INDUSTRY AND INCLUSION: ECONOMIC AND POLITICAL MEMBERSHIP IN FRENCH LIBERAL THOUGHT

A Dissertation
submitted to the Faculty of the
Graduate School of Arts and Sciences
of Georgetown University
in partial fulfillment of the requirements for the
degree of
Doctor of Philosophy
in Government

By

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Washington, DC
June 3, 2016
The concept of citizenship is ancient, but it remains a subject of ongoing debate and contestation. As the history of political exclusions reveals, fundamental claims to universality or human rights prove insufficient for extending the rights of citizenship. The issue is better framed in terms of qualities, capacities, and expectations: which capacities and activities do we and should we expect of those with whom we share a political community? On what basis should we allocate citizenship, and conversely, on what basis might we exclude certain persons from that category?

This project turns to the French liberal tradition in the nineteenth century for insight into these questions. Specifically, I examine how expectations of economic capacity and commercial activity structured standards for political inclusion. French liberals tied the rights of citizenship to commercial values and economic activities – property ownership, market participation, and industriousness among them. Drawing on the writings of François Guizot, Alexis de Tocqueville, and Édouard Laboulaye, I argue that liberals offered a sociological view of citizenship. They saw economic participation as educative, as it could unite self-interested, atomized persons by granting them a clear stake in society and a common interest in preserving liberty. Economic activity integrated persons as members of the political community, and thus justified their legal status as citizens, or participants in the franchise. Ultimately, liberals
presented a flexible, expanding vision of political *capacité* (capacity) in relation to economic participation, whereby the very definition of the citizen evolved alongside changing social and economic conditions.

This project highlights the tension between the more inclusionary potential of liberal *capacité* and liberals’ failures in political practice, but challenges prevailing views that dismiss the entire tradition as merely opportunist or intellectually incoherent. In addressing the relationship between informal, social membership and formal, legal inclusion, I argue that French liberal thought can speak to persistent questions surrounding the extension of citizenship in liberal democracies.
Acknowledgements

I owe a debt of gratitude to my committee members, who have guided me through this process over the last several years. The ideas that would later become this dissertation arose out of a seminar with Richard Boyd my first semester of graduate school, and his advice that I follow and explore those ideas has made me a far better political theorist and a more careful thinker. In seminars and conversations, Bruce Douglass always brought me back to the big questions that drove me to study politics in the first place. I am lucky to have engaged in many discussions with Shannon Stimson, and to have left each of them with more insights about my own work than I thought possible. I am also grateful to have had Cheryl Welch join the committee and take such an active interest in the project. The chapters on individual French thinkers are much improved in light of her comments and suggestions.

Throughout my time at Georgetown, I have grown as a scholar and friend thanks to David Golemboski, Jooeun Kim, Briana McGinnis, Karen Taliaferro, and Chris Utter. In my early years in the program, Josh Mitchell made sure I had full funding, and Gerry Mara showed me just how loudly the history of political thought can speak to contemporary questions. Joshua Cherniss, Loubna El Amine, and the participants of the Georgetown Theory Workshop provided thoughtful insights and suggestions about portions of this project. Aurelian Craiutu carefully read the work on Guizot in this dissertation, and offered important comments that forced me to clarify my own thinking. James Harrigan consistently reminded me to “be myself” while writing, and this entire project has benefited from that advice.

Portions of this dissertation were written thanks to research grants from the Institute for Humane Studies and the Georgetown Department of Government. Thanks especially to Nigel
Ashford and Phil Magness at the IHS, who have provided support throughout my graduate career.

Political theory is the study of foundational things, of those ideas and practices that support certain ways of life and ways of thinking. In writing this dissertation, I have had many opportunities to reflect upon my own foundations. My parents, grandparents, and sister have been my first and greatest sources of love and encouragement, and I am thankful for everything they have given me.
This dissertation is dedicated to my grandfather,

Nick Loperfito (1927-2015),

who taught me that the best work comes with patience.
Table of Contents

Chapter 1
Introduction: French Liberalism and the Question of Political Inclusion .............................................. 1

Chapter 2
Economic Participation and Social Interest: François Guizot on Evolving Political Capacity .......... 30

Chapter 3
Tocqueville, Pauperism, and the Problem of Political Membership ...................................................... 80

Chapter 4
To Enlighten the Franchise: Édouard Laboulaye and the New Liberal Party ............................................. 128

Chapter 5
The Limits and Promises of Liberal Citizenship .......................................................................................... 174

Bibliography ................................................................................................................................................. 192
Chapter 1

Introduction: French Liberalism and the Question of Political Inclusion

“…it is clear that the first thing that must be sought is the citizen; for the city is a certain multitude of citizens. Thus who ought to be called a citizen and what the citizen is must be investigated...there is often much dispute, for not everyone agrees that the same person is a citizen.” – Aristotle¹

“There is no notion more central in politics than citizenship, and none more variable in history, or contested in theory.” – Judith Shklar²

Though the political world has changed dramatically since the days of Aristotle and the Athenian polis, Judith Shklar’s more contemporary claim suggests that at least two elements of political life have remained constant: citizenship remains both central and contested, among the most essential categories and the most ambiguous. There are many stories to be told (and indeed, many have been told) about the historical variability of citizenship, from the injustices of slavery, to the exclusion of women and the working classes from the franchise, to problems of statelessness and semi-citizenship.³ But the variability of citizenship also underscores its centrality, as that which distinguishes insider from outsider. Possessing “citizenship” entitles one to a bundle of rights, freedoms, and privileges, inaccessible to those who cannot effectively claim it.⁴

