, Tocqueville also noticed many improvements in America that came with democracy. Chief among these was the elevated role of women. As the influence of the aristocracy faded in the United States, the paternalistic mores associated with it did as well. “In England, as in all other countries of Europe, public ill will is constantly exercised over the weaknesses of women...One does not see this same thing when equality of conditions has brought down all the imaginary or real barriers that separate man from woman.”<sup>25</sup> Nowhere does Tocqueville make this more evident than in the tradition of marriage. For Tocqueville, a marriage under an aristocracy is likely done entirely for economic reasons at the bidding of the family patriarch. Meanwhile, in democracy women are better able “to choose their husbands freely” and develop their own sound judgments of men.<sup>26</sup>

## **The Social and Economic Developments of Man**

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<sup>23</sup> Tocqueville, 663.

<sup>24</sup> Ibid., 243.

<sup>25</sup> Ibid., 568.

<sup>26</sup> Ibid., 569-570.

Women were not the only group Tocqueville saw as having benefited from greater equality. Rather, he saw it as a boon to almost all people. Early on, at the start of the Middle Ages, feudalism ruled the social state. “At that time, right of command passes from generation to generation by inheritance...only one origin of power is to be discovered – landed property.”<sup>27</sup> As society became more stable however, citizens began to save wealth and rise out of serfdom. “As soon as citizens began to own land other than by feudal tenure, and transferable wealth was recognized...[it] was creating almost as many new elements of equality among men.”<sup>28</sup> As France shook off the effects of the Dark Ages and moved towards the Enlightenment, its lowest classes grew incrementally but steadily more wealthy. With this increased wealth for the lower classes came increased economic equality and with increased economic equality came a desire for a more balanced share of political power. “As new routes for coming to power are discovered, the value of birth is seen to decline. In the eleventh century, nobility had an inestimable price; in the thirteenth it is bought.”<sup>29</sup> A few hundred years past the thirteenth century and the continuation of this trend leaves France a ripe ground for the seeds of democracy to grow.

According to Tocqueville, everything during that time period helped move society towards greater equality both economically and socially. “When one runs through the pages of our history, one finds so to speak no great events in seven hundred years that

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<sup>27</sup> Tocqueville, 4.

<sup>28</sup> Ibid., 5.

<sup>29</sup> Ibid., 4.

have not turned to the profit of equality.”<sup>30</sup> While Tocqueville mainly studied this historical trend in France, he saw it as true for all countries. “In whichever direction we cast a glance, we perceive the same revolution continuing in all the Christian universe.”<sup>31</sup> Furthermore, for Tocqueville this was stated fact and determined to occur everywhere societies existed. “The gradual development of equality of conditions is therefore a providential fact, and it has the principal characteristics of one.”<sup>32</sup> Consequently, Tocqueville was not concerned with how to create greater social and economic equality, but rather with what the consequences of that equality would be.

One clear consequence which Tocqueville claimed from the outset was that this heightened equality tolled the death of the aristocracy in France and other countries around the world. If people shared equal conditions, then a “rule of the best,” at least from an economic standpoint, was not likely to survive.<sup>33</sup> In addition, Tocqueville noted that “the first and most lively of the passions to which equality of conditions gives birth...is the love of this same equality.”<sup>34</sup> Tying back to his earlier statements, this growing love of equality in turn led to a growing love of democracy itself.

Two groups, however, were specifically noted by Tocqueville for not having developed the same love of equality, the Native Americans and black slaves. As

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<sup>30</sup>Tocqueville, 5.

<sup>31</sup> Ibid., 6.

<sup>32</sup> Ibid., 6.

<sup>33</sup> Ibid., 6.

<sup>34</sup> Ibid., 479.

Tocqueville described, “they are American without being democratic.”<sup>35</sup> While the two groups shared little in common other than their plight at the hands of European settlers, both present significant problems to the philosophical foundations of American Democracy. For Tocqueville, both groups suffered under the tyranny of the majority that Madison dismissed. “Oppression has with one blow taken from the descendants of the Africans almost all the privileges of humanity!”<sup>36</sup> This inequality, according to Tocqueville, could not last. While the slaves had little choice in the how or when of their emancipation, Tocqueville saw only two choices before the Native Americans, “destroy the Europeans or become their equals.”<sup>37</sup> He felt the European descendants’ tension with both the Native Americans and especially the black slaves would ultimately lead to violence. “If one refuses freedom to Negroes in the South, they will in the end seize it violently themselves.”<sup>38</sup>

Women again faced a similar power struggle to the Native Americans and black slaves; however they, according to Tocqueville, were far further along in their fight for equality and freedom.<sup>39</sup> As equality increased for women, so too did their liberty

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<sup>35</sup>Tocqueville, 303.

<sup>36</sup> Ibid., 304.

<sup>37</sup> Ibid., 313.

<sup>38</sup> Ibid., 348.

<sup>39</sup> Ibid., 568.

although at some unspoken point, Tocqueville believed moving further on the path toward equality would actually inhibit their liberty.<sup>40</sup>

## **Liberty and Equality**

Equality is at the heart of the race issues for Tocqueville, and at the heart of American Democracy itself. “Our contemporaries have a much more ardent and tenacious love for equality than for freedom.”<sup>41</sup> This is the result of Tocqueville’s economic understanding of both equality and liberty. Equality of condition, for Tocqueville, was based on an economic understanding of equality. Did one have the same, or similar, ability make and spend money? “Equal rights may exist of indulging in the same pleasures, of entering the same professions, of frequenting the same places; in a word, of living in the same manner and seeking wealth by the same means.”<sup>42</sup> Tocqueville then tied liberty to equality, effectively condemning it to the same economic understanding. “Although men cannot become absolutely equal without being entirely free, and consequently equality in its most extreme degree becomes confused with freedom.”<sup>43</sup> Later, Tocqueville further monetizes liberty with descriptions such as, “Men cannot enjoy political freedom unless they purchase it with sacrifices, and they never get possession of it except with many efforts.”<sup>44</sup>

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<sup>40</sup> See Section “Liberty and Equality.”

<sup>41</sup> Tocqueville, 479.

<sup>42</sup> Ibid.

<sup>43</sup> Ibid., 480.

<sup>44</sup> Ibid., 481.

This strong economic understanding of liberty and equality allows Tocqueville to paint them as opposing forces in his economic equation of democracy. Democratic peoples, according to Tocqueville, enjoy both equality and liberty but will always choose the former over the latter. “They want equality in freedom, and, if they cannot get it, they still want it in slavery. They will tolerate poverty, enslavement, barbarism, but they will not tolerate aristocracy.”<sup>45</sup> This built off Tocqueville’s aristocratic view of equality and liberty as opposite poles,

When citizens are all almost equal, it becomes difficult for them to defend their independence against the aggressions of power. As none of them is strong enough to fight alone with advantage, the only guarantee of liberty is for everyone to combine forces. But such a combination is not always in evidence.<sup>46</sup>

Ultimately, it is this narrowed perspective on the forces of liberty and equality which opens Tocqueville to criticism. By aligning the two as polar opposites, Tocqueville falls into the economist’s trap of attempting to define the world entirely in black and white. This understanding can lead to a myopic view of the world, as described below, with serious policy consequences for the modern day American Democracy.

## **Modern Liberty**

“Intellectually, I have an inclination for democratic institutions, but I am an aristocrat by instinct-that is to say, I despise and fear the mass...I have a passionate love

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<sup>45</sup> Tocqueville, 482.

<sup>46</sup> Ibid., 52.

for liberty, law, and respect for rights but not for democracy.”<sup>47</sup> Tocqueville’s understanding of liberty as a contrast to equality is true to his aristocratic heritage coming out of the horrors of the French Revolution. He so feared the masses that he defined liberty in opposition to the equality that would give the masses the power they desired. In his economic understanding, Tocqueville saw liberty as the force behind Adam Smith’s laissez faire argument for capitalism. Two contemporary thinkers also took up this understanding and placed it in a modern context, Robert Nozick and Milton Friedman.

