

*The Moral Foundations of the American Republic*  
ed. Robert Horwitz. Charlottesville, VA: Ua.  
*Ethics and Politics: Power of Ideas, 1986.*

## *The American Way*

Martin Diamond

ALL men have some notion of what we may call the universal aspect of the relationship between ethics and politics, a notion of what the relationship would be for men at their very best. The unqualified phrase in the title of this essay—"Ethics and Politics"—points to that universal aspect, to the idea of an ethics proper to man as such and to the political ordering appropriate to that ethics. But the qualification—"The American Way"—reminds that ethics and politics always and everywhere form a particular relationship, a distinctive way in which each people organizes its humanness. The whole title together indicates the intention of this essay: while taking our bearings from the universal relationship of ethics and politics, we will examine the special "American way" in which ethics and politics are related to each other here.

### I

The "American way of life" is a familiar phrase that nicely captures the notion that the relationship of ethics and politics has everywhere a unique manifestation. Yet familiar as the phrase is to us, we Americans characteristically overlook that notion when we think about ethics and politics. Instead, more than most other people, we tend to consider the relationship of ethics and politics in universal terms. Perhaps this is because we have been shaped to such a great extent by the principles of the Declaration of Independence, which of course addresses itself to all mankind and conceives political life in terms of rights to which all men are by nature entitled. Our tendency to understand moral principles in universal terms may also be furthered by the lingering influence of the Biblical heritage, which

The author wishes to express his thanks to the Woodrow Wilson International Center for Scholars and to the National Humanities Institute of Yale University whose generous support he enjoyed while this essay was being written.

lays down moral principles applicable to all men in all countries. To the extent that Americans continue to be guided by the Biblical outlook, their disposition to understand the relationship between ethics and politics in universal terms is reinforced. This propensity is perhaps also furthered by a tendency of democracy described by Tocqueville. He observed that democratic people, because of their extreme love of equality, tend to abstract from human differences and thus to think of man with a capital M—that is to say, in generic terms—rather than in terms of the many subtle gradations of human experience. Whatever the reasons, the familiar fact is that Americans generally think about politics in terms of a universal morality and, therefore, to view the relationship of ethics and politics almost exclusively in its universal aspect.

Oddly enough, in always thinking about ethics and politics in terms applicable to all men everywhere, we have in fact narrowed the idea of ethics. Today we think of ethics, not in the broad sense in which it was understood by classical political philosophy, but rather in the much narrower sense now conveyed by the word *morality*. Our word *morality* was originally derived from Cicero's Latin rendering of the Greek word for ethics, but it gradually acquired a quite different and narrower meaning. We think of ethics or morality today primarily in the limited, negative sense of "thou shall nots," as Puritanical or Victorian "no-no's." Ethics or morality thus narrowed down to a number of prohibitions has indeed a universal status; all men are under the same obligation not to murder, steal, bear false witness, and the like. Since morality thus conceived applies to all men as men, all regimes are deemed as obliged to honor it; hence the relationship of ethics and politics comes to be seen only in its universal aspect. The same narrowing effect on the idea of ethics is also produced by the modern theory of natural rights. That is, in this view of civil society, the politically relevant aspect of morality or ethics is similarly reduced to negative prohibitions on what governments and men may do. And this narrowing also has the effect of making political morality universally obligatory in the same way upon all regimes.

But morality thus universally conceived hampers our understanding of the particular relationship of ethics and politics within each political order or regime. To recover this understanding and apply it to the American case, we have to recapture something of the original broad meaning of ethics as it presented itself in classic Greek political philosophy. For that purpose Aristotle's *Ethics* will suffice.

us-  
ethics vs.  
morality

Aristotle deals of course with such universal prohibitions as those against murder, theft, and lying. However, Aristotle's understanding of ethics is not chiefly concerned with such prohibitions, but, much more importantly, with positive human excellences or virtues in the broadest sense. Notice well: excellences or virtues. Aristotle's word *arete* is usually and properly translated as *virtue*. But because the word *virtue* is now understood in the same narrow and negative sense as morality, it is important to associate with it the positive word, excellence, in order to bring out the positive implications of Aristotle's ethical teaching.

For example, the very first virtue that Aristotle discusses is courage; while late in his discussion he includes as a minor ethical virtue or excellence the quality of affability. Today we would hardly consider either courage (as Aristotle meant it, namely, the kind demanded in military combat) or affability as belonging to a discussion of virtue or morality. They might be regarded as useful or even admirable qualities, but surely not as virtuous or moral qualities; they simply do not fit our modern conception. In contrast to our narrow view, Aristotle meant by the virtues all those qualities required for the full development of humanness, that is, all those qualities that comprise the health or completion of human character. This is the key: the very word *ethics* literally meant *character* to the Greeks, and the idea of character formation is the foundation of the ancient idea of ethics. When ethics is thus understood as being concerned with the formation and perfection of human character, we may more readily understand not only why ethics and politics have a universal relationship proper to man as man, but also why a unique relationship between ethics and politics is necessarily formed within each particular political order.

This necessity is made clearer by reference to a Greek word that is still familiar to us in the English use we make of it—namely, *ethos*; indeed, this is the Greek word from which our word *ethics* derives. A given pattern of ethics forms, as it were, an *ethos*. Like the Greeks, we still mean by *ethos* that a group or other entity possesses certain fundamental features that form its distinctive character. Something like this is what we mean when we speak, say, of "the ethos of Chaplin's films" or "the ethos of poverty." Ethics understood in this old, broad sense, as forming an *ethos*, helps to make clear why there is a distinctive relationship of ethics and politics in every regime. In all political communities, humanity manifests itself in some particular way, in the formation of a distinctive character or characters.

character

It is the distinctive human types nurtured in each regime that manifest the ethos of that regime. This is not, of course, to say that any such community is formed of identical human types; much human variety can be found in any complex society. But still we know that something is at work that makes a certain kind of human character more likely to occur in one setting and among one people, rather than another. We would be surprised, for example, to find Cotton Mather fully formed and flourishing in the Berlin of the 1920s. We would be surprised to find a full-fledged, homegrown Oscar Wilde in old Dodge City. It is likewise most unlikely that George Babbitt would have turned up in the early Roman republic; he belongs to Zenith, the fastest growing town in the Middle West. Such distinctive human characters are the nurture of a particular *ethos*, so to speak.

How can we account for the fact that each country forms its own peculiar ethos? We know that differing physical circumstances have something to do with the matter. The character of a people permanently settled on rich agricultural land and earning its living by farming will differ from that of a tribe of desert nomads who eke out an uncertain existence from their flocks and herds as they move from oasis to oasis. Each people will tend by virtue of its circumstances to value different human qualities and to nurture them. Technological development, "modes of production," and other such factors all have similar effects in the production of modal human types. But greater than the effect of all such material factors is the effect on human development of mores and laws, that is, of the political order or the regime. The difference of human characters in the various regimes is above all the product of the distinctive relationship between ethics and politics within each regime. Each political regime is, so to speak, in the business of handicrafting distinctive human characters. Indeed, each political order is literally constituted by the kind of human character it aims at and tends to form.

We may explore the meaning of this by considering Aristotle's well-known argument regarding the way political communities come into being. The lesser forms of human association—the family, tribe, and village—do not suffice for the fulfillment of man's nature; for that purpose, Aristotle argues, the form of human association must reach to the level of the *polis*, the political community. This is because the prepolitical associations serve largely for the mere preservation of life; they correspond in some respects to the hives or herds through which other social animals, such as bees and elephants,

preserve themselves. These primary and rudimentary associations are adequate for bees and elephants because mere preservation of life is all that their beings require.

But the full development of man's being requires something more. He has an ethical need, a need that follows from his possession of *logos*, his unique faculty for speaking-reasoning, the faculty that defines man and distinguishes him from all other creatures. It is this faculty that enables and impels man to ponder "the advantageous and the harmful, and therefore also the just and the unjust."<sup>1</sup> Man's ethical need consists precisely in his capacity to reason out a view of the "advantageous and the just" and to organize his character and his life upon that basis. Because of this inherent capacity, this need for the formation of his full human character, man is ultimately impelled toward the formation of the polis. The subpolitical associations of the family, the tribe, and the village do not form a sufficient habitat for the full development of humanness. The polis is then, above all, understood by Aristotle as an association for the formation of character. It is a partnership within which the character of citizens is formed in accordance with some shared view of "the advantageous and the harmful" for man.

