

Cambridge University Press

978-1-107-12105-8 - Democracy in Moderation: Montesquieu, Tocqueville, and Sustainable Liberalism

Paul O. Carrese

Frontmatter

[More information](#)

---

## Democracy in Moderation

*Montesquieu, Tocqueville, and Sustainable Liberalism*

*Democracy in Moderation* views constitutional liberal democracy as grounded in a principle of avoiding extremes and striking the right balance among its defining principles of liberty, equality, religion, and sustainable order, thus tempering tendencies toward sectarian excess. Such moderation originally informed liberal democracy, but now is neglected. Moderation can guide us intellectually and practically about domestic and foreign policy debates, but also serve the sustainability of the constitutional, liberal republic as a whole. Our recent theory thus doesn't help our practice, given our concerns about polarization and sectarianism in ideas, policy, and politics. A rediscovery of Montesquieu and his legacy in shaping America's complex political order, including influence on Washington's practical moderation and Tocqueville's philosophical moderation, addresses these enduring theoretical and practical problems. Moderation also offers a deeper theory of leadership or statesmanship, particularly regarding religion and politics, and of foreign policy and strategy rooted in liberal democracy's first principles.

Paul O. Carrese is Professor of Political Science, United States Air Force Academy. He has been a Rhodes Scholar; Research Fellow at Harvard; Fulbright Scholar at University of Delhi; and Fellow of the James Madison Program, Princeton.

Cambridge University Press

978-1-107-12105-8 - Democracy in Moderation: Montesquieu, Tocqueville, and Sustainable Liberalism

Paul O. Carrese

Frontmatter

[More information](#)



#### Moderation in the American founding

Constantino Brumidi's frescoed mural of 1873, showing President George Washington conferring with Thomas Jefferson and Alexander Hamilton, is located in the Senate Reception Room, room S-213 in the United States Capitol. Washington's capacity to balance and reconcile, even for a time, the opposing principles of two leading strains in American political thought embodies the political and philosophical balance that Montesquieu advocated, and Tocqueville developed.

*Source:* Architect of the Capitol.

Cambridge University Press

978-1-107-12105-8 - Democracy in Moderation: Montesquieu, Tocqueville, and Sustainable Liberalism

Paul O. Carrese

Frontmatter

[More information](#)

---

# Democracy in Moderation

*Montesquieu, Tocqueville, and  
Sustainable Liberalism*

PAUL O. CARRESE

*United States Air Force Academy*



Cambridge University Press  
978-1-107-12105-8 - Democracy in Moderation: Montesquieu, Tocqueville, and  
Sustainable Liberalism  
Paul O. Carrese  
Frontmatter  
[More information](#)

---

**CAMBRIDGE**  
UNIVERSITY PRESS

32 Avenue of the Americas, New York, NY 10013-2473, USA

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of  
education, learning, and research at the highest international levels of excellence.

[www.cambridge.org](http://www.cambridge.org)

Information on this title: [www.cambridge.org/9781107121058](http://www.cambridge.org/9781107121058)

© Paul Carrese 2016

This publication is in copyright. Subject to statutory exception  
and to the provisions of relevant collective licensing agreements,  
no reproduction of any part may take place without the written  
permission of Cambridge University Press.

First published 2016

*A catalog record for this publication is available from the British Library*

ISBN 978-1-107-12105-8 Hardback

Cambridge University Press has no responsibility for the persistence or accuracy  
of URLs for external or third-party Internet Web sites referred to in this publication  
and does not guarantee that any content on such Web sites is, or will remain,  
accurate or appropriate.

Cambridge University Press

978-1-107-12105-8 - Democracy in Moderation: Montesquieu, Tocqueville, and  
Sustainable Liberalism

Paul O. Carrese

Frontmatter

[More information](#)

---

*For Susan*

*wife, mother, teacher, American and global citizen*

Cambridge University Press

978-1-107-12105-8 - Democracy in Moderation: Montesquieu, Tocqueville, and Sustainable Liberalism

Paul O. Carrese

Frontmatter

[More information](#)

---

I say it, and it seems to me I have brought forth this work only to prove it: the spirit of moderation ought to be that of the legislator; the political good, like the moral good, always is found between two limits.