Robert Nozick was an American libertarian philosopher best known for his book *Anarchy, State, and Utopia* (1974). In it he argues, "on an entitlement view, [production and distribution] are not...separate questions...things come into the world already attached to people having entitlements over them."<sup>48</sup> Within his entitlement theory, people must be treated as ends in themselves and all things owned (or entitled) by them fall under the same protection. Thus, it is morally wrong to tax the rich in order to provide support for social programs for the poor as a tax is a use of force against an individual which treats him or her as means to an end rather than an end in itself. “No one has a right to something whose realization requires certain uses of things and activities that other people have rights and entitlements over.”<sup>49</sup> This contemporary prescription matches perfectly with Tocqueville’s understanding of liberty. If someone is

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<sup>47</sup> Meyer, J.P. *Alexis de Tocqueville: A Biographical Study in Political Science*. Harper and Brown 1960, 13.

<sup>48</sup> Nozick, 160.

<sup>49</sup> *Ibid.*, 238.



forced to do something or prevented from doing something so that the state can help others in pursuit of equality, then the state has made the terrible mistake of sacrificing liberty for equality. Nozick even goes so far as to reject Locke's inalienable rights in favor of greater liberties such as the ability to sell one's self in a non-coercive slave contract.<sup>50</sup> This would represent the ultimate acceptance of liberty over equality, contractually giving an individual the ability to make himself or herself less than those with whom he or she entered the contract in perpetuity. It closely resembles the aristocratic disposition Tocqueville identified himself with when expressing his trust in aristocracy.

Another contemporary example of Tocqueville's values is Nobel Prize winning economist, Milton Friedman. Friedman championed the belief that in almost all cases, markets were the best and often only solution to an economic problem. In his book, *Capitalism and Freedom* (1962), he pushed the idea that economic freedom is in fact "an indispensable means towards political freedom."<sup>51</sup> Those who paid taxes were, according to Friedman, "denied personal freedoms."<sup>52</sup> Again this hearkens back directly to Tocqueville's belief that the strong and wealthy should not be involuntarily brought low in order to support the weak. Rather, the incentives of wealth and the market would in fact be enough to create a desire within the poor to become wealthy. Furthermore, with

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<sup>50</sup> "Robert Nozick" Internet Encyclopedia of Philosophy <http://www.iep.utm.edu/nozick/>.

<sup>51</sup> Friedman, 8.

<sup>52</sup> Ibid.

no limits on personal freedoms or liberty, it would simply be up to each individual's merit to gain wealth.

## **Modern Equality**

Tocqueville's aristocratic belief that too much equality is a bad thing is far from dead in contemporary times. Since equality brings the strong down for Tocqueville, inequality must have the opposite effect, encouraging the weak to rise up. Many economists today believe that inequality merely shows the material incentive for the next generation to go to college, get educated, and find a successful career. Rising income inequality is simply a reflection of "the labor market's greater emphasis on education."<sup>53</sup> The income gap shows the rising demand for people with more education, a positive development according to Gary Becker and Kevin Murphy. In fact, trying to reduce income inequality through taxes and social programs could, according to Becker and Murphy, hurt or possibly destroy American productivity.<sup>54</sup>

Richard Epstein of New York University School of Law is another who feels that income inequality has strong positives. "What's good about inequality is if, in fact, it turns out that inequality creates an incentive for people to produce and to create wealth, it's a wonderful force for innovation."<sup>55</sup> This is a contrapositive of Tocqueville's understanding that equality leads to the death of liberty as people become too content to

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<sup>53</sup> Becker, Gary and Kevin Murphy. "The Upside of Inequality." *The American*. May 2007.

<sup>54</sup> Becker and Murphy.

<sup>55</sup> Epstein, Richard. Interview with Paul Solman. "Does US Economic Inequality Have a Good Side?" PBS Newshour 2011.

defend their independence against “aggressions of power.”<sup>56</sup> In both of these statements, the clear indication is that inequality does in fact serve as a motivating force. To examine the truth of that, we will need to examine governments and economies from historical and modern perspectives to see if they fit Tocqueville’s conception of liberty and equality. Further, we will also have to examine other possible valuations of liberty and equality to examine their fit on our examples as well to see if there exists a conception of liberty and equality which best allows nations to flourish.

### **Historical Aristocracy**

Tocqueville’s aristocracy was not by necessity an evil or wrong form of government. It did not imply that the few take advantage of the many, rather just that the few controlled a majority of the land and political power. “...One conceives of a sort of reciprocal benevolence that could have been established between two classes,[serfs and nobles], sharing such different fates.”<sup>57</sup> This is very similar to Aristotle’s understanding of aristocracy which he labels as clearly separate from its corrupt form, oligarchy. A true and legitimate aristocratic government for both Tocqueville and Aristotle does in fact maintain that reciprocal benevolence between the two classes.

In Aristotle’s time, this meant the historical Athens itself. Slaves existed as did serfs and a clear lower class, but all were taken care of by the Athenian senate. Classes were divided based on wealth and ability to serve in the military. Although the poorer class, the *Thetai*, could vote, the ruling body was only open to people from the higher

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<sup>56</sup> Tocqueville, 52.

<sup>57</sup> Ibid., 8.

classes.<sup>58</sup> Despite this clear political inequality, Athens prospered and continued to prosper even after being taken over by Peisistratus in 541 B.C.<sup>59</sup> Aristotle's ideal governments, including aristocracies, were capable of allowing for such inequality as long as leaders served the good of the community.<sup>60</sup>

For Tocqueville, two clear models of his time were England and France. Both countries had faced significant rebellion against authoritarian monarchs which disseminated political power amidst the noble class with mixed results. In England, the signing of Magna Carta in 1215 was the first great compromise made by an English royal with the noble class. This ultimately led to the English Civil War from 1642-1651 and Glorious Revolution of 1688 which ended with William of Orange ascending to the throne of England upon the agreement that an English monarch cannot govern without Parliament's consent.<sup>61</sup>

This balance, though often uneasy especially in its early years, ultimately provided Tocqueville with his best example of what a strong, positive aristocracy could look like in the 18<sup>th</sup> and 19<sup>th</sup> centuries. England became the military and manufacturing capital of the world, expanding its empire both east and west. While many of its colonies were treated poorly, English citizens themselves enjoyed much better living conditions in

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<sup>58</sup> Sinclair, R. K. *Democracy and Participation in Athens*. Cambridge University Press, 1991.

<sup>59</sup> Ibid.

<sup>60</sup> Albeit, Aristotle's aristocracy was based off of virtue over inherited wealth.

<sup>61</sup> McClelland, J.S. *A History of Western Political Thought*. Routledge, 1996.

comparison to the rest of the world.<sup>62</sup> With Parliament's focus on maintaining a strong British Empire, England's rapid economic and manufacturing developments embodied the famous Reagan economic phrase, "A rising tide lifts all boats." This clear success, especially economically, of an aristocratic government was clearly something Tocqueville himself would grapple with as he compared and contrasted it with American democracy.

If England provided the shining example in Tocqueville's time of what an aristocracy could become and the United States followed suit for democracy, then France was certainly the example of the dangers of both aristocracy and democracy. France had emerged from a revolution against its monarchy and attempted to install a republic only to fall into the chaos of the Reign of Terror. Shortly after it established a true republic Napoleon took power and turned France into an Empire. With Napoleon's fall, France finally adopted a constitutional monarchy similar to England.<sup>63</sup> The Charter of 1814 provided that all men be treated equally before the law but ensured that nearly the entirety of political power would rest with the King and the "Chamber of Peers" which was an appointed aristocracy.<sup>64</sup> Although constitutionally France was still more

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<sup>62</sup> Mokyr, Joel. *The Enlightened Economy: An Economic History of Britain 1700-1850*. Yale University Press, 2009. Again, this in comparison to the rest of the world at this time. Compared to modern day, conditions were still horrible, but compared to a majority of the world, England's lowest classes were still better off in England than elsewhere.

