Tocqueville, Hayek, and American Intellectual Conservatism

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Observers sometimes note that the postwar American conservative movement was at least partly responsible for a renewed interest in Alexis de Tocqueville's *Democracy in America* within contemporary scholarly and intellectual circles. Many conservative academics and commentators sought to understand the supposed ills of modern liberalism and the challenges of twentieth-century American democracy by reexamining the writings of Edmund Burke, but never far behind was a parallel reexamination of Tocqueville. In *Democracy in America,* Tocqueville had analyzed many of the potential pathologies of democracy, including the dangerous nature of abstract, general ideas and doctrinarism, materialism, the problems of unfettered individualism, modern egalitarianism, the rise of the centralized administrative state, and America's increasing tendency toward "soft despotism."

Such arguments were attractive to the intellectual factions that eventually coalesced to form the postwar conservative movement; among them was a group of scholars and commentators sometimes loosely referred to as "libertarians," indebted in part to the writings of the economist F. A. Hayek. Hayek's analysis of contemporary democracy, central planning, and the threat of administrative despotism owed much to his reading of Tocqueville's *Democracy in America*. Painting himself as an

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"Old Whig," or a classical liberal in the tradition of Burke, Acton, Smith, and Tocqueville, Hayek drew freely, frequently, and plausibly on Tocqueville's political thought. This article examines Tocqueville's influence on Hayek's thought and, to a lesser extent, on twentieth-century American intellectual conservatism more generally.

The following discussion is divided into four sections. The first section examines Tocqueville's account of the relationship between equality of conditions, individualism, and soft despotism and the consequences of that relationship for American democracy. Tocqueville's analysis here provided intellectual ammunition for many conservatives to critique the development of twentieth-century American politics. My second section thus briefly details the interest in Tocqueville's *Democracy in America* among several scholars associated with the beginnings of American intellectual conservatism, in particular the traditionalists Russell Kirk and Robert Nisbet.

The third and main section focuses more particularly on Hayek's role in this appeal to Tocqueville. Here I examine the manner in which Hayek used Tocqueville's thought to support his own argument that central planning and the administrative state pose considerable threats to individual liberty. I focus especially on Hayek's nods to Tocqueville in three of his most overtly political works: *The Road to Serfdom* ([1944] 1994), his essay "Individualism: True and False" (1948), and to a lesser extent, *The Constitution of Liberty* ([1960] 2011). In each case, Hayek was largely successful in incorporating Tocqueville's insights into his own thought. However, as Hayek himself likely understood, the extent to which latter-day intellectuals and politicians can plausibly claim the mantle of prior thinkers is sometimes limited. In a final section, I discuss the difficulties inherent in branding both Tocqueville and Hayek's thought with contemporary ideological labels.

Tocqueville on the Pathologies of Democracy

In *Democracy in America,* Tocqueville situated his analysis of popular government within the seven-hundred-year-long march of "equality of conditions." Indeed, he sometimes defined democracy itself as a social state synonymous with this equality of conditions, that is, as a universal leveling, a breakdown of established social, political, and economic hierarchies (Zetterbaum 1967, 58; Mansfield and Winthrop 2000, xlix–lii; Schleifer 2012, 56–64). Tocqueville claimed that, in his study of America, equality of conditions emerged as the "generative fact from which each particular fact seemed to issue" (2000, 3). By the early 1830s, the world had long been witnessing the slow progress of a great democratic revolution. The breakdown of European aristocracies had begun much earlier with the emerging political power of the clergy, which was open to all ranks of society. Slowly, a democratic equality began to penetrate the church, and then government. As societies developed, improved civil laws became increasingly necessary, and lawyers and judges began to check the power of feudal barons. Commerce developed and merchants too gained increasing

political power. Slowly, the Enlightenment spread a taste for literature and the arts, and men of learning soon took a place in political affairs as well. With the breakdown of primogeniture and the recognition of transferable wealth, the increase of private property, and the advance of literacy, technology, and the arts, great aristocratic land holdings and political power were broken up over time (4–6).

From this point forward, Tocqueville wrote, "all processes discovered, all needs that arise, all desires that demand satisfaction bring progress toward universal leveling" (5). The appearance of Protestantism contributed to this process, proclaiming that "all men are equally in a state to find the path to Heaven." Over time, the "gradual development of equality of conditions," the middling of intellect, fortunes, and political power, seemed a "providential fact." This equality was "universal" and "enduring." All men, some despite themselves, and some without knowing it, contributed to its development "as blind instruments in the hands of God" (6).

In light of equality of conditions, Tocqueville claimed that *Democracy in America* "was written under the pressure of a sort of religious terror in the author's soul, produced by the sight of this irresistible revolution that for so many centuries has marched over all obstacles, and that one sees still advancing today amid the ruins it has made" (6). This seemingly universal and irresistible march of equality helped to explain the development of American democracy. Thus far, at least, America had somehow made popular government work. To understand how it managed to do so might contribute to a new political science suited for a new world defined by equality of conditions. Despite his statements that democracy was somehow irresistible, in Tocqueville's analysis there was still room for human action. Informed by this new political science, the primary task of statesmanship was to "instruct democracy," to "reanimate its beliefs," "purify its mores," and "regulate its movements." Statesmen must substitute the inexperience of democracy, little by little, for the "science of affairs." They must point democracy in the direction of its true interests and prudentially adapt its government in light of variable circumstances (7).

Tocqueville suggested that he was not an adversary of democracy and thus wanted to be "sincere with it." A true friend of democracy, he argued, must not flatter democracy (400). The effects of equality of conditions are many, and not all of them good, and Tocqueville levied some of his most significant criticisms of democracy in terms of the trade-offs that come from the breakdown of aristocracy and the progress of equality of conditions. According to Tocqueville, the barriers of class and heredity have disintegrated. Political influence and careers are now formally open to all, but this often contributes only to mediocrity and the low but solid ground of modern life. Equality of conditions cultivates certain habits of the American mind and brings with it a middling effect that pulls the high or excellent toward the center, just as it raises the low upward and expands equality of opportunity. Virtue and excellence are threatened. Great works of philosophy, science, the arts, and literature are rare (428–52, 508–09). To the extent such pursuits are taken up, they produce

little of note, are rarely done for their own sake, and are merely instrumental to the restless pursuit of material interests, e.g., bodily well-being, moneymaking, and comfortable self-preservation (Zetterbaum 1967, 62–66; Mansfield and Winthrop 2000, lxvi–lxvii; Schleifer 2012, 72–77). Particularly problematic for democracy is its tendency toward a related and still more fundamental notion of "materialism": that there is nothing in this world but matter and motion, and hence no objective, enduring moral standard by which to judge human action (Tocqueville 2000, 519; see Holloway 2016). In this, our concerns are turned from reason, virtue, and the health of the soul toward the mere satisfaction of bodily desires.