Montesquieu, *On the Spirit of Laws*, Book 29, Ch. 1

This book is not precisely in anyone's camp; in writing it I did not mean either to serve or to contest any party; I undertook to see, not differently, but further than the parties; and while they are occupied with the next day, I wanted to ponder the future.

Tocqueville, *Democracy in America*, Introduction

Contents

<i>Preface</i>	<i>page ix</i>
Prologue: The Spirit of Moderation in Constitutional Democracy	i
PART I: TOCQUEVILLEAN MODERATION IN PHILOSOPHY AND FOUNDING	
1 Montesquieu’s Philosophy of Moderation: Natural Right, Liberalism, Constitutionalism	22
2 Washington’s Harmony: The Balance of Traditions in the American Founding	50
3 Tocqueville’s Deepening of Modern Moderation	78
PART II: MODERATION AND STATESMANSHIP AT HOME AND ABROAD	
4 Religion and Liberty in America: The Moderate Spirit of Montesquieu and Tocqueville	109
5 Moderation, American Grand Strategy, and Washington’s Statesmanship	143
6 Constitutionalist Political Science: Storing’s Moderation and Our Polarization	173
Epilogue: Moderation and Sustainability	199
<i>Bibliography</i>	204
<i>Index</i>	225

Cambridge University Press

978-1-107-12105-8 - Democracy in Moderation: Montesquieu, Tocqueville, and  
Sustainable Liberalism

Paul O. Carrese

Frontmatter

[More information](#)

---



Cambridge University Press

978-1-107-12105-8 - Democracy in Moderation: Montesquieu, Tocqueville, and Sustainable Liberalism

Paul O. Carrese

Frontmatter

[More information](#)

## Preface

Moderation is a philosophical as well as political and moral principle that we should take seriously in liberal, constitutional politics. We used to, we don't anymore, and we're paying the price. One price is intense polarization, a destructive kind of partisan and intellectual discourse, which now predominates in American culture and has analogues in other liberal democracies. Another consequence is America's incapacity, as leader of the alliance of liberal democracies and guarantor of a liberal order in world affairs, to sustain internal and external consensus on policies for perpetuating that alliance and the post-Cold War global order.

Into these dilemmas I propose that liberal democracy should seek its best form through moderation. Democracy in moderation would aim to strike the right balance among its several defining principles, while also tempering its endemic weaknesses or tendencies toward extremes. Moderation thus guides us about the current political contest in domestic or foreign affairs and about the manner in which to study and debate particular policies. More generally it guides, and warns, about the sustainability of the constitutional, liberal republic as a whole. Regarding America, we should consider it in one sense a democracy, as Tocqueville's famous study does. Yet to be sustainable as a free and egalitarian polity we always have been more than democratic, and Tocqueville advised us to affirm this complexity. We must connect current issues or demands, domestic or international, to the philosophical, moral, civic, and religious resources that sustain not one principle but the balance or blend of our principles – liberty as well as equality, and preserving our basic social and political capital as well as pursuing progress, to cite two examples. These deeper resources require replenishment through broad study, civil debate, and respectful recognition, not only through faithful remembrance. There is growing awareness in American higher education, and broader discourse, that our academic communities and public debates are not marked by breadth of study,

Cambridge University Press

978-1-107-12105-8 - Democracy in Moderation: Montesquieu, Tocqueville, and Sustainable Liberalism

Paul O. Carrese

Frontmatter

[More information](#)

x

Preface

but by self-selection into narrow schools, and that our academic and public debates are not civil and fruitful, but shrill and destructive. Thus there is reasonable worry about the trajectory of liberal democratic culture and politics.