<sup>63</sup> Cobban, A. *A History of Modern France, Vol. 2. 1799-1945*. Pelican Books, 1961.

<sup>64</sup> Charter of 1814, accessed [http://www.napoleonseries.org/research/government/legislation/c\\_charter.html](http://www.napoleonseries.org/research/government/legislation/c_charter.html).

authoritarian than its English neighbor, it operated in a similar aristocratic style.<sup>65</sup> As the monarchy again became more authoritative, the people fought back again in the July Revolution of 1830, installing Louis Philippe as King of the French, rather than King of France in an attempt to maintain a greater balance of political power between the classes. This ideal was echoed in Louis Philippe's 1831 statement, "We will attempt to remain in a *juste milieu* (the just middle), in an equal distance from the excesses of popular power and the abuses of royal power."<sup>66</sup> Even with such a noble goal in mind, the lack of consistency and continual turnover of governments left France fragmented politically and economically far behind England eventually leading to the Long Depression (1873-1890).<sup>67</sup>

As a native of France, Tocqueville witnessed this lack of effective governance and likely saw it as a consequence of pursuing equality to the detriment of liberty. "When citizens become equal, it becomes difficult for them to defend their independence against the aggressions of power."<sup>68</sup> This comes straight from the failures of the French Revolution with its *Declaration of the Rights of Man* and noble intentions that were simply left unachieved. Relentless pursuit of equality would ultimately cause societal institutions to weaken and crumble.

## **Modern Aristocracy**

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<sup>65</sup> Campbell, P., *French Electoral Systems and Elections since 1789*. Faber & Faber, 1958.

<sup>66</sup> Quoted by Guy Antonetti in *Louis-Philippe*. Librairie Arthème Fayard. 2002, p.713.

<sup>67</sup> Wright, Gordon. *France in Modern Times*. Norton, 1987.

<sup>68</sup> Tocqueville, 52.

In modern day, the closest example to a successful Tocquevillian (or Aristotelian) aristocracy is likely the United Arab Emirates located on the Arabian Peninsula. In the UAE, the Supreme Federal Council elects both the President who serves as head of state and the prime minister who serves as head of government. There are seven emirs who sit on the Supreme Federal Council with each position established as de facto hereditary.<sup>69</sup> Despite its official designation as a federation of absolute monarchies, the UAE effectively works as an aristocratic government. Each of the seven ruling families is represented by an emir and each family has a strong political voice in the governing of the country. Despite the lack of democratic political equality, the UAE ranks as the second largest Arab economy behind Saudi Arabia and ranks 41<sup>st</sup> in the world according to the Human Development Index.<sup>70</sup> Clearly, the UAE has become a very successful modern nation state, with no small amount of credit going to its government. It has taken advantage of the admittedly abundant natural resources within the country's geographic region and used them to modernize and improve the infrastructure of the UAE. That being said, there is a clear lack of freedom and an underclass of indentured servants within the UAE.<sup>71</sup> A large number of foreign immigrants are brought in every year to work menial labor for subsistent wages. The average social indicators, although high, do

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<sup>69</sup> Library of Congress, <http://lcweb2.loc.gov/frd/cs/aetoc.html>.

<sup>70</sup> "Statistics; Human Development Reports." United Nations Development Programme. 2013. This Index takes into account a variety of societal and economic statistics to determine how developed a given country is in comparison to the rest of the world. For comparison, the US ranks 3<sup>rd</sup> but other "developed countries" such as Portugal and Russia rank behind the UAE at 43<sup>rd</sup> and 55<sup>th</sup> respectively.

<sup>71</sup> "Building Towers, Cheating Workers." Human Rights Watch. 11 November 2006.

not express the great range within the country.<sup>72</sup> Although the UAE is working to establish a Human Rights Commission, the heavy presence of religion within the government and consequent lack of many individual freedoms provide for serious concerns about its continued growth and modernization.

## **Modern Democracy**

To best examine contemporary democracies which might be considered Tocquevillian, a table was constructed to mirror Tocqueville's understanding of liberty and equality. Four categories were created to be summed together to give countries a final score from 1-100 with higher Tocquevillian Democracy or TD scores equating to a democracy more in line with Tocqueville's preferred form. The four categories were economic freedom, government size and tax burden, individual freedoms, and economic inequality.<sup>73</sup> The scores from each category were averaged together to give a final composite score. In this sense, each category was a positive contributor to the final score, reflecting Tocqueville's strong desire for individual liberty, restricted government, and positive view of income inequality. The economic freedom score was calculated using the reported economic freedom numbers from the Heritage Foundation and the Cato Institute's reports on economic freedom. Government size and tax burden were calculated using the Heritage Foundation's reports on income tax burdens, corporate tax burdens, fiscal burdens, and Fraser's report on government size with the first two each

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<sup>72</sup> This is likely due to the averages being calculated rather than the medians in world economic studies. The averages for measurements such as income and wealth are skewed greatly by the oil moguls from the UAE.

<sup>73</sup> The first three categories were taken from a study done by the World Liberty Index <http://www.stateofworldliberty.org/report/methodology.html>.



given 1/6 weight and the second two each given 1/3 weight. Individual freedoms were scored using the Freedom House civil liberties average, political rights average, and the Reporters without Borders freedom of the press average. Each Freedom House report was given a 45% weight while Reporters without Borders was given a 10% weight. Finally, economic inequality was measured using the World Bank's Gini coefficient calculations as reported for each nation.<sup>74</sup>

Many contemporary democracies take on Tocqueville's understanding of liberty and equality with varying degrees of success.<sup>75</sup> Clearly, the United States serves as one such example, as its understanding of the two which was a part of Tocqueville's examination of democracy in the first place has remained largely unchanged. Other countries which serve as good comparisons for a modern Tocquevillian democracy include Botswana and Denmark. Both countries have surprising ranks within the table due to unique factors which demonstrate some possible limits for Tocqueville's valuations of liberty and equality.<sup>76</sup>

The United States, unsurprisingly, serves as the banner carrier for the Tocquevillian democracy. With a robust democracy coupled with a strong belief in capitalism, the United States is indeed the model for what Tocqueville's ideal democracy should be. It is not a democracy in which all people are equal in treatment, condition, or

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<sup>74</sup> Again, all methodology for constructing the economic freedom, government size and tax burden, and individual freedom scores comes from the World Liberty Index.

<sup>75</sup> Success in this case is measured by the TD score of each country which can be found in Table 1 in the Appendix.

<sup>76</sup> To see the complete table please see Table 1 in the Appendix.

even opportunity, but rather one in which society enhances the heights that at least some individuals can reach. “But one also finds in the human heart a depraved taste for inequality, which impels the weak to want to bring the strong down to their level...”<sup>77</sup> The United States, with its growing levels of income inequality certainly matched what Tocqueville desired from a democracy economically speaking. For Tocqueville, the inequality simply incentivizes the poor to become rich. “This passion tends to elevate the small to the rank of great.”<sup>78</sup>

Comparatively, the United States ranks third in the list of countries of the world for TD score. It rates highly due to its high liberty scores (it’s ranked no lower than 20<sup>th</sup> in any liberty/freedom category) and is not too negatively affected by its Gini coefficient score. This is in line with where the United States would be expected to land on such a table. It has preserved most personal liberties within its constitution and has a slightly above average Gini coefficient.<sup>79</sup>

Botswana serves as one of the more surprising countries to finish with a high rank. It comes in at 12<sup>th</sup> overall for TD score making it the twelfth best Toquevillian Democracy in the world. This comes despite Botswana not finishing in the top 20 in any measure of liberty. What pushes Botswana higher up the list is its high Gini coefficient of 61, 150% of the average worldwide. As discussed previously, Tocqueville sees economic

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<sup>77</sup> Tocqueville, 52.