Yet if equality of conditions as a fact of the social state produces these problems, Tocqueville alerts us to another, related danger: the passion or love for equality naturally and necessarily grows with equality of conditions (Tocqueville 2000, 479, 644–45). This passion for equality is divided into two contrary types. Tocqueville explained: "There is in fact a manly and legitimate passion for equality that incites men to want all to be strong and esteemed. This passion tends to elevate the small to the rank of the great; but one also encounters a depraved taste for equality in the human heart that brings the weak to want to draw the strong to their level and that reduces men to preferring equality in servitude to inequality in freedom" (52). One of the central challenges for democracy is thus to ennoble and channel the passion for equality in the proper direction.

Democratic peoples, Tocqueville argued, ultimately show a greater and more lasting love for equality than for freedom, or liberty. The gains of equality are quickly and easily felt, while the benefits of freedom are not so easily or quickly achieved or recognized. Likewise, the dangers of equality are discovered more slowly than the dangers freedom might bring. Memorably, Tocqueville claimed that democratic peoples have a natural taste for freedom, but their passion for equality is "ardent, insatiable, eternal," and "invincible." 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" (482, cf. 639–40). For Tocqueville, equality can lead to despotism just as it can lead to freedom, and he presents us with two potential dangers in particular: tyranny of the majority and soft despotism.

From the principle of the sovereignty of the people flows the concept of majority rule and, according to Tocqueville, "the very essence of democratic governments" is that "the empire of the majority is absolute" and "irresistible" (235, 236). For Tocqueville, the authority granted to the majority is based not so much on reason as habituation. Indeed, it is the "theory of equality applied to intellects," which merely assumes that there is more enlightenment and wisdom in a collection of people than in one individual (236). Moreover, Tocqueville claimed, the omnipotence of the majority is also founded on the idea that the interests of the greater number ought to be preferred to the interests of the few. Of course, neither of these statements suggests a ringing theoretical or moral endorsement of majority rule (237).

Insofar as the power of the majority is absolute, Tocqueville did not think this power is always right or just. He identified as "impious and detestable" the "maxim that in matters of government the majority of a people has the right to do everything" (240). Tocqueville appealed to a "general law" that "has been made or adopted not only by the majority of this or that people, but by the majority of all men. This law is justice." Justice therefore forms "the boundary of each people's right." According to Tocqueville, if one refuses to obey an unjust law, one does not deny the majority's right to command; one only appeals "from the sovereignty of the people to the sovereignty of the human race" (240). Justice, humanity, and reason sit in the moral world, above majority rule. In the political world, acquired rights also place limits on the power of the majority. The majority recognizes these things, Tocqueville suggested, and if the majority crosses them "it is because it has passions, like each man, and because like him, it can do evil while discerning the good" (380).

Tocqueville argued that, like majority rule, the problem of individualism is another consequence of equality of conditions. Where equality of conditions prevails, all the connections of place, heredity, tradition, and class are obliterated, and most people believe themselves self-sufficient, or at least think they can become so. This individualism is not mere selfishness, but rather a tendency for individuals to look away from broader communities, to draw inward toward more immediate relationships and interests, a tendency encouraged by the democratic social state (Tocqueville 2000, 482–84, cf. 403–5; see also Schleifer 2012, 77–82; Henderson 2017). Although some might think it would always foster liberty and self-sufficiency, individualism might yield paradoxical results. Americans are not deep thinkers, Tocqueville suggested, and as restless, busy, independent individuals on the make, they often look to intellectual shortcuts and general ideas in pursuit of their material interests. Among such shortcuts are the reliance on mass opinion, a tendency to support the centralized administration of uniform laws, and the embrace of a vague and leveling kind of egalitarianism that scorns any hint of difference, excellence, or privilege. According to Tocqueville, Americans' individualism, their taste for general ideas, and their materialism all prepare them for a new and pervasive kind of despotism (Tocqueville 2000, 640–43, 661–65).

Tocqueville's account of the dangers of "soft" despotism is well known by students of *Democracy in America*. The Old World had witnessed "hard" despotism, wherein some unwilling individuals or groups might be ruled tyrannically at the whims of those in power, but (owing to limits in technology, intentions, opportunity, and ideas) rarely did despots extend uniform, centralized, oppressive rules on entire peoples. But in times of equality, a new, milder, "soft" despotism results from individuals willingly sacrificing their independence and responsibility for self-government to an all-encompassing, tutelary, administrative state. The people's rulers, Tocqueville argued, would not resemble tyrants so much as schoolmasters. According to Tocqueville, one could compare it to the rule of a parent over a child,

but a parent seeks to prepare a child for adulthood; soft despotism only seeks to keep people in perpetual childhood. Tocqueville argued that, in such a regime, administrative centralization is combined with the sovereignty of the people. Elections serve an essentially rhetorical purpose and the people content themselves by thinking they have chosen their schoolmasters (Tocqueville 2000, 662–64; see also Zetterbaum 1967, 69–80; Mansfield and Winthrop 2000, lxiii–lxvi; Rahe 2009, esp. 185–89). The state provides for our security, our pleasures, and desires. It directs our industry and conducts our affairs. It is the "unique agent and sole arbiter" of such things, working for our enjoyment, provided we think only of our enjoyment. Equality, Tocqueville wrote, "has prepared men for all these things." In the end, citizens are reduced to "nothing more than a herd of timid and industrious animals of which the government is the shepherd" (Tocqueville 2000, 663).

