1

Liberal Democracy as a Mixed Regime

In the election of 1972 the coalition of which the Democratic party is composed came unstuck as its voters divided into enthusiasts for McGovern or against Nixon and supporters of Wallace and Nixon. Perhaps it would be more accurate to say that the coalition dissolved further or that it parted temporarily, but my interest is not so much in the history of parties as in what this event reveals about the character of liberal democracy as a regime. It reveals that this regime is a mixture, usually made in a party coalition, of liberals and democrats.

The "liberals" are, of course, the McGovern enthusiasts in our example, but not only they, as we shall see. Such liberals might be called "opinion leaders" or identified by class or group, but I will define them as men of ambition who have enough demonstrable talent to think themselves capable of being outstanding in some way. Their ambition is usually moderate and varied, but it is real; and it is very important to them not to do merely what others do, to think what others think, or to be what others are. The "democrats," the ordinary voters (including most McGovern voters), are otherwise. They want what passes for a competence; no less than what most people have but no more; and they want this with security, more for the sake of their dignity (their "standard" of living) than for any level of comfort, and more against injustice than against loss. They prefer a quiet, private life, and

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are satisfied with the praise and esteem of their friends. Last but not least, the democrats are many and the liberals are relatively few.

Now since our regime is often called a liberal democracy, and liberal democracy is a regime that takes pride in diversity, why should it be necessary to discover that liberal democracy is a mixture of liberals and democrats? The answer is that the liberals resist being defined as I have defined them. They want to think of themselves as democrats, as I defined them. This resistance, I will try to show, lies at the root of the troubles of liberal democracy today, including those of liberal Democrats in the 1972 election, because liberal democracy is so mixed as to conceal intentionally the ambitions of liberals. To see why and how this was done, we must consider the classical source of the mixed regime in Aristotle’s political science, out of which, and against which, liberal democracy was conceived.

According to Aristotle, almost all modern, civilized regimes are democracies or oligarchies. They may be defined as the rule of the many and of the few; in fact, since it happens that the poor are many and the rich few (questionable in contemporary America), they are the rule of the poor and of the rich. The difference between the poor and the rich is highly visible to all, including the poor and the rich, and it is perhaps most impressive to ordinary men or “democrats” who judge life by the level of security and comfort. This difference is perhaps also the first observation of a traveller in a foreign land: “how do people live?”, means “how well do they live?” which means “how well-off are they?”

Yet Aristotle’s classification of these regimes by the number who rule is significant of their similarity: both the poor and the rich (as such), and hence their regimes, are concerned above all with wealth; and a regime of the “have-nots” does not differ in quality from a regime of the “haves.” We know that any share of wealth can be expressed as a quantity of money to make it comparable with other wealth; so when wealth is the end of politics, citizens are comparable and countable as quantity. Democracies constituted as rule of the poor—that is, most democracies of which we have experience—are in a sense indistinguishable from oligarchies. As the poor seek to become rich, they behave as the rich do: they expropriate the expropriators, and fall into faction and conflict. For wealth considered as pure quantity—as an end in itself rather than as a means to a certain quality of life—is an unstable principle. One never knows how much is enough either for comfort and security or for dignity of life. The security (not to mention comfort) of a mortal body seems to be an ideal (if we may call it that) impossible of realization, and quantified dignity measured in money is perfectly relative to the indignity of other men and therefore intensely competitive.