<sup>78</sup> Ibid.

<sup>79</sup> An important note, most reports have income inequality still growing quickly in the United States meaning its ranking will likely climb in future years.

inequality as a motivator for the lower classes to work hard, save money, and ascend into the higher levels of society. While Tocqueville does caution that too much inequality does indeed negatively impact a nation, he discusses this in the context of absolute monarchies where nearly all the wealth and power is in the hands of a single person or family. No country on the list registered above a 64 for its Gini coefficient making it difficult to disqualify any country on the list as too unequal economically. Botswana serves as a desirable country in this sense because its high economic inequality serves as a great motivation for its people according to Tocqueville's understanding of economic inequality.

Equally interesting to Botswana's high rank is Denmark's relatively low rank. Denmark is ranked 31<sup>st</sup> within the table largely due to its larger government and low economic inequality. While Denmark scores very well for economic and individual freedoms ranking 11<sup>th</sup> and 2<sup>nd</sup> respectively in those categories, its Government Size and Tax Burden score ranked 94<sup>th</sup> and its Gini coefficient was recorded as the lowest of all 140 countries measured.<sup>80</sup> These two factors dropped Denmark's ranking down to 31<sup>st</sup> behind countries such as the aforementioned Botswana, South Africa, and Panama.

### **Examining the Table**

What this table provides is a view of the strengths and weaknesses of Toquevillian democracies. Promoting freedoms and liberty gives individuals the opportunity to grow and progress towards their own self-fulfillment. The question is whether or not those individuals will be able to take the opportunities before them. In a

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<sup>80</sup> Denmark's Gini coefficient score was tied with Sweden's.

true Tocquevillian democracy, everyone may have an opportunity for success but those opportunities are certainly not equal. Those from privileged backgrounds likely have a greater likelihood of achieving financial and political success. According to Tocqueville, the inequality existing in society serves as incentive for those with less to get more.

Whether or not this is actually the case is key to determining whether or not

Tocqueville's conceptions of liberty and equality should be accepted.

According to the rankings, if one accepts Tocqueville's definitions then Botswana should be considered a more desirable place to live than Denmark. Not because of the average treatment of citizens in each country but because of the opportunity to express one's liberties and be motivated to gain more wealth. If that valuation seems difficult to accept, then perhaps a different understanding of liberty and equality should be used to evaluate democracies. Thinkers such as Immanuel Kant, John Rawls, and Thomas Piketty have all expressed different ideas for how to evaluate liberty and equality within democracies.

### **Alternatives to Tocqueville**

While Tocqueville's conceptions of liberty and equality are certainly widely understood in political philosophy, they are no by means the only popular definitions of the terms used today. The previous analysis yielded an understanding for how well nation states today adhere to Tocqueville's principles. Whether or not such nation states and political theorists should subscribe to Tocqueville's definitions remains an unanswered question. To examine this question, other definitions must be taken into account,

synthesized, and ultimately analyzed in a similar manner to determine which conceptions best fit with the considerations for a successful polity.<sup>81</sup> To begin with, we will examine four prominent political thinkers: Immanuel Kant, John Stuart Mill, John Rawls, and Thomas Piketty, and their conceptions of liberty and equality to gain insight into alternative definitions.

## **Immanuel Kant**

Kant's conceptions of liberty and equality stem from his categorical imperative. Its first formulation states, "Act only according to that maxim whereby you can, at the same time, will that it should become a universal law."<sup>82</sup> All people ought to follow such maxims because it is the only way to actually preserve their own free will. For will to be considered "free" it must be capable of having causal power without being caused to do so itself. Freedom comes from the rational laws a free will gives to itself.<sup>83</sup> Equality comes as a necessary component of that rationality. Since all people ought to be treated as ends in themselves rather than means to ends, all people deserve equal treatment and consideration in the moral domain.

Similar to Tocqueville, Kant sees liberty as essential to human progress.

Thus a society in which *freedom under external laws* is connected to the highest possible degree with irresistible power, that is, a *perfectly just civil constitution*, must be the highest goal of nature for the human species,

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<sup>81</sup> Success here is taken to mean a stable polity in which people desire to live.

<sup>82</sup> Kant, Immanuel; translated by James W. Ellington [1785] (1993). *Grounding for the Metaphysics of Morals 3rd ed.* Hackett, 30.

<sup>83</sup> Ibid.

since it is only by solving and completing this task that nature can attain its other goals for humankind.<sup>84</sup>

Freedom under external laws, or liberty, is what enables the engine of human achievement. This sentiment grants liberty the same power that Tocqueville does without limiting it to economic considerations alone. Kant instead keeps the definition of liberty within the legal and moral domains.

Kant places equality under liberty in a manner similar to Tocqueville. Liberty is needed for there to be a sense of equality. However, Kant again does not define equality in an economic sense, but in a legal and moral sense. Consequently, Kant allows that, “This universal equality among human beings in the state as subjects of the same is perfectly consistent with the greatest inequality in the quantity and degree of their possessions.”<sup>85</sup> Thus, Kant allows for economic inequality like Tocqueville, but leaves it as a byproduct of human interaction rather than give it credence as a positive factor for society.

The key to Kant’s understanding is that he does not see liberty and equality as opposites like Tocqueville. Although equality is derived from the process Kant uses to preserve liberty, they are harmonious in his conceptions of political theory.

“My external (juridical) *freedom* must rather be described in this way: it is the authority to obey no external laws than those to which I have been able to give consent.—In the same way external (juridical) *equality* in a state is that relationship among citizens of a state according to which no one can place another under a legal obligation without similarly submitting himself

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<sup>84</sup> Kant, Immanuel. *Toward Perpetual Peace and Other Writings on Politics, Peace, and History*. 2006, 8.

<sup>85</sup> *Ibid.*, 46.

to a law according to which he *can* be placed under a similar obligation by the other.”<sup>86</sup>

Neither equality nor liberty in this sense are purely economic as they were for Tocqueville. Instead, they occupy a legal and moral space in conception. If an individual has a certain power over others due to the laws of the state, then every other individual must also be able to exact that power over the individual in return. This allows for the two ideas to exist together and complement each other in Kantian governments.

The task of establishing a universal and permanent peaceful life is not only a part of the theory of law within the framework of pure reason, but per se an absolute and ultimate goal. To achieve this goal, a state must become the community of a large number of people, living provided with legislative guarantees of their property rights secured by a common constitution. The supremacy of this constitution... must be derived a priori from the considerations for achievement of the absolute ideal in the most just and fair organization of people’s life under the aegis of public law.<sup>87</sup>

Arguably Kant’s biggest invention in political philosophy was the doctrine of Rechtsstaat. This doctrine declares that the power of the state must be limited in order to protect citizens from arbitrary exercising of authority by the state. Citizens within a Rechtsstaat are constitutionally guaranteed certain civil liberties and protection of property which they possess from a legal justification. This justification comes directly from Kant’s understanding of liberty and equality in a non-economic sense. Kant’s doctrine of Rechtsstaat is thus typically understood to fall under the liberal classification of political thought like Tocqueville and Locke as it places presumptive limits on the power of the state. However, by not taking up the economic tradition of Locke and

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<sup>86</sup> Kant, 74.

<sup>87</sup> “Immanuel Kant” in *History of Political Philosophy*. edited by Leo Strauss and Joseph Cropsey, University of Chicago Press, Chicago and London, 1987.

Tocqueville, Kant's ideal government does not require inequality among its citizens to ensure progress. Instead, it allows for progress by creating a system of deontological ethics which promotes human progress.