Indeed theorists of liberal democracy, and thoughtful citizens, might notice that environmentalist thinking has persuaded many people to take seriously the idea of limits. This includes limits to or revisions of progress, thus the need to temper our confident quest for the new with a concern for viable patterns of consuming our resources. The moral and political analogue of this idea lies within the Preamble to the American Constitution, albeit mostly ignored. “We the People” are a sober, constitutionalized citizenry who do “ordain and establish” this legal-political order to “secure the Blessings of Liberty” – not only for “ourselves” in any generation but for “our Posterity.” We should adapt the vogue currency of sustainability to help us rediscover the deeper resource of moderation. This virtue long enjoyed, after all, the status of “the golden mean.” That constitutional Preamble, like the polity, encompasses a range of ends that don’t easily fit together. The entire Constitution was the product of vigorous debate that required both advocacy of principle and recognition of alternative, competing principles – a capacity to modulate rhetoric and reconcile multiple views. If we cannot recover this capacity in the American polity and academy, and do so in concert with other liberal-democratic polities, we won’t thrive, or perhaps even survive. If we can’t rediscover intellectual and political moderation, we will have squandered our heritage and cheated our posterity.

My focus is America, but since it is the leading liberal democracy, and this is still the dominant form of politics in the world, the health and sustainability of this polity matter globally. I argue that a now nearly forgotten causal chain is crucial for us and for global affairs: the eighteenth-century French philosopher and jurist Montesquieu was the most important source of America’s first political science and of the subsequent liberal global order marked by gradually expanding commerce and peace; Montesquieu elevated moderation as the central principle of his political science and of the humane policies in domestic and international realms that he sought; *The Federalist* opens and closes by invoking moderation, and the complex constitutionalism defended throughout the work is a Montesquieuan program to find balance and avoid extremes; further, the debate between Federalists, Anti-Federalists, and Democratic-Republicans that produced the Constitution, Bill of Rights, and first two decades of our constitutional politics itself embodies balance across rival principles; thus, to the extent that we have forgotten moderation as Montesquieu and the founders understood it, we do not understand ourselves, or the global order built upon these principles, whether we seek to endorse, criticize, or refine. Moreover, since Tocqueville views both Montesquieu and America through this lens, study of the sources and character of the American polity in terms of moderation is salient not only to understand America but also for global debates about “democratization” and the sustainability of liberal democracy itself. The editors of the *Journal of Democracy* declared in 2000 that “We are all

Cambridge University Press

978-1-107-12105-8 - Democracy in Moderation: Montesquieu, Tocqueville, and Sustainable Liberalism

Paul O. Carrese

Frontmatter

[More information](#)*Preface*

xi

Tocquevilleans now,” signaling a concern about not just extending but consolidating liberal constitutionalism, with Tocqueville’s insights on the nexus of political culture and institutions as a crucial resource. Americans and Westerners should note the fact, for example, that our Asian partner India soon will be both the world’s most populous country and the world’s largest liberal democracy. Given the immense complexity of principles that define modern India – equality and hierarchy, religion and secularism, nation building but also regional and religious diversity – the ideal of balancing and reconciling principles, while avoiding extremes, is salient.

Appreciation of moderation and its role in sustainability will require rediscovery, alas. Moderation once was understood as a central virtue of liberal constitutionalism, but academia no longer teaches or writes much about it. Our theory is failing our practice, since we still invoke moderation in politics and discourse. This often occurs indirectly when criticizing the other side, in politics or thought, as extreme, single-minded, imbalanced – thus as unfair, unjust, uncivil, or unreasonable. Or, moderation appears as a lament by ordinary folk when wishing that leaders could tone down the rhetoric, or pull back from hard-line stances, and just be productive. Or, we indirectly invoke it when worrying about single-mindedness or bias in ourselves or others, instead praising a capacity to compromise not by abandoning principle but finding a higher middle ground that preserves competing, legitimate principles. The gap between our mostly indifferent theory and these enduring practices indicates the persistence of qualities in human nature, or of a deeper culture, despite the efforts of modernity and modern theory. This question deserves our attention, but this would require self-criticism by modern minds. It is surprising, after all, that moderation survives in our modern era of revolutions, radical progress, and extremes of analytical ambition and doctrines in both thought and politics.