From this it followed for Aristotle that the very best polis would be that one partnership which, because it was based on the true view of what is "advantageous and just," would generate the highest human character. This idea of the "best regime" in which the best human character would be formed represents the Aristotelian understanding of the universal aspect of the relationship between ethics and politics. In this Aristotle differs, of course, from the modern approach which, as we have seen, makes the universal aspect of the ethics-politics relationship that which can be demanded and actualized everywhere. In contrast, the ancient approach was paradigmatic only; the universal aspect for Aristotle consists in a model of the one best character-forming regime, a model that serves as a standard for understanding and dealing with the enormous variety of actual, imperfect character-forming regimes. As measured against that model of the best regime, all other regimes would be understood as based on varying imperfect views of what is advantageous and just, and all would differ accordingly in the human characters they produced. In this particular regime, courage would be nurtured to

<sup>1</sup> Aristotle, *Politics*, 1253a15 et seq. The translation here, and elsewhere in this essay, is that of Professor Lawrence Berns, who has kindly given permission to quote from a translation of the *Politics* that he is now preparing.

to the  
best  
regime

a fault, there piety, here the love of honor, there domination, here commercial daring, and so forth through all the shadings and combinations of the possible human qualities. This is the exact sense in which it may be said that each polis actualized human character in a particular way and hence that in each polis there is a unique relationship of ethics and politics.

On the basis of this analysis of the polis as a character-forming association, Aristotle might well have denied that most contemporary "states" are genuine political communities. In any event, he does explicitly deny the status of political community to certain aggregations of people whose arrangements sound suspiciously like our own. That is, he explicitly characterizes as subpolitical those mere alliances or contractual arrangements for the sake of commerce, and even those arrangements that, somewhat more broadly, seek to prevent fellow residents from being "unjust to one another." Societies based on such arrangements may have a thriving commerce, life in them may be secure and tranquil, and they might appear to Americans to be adequate political societies. But for Aristotle they still would lack the crucial political desideratum—namely, a "concern with what the qualities of the others are," that is, a concern for the development among fellow citizens of certain common ethical excellences and hence a common character.<sup>2</sup>

For Aristotle, the formation of this common character is what makes an association political, and the question of how these character-forming ethical excellences are to be developed in man is what links ethics and politics. Indeed, this is literally the link between Aristotle's two great practical works, the *Ethics* and the *Politics*.<sup>3</sup> At the end of the *Ethics*, when he has finished his account of the excellences that perfect the human character, Aristotle says that it will now be necessary to turn to the study of politics. This is because human nature does not find it readily pleasant to acquire and persist in the character-forming excellences. To say the least, the idea of the good is not of itself sufficiently compelling to regulate behavior. Hence men will not be perfected merely by precept and exhortation, and not even by paternal authority. Human character, Aristotle argues, can be perfected only within a comprehensive system of character-forming conditions and constraints—in short, within the political community. Only within the political community, and through what it alone can supply, namely, good laws "with teeth

<sup>2</sup> Ibid., 1280a34 et seq.

<sup>3</sup> Aristotle, *Ethics*, 179a33 et seq. (Loeb Classical Library ed.).

in them," can men in fact raise their characters above the merely necessitous life, or above a life of mere passionate indulgence.

In the ancient view, then, political life had the immensely important ethical function of providing the way through which man could complete or perfect this humanness. No wonder then that the laws, by means of which human character was to be formed, had to have teeth in them. So comprehensive and elevated an end made extraordinarily strenuous demands upon the political art. The classical political teaching took its bearings from the highest potentialities of human nature. Making no egalitarian presuppositions, it did not believe that all human beings or, indeed, even most human beings, could be perfected. But it thought it right and necessary that every resource of the political art be employed to realize the highest potential of the few, while providing as just a political order as was possible for those many others whose potentialities or circumstances precluded the highest development. This helps us to understand something of the harsh demands of the classical teaching: the general sternness of the laws; the emphasis placed on rigorous and comprehensive programs of education; the strict regulation of much that we now deem "private"; the necessity of civic piety; the extremely limited size of the polis; and the severe restrictions on private economic activity. These and other stern and strenuous measures were necessitated by the height of the human excellence that the classic political teaching sought to produce. An unceasingly demanding and powerful political art was required if men were to be raised so high against the downward pulls of ease; creature comfort, and the lower pleasures.

## II

In the light of all the foregoing, how might Aristotle rank America? Would he characterize it as a genuine political community, one with its own special moral foundation, or only as "an association of place and of not acting unjustly to one another and for the sake of trade"? Would he find it a place where law is only "a compact, just as Lycophron the Sophist said, a guarantor for one another of the just things, but not able to make the citizens good and just,"<sup>4</sup>—that is, good and just in the way their characters were formed and not merely in conformity to a compact? Or might he conclude that there

<sup>4</sup> *Politics*, 1280b10 et seq.

is indeed an American political ethos, a unique character-forming mix of ethics and politics? In short, is there an "American way" by which this republic nurtures in its citizens certain ethical excellences upon the basis of some particular view of what is advantageous and just?

If the answer proves to be that somehow America is an authentic political community, that there is in fact an "American way" of political-ethical character formation, it will surely not be in the classical way but in a distinctively modern way. This is because America was formed on the basis of that modern political thought that waged so successful a war against the political outlook of antiquity. The classical understanding of the proper relationship between ethics and politics dominated the Western world for nearly two millennia, as did classical political philosophy generally, albeit modified by Christianity. But the great traditions of classical and Christian political philosophy came under trenchant attack during the sixteenth and seventeenth centuries by such political philosophers as Machiavelli, Bacon, Hobbes, and Locke.<sup>5</sup> These proponents of a "new science of politics" charged that classical and Christian political philosophy had been both misguided and ineffective, in a word, "utopian." They observed that, during some two thousand years of this elevated political and religious teaching, man's lot on this earth had remained miserable; his estate had not been relieved. Greed and vainglory ruled under the guise of virtue or piety, and the religious tyrannies and wars of the sixteenth and seventeenth centuries had but climaxed two millennia of the failure of the old, utopian political science.

Blaming classical and medieval thought for adhering to dangerous illusions regarding the way men *ought* to live, that is, for trying to shape human character by misleading and unachievable standards of perfection, the new, or modern, political philosophers purported to base their views and recommendations upon the character of man "as he actually is." In place of the lofty and seemingly unrealistic virtues demanded by classical and Christian political philosophy, the moderns accepted as irremediably dominant in human nature the self-interestedness and passions displayed by men everywhere. But precisely on that realistic basis, they argued, workable solutions

<sup>5</sup> Acknowledgment is gladly made of my indebtedness here and throughout to the late Professor Leo Strauss, whose instructive account of the "battle of the books," ancient and modern, has done so much to restore the meaning of the modern enterprise and to renew our grasp of the ancient alternative.

could at last be found to hitherto unresolved political problems. This meant, as opposed to ancient and medieval exhortation and compulsion of man to high virtue, a lowering of the aims and expectations of political life, perhaps of human life generally. As it were, the new political science gave a primacy to the efficacy of means rather than to the nobility of ends: The ends of political life were reduced to a commensurability with the human means readily and universally available. In place of the utopian end postulated by the ancients, the forced elevation of human character, the moderns substituted a lowered political end, namely, human comfort and security. This lowered end was more realistic, they argued, because it could be achieved by taking human character much as actually found everywhere, or by molding it on a less demanding model than that of the premodern understanding.

This removal of the task of character formation from its previously preeminent place on the agenda of politics had an immense consequence for the relationship of ethics and politics in modern regimes. The hallmark of the traditional ethics-politics relationship had been those harsh and comprehensive laws by means of which the ancient philosophers had sought to "high-tone" human character. But now, because character formation was no longer the direct end of politics, the new science of politics could dispense with those laws and, for the achievement of its lowered ends, could rely largely instead upon shrewd institutional arrangements of the powerful human passions and interests. Not to instruct and to transcend these passions and interests, but rather to channel and to use them became the hallmark of modern politics. Politics could now concentrate upon the "realistic" task of directing man's passions and interests toward the achievement of those solid goods this earth has to offer: self-preservation and the protection of those individual liberties which are an integral part of that preservation and which make it decent and agreeable.