## **John Stuart Mill**

Following the tradition of his father and Jeremy Bentham, John Stuart Mill was grounded in the beliefs of utilitarianism from an early age. An unequivocal genius, Mill was raised by his father to be the ultimate defender of the utilitarian ideal. However, by the age of twenty, Mill had a mental breakdown due to the buildup of mental stress without release. Ultimately, this led Mill to his revision of utilitarianism and his understanding of both liberty and equality. Similar to Tocqueville, Mill placed liberty at the forefront of all human ideals. However, Mill differed from Tocqueville by defining liberty, not in economic terms, but in three distinct spheres: liberty of thought, liberty of tastes and pursuits, and liberty of association.

The liberty of thought for Mill, was defined as “absolute freedom of opinion and sentiment on all subjects, practical or speculative, scientific, moral, or theological.”<sup>88</sup> Mill believed this protection of all individual views fostered human growth and development. Coming from his utilitarian background, Mill saw the truth of any statement as a part of its utility. Thus, even though he preserves space for lies, those lies will ultimately only help the pursuit of truth as different views will, by necessity, force research and examination to discover the truth.

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<sup>88</sup> Mill, John Stuart. *On Liberty*. Andrews UK, 2011, 28.



Mill's second liberty, the liberty of tastes and pursuits allows for "framing the plan of our life to suit our own character; of doing as we like, subject to the consequences as may follow."<sup>89</sup> This freedom exemplifies Mill's attempt to balance the goals of the individual along with those of the society. For Mill, society is best served when each and every individual is allowed to flourish in their own right. This means granting the liberty to pursue careers and experiences to each individual to ensure they realize their highest capabilities. While Mill acknowledges that all people are not equal in their abilities, giving each the freedom to grow maximizes the potential of everyone.<sup>90</sup>

Mill's third liberty, the liberty of association allows all individuals the freedom to unite so long as members are of age, members are not forced to join, and no harm is done to others. "Mankind are greater gainers by suffering each other to live as seems good to themselves, than by compelling each to live as seems good to the rest."<sup>91</sup> Company and association are logical extensions for Mill, of the previous two liberties. Furthermore, this liberty prevents society from having an undue influence over the individual which Mill sees as something to be feared. "There is also in the world at large an increasing inclination to stretch unduly the powers of society over the individual...to strengthen

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<sup>89</sup> Mill, 29.

<sup>90</sup> Mill does make the argument that all people should have at least a basic education before potential is measured.

<sup>91</sup> Mill, 29.

society and diminish the power of the individual.”<sup>92</sup> Each of Mill’s three freedoms was designed to work harmoniously to prevent society from overreaching its authority.

Mill follows Tocqueville in the liberal democratic tradition concerning liberties but veers slightly away from him when concerned with equality. For Mill, each individual also has some right to equality. Not a perfect equality of all, but a right to not have one’s intellectual and moral development impeded. All people deserve the same opportunity for development even if they ultimately reach differing heights of success. “Unless opinions favorable to democracy and aristocracy, property and equality...are expressed with equal freedom and enforced and defended with equal talent and energy, there is no chance of both elements obtaining their due; one scale is sure to go up and the other down.”<sup>93</sup> This exemplifies Mill’s attempt to balance the goals of the collective and the individual. Mill still considers liberty and equality to be opposites of one another in an economic sense like Tocqueville, but Mill does not regard economic liberty as highly as Tocqueville. Mill’s highest liberties come without economic justification. Those liberties that do have an economic foundation must be balanced with the desire for equality within a society.

This understanding leads Mill to his ideal form of representative government, one that possesses extensive citizen participation and enlightened and competent rulers. These views again fall somewhat at odds as Mill attempts to balance the values of the individual along with those of society. However, this goal is still fairly similar to

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<sup>92</sup> Mill, 30.

<sup>93</sup> Ibid., 64.

Tocqueville's ideal democracy. All those who are able participate, and those who are elected to represent and legislate do so with consideration for the society as a whole.

Where Mill truly differs, is in the economic ties to his political system. While Tocqueville lauds the capitalism that went hand in hand with early American democracy, Mill advocates for an economic democracy, a system where worker cooperatives are in fact substituted for capitalist businesses.

The form of association, however, which if mankind continue to improve, must be expected in the end to predominate, is not that which can exist between a capitalist as chief, and work-people without a voice in the management, but the association of the labourers themselves on terms of equality, collectively owning the capital with which they carry on their operations, and working under managers elected and removable by themselves.<sup>94</sup>

This highlights Mill's great difference with Tocqueville. Mill believes that each individual needs some motivation beyond that of a wage to grow and develop. This motivation cannot be found in a capitalist system in which all motivation comes down to questions of dollars and cents. Instead, Mill provides an inherent protection built within his ideal political economy to provide enough equality to remove all (or at least most) impediments to the intellectual and moral development of individuals.

## **John Rawls**

John Rawls famously penned his magnum opus, *A Theory of Justice*, to resolve the competing claims of liberty and equality. He did not however, seek to balance the two like Mill, but rather sought to weave them together into a seamless union of

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<sup>94</sup> Mill, John Stuart. *Principles of Political Economy with some of their Applications to Social Philosophy*. Hackett, 2004, 21.

understanding which he called justice as fairness. By redefining how we see justice, Rawls sought to show that the conflict between liberty and equality was in fact an illusion. “This conflict is rooted...in differences of social and economic interests...here we are focused on how any particular way of ordering them is justified.”<sup>95</sup> Rawls goes on to describe how the competing traditions of Locke (liberty) and Rousseau (equality) have endlessly competed against each other. To show the illusory nature of this competition, Rawls goes back to what he calls, the original position. The original position is a place from which each individual can design society. However, they must do so not knowing anything about their place within society including: race, gender, age, wealth, etc. From this, Rawls extrapolates two principles of justice:

- (a) Each person has the same inalienable claim to a fully adequate scheme of equal basic liberties, which scheme is compatible with the same scheme of liberties for all; and
- (b) Social and economic inequalities are to satisfy two conditions: first, they are to be attached to offices and positions open to all under the conditions of fair equality of opportunity; and second, they are to be to the greatest benefit of the least advantaged members of society.<sup>96</sup>

In these two propositions, Rawls does include a personal property right in his basic liberties. However, it is not a natural right of self-ownership as it is for Tocqueville, Nozick, or Friedman. Instead, it is defended in terms of moral capacities and respect. The second proposition, when agreed to, guarantees the liberties of the first proposition can represent meaningful options for each member of society and ensure there exists a distributive justice.

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<sup>95</sup> Rawls, John. *Justice as Fairness*. Harvard University Press, 2001, 2.

<sup>96</sup> Rawls, 42-43.

Similar to Tocqueville, Rawls does prioritize the first principle, that which guarantees liberties, before the second which focuses on equality. “This priority means (as we have said) that the second principle is always to be applied within a setting of background institutions that satisfy the requirements of the first principle, as by definition they will in a well-ordered society.”<sup>97</sup> Rawls does here seem to show that liberty may be necessary for equality to exist, he simply believes the two don’t exist as opposites. Rather than using them as a scale, in hopes of balancing each one out, Rawls believes that a “well-ordered society” unites them. This society operates with the two principles of justice as basic structure upon which all societal institutions are built. Such a society would be, “designed to advance the good of its members and [be] effectively regulated by a public conception of justice.”<sup>98</sup>

The danger for Rawls, is in establishing the relevance of having an ideal society when contemporary society is clearly not ideal. Does knowing how the ideal society would operate or handle issues help non-ideal societies to imitate the actions of the ideal? Or does it simply create an unreachable goal that offers little in the way of practical advice? It is certainly easy to imagine the latter becoming the case. The institutions of today can make it impossible to follow certain actions of the ideal society. However, providing an economic tweak to Rawls understanding provides an avenue for how to adapt a contemporary non-ideal society into the well-ordered ideal society that Rawls speaks of.

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<sup>97</sup> Rawls, 46.

<sup>98</sup> Rawls, John. *A Theory of Justice*. Belknap, 1971, 397.