This is an American book in many ways, but it argues that two Frenchmen understand our ideals and practice better than do the dominant schools in political theory today; and, as a book it first took form while teaching Tocqueville in India. I intend no narrow-minded pride in arguing that study of America’s constitutional and dispositional moderation is of global import, since our power and influence can be used well or badly. These two spirits who teach us the most about modern conceptions of moderation exemplify this balance of local and global concerns; both were travelers in spirit and body to foreign lands, and pioneering global thinkers. Montesquieu (1689–1755) is the first philosopher of a globalized, liberal commercial order; Tocqueville (1805–59) was the first philosopher to forecast America as the predominant global power dedicated to liberty and equality, against autocracy. It nonetheless is a mark of their philosophical moderation that they mostly studied liberal constitutionalism and social order; this was the basis for commercial and global concerns. Their idea of moderation as a search for “the political good” begins in the dialogue between soul and city – though they don’t often say this, since they seek a hearing in the modern world – and then comprehends the broader world. The

Cambridge University Press

978-1-107-12105-8 - Democracy in Moderation: Montesquieu, Tocqueville, and Sustainable Liberalism

Paul O. Carrese

Frontmatter

[More information](#)

effects are astounding: philosophical and political moderation, now neglected by elites, produced not mediocrity but the first truly global form of political, economic, and military power. It did so by reconciling and balancing principles: the Anglo-American republic, and allied liberal democracies, mixed liberty and commerce, military power and restraint, pluralism and enduring principle, continental scale and local self-government.

The American statesmen who built this new politics learned political science from Montesquieu above all, a science drawing upon Plutarch more than Hobbes, and premodern as well as modern philosophy. Tocqueville reformed this philosophy of moderation, drawing upon the study of Montesquieu and America; and, while his emphasis on Christianity is widely noted, we overlook his study of Publius in *The Federalist* and also of the life of George Washington by America's great chief Justice John Marshall. Tocqueville applied Montesquieu's balanced spirit in a transformed world. Upon considering the statesmanship and constitutionalism of the liberal democratic republic, he finds its religious principles as important as its philosophy – and finds the former in need of support. Indeed, for these philosophers and statesmen, moderation is a liberal and modern adaption of the classical and medieval ideals of political and intellectual balance in the Aristotelian tradition. One great fruit of this approach is religious liberty, which for the founders (and Montesquieu and Tocqueville) requires reasonable accommodation of the importance of religious belief for a healthy, sustainable republic rather than strict government neutrality about religion to protect individual conscience or Enlightenment rationalism. A second example explored here is the balance between justice and interest in America's first grand strategy and foreign policy, proposed and practiced by Washington; this stance is more concerned with exemplary justice than realists can abide, and more attuned to national security and interests than liberal idealists can endorse. Moreover, the structure and scope of this book tries to recover this more adequate political science – one that, through a balance and breadth of considerations, bespeaks moderation by comprehending domestic, constitutional, and international principles. This breaks with our current academic culture of single-mindedness and abstract theories in one field, ignoring connections to others.

We should rediscover voices who warned about various sorts of immoderation and the damage they do to the self-understanding, and self-governing, of a free people – voices from Montesquieu, and the statesmanlike moderation of Washington, to the moderate political science developed from these sources by Tocqueville and then revived, a century later, by scholars like Herbert Storing. Montesquieu noted that English liberty tended toward partisan conflict and free discourse, but also intellectual inwardness or narrowness: “In extremely absolute monarchies, historians betray the truth because they do not have the liberty to tell it; in extremely free states, historians betray the truth because of their very liberty, for, as it always produces divisions, every one becomes as much the slave of the prejudices of his faction as he would be of a despot”

Cambridge University Press

978-1-107-12105-8 - Democracy in Moderation: Montesquieu, Tocqueville, and Sustainable Liberalism

Paul O. Carrese

Frontmatter

[More information](#)*Preface*

xiii

(*The Spirit of Laws*, Book 19, Chapter 27, end). Because he also was a historian (publishing *Considerations on the Romans* a decade earlier), his warning encompasses broader intellectual activity and all such “schools.” Academics are more susceptible, paradoxically, to this self-sorting and bias. Today academia often reinforces self-segregated, self-reinforcing paths of inquiry of left or right or other persuasions. Those who worry about destructive polarization in politics do not as often identify the intellectual imbalance that produces such phenomena. Tocqueville, too, sees this problem and offers a remedy. I have chosen as an epigraph his aim in *Democracy in America* “to see, not differently, but further than the parties” but I also am guided by his defense of candor: “it is because I was not an adversary of democracy that I wanted to be sincere with it. Men do not receive the truth from their enemies, and their friends scarcely offer it to them; that is why I have spoken it” (*Democracy*, Volume Two, Author’s Notice).