One has only to call to mind the Declaration of Independence to see that such commodious self-preservation and its corollary individual liberties came to be viewed as the sole legitimate objects of government. In short, whatever the modern perspective may leave of the traditional lofty virtues for men to seek in their private capacities, it drastically reduces or limits the legitimate scope of government. Indeed, the very idea of *government*—as distinguished from the old, more encompassing idea of *polity* or *regime*—was a response to this restriction in the scope of the political. In the old,

broader view, "government" was inextricably linked with "society." Since it was the task of the laws to create a way of life or to nurture among citizens certain qualities of character, then the laws necessarily had to penetrate every aspect of a community's life; there could be no separation of state or government and society, and no limitation of the former with respect to the latter. But under the new liberal doctrine, with its substantive withdrawal of the character-forming function from the domain of the political, it became natural to think of state and society as separated, and of government as limited to the protection of individual life, liberty, property, and the private pursuit of happiness. It became both possible and reasonable to depoliticize political life as previously conceived, and that is precisely what happened wherever the new view came to prevail. Perhaps above all, religion was depoliticized; belief and practice regarding the gods, which classical political philosophy had held to be centrally within the purview of the political community, was largely relegated to private discretion. Similarly depoliticized were many other traditional political matters such as education, poetry and the arts, family mores, and many of the activities we now lump under the term "economics." In the premodern understanding, these were precisely the matters that had to be regulated by "laws with teeth in them," because they were the essential means by which a regime could form human characters in its own particular mold.

With the removal or reduction from political life of what had for two thousand years been regarded as its chief function, namely, ethical character formation based on some elevated view of the "advantageous and just," what, then, became that chief function of politics in the new understanding? A striking and explicit answer to this question is to be found in James Madison's *Federalist* 10, perhaps the most remarkable single American expression of the "improved" or new science of politics. At the end of the famous paragraph in which he argues that the latent causes of faction are ineradicably sown in human nature, Madison sketches the "most common and durable" of those ineradicable causes, namely, the diversity of economic interests. He then states one of the most important conclusions of his essay: "The regulation of these various and interfering interests forms the principal task of modern legislation and involves the spirit of party and faction in the necessary and ordinary operations of government." Notice: "the principal task of modern legislation"; Madison is acutely aware of the modernity of his political analyses and solutions. He does not tell us what the

government  
is limited

premodern principal task was, and we may not put words in his mouth; but we will see how his principal modern task becomes intelligible precisely when contradistinguished from the principal task of the premodern political art as that has been presented in this essay. Bringing that modern task clearly to light may teach us something about the "American way" regarding the relationship of ethics and politics.

### III

Madison announces his theoretical intention: "To secure the public good and private rights . . . and at the same time to preserve the spirit and form of popular government, is then the great object to which our inquiries are directed." Only by a showing that popular government can now avoid committing those injuries to the public good and private rights, which have hitherto proved its undoing, can this form of government "be rescued from the opprobrium under which it has so long labored." Taken as a whole, then, James Madison's "inquiries" provide a comprehensive statement of the way political science should address the pathology of democracy. In *Federalist* 10, Madison outlines that part of his political science upon the basis of which the gravest imperfection of popular government may be guarded against, namely, the propensity of that form of government to "the violence of faction." In examining his argument regarding the problem of faction, we want to pay particular attention to the way Madison deals with the problem of *opinion*. It is through Madison's discussion of the nature of opinion in general and its particular status in American political life, that we will learn most about what is uniquely modern in that "principal task of modern legislation."

Madison argues that all earlier democracies have "been spectacles of turbulence and contention . . . as short in their lives as they have been violent in their deaths." This was because, as he observes in *Federalist* 14, all earlier democracies had been too small in scale; they had been founded on "the error which limits republican government to a narrow district." Built on the scale of the ancient polis, these republics had been utterly unable to deal with the pathogenic element of democracy, namely, majority faction. Madison's novel but now familiar conclusion was that the hitherto fatal effects of majority factionalism could be controlled only in a republic organized

on a sufficiently large scale. In the course of this general argument, Madison is obliged to analyze in detail the various causes of faction, and it is this detailed analysis that brings to the fore his treatment of the problem of opinion.

Madison's first step is to identify the nature of faction. The precise statement of the elements that constitute faction prepares the way, first, for his diagnosis of how different kinds of faction come into being and, later, for his novel solution to the problem. Here is his famous definition: "a number of citizens, whether amounting to a majority or minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community." We must notice the twofold "normative" character of this definition. The generating impulse to faction is dubious or low; faction is "united and actuated" by passion or interest and not by reason. But this is not enough to denominate a group a faction. After all, not every passion or interest need impel toward policies inimical to society; although motivated by passion or interest, a group might yet seek policies that are perfectly compatible with the rights of others and the interests of the community. It is therefore further necessary that a group be following an oppressive or dangerous course of action. But this is to say in effect, as indeed becomes explicit in the very next step in the argument, that the group is possessed of an oppressive or dangerous opinion. From his definition, then, Madison's task becomes clear: to show how the conjunction of a "common impulse" of passion or interest and an "adverse" opinion in a majority may be averted or rendered unlikely.

Madison turns to the ways this may be done. "There are two methods of curing the mischiefs of faction: the one, by removing its causes; the other by controlling its effects." As to removing the causes, Madison says that there are likewise two possibilities. The first, which is to destroy the liberty essential to the existence of factions, Madison quickly rejects as a remedy worse than the disease. He then examines at length, as we must also, the remaining possible way to remove the causes of faction, which is to give to "every citizen the same opinions, the same passions, and the same interests." Opinion, passion, and interest: Madison's comprehensive theoretical statement of the causes of faction; these are the three independent generating sources of factional behavior. If all citizens have the same impulse of passion or interest, they would have no motivation to divide into oppressive or dangerous factions. And whatever the

status of the passionate or interested motivations, if all citizens were agreed on the same opinions, there could be no oppressive or dangerous division of the society with respect to public policy. Unanimity of impulse and opinion would of necessity extinguish the possibility of faction.

But Madison, of course, proceeds to demonstrate that such unanimity of opinion, passion, and interest is utterly "impracticable." He deals first with the irreducible diversity of opinion. "As long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be formed." Notice: self-originated, self-formed opinion; opinion, so to speak, is an independent variable. That is to say, these are *not* opinions whose content is determined by underlying causes—not opinions as mere rationalization of underlying passion or interest, as we now typically conceive opinions to be—but rather opinions whose content is determined by the *autonomous operation of the opining faculty itself*. Thus, quite apart from the diversity or uniformity of the human passions and interests, political opinions will inevitably vary, simply as a function of man's fallible reasoning, or opining, faculty and his natural need to exercise it on political subjects. In this respect we may say that Madison is at one with Aristotle in recognizing the power and autonomy of the speaking-reasoning or opining capacity of man. But as to what should be done with that capacity, the difference between them, as we shall see, is the difference between modernity and antiquity.

Having demonstrated that all men cannot be given the same opinions, Madison proceeds to demonstrate that the passions and interests of mankind likewise cannot be reduced to uniformity; like opinion, they irremovably exert a divisive factious influence upon political behavior. The details of his argument need not detain us. It suffices here simply to state the conclusion Madison reaches at this stage of his argument: The problem of faction cannot be solved by removing its causes because "the latent causes of faction are . . . sown in the nature of man."

Still, this is no cause for despair because there remains the possibility of "controlling the effects of faction." Madison reminds us that, while the latent causes of faction are ineradicably universal, particular factions are "brought into different degrees of activity according to the different circumstances of civil society." Which kinds of factions will be brought into a high degree of "activity" and which into a low degree all depends on the circumstances of the par-

ticular society. It is in the manipulation of these "different circumstances" that Madison's novel prescription of a "cure" is to be found. By such circumstances Madison clearly includes the extent or scale of the political community and the constitutional structure and processes of government, and also apparently such things as the kind of economy to be fostered and the beliefs citizens are encouraged to hold. All such circumstances affect the operation of the universal "latent causes of faction" and thereby determine what the actual pattern of factionalism will be in any given society.