## Thomas Piketty and the Economic Tweak

For Tocqueville, it was evident that inequality was beneficial for society. “When citizens are all almost equal, it becomes difficult for them to defend their independence against the aggressions of power.”<sup>99</sup> Inequality was a powerful motivating factor for individuals to take up their liberties and assert them. However, some modern economists would disagree vehemently with this idea. Some, like Thomas Piketty, argue that inequality and established inequality through inheritance hurt economic production and ultimately limit the liberties of the individual.

In his paper on the evolution of inheritance in modern economic France, Piketty concludes that “there is nothing inherent in the structure of modern economic growth should that should lead a long run decline of inherited wealth relative to labor income.”<sup>100</sup> This comes out to show that the “rise of human capital” is largely a myth in macroeconomics. This is not to say that human capital did not rise at all during the period Piketty analyzed, rather, that the inheritances passed down also rose accordingly meaning that the relationship of inherited wealth relative to labor income has not changed or has risen in some cases. Piketty also noted that, “capital taxes...did have a significant impact on the steady-state magnitude across inheritance flows, i.e. on the extent to which wealth perpetuates itself over time and across generations.”<sup>101</sup> Thus, increased capital taxes can in fact lead to a decreased ratio of inherited wealth relative to labor income. What

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<sup>99</sup> Tocqueville, 52.

<sup>100</sup> Piketty, Thomas. “On the Long-Run Evolution of Inheritance: France 1820-2050. Paris School of Economics Working Paper, 2010, 78.

<sup>101</sup> Piketty, 79.

Piketty's later work, *Capital in the Twenty-First Century*, shows is that this decreased ratio is beneficial for society. According to Piketty, increasing inequality slows economic growth, create discontent, and undermines democratic values.

These "democratic values" for Piketty, include both liberty and equality. Equality is a fairly obvious concept to include. Clearly, increased inequality would decrease equality. However, Piketty's argument is interesting that it also claims increased inequality leads to a decrease in liberty. For Tocqueville, allowing individuals to gather and retain wealth granted them the greatest amount of liberty. The difference between the two comes from a difference of view, Piketty sees liberty through a communal lens while Tocqueville is focused on the individual. Tocqueville measures liberty by the economic freedom of any specific individual, the range of options for action he or she has. Piketty however, is concerned with the range of options for all the members of a community. If a system created the space for one member of the community to have limitless rights while the rest were effectively enslaved, Tocqueville would see that system as still supportive of human liberty. Piketty instead is concerned with maximizing the total liberty for all members, thus, if by cutting the liberties of that one individual by half would increase the liberties of all others fourfold, he would advocate that action.

This communal economic understanding parallels closely the principles of justice advocated by John Rawls. But Piketty's economic background allows us to apply one practical tweak to Rawls' formulations. In his second principle of justice, when discussing the allowable conditions for economic inequalities there must also be added a

rational limit as to the amount of economic inequality that can be inherited. Thus, those who come from extreme economic debt must be limited in how much of that burden they take on and those who come from extreme wealth are limited as to how much they themselves can also inherit.

### **Tocqueville Revisited**

Tocqueville explained his fear of equality by claiming it led people to stagnate and ultimately give up their liberties. There are two issues with this claim. First, it implies that there is some perfectly equal state which can be reached. Even if people could be made equal (or essentially equal) economically, there are numerous other facets to human life. Intelligence, emotions, humor, these all exist as a part of the human condition and are things that every human being takes into account when encountering other humans. Human beings also have different potentials and abilities within these non-economic realms. Mill is right when he says a human is “not a machine to be built after a model, and set to do exactly the work prescribed for it, but a tree, which requires to grow and develop itself on all sides, according to the tendency of the inward forces which make it a living thing.”<sup>102</sup> Human development is not static. People grow and change and discover new abilities and attributes all the time. As a result, it is a mistake to even conceptualize “perfect” equality because the term really has no meaning. How can one even compare two radically different skill sets such as painting and chess? Are the painter and grandmaster judged to have equal talent in their fields? That would be a mistake because it is comparing apples to oranges. Tocqueville’s great error is that he attempts to see everything in economic terms. An economic field could be applied to the artist and the

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<sup>102</sup> Mill, 105.



grandmaster. We could say whoever earns more money must have more talent, but that is an artificial system built upon much more than just the individual's talent. Consequently, judging individuals based on such a flawed system results in poor judgments and dangerous externalities.

The other issue with the statement that people who are more equal have less liberty is that it seems to be wrong on its face. Going back to the data used in the TD Table, if Tocqueville's understanding of the relationship between liberty and equality were correct, then there should be a positive correlation between Gini coefficients and the economic and individual freedom averages. This would imply that as inequality goes up, so too does liberty. Instead however, a regression analysis shows there to be a negative correlation between Gini coefficients and economic freedom score with an r-value of -0.1602, meaning that for every point gained on measurements of economic freedom, a country's Gini score will, on average, decrease by .1602 points. For individual freedoms and Gini coefficients, the r-value of the regression analysis is -0.1077 meaning that for every point gained in individual liberties, a country's Gini coefficient drops on average by .1077 points. This data directly contradicts Tocqueville's understanding of the relationship between liberty and equality.<sup>103</sup>

Tocqueville's issue lay in his individualistic understanding of liberty and equality. He measured the liberty of a society by how much economic liberty is theoretically possible for the individual rather than what is practiced by the society as a whole. This individualistic tendency comes from his aristocratic values. Tocqueville was a product of the French aristocracy and had a healthy fear of the democratic masses. Consequently, he

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<sup>103</sup> See Tables 2 and 3 in the Appendix.

valued the liberty of the more privileged class above the liberties of the society as a whole. As long as those individuals in the highest class possessed liberty, the society as a whole possesses liberty in Tocqueville's eyes.<sup>104</sup> This understanding of liberty led Tocqueville to his conceptions of liberty and equality as economic opposites.

### **Liberty and Equality Together**

Instead of taking that position however, and being forced to ultimately attempt to defend the view that it is more desirable to live in Botswana than Denmark, we can avail ourselves to a more balanced understanding of liberty and equality. Rather than examining them as economic opposites, we can use the tradition of Rawls and Mill to see them as cohesive parts. Mill began this by attempting to balance the collective and individual. He took the interests of the individual and viewed them through an organic collective lens. Rawls went a step further and created a more communitarian viewpoint. From that viewpoint, liberty and equality were not separate things, needing to be balanced or ordered; instead they were both parts of a seamless concept of justice.

Taking that one step further, we can add Tocqueville's economic understanding back into Rawls' view to create a more practical and applicable understanding of liberty and equality. By adding to Rawls' second principle the idea that each future generation inherits only a limited piece of the economic inequality possessed by its predecessors, we can maximize the liberty Tocqueville desires but across a community as a whole. By ensuring people don't start life with crippling debt or circumstances almost impossible to overcome, more people are given the opportunity to grow and develop as Mill desired. Furthermore, limiting how much economic inequality future generations inherit does not

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<sup>104</sup> Granted this comes with a caveat. Tocqueville did believe in a certain amount of equality existing so that all people had the opportunity to move into that highest class. However that opportunity merely needed to exist, not be equal, so people were effectively condemned to their fates rather than officially.

prevent individuals from earning money or becoming economic forces. Instead it places the burden of such developments more on the merit of individuals' character and abilities rather than those who preceded them. Thus the opportunity for liberty, something Tocqueville saw as necessary in a successful society, still exists despite the creation of a greater equality for society.

### **Causes for Concern**

There are still issues with such a conception of liberty and equality. Applying it to modern day would require some large shifts in current economic policies which come from the Locke and Tocqueville traditions of thought. This communitarian sense of liberty and equality would certainly require much higher income taxes. Piketty advises a top rate of approximately seventy percent, something many Americans would struggle to accept.<sup>105</sup> Further, to add the economic tweak discussed earlier, a wealth or inheritance tax would need to be established that would prevent too great an inequality either in wealth or debt from being passed to the next generation. This again would not be a very popular economic approach in the United States today. Many practical barriers remain in place, including an obstinate Congress, a Supreme Court that values business over people, and an executive branch that lacks the strength to push such changes through.