This book is a sequel to *The Cloaking of Power: Montesquieu, Blackstone and the Rise of Judicial Activism* (University of Chicago, 2003), which addressed broad issues of liberal constitutionalism and political theory through a focus on the development of judicial power, and eventually of juridically enforced individualism that has provoked complaints about judicial activism. Concerns persist over judicial activism and the self-corroding quality of legal realism or instrumentalism, the eschewal of fixed or natural principles undergirding law and constitutionalism. While more should be said on those topics, this book shifts to a broader constitutional and philosophical moderation – from the negative aim to secure liberty through judicializing politics to the positive political virtue of moderation in constitutional balance and statesmanship. Still, constitutional law scholars and jurists might find here an argument for taking seriously Montesquieu, Blackstone, Hamilton, and Tocqueville as jurists deserving attention in their curricula and research. Their jurisprudence of moderation is a worthy alternative to the narrower schools that dominate academic and public discourse today.

Two fellowships, and two sabbaticals from the United States Air Force Academy, offered time and collegial experiences for developing and completing this book. A Fulbright Fellowship to University of Delhi in New Delhi, India, allowed me to teach political theory and a graduate seminar on *Democracy in America*, as well as to give lectures in the university and beyond about America, Tocqueville, American foreign policy, and religion and politics. I am grateful to the Fulbright Program and to my hosts, colleagues, and students in India for such extraordinary experiences. More recently, I held the Forbes Visiting Fellowship in the James Madison Program in American Ideals and Institutions, Department of Politics, Princeton University, which permitted a year of writing and conversation, during which I drafted the manuscript. I am grateful to Robby George and Brad Wilson, the other Fellows in my Madison Program class, Matt Franck of the Witherspoon Institute, the Princeton Politics Department, and the staff and supporters of the Madison Program. Amid the

Cambridge University Press

978-1-107-12105-8 - Democracy in Moderation: Montesquieu, Tocqueville, and Sustainable Liberalism

Paul O. Carrese

Frontmatter

[More information](#)

xiv

*Preface*

prevailing discourse of academia and public life, the Madison Program is a voice for moderation. I also am grateful to longtime friends and mentors Harvey Mansfield, James Stoner, Tim Fuller, and Paul Ludwig, and to new friendship with Rahul Sagar, among many other debts of gratitude to academic friends and mentors, including those who discussed these ideas with me in lectures and presentations, conferences, or as reviewers and editors. My colleagues, military and civilian, at the United States Air Force Academy across two decades have made it an honor to teach and write there about constitutionalism and the civic and intellectual virtues that sustain it.

Several of the chapters are revised versions of published journal articles or book chapters. I am grateful for permissions to reprint and revise granted from Johns Hopkins University Press, Palgrave Macmillan, Rowman & Littlefield/Lexington Books, and The Jack Miller Center and the University of Chicago Press. I have revised such essays (or parts thereof) to account for subsequent developments and as part of a coherent whole.

I am indebted to the editors of staff of Cambridge University Press for their support and professionalism and also to the keen insights provided by the external readers they procured. I am grateful to the Earhart Foundation for providing grant funds that allowed me to attend and present ideas from the book at two conferences. McDermott Library at the United States Air Force Academy, Tutt Library at Colorado College, and Firestone Memorial Library at Princeton University provided staff support and congenial places to work. The Architect of the Capitol helpfully provided an image of the fresco by Brumidi used for the cover art and frontispiece, and permission to use it.

The dedication bespeaks a gratitude beyond words to my wife and friend, the mother of our children Hannah and Dominic. All three have shown moderation and many other virtues toward me, and remind me of the larger and higher balance of life.