Indeed, what is the dignity of having more money as opposed to more of anything else? What can be the value of having more unless we know more what? This question applies to poor and rich alike, since we need to know what the rich do with their money and what the poor would do with theirs. It is not enough to answer for the poor that they would like to survive; their right to life implies a certain quality in human life. Mere quantity offers no basis for a human right to survive, for there are other species more numerous than ours with more mouths to feed and other species less numerous than ours which are more in danger of extinction. Both ants and eagles are more needy than the human poor. But even in our ecological concern, we are concerned for the survival of species, not for mere number but for the number of a certain species or kind or what. The certain quality of human life is not so easily defined as is that of other species. When we look at the human community we do not see the uniform qualities of ants and eagles; rather, we see first of all a difference between rich and poor which appears to lead nowhere—into a meaningless dispute over quantity, not toward a definition of quality. This indetermination of humanity—our inability to see easily what we are—obliges us to make claims as to what we are in some less visible respect to which all men do not obviously measure up. These are claims as to what we ought to be. Such claims are almost inevitably partisan because they begin from a quality each of us thinks he has and proceed to generalize or absolutize this quality as the human quality. Thus the establishment of human dignity involves us in the promotion of some humans over others, one individual over others, one party over others, one country over others. In our day atomic weapons have made human beings an endangered species, but in no way have they helped define a human being. So the diverse claims by which men assert them-
selves to be human continue to cause political conflict in our day as in Aristotle's. It does not seem possible either to reduce political conflict without defining human dignity, or to define human dignity without risking political conflict. Contrary to B.F. Skinner's point of view, the problem of security and the problem of dignity arise together and cannot be solved separately.

Therefore, when Aristotle puts together a mixed regime of the rich and the poor, he seeks a standard by which to mix them, an understanding of the human good or virtue. The rich and the poor must be defined according to this standard in order that they be mixed, because as mere quantities of wealth or human bodies they can attempt to solve political disputes only by outcounting their opponents or preponderating over them. But since it is never clear what they are counting, the result of the count is always open to dispute and will be disputed. Because of their failure to appreciate quality, the rich and the poor cannot find out what they are in the course of disputing each other, although it is true that when they face each other, certain qualities typical of the rich and poor are called forth. These qualities are tautness in the rich, as they find they are few and must defend themselves against the poor, and softness in the poor, as they seek to embrace everyone in order to deny privileges to the few. At this point one can speak of oligarchical and democratic qualities. More precisely, however, one must speak of the formal character of qualities, which are "oligarchic" insofar as they define themselves against others and "democratic" by the willingness of matter to receive them. We are reminded of the forms and the potentiality of matter in Aristotle's less political treatises, but we are also reminded of the liberals and democrats in liberal democracy: liberals exhibit outstanding qualities and democrats receive them with enthusiasm, tolerance, or disgust. Evidently the quality of the mixed regime is not established until the oligarchical and the democratic contributions are brought together, and we still do not know what they contribute to. Someone is needed to help the partisans move toward the quality that is the standard of their mix, someone who has knowledge of human virtue. The dialectic of party conflict does not move toward resolution on its own. Without a helping hand, parties win and lose in defense or pursuit of wealth.

The difficulty is that the standard of human dignity and political sovereignty is not visible. Aristotle says that "it is not so easy to see beauty of soul as beauty of body" (Politics 1245b 39). We may take this for a considerable understatement, but we cannot overlook the fact that he says beauty of soul can be seen. This is Aristotle's task in constructing the mixed regime: to find a standard which makes invisible virtue visible so that men can see beauty of soul. Invisible virtue is the intellectual virtue that most men, including most rulers, cannot recognize or appreciate. Such virtue cannot be the basis of political agreement in the situation, which of course continues today because it is the unchangeable human condition, where the vast majority of mankind is quite satisfied with its share of wisdom, each with his own. Against this majority intellectual virtue cannot even defend itself, much less instruct others. Or perhaps it could defend itself by instructing others. To do so, the man of intellectual virtue or the man who seeks it, the philosopher, would have to become a political scientist for his own sake as well as for the benefit of the community. He would have to make his virtue political and to make politics receptive to his virtue. He would aid the democratic and oligarchical parties to define themselves in accordance with a standard that improves and mixes their qualities while elevating them above the concern for mere wealth. The political scientist aids the parties, and neither neglects them nor rules them. He must not neglect them because they cannot fashion their own mixed regime unaided, and he does not rule them because he cannot.