It is with precisely these circumstances that founders must deal. Armed with the proper science of politics, a founder can choose what kinds of factions to avoid and, since factionalism is inevitable, what kinds to encourage. Accordingly, in order to discover how to do the avoiding and encouraging, Madison elaborates his threefold typology of factions. He again deals first with man's natural inclination to opining, that is, with his "zeal for different opinions concerning religion, concerning government, and many other points, as well of speculation as of practice." These opinions, to repeat, are not merely rationalizations of prior passion or interest, but rather are the autonomous product of the high human need and capacity to opine about such elevated matters as, say, what is advantageous and just. Now, Aristotelian political science, as we noted earlier, takes its bearing from just this high human capacity. From the classic perspective, the political task is to refine and improve a regime's opinion of what is advantageous and just and to help thereby to improve the human characters formed by that regime. But Madison instead turns away almost in horror from the human "zeal for different opinions concerning religion, concerning government."<sup>6</sup> He is only too aware that such opining has rendered mankind "much more disposed to vex and oppress each other than to co-operate for their common good." From the perspective of the new political science, it is apparently too risky to rely on refining and improving a society's opinions. The statesmanly task, rather, is to mute as much as possible the force of religious and political opining as a cause of faction. Such opinion is not so much to be improved

<sup>6</sup> As Douglass Adair's essay on Hume and Madison has shown, further light on Madison's view of factionalism may be sought in Hume's essay "Of Parties in General." Hume warns against "parties from principle, especially abstract speculative principle," and warns also that "in modern times parties of religion are more furious and enraged than the most cruel factions that ever arose from interest and ambition." Hume suggests that interest-based faction, low though it may be, is less cruel than faction based on principle or opinion.

as tamed or devitalized. If America is to avoid the "violence of faction" that commonly destroyed earlier popular governments, "circumstances" must be so arranged that factionalism deriving from the operation of opinion must not reach to a high "degree of activity."

Madison comes to a similar conclusion regarding factions that derive directly from the human passions. These are factions caused by "an attachment to different leaders ambitiously contending for pre-eminence and power; or to persons of other descriptions whose fortunes have been interesting to the human passions." Notice that these are not the factional passions that build up around a preexisting interest or opinion; that happens commonly enough. Rather, Madison is talking here about those factions that have their genesis directly and solely in the passions themselves. He is talking about passion as an "independent variable," just as he treated opinion as such and will shortly be seen to treat "interest" in the same manner. Moreover, he is not talking about the whole range of human passions that affect political behavior. He is talking here only about that single specific passion that by itself can be the direct cause of a faction. He means that particular passion—empathy is a useful word to recall here—by force of which humans have a natural political readiness to love and hate, a kind of spiritedness that is evoked by, or reaches out to, exceptional leaders. By force of this passion, masses of men, without any reason of interest or opinion, simply are "turned on" by dazzlingly attractive leaders.

The attachments based on such loves and hates are by no means contemptible; indeed, they may well be the means by which great virtues—courage, eloquence, rectitude, wisdom—communicate their political force and charm to human beings who might otherwise never be drawn upward to such qualities of character. Nevertheless, Madison concludes that on balance such attachments are too dangerous; they generate factions that torment and destroy society and hence must somehow be avoided. What Madison is in effect saying is: no Savonarolas or Cromwells or extraordinarily "interesting" figures, thank you; what is wanted generally are men of lesser but safer political ambition and religious appeal. The thrust of the American political order must be somehow to diminish the readiness of ordinary Americans to respond to leaders who generate faction, as it were, simply out of their own "charisma."

The bold and novel requirement of Madison's political science and of the American political order, then, is to mute or attenuate

the age-old kinds of political behavior that derive from two of the fundamental causes of faction. But there is also the political behavior that derives from the third fundamental cause of faction, namely, interest: "the most common and durable source of factions has been the various and unequal distribution of property." Madison is far from seeking to diminish the efficacy of this cause, as he is of the other two. On the contrary, his intention is precisely the opposite: He wishes to magnify its operation, because therein lies the new cure of the "mischiefs of faction." To anticipate the conclusion of his argument: if Americans can be made to divide themselves according to their narrow and particularized economic interests, they will avoid the fatal factionalism that opinion and passion generate. By contrast, the relatively tranquil kind of factionalism resulting from economic interests makes possible a stable and decent democracy. But this does not mean economic-based faction in general. Madison distinguishes between two kinds of economic faction, one resulting from the "unequal distribution of property" and one from its various distribution. Faction based on property inequality, like faction based on opinion and passion, also leads to the fatal factionalism that destroyed earlier popular governments—specifically, to the perennial struggle of the many poor with the few rich, fighting under the banners of grandly conflicting ideas of justice. The American polity looks to replace this struggle over the inequality of property by causing to flourish a new kind of economic faction derived from the *variety* of property. It is on this basis that there can arise a tranquil, modern politics of interest groups, as distinct from a politics of class struggle. This is the meaning and intention of Madison's famous "multiplicity of interests" and of democratic government based upon the "coalition[s] of a majority" that rise out of that multiplicity.

But whence derives the "multiplicity" that makes it all possible? What are the civil "circumstances" that bring the right kind of economic-based faction into a high "degree of activity"? This new, salutary multiplicity of economic factions is uniquely the product of a large modern commercial society. For millennia the mass of men had been poor in but a handful of ways, toilers little differentiated in their class-poverty by the ways they eked out their existences; the rich likewise have gained their wealth in but a handful of ways that little differentiated their common oligarchic impulses and interests. Only the modern commercial spirit flourishing in a large,

complex, modern economy can supply the faction-differentiating division of labor and the great economic diversity that directs the attention of all to the moderating private pursuit of individual economic happiness.<sup>7</sup> "Extend the sphere" of a republic, Madison said, "and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens." But it is only in an extended *commercial* republic that men are thus moderately fragmented into that "greater variety" of economic activities from which alone develops the necessary variety of economic interests. In such a society men will tend to think in terms of their various immediate economic interests, that is, to think as members of an "interest group" rather than of a class or sect. They will then tend to form political opinions in defense of those interests, and then jockey frenetically, but ultimately tamely, for group and party advantage on the basis of those interests.

Madison's search for a solution to the democratic problem thus led him to envisage and help found the extended, commercial, democratic republic. Always before the politics of democracy had flowed naturally into the fatal factionalism deriving from opinion, passion, and class interest; the democratic mass of men had always turned to opinionated politics (or, as we might say now, to ideology) or to opinionated piety, or had followed some impassioned leader, or had fought the battle of the poor against the rich and had brought their democratic governments down in ruin. Employing the "new science of politics," Madison had discovered in "interest" its latent possibility, that is, a novel way of channeling the stream of politics away from these natural directions and toward that kind of factionalism with which a democracy could cope, namely, a politics of "various and interfering interests." Such is our political world—the modern world, the substratum of which consists of these narrowed, fragmented, unleashed interests—in which the "principal

<sup>7</sup> Cf. Alexander Hamilton in *Federalist* 12 on how the "prosperity of commerce" entices and activates "human avarice and enterprise." But this leads to a result that Hamilton regards with satisfaction. "The assiduous merchant, the laborious husbandman, the active mechanic, and the industrious manufacturer—all orders of men look forward with eager expectation and growing alacrity to this pleasing reward of their toils." We will consider later a passage in Montesquieu, on a "democracy founded on commerce," which makes a similar point. And we will in that context suggest that the "avarice" of which Hamilton speaks may better be understood as "acquisitiveness."

task" does indeed become what Madison stated it to be: "The regulation of these various and interfering interests forms the principal task of modern legislation and involves the spirit of party and faction in the necessary and ordinary operations of government."