Yet, even here, Tocqueville did not give up on equality, for it is from equality that the taste for independence comes. This taste for independence lies at "the bottom of the mind and heart of each man, thus preparing the remedy for the evil to which it gives birth" (640). Tocqueville suggested that the excesses of democracy might be moderated through a series of institutions and ideas. Religion—particularly Christianity—helps to combat the problems of individualism and materialism by fostering proper mores, reminding individuals of their connections to community, the difference between liberty and license, the importance of family, their duties to God, the existence and immortality of the soul, divine rewards and punishments, and things high, noble, and ordered (Tocqueville 2000, 32–45, 274–88, 417–24, 517–21; see also Zetterbaum 1967, 112–23; Schleifer 2012, 112–14; Holloway 2016). Political activity in local government, civic associations, juries and courts, and a free press educate citizens about political liberty and the exercise of their rights and civic duties (Tocqueville 2000, 56–79, 172–86, 227–29, 250–64, 493–500, 666–73). The doctrine of self-interest well understood, while not necessarily conducive to higher virtues or excellence, has become accepted in America and helps to temper individualism (500–503). Federalism helps to combat the danger of majority tyranny and the centralizing tendency of democratic government (82–93, 146–61).

Tocqueville concluded *Democracy in America* with the following statement: "Nations of our day cannot have it that conditions within them are not equal; but it depends on them whether equality leads them to servitude or freedom, to enlightenment or barbarism, to prosperity or misery" (676). Equality is at once a source of great benefit for popular government and a key source of its potential vices and ills. For Tocqueville, the great task of statesmen is to help moderate the love of equality, to nurture it so as to foster a legitimate taste for equality conducive to healthy majority rule, rather than to let the passion for equality in ever-increasing respects lead to a democratic envy destructive of true self-government.

For conservative intellectuals in mid-twentieth-century America, such arguments were attractive and useful. Indeed, many would see Tocqueville's analysis as

strikingly applicable to the American experience after the New Deal and into the 1950s. Tocqueville's *Democracy in America* helped to explain many of the perceived ills of contemporary American political life, and it could offer insight into potential remedies necessary to combat them.

Democracy in America and the Beginnings of American Intellectual Conservatism

As George Nash observes, prior to the New Deal and the Second World War, it is difficult to speak of a particularly American conservatism, at least in the sense of a conservative "movement," or an "articulate, coordinated, self-consciously conservative intellectual force . . . in the United States." Yet, related in at least some way to the threat of communism and totalitarianism on the international scene—and to modern liberalism, the administrative state, and the moral and cultural questions of the day—by the 1950s classical liberals, traditionalists, and anticommunists of various stripes began to converge into a loose intellectual coalition, however uneasily and imperfectly (Nash 2006, xx; see also Feulner 2008, 7).

Of particular importance in the conservative appeal to Tocqueville were the traditionalists. After World War II, a small group of intellectuals—including, among others, Russell Kirk, Richard Weaver, and Robert Nisbet—adopted a Burke-inspired critique of contemporary liberalism after the New Deal and of modernity more generally. Initially hailed as the "new conservatives," and later referred to as traditionalists, these writers often looked with suspicion on the liberal preoccupation with individualism, social contract theory, and abstract, natural-rights language. Much of the collectivist and totalitarian ills of the twentieth century, they argued, appeared sewn into the very fabric of Enlightenment liberalism. For theoretical abstraction, ideology, political doctrinarism, materialism, and universalism, they sought to substitute a renewed appreciation for particularity and circumstance, prudence, tradition, prescription, and an organic understanding of political community. These things, claimed the traditionalists, could offer a safer and more humane guide for political life (see Edwards 2004; Henrie 2004; Wolfson 2004, 34–36; Nash 2006, esp. chaps. 3 and 7; Continetti, 2022, chap. 4).

Nash explains that American conservatism has always been preoccupied with its own intellectual pedigree or genealogy, understood in light of the history of ideas. The story of modernity, and America, would often be one of decline, wherein traditional ideas, habits, customs, and ways of living had been undermined, threatened, or otherwise forgotten in the face of new ideas and practices. American intellectual conservatism, Nash claims, was thus always seeking definition, and any proper definition seemed to include at least some appreciation for tradition and some notion of a usable past. That tradition would presumably need to be articulated, defended, or

recovered to counter the more threatening moral and political elements of modern democracy. Nash, however, reminds us of a simple point: before "one can defend or refine a tradition, one must find one. This was the task facing traditionalist conservativism in America after 1945" (2006, 85). Some emphasized the moral and religious inheritance of Christianity as a bulwark against the tide of liberal, secularist modernity. Still others looked to the pre-Christian roots of the Western intellectual tradition, turning to the classical political philosophy of Plato and Aristotle. But Nash rightly suggests that such things "did not exhaust the impulse to recover a 'conservative' past. More modern and secular heroes were needed to complete the conservative pantheon. One of the first to be invoked was Alexis de Tocqueville" (96). In particular, *Democracy in America* provided a rich and detailed account not only of the problems most incident to popular government, but of some of the potential remedies available to combat them.

Thus, with the development of postwar intellectual conservatism came a new, or revived, interest in Tocqueville and *Democracy in America* among many thinkers. This revived interest is perhaps best illustrated in the work of traditionalists such as Kirk and Nisbet in the early 1950s. In *The Conservative Mind*, Kirk added Tocqueville to his catalog of conservative thinkers, including Burke, John Adams, Benjamin Disraeli, Nathaniel Hawthorne, and Orestes Brownson, among others (Kirk [1953] 1978, 163, see also 178–79, 195; Continetti, 2022, 97; Feulner 2008, 8). In his seminal study *The Quest for Community*, Nisbet ([1953] 1990) argued that the political history of modernity could be partially characterized by the breakdown of intermediate associations that had once filled the space between the individual and the state (e.g., classes, families, guilds, churches, local communities, etc.). Seeking liberation from the strictures of traditional forms, people look to the modern state for community, for material and spiritual satisfaction, only to find restless alienation, homogenization, mediocrity, and ever-expanding state power. The similarity to Tocqueville's analysis of the democratic social state was, of course, not lost on Nisbet (see also Nisbet 1966, 1973, 1975). Of course, one encounters similar arguments today, often among arguably traditionalist conservatives, many of whom routinely look to Tocqueville for intellectual support and inspiration. Along with some communitarians on the left, these scholars tend to focus on the perceived ills of modern capitalism and mass culture, restless individualism, materialism, administrative centralization, and the breakdown of community (see, for example, Deneen 2016, 2018; Dreher 2017).