### **Conclusion**

However, despite these issues, the goal of adjusting the national conceptions of liberty and equality can still be accomplished. It requires an abandonment of the Lockean principles echoed by Tocqueville which have guided this country's understanding of liberty and equality for centuries. By updating these to the combination of Tocqueville,

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<sup>105</sup> Even those who it might favor. See *What's Wrong with Kansas?*

Mill, and Rawls outlined above, the democratic will of the country can be shifted to also support the policies discussed above. Such a transition is not easy and many public debates over its merits are needed for persuasion to happen. But the beginnings of such an understanding are already apparent in US society. The fact that Rawls' book, *A Theory of Justice*, was received with acclaim is a perfect example. Researchers at Princeton's Department of Politics examining economic inequality and political power, Piketty's *Capital in the Twenty First Century* making the rounds on talk shows, these examples and many more show that the seeds of such beliefs have already been sewn. All that needs to happen now is to care for those beliefs and nurture the beginnings of this movement. "*Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.*" Margaret Mead's famous quote exemplifies the charge given to those who would see a change occur in American understanding. Tocqueville enjoyed two hundred years of prevalence in defining key American concepts. While it has led to many successes, it has also given us many fundamental issues which still threaten to corrupt and destroy what we value in democracy. The time has come to at least open up to alternative policies which reflect alternative understandings of ideas such as liberty and equality. Not doing so does not make us enlightened. Rather, it shows that we have blinded ourselves by staring too closely at Tocqueville and Locke for too long.

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## Appendix

Table 1

State of World Liberty										
Final Overall Scores and Rankings (TD= Tocquevillian Democracy)										
RANK	COUNTRY	ECONOMIC FREEDOM AVG	EF RANK	GOVT AND TAX AVG	G&T RANK	INDIV FREEDOM AVG	IF RANK	FINAL WEIGHTED AVERAGE	Gini Score	TD Score
1	Chile	76.00	16	64.98	23	98.92	21	79.97	52	72.9763
2	Estonia	79.63	8	76.26	6	99.86	5	85.25	36	72.93755
3	United States	80.50	6	66.24	20	99.13	19	81.96	41	71.71821
4	Ireland	82.25	3	67.81	16	99.95	2	83.34	34	71.00326
5	United Kingdom	81.25	5	65.10	22	99.53	11	81.96	36	70.46836
6	Switzerland	79.88	7	67.16	18	99.95	2	82.33	34	70.24675
7	Hong Kong	90.00	1	86.01	1	61.74	71	79.25	43	70.18748
8	Canada	79.38	9	68.06	15	99.59	9	82.34	33	70.00526
9	New Zealand	80.50	6	63.41	27	99.82	6	81.24	36	69.93069
10	Costa Rica	65.88	34	61.69	34	99.22	17	75.60	51	69.44727
11	Uruguay	62.88	42	69.44	13	99.11	20	77.14	45	69.1045
12	Botswana	69.88	24	60.66	41	83.72	38	71.42	61	68.81331
13	Australia	78.50	12	60.47	43	99.40	15	79.46	35	68.34331
14	Cape Verde	57.75	53	57.93	57	99.45	13	74.01	51	68.25411
15	Panama	65.25	36	63.00	29	91.12	31	73.12	52	67.84226
16	Luxembourg	81.50	4	61.63	36	100.00	1	80.09	31	67.82063
17	Lithuania	69.75	25	63.13	28	99.59	9	77.49	38	67.61734
18	South Africa	62.75	43	52.76	83	91.90	25	69.14	63	67.60452
19	El Salvador	69.13	28	71.50	11	76.97	44	72.53	48	66.39837
20	Latvia	66.13	33	63.77	26	99.77	7	76.55	35	66.16562
21	Finland	77.38	13	59.56	49	99.95	2	78.96	27	65.9713
22	Portugal	69.38	26	55.82	65	99.56	10	74.92	38	65.6871
23	Netherlands	77.25	14	52.96	82	99.95	2	76.72	31	65.29192
24	Belize	60.75	48	58.91	52	91.67	28	69.38	53	65.28645
25	Austria	76.63	15	55.42	69	99.77	7	77.27	29	65.20368
26	Hungary	69.00	29	59.76	46	99.82	6	76.19	31	64.89323
27	Germany	75.50	17	54.43	73	99.63	8	76.52	28	64.39143
28	Belgium	73.13	20	51.08	93	99.63	8	74.61	33	64.20834
29	Czech Rep., The	70.25	23	58.86	53	99.91	4	76.34	26	63.75391
30	Spain	69.38	26	51.26	90	99.24	16	73.29	35	63.7186
31	Denmark	78.75	11	50.75	94	99.95	2	76.48	25	63.61273
32	Slovak Rep., The	66.13	33	60.60	42	99.93	3	75.55	26	63.16329
33	Namibia	57.63	54	45.99	118	84.50	32	62.70	64	63.0287
34	Poland	61.88	46	57.71	58	98.85	23	72.81	33	62.86014
35	South Korea	64.63	39	54.08	74	91.81	26	72.85	32	62.63996
36	Mexico	59.63	49	62.91	30	80.83	42	67.79	47	62.59064
37	Italy	64.25	40	50.21	97	99.20	18	71.22	36	62.41713
38	Brazil	53.50	65	57.44	60	83.67	39	64.87	55	62.40201
39	Singapore	85.50	2	77.82	4	42.85	95	68.72	42	62.04217
40	Norway	70.38	22	51.78	89	99.95	2	74.04	26	62.02699
41	Bolivia	58.00	52	64.82	24	69.11	54	63.98	56	61.98394
42	Jamaica	62.50	44	62.58	31	76.81	45	67.30	46	61.97412
43	Sweden	74.50	18	46.32	114	99.82	6	73.55	25	61.41006
44	Japan	70.25	23	57.53	59	91.77	27	73.18	25	61.13743
45	Peru	61.25	47	60.33	44	74.44	51	65.34	48	61.00518
46	Dominican Rep., The	51.63	70	61.16	39	83.88	34	65.55	47	60.91595