If the mixed regime is made to a standard of human virtue, then it cannot merely mix democracy and oligarchy as they are found. This would be a mixed regime in which both poor and rich rule, sharing the offices but not ceasing to be or to consider themselves poor and rich. Although together, poor and rich would remain intact in a sort of democracy. Not the many but all would rule, as accords with the claim of democracy to be the rule of all, that is, both few and many. But this regime would surely degenerate into an unmixed partisan regime at the first opportunity for poor or rich to impose itself on the other, and it would not have any basis but common concern for wealth. Another mixed regime would mix poor and rich by splitting the difference between them, as when a small quantity of wealth above the
lowest poverty defines a citizen. As the first mixed regime is a sort of democracy this is a sort of oligarchy with a property qualification, but low enough to include many democrats. It is based not on what is common to both extremes but on what is between them; it presupposes or calls for the existence of a middle class between the poor and the rich. This mixed regime is then an improvement on the first because it begins to overcome the most visible difference in a society: the middle class is visibly neither poor nor rich. Yet the middle class as such is not essentially superior to the poor and the rich; it would be like the poor if necessary and like the rich if possible. Lacking a quality of its own, it has difficulty in defending itself from the claims of the extremes, and when one extreme asserts itself the middle class regime, too, easily degenerates into a partisan regime.

A third mixed regime to transcend the poor and the rich is needed. To construct such a regime the political scientist must satisfy two contrary requirements in what will maintain the regime. For attracting the partisans to the regime, it is necessary that both democracy and oligarchy be visible to them so that they can find something to like; but for maintaining the regime, no part of it should desire any other regime. The problem is that attracting the partisans does not diminish but rather increases their desire for democracy or oligarchy unmixed. How can they be weaned away from the very taste by which they are attracted?

Aristotle's solution is in the ordering of the regime. The political scientist takes the democratic mode of lot and the oligarchical or aristocratic mode of choice and combines them in the various offices to make an order. The democratic and oligarchical modes are there to appeal to the partisans, but they have been formalized in accordance with the qualities of democracy and oligarchy so that they contribute to a whole. The democratic quality of "open to all" and the oligarchical quality of "reserved for the few" are preserved and in view, but arranged in a visible order reflecting the intention of the legislator. The visible order implies the existence of an invisible order in the soul of the legislator, since bodies in an order may be taken to imply soul. The American government, for example, is not a mere haphazard combination of diverse parts but a certain order of institutions from which we could infer an intention of the Founders even if we did not have ample evidence that one (or more than one) exists. When Aristotle discusses the distribution of the three parts of regimes in Book IV of the \textit{Politics}, he separates them as activities of the soul or of the rational soul: deliberating, judging, and the ruling that connects them. Each part of the regime is then shown to have many possible orderings with different degrees of democracy and oligarchy so that the whole regime in its intricacy can vary to show the legislator's intention visibly and with easy discrimination. Democracy and oligarchy are mixed and transcended by transforming them into qualities of the soul, while the soul of the legislator is made visible in the order of democratic and oligarchical institutions. The partisans would be led from their initial allegiance to the modes by which they were attracted to an appreciation of the ordering of the whole, and thus to participation in the legislator's bipartisan intention.

The partisans may well resist this invitation. It is no part of Aristotle's political science to underestimate the resistance men offer to proposals made for their own good. On the contrary, it could be said that he develops the standard for the mixed regime from this very resistance. Men resist having their own good imposed on them out of a sense that no other can have the concern for preserving one's body that will equal the interest of its resident. One's body even resents instructions from one's own soul, as we know. This spirited resistance of the body against the tyranny of the soul, even or especially against beneficial tyranny, is itself an activity or part of the soul. It serves to defend the body but it also transcends mere preservation of the body when, for example, a man dies in his own self-defense. In politics, such spirit can be understood as the basis for the democratic claim of freedom. The many democrats are poor, but since poverty is a mere lack, they cannot advance a claim to rule because they are poor. Poverty is nothing to be proud of. The democrats claim rule because they represent the claim of the body against the soul yet made within the soul.