Obviously, however, the traditionalists are not alone in invoking Tocqueville's *Democracy in America* as a source of intellectual guidance. Indeed, to the delight of some, and the consternation of others, by the 1990s Tocqueville eventually became the darling of many commentators and academics on the right, coming from various strands of American intellectual conservatism (see Nisbet 1977; cf. Kammen 1998, 34, 36, 38; Mancini 2006, 202; 2008, 267–68). Aside from traditionalists, one most commonly encountered the appeal to Tocqueville among overtly political

and policy-oriented neoconservatives, as well as some of the more theoretically minded "East Coast" students of Leo Strauss, including Harvey Mansfield and Allan Bloom, both of whom saw Tocqueville as a realistic, prudent, but decidedly friendly critic of American democracy (see, for example, Bloom 1987; Mansfield and Winthrop 2000). While they might fault Tocqueville for his silence on the importance of the Declaration of Independence to the American founding, and ultimately elevate Lincoln over Tocqueville, even "West Coast" Straussians of the Harry Jaffa–Claremont Institute variety could still find much to praise in *Democracy in America* (see, for example, West 1991, 2002; Masugi 2000).

Nevertheless, in light of these later examples, it is worth remembering that, among the postwar efforts to claim Tocqueville as a critic of central planning and the administrative state, F. A. Hayek had offered a shot across the bow as far back as 1944, invoking Tocqueville in *The Road to Serfdom* (Hayek [1944] 1994, 16, 29). Indeed, according to Hayek, the very title of *The Road to Serfdom* was inspired by Tocqueville's account of the soft despotism made possible by equality of conditions and the democratic social state (Hayek [1944] 1994, xli; 1948, 16). The beginnings of American intellectual conservatism were shaped, in part, by Hayek and his appeals to Tocqueville's political thought.

Hayek's Tocqueville and a "New Kind of Servitude"

Few writings were more important to the beginnings of the American conservative movement than Hayek's 1944 book *The Road to Serfdom*. A short, popular, rather accessible political polemic, the book thrust the economist into international prominence. Although Hayek had Britain primarily in mind when writing the book, it became immensely popular in the United States, owing in part to the abridged version published and distributed by *Reader's Digest*. By the early 1950s, *The Road to Serfdom* (a book written by an Austrian British economist and intended largely for a British audience) had become one of the founding documents of American conservatism (see Nash 2006, 3–10; 2009, 48–51; Continetti, 2022, 64–69).

Hayek's thesis was that fascism and Nazism arose not in spite of socialism and the fashionable collectivist thought of twentieth-century Europe, but because of it. According to Hayek, there is "more than a superficial similarity between the trend of thought in Germany during and after the last war and the present current of ideas in the democracies," including Britain and the United States (Hayek [1944] 1994, 4–5). By abandoning individualism, classical liberalism, spontaneous order, and the rule of law for socialist experimentation, Britain, Hayek insisted, was on the path to servitude. According to Hayek, the central direction and rational planning of economic activity would likely lead to dictatorial, absolute, arbitrary political power and the destruction of individual liberty. Economic control is not merely control over one particular aspect of human life. Rather, "it is control of the means for all our ends.

And whoever has sole control of the means must also determine which ends are to be served, which values are to be rated higher and which lower—in short, what men should believe and strive for" (101). To make his case, Hayek appealed to the authority of Tocqueville.

One so frequently reads that *The Road to Serfdom* was deeply influenced by Tocqueville that it is surprising we encounter only a couple of direct mentions of Tocqueville in the book. Hayek suggested that Britain, and Europe more generally, had either forgotten or ignored the warnings of great nineteenth-century thinkers such as Tocqueville and Acton, i.e., that personal and political freedom depend on economic freedom, and that "socialism means slavery." Citing Tocqueville's 1848 speech to the Constituent Assembly on socialism, Hayek approved Tocqueville's claim that democracy extends the sphere of individual freedom while socialism constrains that freedom, seeking equality in constraint and servitude (see Hayek [1944] 1994, 16, 29; Tocqueville 1981, 31).

Hayek himself made the connection between his thesis and Tocqueville's *Democracy in America* more explicit in the preface to the 1956 paperback edition of *The Road to Serfdom*. By 1956, many of Hayek's critics had pointed out that, despite several years of socialist government, England had not become a totalitarian state. However, Hayek insisted, this did nothing to disprove his thesis. Indeed, he contended that such critics actually missed one of its main points. According to Hayek, "the most important change which extreme government control produces" is a very slow "psychological change, an alteration in the character of the people." The "important point is that the political ideals of a people and its attitude toward authority are as much the effect as the cause of the political institutions under which it lives" (xxxix). The British people, Hayek argued, underwent just such a change over a long period of time, resulting only rather recently in the rise of a paternalistic welfare state. Citing first a recent sociological survey, Hayek claimed that this was especially true of the young, suggesting that they are becoming more and more regulated, and less desiring and capable of self-government. Then citing *Democracy in America*, Hayek wondered whether this merely confirmed Tocqueville's prediction of a "new kind of servitude" (xl–xli).

Hayek here quoted at length one of the most famous of Tocqueville's passages on the causes and effects of soft despotism. We recall this passage from our discussion of *Democracy in America* above. Equality helps to create a certain type of citizen, and soft despotism depends on that type of citizen for its existence. By cultivating restlessness, detachment, materialism, and excessive reliance on general ideas, equality of conditions prepares the people for administrative centralization and absolute, arbitrary power. Citizens' understanding of, and even their desire for, self-government rightly understood slowly evaporates. Hayek reminds us of Tocqueville's suggestion that, under such power, our wills are not extinguished but softened, bent, and guided until we resemble something more like herd animals than free citizens

and human beings (see Hayek [1944] 1994, xli; Tocqueville 2000, 662–63). In a footnote, Hayek directed his readers to Tocqueville's chapter on soft despotism so that they might come to appreciate Tocqueville's prescient ability to "foresee the psychological effects of the modern welfare state" (xli n10).