#### IV

The American political order was deliberately tilted to resist, so to speak, the upward gravitational pull of politics toward the grand, dramatic, character-ennobling but society-wracking opinions about justice and virtue. Opinion was now to be ballasted against its dangerous tendency toward destructive zealotry, or, to change the nautical figure, to be moored solidly in the principle of commodious self-preservation and economic self-interest. As much as possible, opinion was to be kept from reaching upward to broad considerations of the advantageous and the just by being made more nearly into a reflection of "the sentiments and views of the respective proprietors" of the various kinds of property. (Is this not precisely what came to be a distinctive aspect of opinion-formation in American political life—indeed, so much so that contemporary American political science has been beguiled, as it were, into forgetting what virile autonomous opinion is really like?) In thus seeking to tame opinion, Madison was following the general tendency of modern political thought to solve the problems of politics by reducing the scope of politics. As we saw earlier, by abstracting from politics the broad ethical function of character formation, modern political thought had begun a kind of depoliticizing of politics in general. Now Madison, as it were, depoliticized political opinion in particular.

Madison's strategy for solving the democratic problem of faction—not by trying to make opinion more disinterestedly virtuous but by reducing it to a safe reflection of diverse interests—helps to illuminate, and may be understood as part of the famous general policy of opposite and rival interests that Madison derived from the new science of politics. His general strategy for moderating democracy and thus making it commendable to the "esteem and adoption of mankind" is nowhere stated more thoughtfully, nor more chillingly, than in *Federalist* 51. He is explaining why the powers formally separated under the Constitution will remain so in practice, despite a despotizing tendency for them to become concentrated in one or another of the branches of government. "The great security against

a gradual concentration of the several powers in the same department," he states, "consists in giving to those who administer each department the necessary constitutional means and personal motives to resist the encroachments of the others. Ambition must be made to counteract ambition. The interest of the man must be connected with the constitutional rights of the place." This all sounds sensible, even commonplace, to present-day Americans, who are habituated to the moral horizon of the American political system. But Madison was writing when the new science of politics was still unhackneyed, and he knew that there was something novel and shocking in his acceptance and counterpoised use of ambitious interest as the principal security for the public good; it smacked much of "private vice, public good."

He thus pauses immediately to apologize, in a way, for such a cool recommendation, admitting it to be "a reflection on human nature that such devices should be necessary," but justifying them as necessitated by the weakness of that nature. He then boldly and comprehensively states the general principle underlying such "devices": "This policy of supplying, by opposite and rival interests, the defect of better motives, might be traced through the whole system of human affairs, private as well as public." Restated very plainly, Madison is saying this: Human nature is such that there just are not enough "better motives" to go around, not enough citizens and politicians who will be animated by motives that rise above self-interest and the gratification of their own passions so as to get the work of government and society done. But again there is no reason for despair because we can "supply the defect," that is, make up for the insufficiency of "better motives" with "personal motives," that is, by means of a shrewdly arranged system of opposite and rival personal interests. We cannot here trace the "policy" through the whole system of the Constitution; it suffices for our purposes to return to the question of opinion and the problem of faction. As we saw in our analysis of *Federalist* 10, this "policy" was precisely the basis of the scheme whereby the "multiplicity of interests" solves the problem of faction. We may paraphrase Madison's language: the defect of better opinions is supplied by the system of "various and interfering interests."

Now, Aristotle and ancient political science had no illusions about the quantity of "better motives" available; Aristotle thought them to be in as short supply as is supposed by modern political thought. The difference between the ancients and the moderns consists in

the way each addressed the problem of the "defect," and the costs of their respective solutions. For the ancients, since improving those motives—or virtues, we may say in this context—was the end of political life, there was no alternative but to try to increase or improve the stock of "better motives" or virtues. These virtues were not merely instrumental in achieving certain governmental or societal goals; they *were* the goals. Hence in the premodern perspective there was no way to conceive that the defect could be supplied by any substitute. But for modern political thought—because making the motives better, that is, forming the human excellences, was no longer the primary end of politics—a different prospect was opened. The chief political end had become commodious self-preservation, with the higher human matters left to the workings of society. It thus became possible to conceive of interested behavior as a general substitute for the too-hard-to-come-by "better motives."

With respect to the quality of opinion in particular, the answer is the same. For the ancients, since the opinions of society so decisively influence the character of citizens, the formation of which was the end of politics, there was no alternative but to arrange the polis so as to "high tone" the opinions of the citizens as much as possible in the circumstances. For the moderns, however, there is no such necessity; indeed, it is not too much to say that opinion must literally be toned down in order that democratic factionalism not rip society apart.

That raises the question of costs. The moderns say, and with some justification, that ancient and medieval political *practice* had not vindicated the high aims and claims of premodern *thought*; the cost of a political philosophy that aimed too high, we have heard them argue, was to perpetuate in practice a vast human misery. But what of the modern costs and, in particular, what of the cost of the "American way"?

In the public realm, as we saw regarding the separation of powers, Madison's policy condones and even encourages hitherto reprobated interests like self-serving political ambition. In the private realm of the "various and interfering interests," this policy not only accepts but also necessarily encourages perspectives and activities that had hitherto been ethically censored and politically constrained, namely, the aggressive private pursuit by all of immediate personal interests. The very qualities that the classical and Christian teachings had sought to subdue so that those with "better motives" could be brought to attain their full natural height, the new science of poli-

tics emancipates and actively employs. This means nothing less than to whet democratically the appetites of all, to emancipate acquisitiveness and its attendant qualities, and to create the matrix—the large commercial democratic republic—within which such appetites and acquisitive aims can be excited and sufficiently satisfied. Put bluntly, this means that in order to defuse the dangerous factional force of opinion, passion, and class interest, Madison's policy deliberately risks magnifying and multiplying in American life the selfish, the interested, the narrow, the vulgar, and the crassly economic. That is the substratum on which our political system was intended to rest and where it rests still. It is a cost of Madison's policy, the price to be paid in order to enjoy its many blessings.

From the point of view of the generality of mankind, the new policy delivered on its promises. In comparison with the premodern achievement, it raised to unprecedented heights the benefits, the freedom, and the dignity enjoyed by the great many. But the cost must be recognized, precisely in order to continue to enjoy the blessings. Again in comparison with the premodern perspective, that cost is the solid but low foundation of American political life. And foundation must be understood quite literally: American institutions rest upon it. Those who wish to improve American life—specifically, those who would improve the relationship between ethics and politics in America—must base such improvement upon the American foundation; and this means to come to terms with the "policy" that is an essential part of that foundation. Revolution or transformation, that is something else. But if the aim is improvement, it must be improvement that accepts the limits imposed by the "genius" of the particular political order; it must be improvement that makes America her better self, but still her own self.

Yet it is just this foundation that has baffled or immoderately repelled many contemporary students of American political life and history. This is the case with what is perhaps the most influential, and very likely the most widely read, scholarly statement on the American Founding, Richard Hofstadter's *The American Political Tradition*. Hofstadter's book is an especially revealing example of a work that cannot abide the Madisonian reliance upon, and deliberate encouragement of, the system of opposite and rival interests. By seeing that system in the light of Hofstadter's rejection of it, we will further our own effort to understand it. Perhaps we will enlarge our understanding of the American political order by seeing how it can be defended from Hofstadter's attack.

In the spirit of Charles Beard, Hofstadter admires the Founders' republican decency and "realism," but at the same time severely rebukes that realism because it antiquatedly restricts the moral possibilities of American democracy. The Founders, he claims, "did not believe in man." They had "a distrust of man [which] was first and foremost a distrust of the common man and democratic rule." Consequently, the political system they devised was aimed at "cribbing and confining the popular spirit." Notice that Hofstadter does not merely make an interpretive claim as to how the Constitution should be understood; most American disputation has been of that sort, a kind of "quarrel among the heirs" as to the precise meaning of the political heritage. Rather, Hofstadter challenges the worth of the heritage itself. He is not concerned with particular shortcomings in American institutions but with the foundation upon which the entire structure of American politics rests. In short, his criticism goes to the Founders' idea of human nature, of its possibilities and limitations with respect to human excellence. Thus Hofstadter's chapter on the Founders opens with a critical characterization of their idea of man as Calvinist in its sense of evil, and as Hobbesian in its view of man as selfish and contentious. The chapter closes with a long final paragraph that strongly condemns this idea of man and his ethical potential. It is a condemnation that is implicit in many other contemporary rejections of the American political-ethical pre-suppositions and rewards careful examination.