When the democrats advance the claim of freedom, they assert that all free bodies are equal and transform individual selfishness into good-natured democratic openness. But when freedom is exercised in choice, oligarchical exclusion comes into use, for after the choice what is chosen must be defended against what is re-
jected and indiscriminate democratic openness cannot be sustained. At the same time oligarchical choice can be directed to the legislation of better qualities than the defense of wealth (for wealth when defended can be considered a quality). The freedom of man is specified in qualities visible in the habits of a people living under a legislated regime, and just as the order of a regime implies the intention of a legislator, the visible habits of a people imply the existence of a certain moral virtue in their souls. Moral virtue can be inferred, and also produced, from the very resistance men offer to their own good, because that resistance presupposes a special dignity in the matter or quantity of human beings. Moral virtue is not exactly a virtue of the soul; it is the habit of using the body as if the body had a soul. Therefore, it is most easily inferred, and beauty of the soul is most visible, in the noblest deeds. For making virtue visible, Aristotle relies on the splendor of moral virtue. Political peace and stability in the mixed regime are built on what can be seen in or inferred from the deeds of the noblest political men. They must be trained to appreciate the worth of politics, and the city has to be persuaded to accept them and to be inspired by them as was Amphipolis by its sacrifices for (or to) the Spartan Brasidas (Nicomachean Ethics 1134b 24). This mixed regime when fully developed is nothing less than aristocracy, and rare if not impossible. Every lesser mixed regime depends on its possibility and reflects some of its shine. Yet beyond the visible mixed regime is the invisible mixed regime. Democracy and oligarchy can be mixed only in the soul of the best man which is out of public view but concerned for the public good; compared to this soul, all visible arrangements are more or less mediocre and merely attempt where he succeeds. Invisible virtue is made visible in Aristotle’s mixed regime, but the standard of the mix remains the best soul.

The modern mixed regime of liberal democracy is very different from this one, indeed conceived against this one. Its basis is democracy, not aristocracy, yet strangely it begins from democracy and proceeds to aristocracy, like Aristotle’s. The modern mix is based on the equality of man, for all are said to be equal in an original state of nature. No man is naturally the ruler of any other; and in society all live as they please with rights that secure their liberty. Having followed Aristotle’s reasoning, we might wonder how it is possible to maintain the dignity of the human over the nonhuman if some men are not considered natural rulers over others. But this was precisely the intention of the founders or proto-founders of liberal democracy, John Locke and his friends. They desired passionately to defend the dignity of man, which they saw endangered by the enslavement of men to priests and priestly education. To counter this menace, their defense of human dignity took the form of a denial of the superiority of soul, because it was soul and its invisible virtue which gave the priests their handle with which to manipulate men. They accepted the equality of man because it was a necessary consequence of the primacy of body, and they left human dignity at human liberty out of the same necessity.

Another consequence is that the democratic and oligarchical parties are transformed into democrats and liberals as described above. Since man’s freedom must be kept from implying the superiority of soul, the democrats who were asserters of freedom according to Aristotle must be restrained from making the characteristic claim by which they transcend mere quantity. Their resistance is now understood as malleable matter, and the democrats become the unassertive, “apathetic” many. They are now the beneficiaries rather than the asserters of freedom; in exchange for their standard of dignity they are promised and given a rise in their standard of living. Democracy, now known as “pure democracy,” yields to liberal democracy in which the party conflict is no longer between democrats and oligarchs but within the oligarchs or liberals. The liberals, the ambitious men, are now the sole asserters of freedom. Freedom for them means just what it means to the people, which is living as you please; but since it pleases them to excel in some way, the consequence of liberty for all is unequal honors and wealth for the few. The principle of equality results in equal liberty, justifying inequality for the few who are able to take better advantage of equal liberty. Yet although these profiteers of equal opportunity have a good thing for themselves, their self-assertion is for the benefit of the democrats rather than against them. They use soul or reason in defense of body, not to flaunt their superior qualities; so in effect they assert not only their own dignity but human dignity in general. And because they are allowed to use soul in defense of body, they are
not expected to use body as if it were soul, in the way of moral virtue. Their qualities are impressed on the inert class, the "opinion followers," in some degree, but the difference in ambition remains. The democrats approve or tolerate ambition; the liberals have it. This difference is not overcome in the mix of honors and benefits characteristic of liberal democracy.

There are two principal rights in a liberal democracy and two kinds of liberals to exploit them. The first is the right of acquiring private property. It is justified for the common good, but—or and—the few best acquirers profit most. The opportunities of free enterprise awaken the desires of talented men, but also engage their competitiveness. Their ambition for political honors is turned at least partly to what is called "success" in economic matters. To be "successful" is to compete not only to make money, but for the sake of competing—to win, to overcome "a challenge." Those in our day who drop out of competitive acquisition do not call it a hog trough but call it a "rat race," and this despite the fact according to them that the Establishment is run by pigs. In Locke's more stately language, the "quarrelsome and contentious" are diverted from politics to the making of money, where yet much of their political ambition can be satisfied. This is good for them and others, for the result as we have seen is to "increase the common stock of mankind."