In pointing to thinkers such as Tocqueville, Hayek reminded his audience that the defense of liberty was, at least in part, an intellectual exercise. In this spirit, on the heels of the popularity of *The Road to Serfdom*, Hayek sought to form an organization aimed at influencing opinion and fostering the principles of liberalism and individualism in the postwar era (Jones 2012, 353n51; Caldwell 2020, 3–15; Continetti 2022, 67, 435n13). He arranged for an April 1947 inaugural meeting of economists, journalists, political scientists, and others at Mont Pèlerin near Vevey, Switzerland. Hayek there offered a set of opening remarks, stating his preference for naming the organization the Acton-Tocqueville Society. Not all the attendees approved, among them Ludwig von Mises, who worried that the nascent society might be associated with certain mistakes he thought Acton and Tocqueville had committed (Hazlitt 2004, 38). A few others worried that Acton and Tocqueville's Catholicism—along with their noble birth—might convey a reactionary tone rather than a dedication to individual liberty. Ultimately, the members chose simply to name the group after the location of its first meeting (Hazlitt 2004, 38; Caldwell 2020, 12, 44).

This concern about the supposedly reactionary tendencies of the Catholic faithful influenced more than the mere naming of the Mont Pèlerin Society. The relationship between liberalism and Christianity more generally became an express theme of the conference (Caldwell 2020, 41–43). According to Hayek, a false liberalism rooted in a hubristic, positivistic rationalism might lure the religiously convicted to become critics of liberalism as such. The prospects for liberalism, it would seem, depended on the reconciliation of liberalism and Christianity ([1947] 2000, 244). Although he offered no sustained analysis on this idea, like Tocqueville, Hayek nevertheless pointed to fundamental questions about the relationship between Christianity and liberal democratic principles.

In his essay "Individualism: True and False," Hayek (1948) continued to develop several of the themes established in *The Road to Serfdom* and in his Mont Pèlerin address. He began the essay with an epigraph (another quotation from Tocqueville), suggesting that since the eighteenth century and the French Revolution, human beings have been faced with two paths. One path leads us to free institutions, the other to absolute power. Hayek drew a sharp distinction between (1) a healthy, practical, and true individualism, consistent with liberty, and (2) an overly rationalistic, utopian, doctrinaire, and false individualism, inimical to liberty. The first understanding of individualism leads us to liberty and free institutions. The second form of individualism helps to plunge free people into despotic government. We should note without too much effort that Hayek's true individualism corresponds directly with his description of democracy mentioned above in *The Road to Serfdom* (that is, as

conducive to true liberty and free institutions), while his account of false individualism corresponds to his description of socialism (as leading to a new kind of servitude).

On Hayek's telling, we owe our understanding of true individualism to thinkers such as Locke, Mandeville, Burke, Hume, and Smith, among others. Hayek took special care to mention that true individualism is "represented most perfectly in the work of two of its greatest historians and political philosophers: Alexis de Tocqueville and Lord Acton." For Hayek, Tocqueville and Acton appropriated and developed all the best things from the Scottish Enlightenment, from the English Whigs, and from Burke (Hayek 1948, 4; see also 28). We see in Hayek's description of true individualism something similar to Tocqueville's depiction of the salutary taste for independence made possible by equality of conditions and fostered by local institutions, associational life, and the pursuit of self-interest rightly understood.

First and foremost, Hayek argued, true individualism is a theory of society, that is to say, it does not take man as an atomistic, isolated individual detached from other human beings, friends, families, institutions, associations, civil society, etc. All human actions, if properly understood, must be understood in relation to others. Just as we cannot understand individuals abstracted from the societies in which they are embedded, so too we ought not view societies the way collectivists tend to perceive them, i.e., as independent of the individuals that compose them.

If we see societies this way, Hayek argued, we soon discover that "many of the institutions on which human achievements rest have arisen and are functioning without a designing and directing mind." Rather, in Burkean fashion, Hayek held that many of our social, political, and economic arrangements are often the product of organic, unplanned, spontaneous order. The "spontaneous collaboration of free men often creates things which are greater than their individual minds can ever comprehend" (Hayek, 1948, 6, 7). Our most useful, efficient, and humane arrangements are rarely the result of planning, social engineering, or abstract reason. This stems in part from the fact that, although individuals are guided by reason, their reason is necessarily limited, fallible, and imperfect. Recognizing these inherent limitations, sewn into the very fabric of our being, true individualism "induces an attitude of humility toward the impersonal and anonymous social processes by which individuals help to create things greater than they know" (8). For Hayek, true individualism is thus often compatible with, supports, and is supported by customary, received, traditional mores, forms, and institutions. True individualism fosters, and is fostered by, subsidiarity, localism, administrative decentralization, and particularized knowledge. Here one ought to be reminded of Burke no less than Tocqueville, the latter of which, Hayek sometimes claimed, appears more British than French (see, e.g., Hayek [1960] 2011, 111).

Hayek compared this tradition of true (and especially British) individualism to an opposite, vain, corrupted, false (and especially French) notion of individualism. In the place of organic development, spontaneous order, and humility before man's

necessarily limited and imperfect reason, this competing notion of individualism emphasizes rationalism, design, centralized authority and planning. This inferior and dangerous notion of individualism, claimed Hayek, is traceable to rationalist thinkers like Rousseau and Descartes. It begins from the premises that people are best understood abstractly, in isolation from society, that "Reason, with a capital *R*, is always fully and equally available to all humans," and that everything we achieve is the "direct result of, and therefore, subject to, the control of individual reason" (Hayek 1948, 8).

The "so-called 'individualism' of the Cartesian school," Hayek argued, is not merely indifferent but hostile to the intermediary institutions and associations of civil society that stand between the state and the individual, e.g., family, church, guild, decentralized local authority (8, 22). Hayek's conclusions here are obviously similar to those advanced by Nisbet's Tocqueville-inspired analysis of the modern state. Echoing his basic argument from *The Road to Serfdom*, Hayek claimed that this rationalistic individualism "always tends to develop into the opposite of [true] individualism, namely socialism or collectivism," which eventually undermines individualism rightly understood (4, 8). Today's socialists, economic planners, and rationalistic utopians, according to Hayek, are the intellectual heirs of Descartes, Rousseau, and the French Revolution, and their ideas lead not to liberty, but to servitude.