Hofstadter writes that "from a humanistic standpoint there is a serious dilemma in the philosophy of the Fathers, which derives from their conception of man." The dilemma is this: while the founders were not full-blooded Hobbesians, still they had not advanced sufficiently beyond Hobbes to be satisfactory from "a humanistic standpoint." They had at least advanced beyond Hobbes in that, while they accepted his view of man as murderously self-interested, "they were in no mood to follow Hobbes to his conclusion," namely, to the absolute Leviathan state that Hobbes deemed necessary to restrain natural, anarchic man. Rather, despite their Hobbesian view of man, the Founders nonetheless "wanted him to be free-free, in essence, to contend, to be engaged in an unimpired strife." But such freedom, while an improvement on Hobbesian absolutism, is still unsatisfactory because it does not succeed in putting an end to "the Hobbesian war of each against all." Indeed, the Founders did not even have such an intention; they wanted "merely

to stabilize it and make it less murderous." The crucial defect of the American Founding, then, is that the Founders "had no hope and they offered none for any ultimate organic change in the way men conduct themselves. The result was that while they thought self-interest the most dangerous and unbrookable quality of man, they necessarily underwrote it in trying to control it." And, Hofstadter continues, things have worked out exactly as the founders intended; the American political system has provided just the sort of "stable and acceptable medium" for "grasping and contending interests" that the founders had in mind.

Such a political system, and the ideas that shaped and inspired it, cannot apparently be recommended from the "humanistic standpoint." Especially the Founders' chief idea, the idea of an unchanging human nature characterized by rapacious self-interestedness, is humanistically indefensible: "No man who is as well abreast of modern science as the Fathers were of eighteenth-century science believes any longer in unchanging human nature. Modern humanistic thinkers who seek for a means by which society may transcend eternal conflict and rigid adherence to property rights as its integrating principles can expect no answer in the philosophy of balanced government as it was set down by the Constitution-makers of 1787." The implications are unmistakably harsh: "Modern humanistic thinkers" must turn away from the American idea of man and the political system based on it; those who want society to "transcend eternal conflict" must look elsewhere if they are to achieve their humanistic goals.<sup>8</sup>

At first blush, one might think that Hofstadter reaches this conclusion from something akin to the Aristotelian perspective. Hofstadter says more or less accurately that, rather than expecting "that vice could be checked by virtue," the American founders "relied instead upon checking vice with vice." This might suggest that Hofstadter takes his stand with the ancients in accepting the tension in human nature between virtue and vice and that he prefers, along with them, to make the difficult effort to help virtue to prevail over

<sup>8</sup> To "transcend eternal conflict" means to end it, which means to solve all those human problems that have hitherto led to conflict. This is not humanism but utopianism, and it must not be permitted that humanism should thus be subsumed under the utopian perspective. Rather, it may be suggested, humanism means precisely to recognize as perennial those human sources of conflict and to face them reflectively and nobly.

vice. But Hofstadter in fact sees no intrinsic difficulty in causing virtue to triumph, and this reveals how much he differs from both the ancients and an early modern thinker like Madison.

Both Aristotle and Madison agree that political life confronts a fundamental and ineradicable difficulty: human nature is unchanging, and there is a shortage in it of virtue or the "better motives." As we have seen, they disagree over what to do about this perennial difficulty; Aristotle sees in politics the necessity to "high tone" virtue as much as possible in any given circumstances, while Madison chooses the moderating system of opposite and rival interests. But against both of them Hofstadter believes that the perennial "defect" of virtue can simply be overcome by an "organic change" in human nature, which is promised in an unspecified way by "modern science." Hofstadter's entire criticism of the American Founding rests upon his apparent certainty that it is going to be possible "to change the nature of man to conform with a more ideal system." On the basis of what can only be called this utopian expectation, Hofstadter rejects both the Aristotelian and Madisonian views. Or, rather, one might speculate that he implicitly combines them, heedless of their irreconcilabilities. He seems to take from the Aristotelian enterprise something of the elevation to which virtue is thought capable of reaching but strips it of its corollary severity and inegalitarianism; and this "high toned" expectation regarding virtue he apparently combines with the democracy and commodious well-being of Madison's enterprise, but strips it of its corollary, the foundation in the system of opposite and rival interests. Such complacent synthesizing or combining of irreconcilables is the hallmark of contemporary utopianism.

# V

Hofstadter's characterization of the Founders' view of human nature, and of its potential for virtue, is of course not without justification. The political science of the American Founding does indeed have roots in the new political science of Hobbes, and it does seek to "check interest with interest . . . [and] faction with faction." And if that were the whole story—if Madison's "policy" were all that there is to the American political order, and all that there is to his political science—it would be difficult to defend the Founding from Hofstadter's harsh conclusions. We might still have to opt for Madison's ap-

parently amoral "policy" against Hofstadter's utopian alternative, but it would be a most melancholy choice. Or to state this in a way that returns us to our main concerns: if this were all there is to the American political order, we might well have to conclude that, judging by Aristotelian standards, America is not a genuine political community. That is, in the light only of what we have said about the Madisonian foundation, America would seem to be little more than a clever new social arrangement, "an association of place and of not acting unjustly to one another, and for the sake of trade" among fellow residents, but not a regime that forms a common character among fellow citizens. Yet we all know in our bones that somehow there is more to the "American way" than that, that somehow we are fellow citizens within a political order, but one of a special kind. Whether what we feel in our bones is truly so is what we must now consider.

Since a regime reveals itself in the characters it forms, we must consider the American virtues or excellences, that is to say, the particular kind of human character formed among Americans. Now, the interesting thing is that however much we are not a regime in the ordinarily recognizable Aristotelian sense, we are emphatically so in one regard: We form a distinctive being, the American, as recognizably distinctive a human product as that of perhaps any regime in history. Something here turns out humanness in a peculiar American shape. What are those American virtues or excellences and how are they generated? While never forgetting its mooring in the Madisonian base, we may now consider briefly the height to which the formation of character in America reaches. This means, of course, to conclude our consideration of the particular American relationship of ethics and politics.

While the American Founders turned away from the classic enterprise regarding virtue, they did not thereby abandon the pursuit of virtue or excellence in all other possible ways. In fact, the American political order rises respectably high enough above the vulgar level of mere self-interest in the direction of virtue—if not to the highest reaches of the ancient perspective, still toward positive human de-  
 cencies or excellences. Indeed, the prospect of excellences is opened up even within the very commercial interests, the unleashing of which is requisite to Madison's scheme. To see this, it is necessary to distinguish greed, or avarice, on the one hand, and acquisitiveness, on the other. The commercial society unleashes acquisitiveness; but this is by no means the same thing as to give vent to the avarice or cov-

A positive view of American society.

etousness that, traditionally, all philosophies and religious creeds have condemned. Both modern acquisitiveness and traditional avarice have perhaps the same source, namely, the desire, even an inordinate desire, for bodily things. But, as the roots of the two words suggest, in age-old avarice the emphasis is on the passion of *having*, whereas in modern acquisitiveness the emphasis is on the *getting*. Avarice is a passion centered on the things themselves, a narrow clutching to one's self of money or possessions; it has no built-in need for any limitation of itself, no need for moderation or for the cultivation of any virtues as instrumental to the satisfaction of the avaricious passion. But acquisitiveness teaches a form of moderation to the desiring passions from which it derives, because to acquire is not primarily to have and to hold but to get and to earn, and, moreover, to earn justly, at least to the extent that the acquisition must be the fruit of one's own exertions or qualities. This requires the acquisitive man to cultivate certain excellences, minimal ones perhaps from the classical perspective, but excellences nonetheless, as means to achieve his ends. He wants enlargement and increase and these require of him at least venturesomeness, and hard work, and the ability to still his immediate passions so as to allow time for the ripening of his acquisitive plans and measures. In short, acquisitive man, unlike avaricious man, is likely to have what we call the bourgeois virtues.