Liberalism recognizes the need of some men to aspire to more than they need, and channels this need for excess into the common benefit. Let the contentious engage in the bloodless killing of commerce. Their success may at worst bankrupt their rivals, and it helps the people, the democrats. The rich are allowed to remain rich, rather encouraged to become even richer, if they turn to a private life in a privatized society. Their ostentation is more or less confined to certain "exclusive" neighborhoods and country clubs; it is not directly political and not obvious in the halls of power. The rich do not rule as rich, although they surely exert influence. The poor in the meantime live a more comfortable life and do not have to feel envious of a class that visibly rules because it is rich.

The other right is the right of free speech, which we also find in Locke's political philosophy. This right is justified as for the common good in the doctrine that the government has no business caring for souls. We are thus informed that the common good is to be found in caring for the body, but it is also implied that the common good so defined needs to be continually defended against attempts to define it as something more. Such attempts, as we have seen in Aristotle's political science, arise naturally from the partisan assertions and counter-assertions of the democrats and oligarchs to be found in every regime. Accordingly, the right of free speech at the beginning was asserted from a polemical stance against religion and soul-caring. Although it took the form of a universal openness to speech whatever its content or source, free speech was brought forth with intent to oppose and exclude the speech characteristic of priests and their scholarly clerks. In both respects, the right of free speech was a typical partisan assertion. Its early asserters in the seventeenth century opposed but could not drive out offensive soul-speech because of the endemic human susceptibility to it, and so even today, when fire-breathing votasries of religion are sometimes indistinguishable from flaming liberals, there is need of a group that will defend the doctrine supporting free speech.

It is evident that the doctrine that the government has no business caring for souls protects both the democratic principle of living as you please and the liberal-democratic right of acquiring private property. Living as you please is surer with the body that is surely yours, even if temporarily (and as to mortality, perhaps science will find a cure for it), than with a soul that may be someone else's or no one's or yours on condition of good behavior. And the right of acquiring private property must be protected against limitations whose source is concern for the soul of a greedy man, though not against limitations whose purpose and effect are to "increase the common stock of mankind" and to ensure that the bodies of the poor are fed, preserved, and made fit and comfortable. Liberalism is necessarily laissez-faire with regard to the soul but not with regard to the body, and old-fashioned laissez-faire liberals opposed the "social legislation" of interventionist liberals on behalf of the bodies of the poor mainly because it feared the effect on their souls: with coddled bodies the poor would forget to live as they please and begin asking the government to care for their souls. This fear has been countered with the thought that unless their bodies are made comfortable, the poor will ask the government to care for their souls.

Yet when all this has been said to prove that the right of free
speech is for the common good, one must still ask the question we are accustomed to ask about the right of free enterprise: who profits most? The answer, obviously, is those who speak the best. Just as under free enterprise the best money makers profit the most, so under free speech the best speakers earn the highest reputation if not the most money—though frequently they get both. These speakers run the gamut from poets, philosophers, and scientists to the big thinkers and polished artistes at the bottom of the media; in sum, we know them as intellectuals. Intellectuals have much more freedom in liberal democracy than in the ancient democracies, and as is the case with the businessmen, we may suppose that this is allowed with respect for the ambition and pugnacity which they might otherwise waste in hostility for the vulgar and anti-democratic scheming. There is something of honorable ambition in the name "intellectual" as compared to "philosopher"—lover of wisdom—which is not altogether effaced in the Marxian formula "worker of the brain." Patrick Henry's ringing cry "Give me liberty or give me death!" has been restated with routine bravado in the slogan "publish or perish" but without softening the firm impression that the intellectual of our day is still full of fight and eager for the highest prizes of scholarly controversy.

This, then, is another group with a stake in the privatized life of liberal society whose privileges are justified as for the common benefit, or at least as having "redeeming social value." Again, although this group exerts influence, its ostentation is not directly political. In America today it thrives in the universities and in the media, two institutions which may be said to converge in the domain of public television. It is not oppressive mastery to be confronted with the opportunity of watching public television.