In a version of his knowledge problem (see, e.g., Hayek 1948, 77–91), Hayek's notion of true individualism suggests that, since no individual can know with certainty all the variables involved, we ought to regard with caution any attempt to rationally plan and centrally control all aspects of a vast political-economic order. If all things are subject to rational planning, only an absolute authority could, or would, have the ability to put such plans into action. According to Hayek, this leads both to unnecessary coercion and to failure. However, if people are left free to participate in markets, Hayek argued, they "will often achieve more than individual human reason could design or foresee." This also requires (contra the thrust of false individualism) that we be willing and able to submit to societal conventions and institutions that are not the product of rational design (11, 22–23, 27). Thus, like many traditionalist conservatives, and like Tocqueville, Hayek suggests that liberty is best defended through civil society, private associational life, and intermediary institutions.

Again turning our attention to Tocqueville, Hayek pitched part of his argument here in terms of equality, the very idea Tocqueville saw as driving the development of the democratic social state. Importantly, Hayek claimed, true individualism does not assert the obvious untruth that all human beings are equal in their natural endowments and capacities. It is not so much that every man will necessarily know what is best for him. Rather, it is that no particular person or authority "can know *who* knows best" and the "only way by which we can find out is through a social process in which everybody is allowed to try and see what he can do" (15). True individualism recognizes the necessity of an inequality of results among individuals unequal in various

capacities and endowments. But in order for that inequality to be expressed, it requires first an equality of opportunity, a formal equality to pursue one's interests under the rule of law. Pursuing something more than that (e.g., enforcing a material equality of results among unequal individuals), Hayek suggested, edges toward despotism. He made his case here on Tocquevillian grounds, employing language familiar to us by now. For Hayek, there "is all the difference in the world between treating people equally and attempting to make them equal. While the first is the condition of a free society, the second means, as De Tocqueville described it, 'a new form of servitude'" (16; see also 30–31). For Tocqueville, no less than for Hayek, the goal is to cultivate the legitimate and ennobling taste for equality that fosters the taste for independence, i.e., what Hayek would probably capture under the rubric of true individualism.

We should also note that, for Hayek, true individualism is "not anarchism, which is but another product of the rationalistic pseudo-individualism to which it is opposed." Rather, true individualism admits the necessity of coercive power, but seeks to limit it to "those fields where it is indispensable to prevent coercion by others and to reduce the total of coercion to a minimum" (16–17). True individualism recognizes that governments might reasonably have to employ coercion, but at the same time, true individualism demands limited government and accountability. For Hayek, all this ultimately means that a free society must adhere to certain general principles, not because we have unlimited knowledge, but precisely because we do not. Basic, general rules and information are necessary so that people understand the spheres in which they are allowed to act and make decisions, so that there is stability, regularity, and predictability in our interactions with one another. Like Tocqueville, Hayek held that people are necessarily in need of some degree of government. To warn against absolute and potentially despotic rule is not to argue against government as such. In short, true individualism and free society require not the arbitrary and centralized rule of administrative experts, but the known, clear, promulgated, and understandable rule of law (18–19).

Hayek clearly seeks to articulate a notion of individualism that need not tumble headlong into soft despotism. Of course, not all interpreters of Tocqueville will be convinced of Hayek's effort to wrangle Tocqueville into a defense of individualism, however understood. This might be especially true of some conservatives (consider Deneen 2013). Nonetheless, by distinguishing true from false individualism, Hayek at least comes closer to Tocqueville's thought than many modern rationalists. Indeed, one is tempted to suggest that, rooted as it is in attention to experience, the particular, the spontaneous, and the limits of reason, Hayek's true individualism is not an "ism" at all, that is, not an abstract, doctrinaire ideology.

Hayek expounded on most of these themes over the course of his career, particularly in the book many consider his magnum opus and best statement on the principles of liberty, individualism, spontaneous order, and the rule of law, *The Constitution of Liberty* ([1960] 2011). The book would serve as Hayek's most developed

observations on utopianism, centralized administration, and the challenges presented to liberty by the postwar welfare state, as he understood it. Any exhaustive, or even particularly well-developed, discussion of *The Constitution of Liberty* is far beyond the scope of this article. However, for our purposes, we should note that Hayek again turns our attention frequently to Tocqueville.

Hayek began the fourth chapter of *The Constitution of Liberty* with an epigraph, again a quotation from Tocqueville, suggesting that the prize of liberty is often hard won. Moreover, the benefits of liberty are not really appreciated until they are old (Hayek [1960] 2011, 107; see also Tocqueville 2000, 480–81). Hayek's distinction between true and false individualism is amended here with the distinction between "two different traditions in the theory of liberty: one empirical and unsystematic, the other speculative and rationalistic" (108). One is based on a tradition of spontaneous order; the other aims at utopia. Again, one tradition is deemed essentially English, the other French. The first sees liberty largely in spontaneous order and the absence of coercion; the second finds liberty in collectivism, governmental intervention, rationalistic planning, and philosophic abstraction. According to Hayek, over the course of the last two centuries, the French notion of liberty has been steadily on the ascent, whereas the English notion of liberty has been in a state of decline. In part, Hayek's purpose is to remind us of an English tradition that is being slowly forgotten. Once again, for Hayek, the French tradition of liberty results in the road to serfdom. Once again, we find Hayek associating Tocqueville not with French rationalism and liberty as license, but rather with an English tradition of sober, ordered liberty—hard won, but perhaps easily lost (108, 109–11, 111n10).

Hayek began part 3 of *The Constitution of Liberty* (titled "Freedom in the Welfare State") with yet another epigraph from Tocqueville, in this instance, another famous description of the relationship between the character of democratic citizens, administrative centralization, and soft despotism. Once again, we recall a passage mentioned in our discussion of Tocqueville above. With increasing administrative centralization, an immense tutelary power stands over us. Its power is absolute but mild. Tocqueville suggested that one could compare this power to the rule of a parent over a child, but again, a parent seeks to prepare a child for adulthood; soft despotism seeks to keep people dependent and in perpetual childhood. It will direct citizens' primary affairs, provide for their security, necessities, and pleasures, direct their industry, manage their principal concerns, and regulate their property. There is thus nothing left to do but relieve the people of the trouble of thinking and the pain of living (Tocqueville, 2000, 663; see Hayek [1960] 2001, 367; cf. Hayek [1944] 1994, xli). Hayek thus returned again to the Tocquevillian well, suggesting that the problem of soft despotism is inextricably bound up with the ideas and character of its citizens. For Hayek, if we are to respond to such challenges, we must see them with clear eyes. We must remember, study, and embrace the ideas and habits of liberty and self-government threatened by the modern administrative state.