It is in this context that we must understand Hamilton's observation that a commercial society nurtures "the assiduous merchant, the laborious husbandman, the active mechanic, and the industrious manufacturer." Avarice, strictly understood, has no such salutary effects; acquisitiveness does. And it is not only excellences like assiduity, labor, activity, and industry that a commercial society nurtures. "Honesty is the best policy" is not acceptable prudence to the avaricious man, but it is almost natural law to the "assiduous merchant." Acquisitiveness may not be the highest motive for honesty, but if it produces something like the habit of honesty in great numbers, is not that a prodigious accomplishment? Similarly, the notion that "it takes money to make money," a maxim familiar to the acquisitive man, bears at least a relation to the ancient virtue of liberality; but the avaricious man simply cannot let loose his money to the extent that the commercial principle makes common practice. Scrooge was surely not less successful as a merchant after he acquired the liberal spirit of Christmas; indeed, the old Scrooge belonged to an older world of avarice, while the new Scrooge would perhaps be

more at home in a modern commercial society. Finally, the acquisitive man is plunged by his passion into the give-and-take of society and must thus learn to accommodate himself to the interests of others. In this he is at least pointed toward something like justice. But the avaricious man is drawn by his passion wholly within the confines of his own narrow soul.

When Madison's "policy of opposite and rival interests" is understood in the light of this distinction between avarice and acquisitiveness, we can begin to see the ground for some of the excellences we all know to be characteristic of American life. We can then avoid thinking, as many have, that the vice of avarice peculiarly flourishes in America. On the contrary, we can claim that avarice here is peculiarly blunted by the supervening force of acquisitiveness and its attendant valuable qualities. No one understood this possibility more profoundly than Montesquieu, who argued that "frugality, economy, moderation, labor, prudence, tranquility, order, and rule" are virtues or excellences that are naturally generated in a "democracy founded on commerce."<sup>9</sup> These may be put down as merely "bourgeois virtues," but they are virtues, or human excellences, nonetheless. They reach at least to decency if not to nobility; they make life at least possible under the circumstances of modern mass society and seem more useful and attractive than ever now that they are in diminishing supply.

Tocqueville, who learned from Montesquieu, also teaches virtue in the same spirit but still more hopefully, and with him we may see a higher level to which the formation of American character reaches. The foundation, Tocqueville understands as does Montesquieu, is an acquisitive commercial order in which self-interest must be allowed to flourish; Tocqueville coolly accepts that it cannot be suppressed or transcended. Whatever might have been possible in earlier aristocratic ages, when men had perhaps been able to sacrifice self-interest for the "beauty of virtue," this is now impossible. In the modern age of equality, "private interest will more than ever become the chief if not the only driving force behind all behavior." But this is not cause for despair; if there is no hope of transcending private interest, still much depends on how "each man will interpret his private interest."<sup>10</sup> What is necessary is that men learn to follow

<sup>9</sup> Montesquieu, *The Spirit of the Laws*, Book 5, chap. 6.

<sup>10</sup> Alexis de Tocqueville, *Democracy in America*, trans. George Lawrence (New York: Harper & Row, 1966). Unless otherwise noted, all references are to pp. 497-99.

the "principle of self-interest properly understood." The Americans, Tocqueville says, have "universally accepted" that principle and have made it the root of all their actions: "The Americans enjoy explaining almost every act of their lives on the principle of self-interest properly understood. It gives them pleasure to point out how an enlightened self-love continually leads them to help one another and disposes them freely to give part of their time and wealth for the good of the state."

Oddly, and in a manner reminiscent of Madison in *Federalist* 51, Tocqueville interrupts his presentation at this point as if wishing to draw a veil over the harsh foundation of this "principle." But he forces himself, as it were, to a full statement of its implications.

Self-interest properly understood is not at all a sublime doctrine. . . . It does not attempt to reach great aims, but it does . . . achieve all it sets out to do. Being within the scope of everybody's understanding, everyone grasps it and has no trouble bearing it in mind. It is wonderfully agreeable to human weaknesses and so easily wins great sway. It has no difficulty in keeping its power, for it turns private interest against itself and uses the same goad which excites them to direct the passions.

The doctrine of self-interest properly understood does not inspire great sacrifices, but every day it prompts some small ones; by itself it cannot make a man virtuous, but its discipline shapes a lot of orderly, temperate, moderate, careful, and self-controlled citizens. If it does not lead the will directly to virtue, it establishes habits which unconsciously turn it that way.

One element in Tocqueville's account of these "habits," which are the common stuff of American political life, is especially worth noting. Not only does "self-interest properly understood" cause Americans to acquire certain personal excellences, and not only does it lead them regularly to help one another in their private capacities, but it also "disposes them freely to give part of their time and wealth for the good of the state." By this Tocqueville refers to the extraordinary extent to which Americans actually govern themselves; from the habit and practice of self-government, American character reaches up to the republican virtues. The imposing extent of American self-governance, and hence its character-forming significance, has been obscured in recent years because observers have brought to the question a utopian expectation that degraded the reality. But Tocqueville, by making realistic comparisons and taking his bearings from the nature of things, was able to appreciate the astonishing degree in America of self-governing and self-directing activity

in all spheres of life. In fact, he warns his readers that, while they could very well conceive all other aspects of America, "the political activity prevailing in the United States is something one could never understand unless one has seen it. No sooner do you set foot on American soil than you find yourself in a sort of tumult; a confused clamor rises on every side, and a thousand voices are heard at once, each expressing some social requirements."<sup>11</sup> This tumult, this clamor, is the sound of men and women governing themselves. And in presupposing and summoning forth the capacity of a people to govern themselves, the American political order advances beyond mere self-interest toward that full self-governance which is the very idea of virtue.

We may very briefly note two further aspects of American life which are, in a way, at the peak of the "ascent" we are sketching. First, American democracy as understood by its Founders, whether in the Declaration of Independence or the Constitution, made only a modest claim. It never denied the unequal existence of human virtues or excellences; it only denied the ancient claim of excellence to *rule as a matter of right*. Now this denial is of immense importance because, in contrast with the ancient justification of the political claims of the few, it deeply popularizes the very foundation of political life. But the American political order nonetheless still presupposed that an inequality of virtues and abilities was rooted in human nature and that this inequality would manifest itself and flourish in the private realm of society. The original American democratic idea thus still deferred to a relatively high idea of virtue, the while denying its claim to rule *save by popular consent*. Indeed, not only was the idea of unequal excellence acknowledged and expected to flourish privately, but it was the proud claim of American democracy to be the political system in which merit, incarnated in Jefferson's "natural aristocracy," was likeliest to be rewarded with public office, in contrast with the way "artificial aristocracy" flourished corruptly in other systems. Nothing is more dangerous in modern America than those subverting conceptions of human nature or of justice that deny that there are men and women who deserve deference, or deny democracy its aspiration to be that political system which best defers to the truly deserving.

Finally, and with a brevity disproportionate to importance, one should also note gratefully that the American political order, with

<sup>11</sup> *Ibid.*, p. 233.

104 *The Moral Foundations of the American Republic*  
 its heterogeneous and fluctuating majorities and with its principle of liberty, supplies a not inhospitable home to the love of learning. This is at a respectable distance indeed from its foundation in a "policy of opposite and rival interests."

## VI

We have examined the "policy" that is the restraining or ballasting base of the "American way," and now we have some idea of what are the distinctive and respectable American virtues or excellences that rise on and above the base. In the light of those distinctive virtues, we can claim that America manifestly qualifies as an authentically political community or regime, at least with regard to the production of an ethos, or of a distinctive human character or characters. But we still have not gotten a satisfactory handle on the political side of the ethics-politics relationship here: while American character is as much our distinctive ethical nurture as is the human character formed in any other regime, it still remains a puzzle as to how that character is politically generated here.

We cannot hope to explicate the matter fully, but it will help to recur to the Aristotelian understanding of a regime. In Aristotle's view, three elements together make a community authentically political rather than merely a social arrangement that lacks a regard for "what the qualities of the others are." A community is a political regime when: (1) it forms itself upon some particular idea of what is "advantageous and just" for human beings; (2) its citizens are molded into a particular human character on the pattern of that idea; and when (3) this is done by means of vigorous, comprehensive, and penetrating laws, that is, by means of a political art that regulates—not just Madison's "various and interfering interests," but religion, education, family life, mores generally, economic behavior, and whatever helps bring into being the kind or kinds of human being contemplated by the central idea of the particular regime.