These two groups, businessmen and intellectuals, are the "liberals" of liberal democracy. They make use of another group of liberals, the politicians. For liberal democracy does not mix without the work of skilled politicians who must build alliances and persuade both other liberals and democrats to see and to act in accordance with their interests. The unpolitical or less political liberals make use of politicians to ally with the people, that is, with the democrats or with different groups of democrats. At present businessmen are concentrated in the Republican party, while intellectuals flock to the Democratic party. In obedience to the fundamental democracy of the modern mixed regime, these two groups of unequals seek to advance their claims under the banner of equality. Each of them is very complacent about its own inequality, but constantly accusing the other of being anti-democratic.

Businessmen live with easy conscience in fine houses, drive expensive cars, and hold important offices of management while complaining of high-sounding ignorance from pretending upstarts ("effete intellectual snobs") who have never met a payroll and/or do not know what it is to work. Intellectuals, for their part, take for granted their ability to publish their undying thoughts in indelible ink, to be quoted in the media, and to receive the adulation of the young; but they despise know-nothing businessmen who have never taught a class and/or do not know what it is to study. They say that America suffers terribly from economic inequality and some of them are socialists; but they propose to nationalize only the means of producing economic articles, never the means of artistic or intellectual expression, and they have an ultimate, existential concern for the well-being of the copyright law. Thus, both kinds of liberals are induced by their political alliances, which are determined by the fundamental mixing principle of liberal democracy, to deny that they are in any way remarkable. To show or perhaps to feel their loyalty in the alliance, they blame others for elitism but do not admit it of themselves.

Early liberal philosophers and statesmen like Locke and the authors of The Federalist carefully worked out the new mixed regime. They specified the rights and duties of liberals in regard to democrats while making it clear that the unequal qualities of men are in the service of the more fundamental equality of man. They have made the benefits of this regime visible to the democrats, who remain generally loyal to it; but it may be doubted whether they succeeded in making the benefits visible to the liberals. Now we have theories of pluralist liberalism which almost suppose that liberal society is an automatic system of interest groups that nearly does away with the political problem of mixing liberals and democrats. In these theories it is as if the liberals were just collectivities of democrats having therefore no duties to the democrats. Liberals do not govern society because
society does not need to be governed; there is no noblesse, so no requirement that noblesse oblige.

Such theories have been criticized in recent years by the radicals. The radicals ask why it is that in liberal democracy liberals happen to come out on top? It must be that they govern from behind the scenes in an Establishment, a network of indirect and informal government which cleverly ensures their dominance. The Establishment must be exposed and "all power to the people." But the "people" in the radicals' slogan contains their own ambitious selves eager for honor and power. The radicals are "liberals" too, and they fall to their own critique of liberalism. If they are now in eclipse, it is partly because no Establishment in liberal society has appeared with such boring frequency as that of the radical movement.

The problem in liberal democracy is in the liberals, not the democrats. The liberals have forgotten they are liberals, and now believe they are democrats. It is not that they are virtuous men wishing to maintain a prudent obscurity before the unremarkable many; the liberals have been more democratic in their demands than the democrats and thus have become invisible to themselves. Out of embarrassment the younger and even some of the older liberals dress and behave in such a way that no one could accuse them, on superficial acquaintance, of being gentlemen. They do not see how they profit more from equal rights, and so they take their own inequality for granted. They do not see that they as liberals must contribute to the whole, but instead they use their unequal status to destroy tolerance for unequal status. They speak as if the whole were not a mix but merely democratic, and as if it could be created by the verbal exertions of partisan extremism. Tocqueville expressed his fear that American democracy would suffer from "individualism," by which he meant the danger that former aristocrats in a democracy would sulk and live privately in apathy. Today the two wings of our liberal aristocrats reveal an active hostility to each other and at the least an inadequate comprehension of liberal democracy as a mixed regime. It may be that they lost sight of themselves at the time when the intellectuals came under the influence of romanticism and Marxism and, to put it mildly, lost their sense of community with businessmen, then dubbed the bourgeoisie. Whatever the cause,