Tocqueville, Hayek, and Contemporary Political Labels

According to Hayek, recovering and reflecting on Tocqueville's thought might afford us real insight into the nature of many of our contemporary political challenges. As noted, several postwar conservative intellectuals were quick to enlist Tocqueville in their cause. Although Hayek himself bristled at those who wished to force his own thought into contemporary ideological labels or camps, he was certainly one of the earliest contributors to this movement and its affinity for Tocqueville.

When we consider the relevance of a past thinker's ideas to current political issues or problems, we are often tempted to ask, "What would so-and-so say" about the state of our politics today, or "What would so-and-so do" about issues x, y, and z? Given the depth, breadth, and insight of his observations on American democracy, this seems especially true when we look to Tocqueville for intellectual guidance. However, for some, such as American studies scholar Matthew Mancini, contemporary commentators (e.g., on Tocqueville) all too often "feel free to riff on their own preoccupations while projecting their concerns on to the image of a revered but vaguely understood figure, and simultaneously on the purported American intellectual scene itself." We must abandon the "self-indulgent approach of considering [Tocqueville's] works in light of immediate concerns" (2008, 267–68). Mancini approvingly cites Michael Kammen (1998, 56–57) here, who claimed that *Democracy in America* "remains a bottomless well for epigrams, ideological ammunition, and multi-purpose maxims for those who want ornamentation to decorate pronouncements that Alexis de Tocqueville might not understand, recognize, or accept."

One should of course be wary of de-contextualizing any thinker, past or present. Tocqueville would be the first to remind us that context, circumstance, and history matter. After all, it was Tocqueville who claimed that a new political science was needed for a world itself quite new, that is, for a world now fundamentally changed by the steady march of equality. Sometimes, old models are insufficient to understand new concerns fully. But, importantly, the most serious assessments of Tocqueville's thought, and its influence, must take ideas and arguments seriously, rather than merely psychologizing or dismissing out of hand contemporary appeals to Tocqueville. Insofar as we can recognize in *Democracy in America* insights that might speak to basic truths about democracy, human nature, and politics across time and circumstance, then Tocqueville's analysis begs to be applied to contemporary concerns.

The application of Tocqueville's ideas to contemporary American politics often seems to come largely from those on the political right (see Kammen 1998, 34, 36, 38; Mancini 2006, 202; Schleifer 2012, 161). Nevertheless, we should be cautious about trying to pigeon-hole Tocqueville into contemporary categories, even within the right-leaning camps of the American political spectrum, e.g., "conservative," "traditionalist," "neoconservative," "classical liberal," "libertarian," etc. Such

phrases might not be all that useful or descriptive in this instance. As John Lukacs has argued, academic "categories are often inadequate [to describe Tocqueville] because Tocqueville transcends them" (Lukacs 1982, 8; cf. Lakoff 1998; Mahoney 2010; Schleifer 2012, 161–69).

For his part, Hayek routinely referred to Tocqueville, along with Acton, as one of the preeminent and most far-sighted (classical) liberals of his day. But the difficulty that contemporary commentators have in "labeling" Tocqueville is paralleled in Hayek's well-known struggle to find a neat and clean term to describe his own thought. The postscript to *The Constitution of Liberty,* Hayek's famous essay, "Why I Am Not a Conservative," is worthy of our brief attention here. The essay points us toward some of the difficulties in trying to absorb Tocqueville into contemporary ideological and academic categories.

Despite his contributions to the American conservative movement, Hayek refused to place himself under the umbrella term *conservative*, arguably associating the idea with its older European variation than with its recent Americanized iteration. According to Hayek, since the French Revolution, conservatism, in its European form, was an "attitude of opposition to drastic change." It was tied up with the preservation of the old order, often aristocracy. Before the rise of socialism, its enemy was liberalism. America, on the other hand, had been built on liberal foundations from the beginning, and it had no true conservative tradition (Hayek [1960] 2011, 523). By the middle of the twentieth century, *conservative* in America sometimes referred to those who wished to preserve the classical liberal principles of the English Whigs, the Scottish Enlightenment, and arguably, the American founding, against the rise of progressivism and "modern" liberalism. Hayek perhaps points to something like this when he suggests that modern conservatives, "in trying to construct a theoretical foundation, invariably find themselves appealing almost exclusively to authors who regarded themselves as liberal." Among Hayek's examples of such liberals are Burke and Tocqueville (Hayek [1960] 2011, 523; see also Continetti, 2022, 67, 123).

Against this backdrop, Hayek critiqued conservatism on several heads, but the principal objection is that conservatism tends to be merely negative or reactionary. Conservatism, thus understood, "may succeed by its resistance to current tendencies in slowing down undesirable developments, but, since it does not indicate another direction, it cannot prevent their continuance. It has, for this reason, invariably been the fate of conservatism to be dragged along a path not of its own choosing." Hayek suggested that, for his part, he could not rest content to merely apply the brake (520).

Gianna Englert usefully observes that, for Hayek, some conservatives were misguided in their resistance to democracy as such. On Hayek's telling, by opening opportunities for individual initiative and creativity, in the *long run* at least, democracy might provide more fertile ground for spontaneous order and the progress of knowledge than the old aristocratic regimes. Nevertheless, Hayek understood

that, left unmoderated and uneducated, majority rule would not often produce such results. In its absolutism and tendency toward centralization, majority rule could certainly lead to servitude. If contemporary democracy was to resist potential despotism and the planned society, it must be checked by institutional restraints, including the rule of law, the courts, a free press, and even political philosophers who might help to counteract popular opinion (Englert 2020, 72–79; see also Hayek [1960] 2011, 174, 179–83; [1973] 1998, 94–101). In such arguments, Hayek echoed Tocqueville. Consider here Tocqueville's praise of judges and the lawyers' profession as a lineage of aristocracy that helped to temper democratic excesses (Tocqueville 2000, 251–58, 668–69; also see 240 on majority rule). This demonstrates that, even as he critiqued them, Hayek sometimes had more in common with postwar conservatives than he let on (Englert 2020, 68, 70–74). For his own part, Hayek settled on referring to himself as "simply an unrepentant Old Whig" (Hayek [1960] 2011, 532, 533). We should note that he sometimes referred to Tocqueville the same way (e.g., Hayek 1988, 52).