The puzzle in the American case is the discrepancy between the way we fully qualify as a regime regarding the second requirement, the forming of distinctive virtues or characters, but emphatically do not qualify regarding the last requirement, namely, the use of governmental authority to form those virtues. It is in this respect, in the absence of the censorious and sumptuary laws and institutions characteristic of ancient political science, that America is most un-

## Ethics and Politics

105

like an Aristotelian regime. As we saw earlier, this removal of government from the business of directly superintending the formation of character is central to the "new science of politics," on the basis of which the American republic was largely founded. And this narrowing of the range of political authority, we also saw, resulted from a lowering of the aims of political life. This meant a lowering of the idea of the "advantageous and the just." It is likely, then, that the explanation of the puzzling American discrepancy—character formation, but not by use of the laws—will be found in the status in America of the first of Aristotle's three regime requisites, that is, in the American idea of what is advantageous and right for humans.

By the "American idea" of the advantageous and just, we mean here the idea contained in the Declaration of Independence and the Constitution, the two linked founding documents of the American republic. This is not to deny that many other elements form part of the American idea in practice—elements like the Anti-Federalist "virtuous republic" tradition, or Puritanism with its original high-pitched piety, or the high-toned Anglicanism that long persisted in this country, or vestiges of the English aristocratic tradition, or, more recently, elements derived from powerful intellectual currents in the contemporary world, or from the many other possibilities that crowd into a particular national "idea" in practice. All of these elements must be given their due weight in a full account of the American relationship of ethics and politics. But they all become most intelligible in their operation when they are seen in tension with the central American idea, the idea derived from the new science of politics, the idea decisively embodied in the "frame" of the republic, that is, in the principles, institutions, and processes of the Constitution.

The central American idea of what is advantageous and just for humans, as we have seen, is clearly less elevated than that of the classical teaching. The ethical aim of the American political order being less lofty, the kinds of human characters to be politically formed are likewise less lofty and, hence, less difficult of formation. Such human beings may be produced by softer means, subterranean in their operation and indirect, thereby rendering unnecessary the strenuous and penetrating political authority characteristic of the ancient regime. It has in fact proved possible to raise human character to the American height in this gentler, less demanding fashion.

Consider what we have called the "bourgeois virtues." As Mon-

tesquieu observed, the "spirit of commerce" of itself entices these modest excellences into being. Their formation does not require the severity and constant statesmanship of the classical political outlook; it suffices that a modern regime generate that "spirit" and then the desired virtues tend naturally to form themselves. This fundamental difference is revealed in a superficial similarity between the ancient and modern ways of generating their respectively required virtues. In one interesting respect, the modern bourgeois virtues are formed politically the same way that the ancient teaching prescribed regarding its virtues, namely, by a decision regarding the size of the political community. The decisions are, of course, exactly opposite: The classical ethical-political teaching requires the small scale of the polis; the Madisonian "policy" with its attendant "bourgeois virtues" requires the scale of a very large republic. For the ancients, the polis had to be small so as to provide a constraining environment for the appetites; for the moderns, the republic had to be large so as to excite the acquisitive appetites whence the spirit of commerce arises. But for the ancients the size of the polis of itself accomplishes little regarding the right character formation; the polis was simply the requisite setting within which a high political art could be employed to generate the appropriate virtues. But once the modern republic has been organized on a large enough scale and, of course, once its fundamental laws have established the framework for the life of commerce, government need not be used thereafter closely to superintend the formation of the bourgeois character. The appropriate ethical consequences may be expected to flow. In this respect, the relationship of ethics and politics in America is more the work of the original Founding than of a demanding statesmanship thereafter; appropriate characters are formed by force of the original political direction of the passions and interests.

We have also pointed to the American republican virtues that arise from the habit and practice of self-government. Like the bourgeois virtues, these too are formed in the milder modern way. The American republican virtues arise primarily from political arrangements that accept and seek to channel the force of human passion and interest rather than to suppress or transcend them. And these republican virtues likewise arise primarily from the original Founding and not from subsequent statesmanship shaping the character of the citizenry. The Constitution, and, thanks to federalism, the state constitutions as well, establish a basic framework of institutions that elicit ethical qualities of citizenship such as independence, initiative,

a capacity for cooperation and patriotism. Tocqueville teaches us the way these qualities are formed in the American character. He shows how, by means of administrative decentralization, the jury system, voluntary associations, and the like, self-interest is "unconsciously" drawn in the direction of republican virtue. Like the bourgeois virtues, these republican decencies in the American character do not depend decisively upon constant constraint or encouragement by statesmanship but tend to flow from the operation of the political institutions as originally founded. James Madison also teaches us about the character-forming possibility of the Founding, for example, in his understanding of the Bill of Rights. Madison justified the addition of the Bill of Rights to the Constitution in part on "declaratory" grounds. "The political truths declared in that solemn manner," he said, "acquire by degrees the character of fundamental maxims of free Government, and as they become incorporated with the national sentiment, counteract the impulses of interest and passion."<sup>12</sup> In this sense, the Founding becomes more than an arrangement of the passions and interests; when "venerated" by the people, it can serve as an ethical admonition to the people, teaching them to subdue dangerous impulses of passion and interest. This goes far in the direction of genuine republican virtue, but it still rests on the mild and merely declaratory tutelage of the Founding, not on the sterner stuff of ancient political science.

Finally, the American Founders seem simply to have taken for granted that the full range of the higher human virtues would have suitable opportunity to flourish, so to speak, privately. They presumed that man's nature included a perhaps weak but nonetheless natural inclination to certain virtues. Although they did not rely upon these "better motives," as we have here called them, as the basis for the political order, they were apparently confident that, privately and without political tutelage in the ancient mode, these higher virtues would develop from religion, education, family upbringing, and simply out of the natural yearnings of human nature. Indeed, they even accorded to these higher excellences a quasi-public status in the expectation mentioned earlier, that American democracy would seek out and reward the "natural aristocracy" with public

<sup>12</sup> Madison to Jefferson, Oct. 17, 1788, in *Writings of James Madison* (New York: Putnam's, 1904), 5:273. I am indebted to my wife, Ann Stuart Diamond, for calling to my attention the appositeness of this passage to my purposes. Madison's view of how the Bill of Rights can acquire "the character of fundamental maxims of free Government" should be considered in connection with his discussion of "veneration" and public opinion in *Federalist* 49.

trust. Whether these expectations of the Founders were reasonable then or remain so now is a grave matter for inquiry, but an inquiry

beyond the scope of this essay.

We have suggested here a way through which Americans should inquire into, and go about, the ethical enterprise of politics. We have argued that there is a distinctive American way respecting the relationship of ethics and politics; and hence, while taking our bearings from the universal commands of the highest ethics, we must as political beings seek to achieve politically only that excellence of character that, to adapt a phrase from Tocqueville, "is proper to ourselves." That character largely remains the product of the subtle strategy of the American Founders, the understanding of which thus remains indispensable to us. We must accept that their political order had its foundation in the human interests and passions; but we must appreciate also that their political order presupposes certain enduring qualities that can and should be achieved in the American character. The preservation of that foundation and at the same time the nurturing of the appropriate ethical excellences remains the compound political task of enlightened American statesmen and citizens. The easy error is to deal with only one side of that compound task. On the one hand, it is easy to be concerned only with the foundation and to settle for a form of liberty that consists only in the free play of raw self-interest. But this is to ignore the subtle ethical demands of the American political order. On the other hand, it is even easier today to make utopian demands upon the political system for unrealizable ethical perfections. But this is to ignore the limiting requisites of the unique American ethos, namely, the foundation in the passions and interests upon which it rests. Moreover, such utopianizing has the tendency inexcusably to ignore or deprecate the liberty and deencies which the American political order, resting on that foundation, continues to secure in an ever more dangerous world. In contrast to both these one-sided approaches, it is intellectually and ethically rewarding to grasp the compound ethical-political demands of the "American Way" and to seek within each day's budget of troubles "to attain that form of greatness . . . which is proper to ourselves" and even enclaves of other greatnesses as well.<sup>13</sup>

<sup>13</sup> Tocqueville, *Democracy in America*, p. 679.