47	Greece	62.00	45	53.41	80	92.13	24	<b>69.18</b>	34	60.38582
48	Slovenia	63.88	41	45.92	119	99.91	4	<b>69.90</b>	31	60.17558
49	France	65.63	35	42.28	135	99.43	14	<b>69.11</b>	33	60.08321
50	Paraguay	53.13	66	66.60	19	68.58	58	<b>62.77</b>	52	60.07679
51	Israel	66.50	32	42.33	134	91.58	29	<b>66.80</b>	39	59.85197
52	Honduras	54.00	63	58.11	56	69.82	52	<b>60.64</b>	57	59.73177
53	Georgia	57.25	55	70.88	12	67.69	62	<b>65.27</b>	42	59.45521
54	Ghana	52.38	69	50.75	94	91.12	31	<b>64.75</b>	43	59.31101
55	Papua New Guinea	56.00	56	59.21	50	66.67	67	<b>61.61</b>	51	58.95667
56	Mongolia	54.25	62	53.87	76	83.85	35	<b>65.68</b>	37	58.50807
57	Bulgaria	58.00	52	56.27	63	91.56	30	<b>68.61</b>	28	58.45822
58	Argentina	50.25	77	55.08	71	83.75	37	<b>63.02</b>	44	58.2684
59	Ecuador	50.75	74	64.58	25	68.00	59	<b>61.11</b>	49	58.08348
60	Macedonia	55.50	59	62.41	33	69.20	53	<b>62.36</b>	44	57.77167
61	Madagascar	57.63	54	59.91	45	67.75	60	<b>61.76</b>	44	57.32229
62	Suriname	35.00	111	38.82	144	83.33	41	<b>57.91</b>	53	56.68276
63	Kenya	55.00	61	55.83	64	67.25	64	<b>59.36</b>	48	56.51906
64	Croatia	57.75	53	48.75	105	83.82	36	<b>63.44</b>	34	56.08154
65	Lesotho	44.00	98	44.87	127	75.71	47	<b>56.52</b>	53	55.64348
66	Guatemala	50.63	75	62.56	32	53.03	79	<b>55.40</b>	56	55.55356
67	Thailand	58.13	51	54.78	72	67.43	63	<b>60.11</b>	39	54.83496
68	Benin	47.50	87	48.18	109	84.50	32	<b>60.06</b>	39	54.79413
69	Albania	58.63	50	56.73	62	68.70	56	<b>61.35</b>	35	54.76494
70	Nicaragua	55.88	57	53.75	78	68.60	57	<b>59.41</b>	40	54.55528
71	Senegal	52.75	68	49.42	102	75.76	46	<b>59.31</b>	40	54.48149
72	Philippines, The	55.13	60	53.76	77	65.41	69	<b>58.10</b>	43	54.32537
73	Colombia	50.50	76	44.44	128	66.31	68	<b>53.75</b>	56	54.31254
74	Romania	51.13	72	55.15	70	83.52	40	<b>63.26</b>	27	54.19724
75	Turkey	53.13	66	55.63	66	67.71	61	<b>58.82</b>	40	54.11531
76	Mali	51.25	71	46.46	113	84.27	33	<b>60.66</b>	33	53.7446
77	Zambia	54.25	62	49.77	100	52.89	82	<b>52.30</b>	57	53.47749
78	Sri Lanka	53.63	64	56.93	61	66.95	65	<b>59.17</b>	36	53.37551
79	India	50.88	73	52.53	85	75.02	49	<b>59.48</b>	34	53.1065
80	Fiji	53.63	64	53.32	81	61.22	73	<b>56.05</b>	43	52.78968
81	Indonesia	46.63	90	49.96	99	75.11	48	<b>57.23</b>	38	52.4257
82	Malaysia	57.75	53	53.70	79	51.97	83	<b>54.47</b>	46	52.3545
83	Armenia	68.50	30	68.75	14	45.11	90	<b>59.46</b>	31	52.34515
84	Bosnia & Herzegovina	49.75	79	61.23	38	61.86	70	<b>57.01</b>	36	51.7578
85	Guyana	55.63	58	39.16	141	66.93	66	<b>53.90</b>	45	51.67777
86	Mozambique	48.13	85	45.82	122	61.54	72	<b>52.83</b>	46	51.12088
87	Uganda	58.13	51	55.58	67	45.73	86	<b>53.15</b>	44	50.85937
88	Tanzania	54.00	63	49.16	103	60.89	76	<b>54.69</b>	38	50.51409
89	Ukraine	49.50	80	49.16	104	74.52	50	<b>57.72</b>	26	49.79365
90	Moldova	47.50	87	58.26	54	60.89	75	<b>55.10</b>	33	49.5746
91	Jordan	62.50	44	52.14	86	45.30	89	<b>53.31</b>	35	48.735
92	Niger	46.75	89	43.21	131	68.81	55	<b>52.92</b>	35	48.44222
93	Nigeria	42.00	103	48.44	107	51.44	84	<b>47.30</b>	49	47.72222
94	Guinea-Bissau	46.13	92	42.34	133	60.94	74	<b>49.80</b>	36	46.35148
95	Morocco	52.88	67	46.19	117	44.18	93	<b>47.75</b>	41	46.06084
96	Kyrgyzstan	50.25	77	59.62	48	44.56	92	<b>50.12</b>	33	45.84085

97	Qatar	49.00	82	74.50	8	30.39	104	47.43	41	45.82206
98	Burkina Faso	43.00	100	46.29	115	53.26	78	47.72	40	45.78987
99	Central African Rep.	44.38	96	36.35	151	45.69	87	42.14	56	45.60231
100	Sierra Leone	42.50	101	45.88	120	58.88	77	49.09	35	45.56399
101	Malawi	44.63	95	39.68	140	52.91	80	45.74	44	45.30473
102	Bangladesh	42.50	101	55.44	68	49.38	85	49.11	32	44.83116
103	Venezuela	32.00	114	45.43	124	52.89	82	43.44	45	43.82945
104	Mauritania	48.00	86	52.73	84	36.33	100	44.51	40	43.38399
105	Burundi	38.88	107	47.16	112	52.89	81	46.31	33	42.98149
106	Cambodia	50.50	76	59.75	47	30.39	104	44.73	36	42.55042
107	Rwanda	43.88	99	45.83	121	29.01	110	39.57	51	42.42912
108	Djibouti	45.00	93	51.20	92	36.61	98	43.11	40	42.33426
109	Gambia, The	37.25	109	41.49	138	43.74	94	40.72	47	42.28692
110	Swaziland	49.00	82	50.09	98	21.79	121	38.66	51	41.74495
111	Russia	44.25	97	53.92	75	28.03	112	42.07	40	41.55038
112	Haiti	41.63	104	48.61	106	15.85	126	35.36	59	41.27085
113	Gabon	46.50	91	39.73	139	37.61	97	41.28	41	41.21156
114	Tunisia	53.50	65	47.58	110	27.22	115	42.77	36	41.07562
115	Ivory Coast	50.75	74	48.33	108	20.21	122	39.76	42	40.32264
116	Chad	48.38	84	41.53	137	29.75	107	39.88	40	39.91349
117	Pakistan	48.88	83	52.12	87	26.93	116	42.64	30	39.48025
118	Congo, Republic of	37.75	108	33.45	154	38.44	96	36.55	47	39.16017
119	Egypt	49.38	81	47.41	111	27.73	114	41.50	31	38.87865
120	Cameroon	47.25	88	43.94	129	23.12	119	38.10	39	38.32619
121	Nepal	44.88	94	49.66	101	24.54	118	39.69	33	38.01974
122	Algeria	42.25	102	41.76	136	28.80	111	37.60	35	36.95361
123	Congo, Democratic R	43.00	100	43.14	132	19.74	123	33.99	44	36.48998
124	Kazakhstan	41.25	106	51.21	91	29.18	109	38.77	29	36.32822
125	Togo	41.63	104	34.23	152	30.32	105	35.39	39	36.29422
126	Angola	29.00	117	45.06	125	30.85	103	33.29	43	35.71566
127	China	50.75	74	38.15	146	9.89	132	32.93	42	35.19609
128	Azerbaijan	37.25	109	45.79	123	27.82	113	35.48	34	35.11048
129	Ethiopia	32.50	113	39.15	142	36.15	101	35.40	34	35.04642
130	Guinea	33.75	112	39.07	143	30.11	106	33.52	39	34.88862
131	Yemen	29.00	117	37.37	149	35.76	102	33.49	38	34.61519
132	Tajikistan	31.00	116	50.73	95	29.47	108	34.79	31	33.84353
133	Iran	36.63	110	43.60	130	16.82	125	32.35	38	33.76071
134	Vietnam	41.38	105	37.55	148	18.28	124	31.54	36	32.65814
135	Syria	39.88	107	45.01	126	4.95	133	29.95	36	31.45908
136	Zimbabwe	26.13	119	36.81	150	11.61	129	24.85	50	31.13405
137	Turkmenistan	24.00	120	50.34	96	1.42	138	21.07	41	26.05498
138	Uzbekistan	27.25	118	46.23	116	3.90	134	22.39	37	26.03968
139	Laos	23.00	121	32.44	155	11.40	131	20.59	37	24.69032
140	Belarus	22.25	123	37.87	147	11.87	128	21.69	26	22.76395
									40.0214286	
								57.35		
								WORLD AVG		

Table 2

	<i>Economic Freedoms</i>	<i>Gini</i>
Economic Freedoms	1	
Gini	-0.160197873	1



Table 3

	<i>Personal Liberty</i>	<i>Gini</i>
Personal Liberty	1	
Gini	-0.107744312	1