Importantly, Hayek also doubted the usefulness of the term *libertarian* to describe his own thinking, finding it "singularly unattractive," carrying "too much the flavor of a manufactured term" (Hayek [1960] 2011, 530). We might wonder whether Hayek distanced himself from the term *libertarian* for reasons other than its "manufactured" quality. Today, at least, we might suggest with some confidence that Hayek's brand of Old Whig political thought, and the Tocquevillian elements on which it often relied, do not fit neatly into much contemporary libertarian ideology.

To say nothing of the fact that, in *The Constitution of Liberty*, Hayek qualifiedly embraced some elements of the welfare state, some libertarians are uneasy about embracing Hayek's political thought. This is often owing to Hayek's aversion to the place of philosophical abstraction, social contract, and rights language in politics (a view dedicated at least in part to his reading of Tocqueville). This sometimes places Hayek at odds with some "rationalist" strains of libertarianism.

A simple example begins to illustrate the point here. Consider both Tocqueville and Hayek on the long, slow development of free political institutions. In *Democracy in America*, Tocqueville did not describe American democracy so much as having been "founded" in a single moment, nor on the basis of abstract natural rights principles, but rather as having "grown," very slowly, over time. Not unlike something one might see in Burke's analysis of the English constitution, or Kirk's account of the roots of American order, Tocqueville turned to the organic origins of American democracy, examining its point of departure in the colonial New England townships of the 1600s and tracing it through the early republic into the Jacksonian era. This might help to explain the fact that, in *Democracy in America*, Tocqueville never once discusses, let alone mentions, the significance of the Declaration of Independence to the American founding. As James Ceaser has suggested, Tocqueville might very well have endeavored to "make America's success appear less dependent on a foundation

of abstract natural right than most claimed, because of the dangerous effects of 'public philosophy.'" After all, in his writings on the French Revolution, Tocqueville had criticized the political appeal to philosophical generalizations, and the urge to remake society in light of utopian abstractions, as doctrinaire and dangerous (Ceaser 2010, 28–29, 189n21).

One sees something of this in Hayek's account of spontaneous order and the slow, organic growth of ideas such as liberty and individualism, of economics and markets, and of political institutions themselves. In this sense at least, similar to Tocqueville, Hayek sounds rather like a traditionalist conservative, despite his reservations about such terms. As Kirk once suggested, maybe Hayek was more conservative than often he pretended to be (Kirk 1993, 52). In any event, insofar as contemporary libertarianism—for better or worse—is sometimes bound up with an affinity for certain interpretations of natural rights and social contact, rationalism, and philosophical abstraction, neither Tocqueville nor Hayek seem to fit so easily into the contemporary libertarian molds.

Of course (and one hesitates to broach this topic), just as the terms *conservative* and *liberal* might fail to capture Hayek or Tocqueville's thought, so too the term *libertarian* is riddled with difficulty. We might wonder if the term is often a catch-all for some relatively loose amalgamation of so-called "social liberalism" and "fiscal conservatism." Perhaps, but arguably a significant part of the intellectual debate in libertarian circles today seems to focus especially, and enthusiastically, on precisely defining terms, parsing out abstract categories and subcategories of "isms," staking out intellectual turf, and detailing orthodoxies and heresies. One would be hard pressed to deny that, especially in the academic and intellectual world, contemporary libertarianism sometimes seems to embrace the abstract rationalism and doctrinarism against which Tocqueville and Hayek repeatedly warned. Indeed, one is here reminded of Nisbet's suggestion that it is a "high tribute to Tocqueville that at no time has there been, or is there likely to be, anything called Tocqueville*ism*" (1977, 65). In short, Tocqueville's emphasis on the need for prudent statesmanship in times of democratic equality suggests that the pursuit of liberty cannot be reduced to an abstract theory.

Many other themes and potential points of comparison are worth considering in more detail. We can only point to a few here. Libertarians might find much to praise in Tocqueville's account of the tensions between liberty and equality. They might follow his efforts to defend civil society and private associational life. They might champion his exaltation of property rights, reliable courts, and the rule of law. They might applaud his praise of small, self-governing townships and his condemnations of administrative centralization. They might cite his most striking passages on soft despotism and the kinds of citizens it helps to engender.

However, at the same time, there seem to be several obstacles to a full-throated libertarian claim to Tocqueville, at least for some. For example, while Tocqueville worried about administrative centralization of the intensely local and particular

details of political life, like Hayek, he sometimes applauded the governmental centralization of truly common national concerns. Certainly not all contemporary libertarians have followed Tocqueville and Hayek here. Arguably, some, more extreme in their resistance to the state as such, find no common cause with either Hayek or Tocqueville on this head.

Other questions come to mind. Even if they might find a defense of independence and self-interest rightly understood in Tocqueville, would his account of the harmful effects of materialism, individualism, and the restlessness of commercial society sit so easily with many libertarians today? Would his distinction between liberty and license ring true, given that it is based on something other than reciprocity, consent, or choice as the standard by which we judge the morality of a person's actions? Would his account of Christianity's salutary effect on the mores, laws, and institutions of healthy democracy be attractive? These and other points of comparison are worthy of our serious attention. Among other things, they might help us understand better the manner in which Tocqueville's thought fits into the broad development of American intellectual conservatism.

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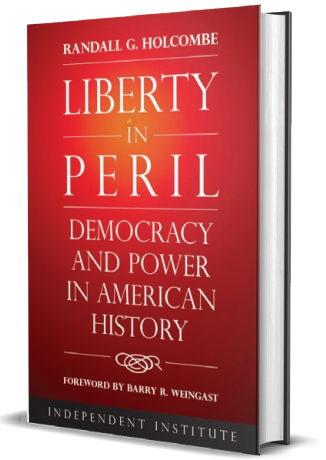

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