⁴ In presenting this image, I invoke Michael Walzer (who follows Arendt) on citizenship as “the primary political good” from which all other social benefits flow. Walzer, Spheres of Justice (New York: Basic Books, 1983) 30.
Tied to each of these insights is a fundamental question: what are the requirements for inclusion in a given political community? We might answer with reference to ascriptive characteristics, birth, culture, and ethnicity among them, as the qualities that grant citizenship in a particular place. As the history of exclusions reveals, though, such characteristics prove neither necessary nor sufficient for extending the full complement of rights and freedoms associated with political inclusion.⁵ Nor do claims to shared “humanness” or natural rights ground the rights of citizenship, in practice or in theory. Even liberal thought, as an ostensibly universal, cosmopolitan tradition, links citizenship to certain qualities and characteristics on the part of individuals. One need only look to John Locke’s concern with “foxes and polecats” in political society, or to John Stuart Mill’s emphasis on “civilization” and rationality, for evidence of the overarching focus on capabilities that precedes the extension of liberal citizenship and political rights.⁶ In light of both the empirical realities of citizenship and its theoretical foundations, the question is perhaps better framed in terms of collective expectations and individual capabilities: which qualities, capacities, and activities do we and should we expect, even demand, of those with whom we share a political community? On what basis should we allocate citizenship, and conversely, on what basis might we exclude certain persons from that category?

This project turns to the history of political thought for insight into these questions, specifically to the French liberal tradition of the nineteenth century. This particular historical period provides a rich context for examining modern citizenship and its requirements. The

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⁵ As Arendt argued, such ascriptive characteristics often become the basis for exclusion, pointing also to the failure of human rights to protect vulnerable and displaced persons. Aristotle, too, was unsatisfied with the idea that birth or residency alone defined the citizen.

historian Immanuel Wallerstein locates the emergence of *citoyen* – of “the citizen” as a political and social category – in the Revolution:

The great symbolic gesture of the French Revolution was the insistence that titles no longer be used, not even that of Monsieur and Madame. Everyone was to be called “*Citoyen.*” This gesture was intended to demonstrate the repudiation of traditional hierarchies, the incrustation of social equality in the new society that was being constructed. The French Revolution came to an end. Titles were reinstated. But the concept of “citizen” survived. It did more than survive – it thrived everywhere, to the point that by 1918 the world found it necessary to invent the concept of “stateless” persons, to describe the relatively small portion of humanity who were unable to claim citizenship anywhere.⁷

Wallerstein’s description of the novelty of *citoyen* also points toward its central challenge: the realization of political equality in a still uncertain society, seeking to overcome the aristocratic age and to navigate a democratic one. Despite the theoretically inclusive gesture of *citoyen* in the Revolution, the true work had yet to be done. As Jeremy Jennings writes, “the French Revolution, and the Republic it produced, gave birth to a prolonged and immensely sophisticated debate about what it meant to be a member of a political community…It was a debate about the very fundamentals of politics.”⁸ In a similar vein, Pierre Rosanvallon argues that the Revolution raised the most important issue of political modernity: the “indeterminate” character of democracy. Who is the subject of democracy, and how might demands for equality and universal suffrage be realized?⁹ Arising amid a turbulent and unstable state of affairs, political thought in the nineteenth century explored some of most profound questions raised by

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the Revolution, not the least of which directly involved matters of citizenship and political inclusion.¹⁰

Specifically, post-revolutionary discourse addressed economic participation and class status alongside political concerns. Much of the “prolonged debate” Jennings identifies concerned the economic standing of those seeking citizenship and representation. French liberals, in particular, framed economic standing in various ways: in terms of property requirements, commercial participation, and “industriousness,” but also defaulted to socioeconomic class as an index of one’s standing and capacity for politics. Debates over these qualities, and of the economic determinants of citizenship more generally, received expression both in active discussion and in texts of political thought, uniting the immediacy of political practice with the vantage of political theory.

The very questions that animated so much of nineteenth-century politics now guide this project. Which capacities does the political community require of its members, and who is “capable” of participating? Should economic capacities – property ownership, industriousness, and commercial participation, among others – underlie the requirements of citizenship and the extension of political rights? Can we justify the exclusion of the so-called “non-industrious” and materially dependent from political life? Finally, how should we conceive of the relationship between economic activity, class standing, and the demands of citizenship? Though revealed through history, such questions are more than passing, time-bound concerns; they are ongoing, contested subjects of inquiry for political theory.

¹⁰ In his *Old Regime and the Revolution* (1856), Alexis de Tocqueville contended that the Revolution had not actually come to an end, and that the political and social questions of the nineteenth century were not evidence of the Revolution’s legacy, but of its continuation. François Furet emphasizes this point in his study of Tocqueville. See Furet, *Interpreting the French Revolution*, trans. E. Forster (Cambridge: Cambridge University Press, 1981).
For nineteenth-century French liberals, such questions were more than practical concerns facing a post-revolutionary regime. The “right” kind of nation, composed of the “right” kind of citizens, could maintain not only a well-ordered, secure society, but would also safeguard those hard-won freedoms liberals wished to preserve. The subject of citizenship in turn reflected their shared ambivalence and even anxiety regarding political democracy. Amid suffrage debates, liberals articulated broader fears about instability, revolution, and the prevalence of passion in modern politics. As an alternative to political democracy, they championed *le citoyen capacitare*, the capable citizen, whose individual moderation, independence, and self-sufficiency would serve as a stabilizing, rationalizing force in uncertain times. Questions surrounding citizenship also revealed liberals’ precarious political “middlingness,” between the aristocracy of the *ancien régime* and the possibility of a democratic future. Liberals rejected hereditary privilege while stopping well short of endorsing democratic political right. They sought a third way for French politics, neither aristocratic nor wholly egalitarian. The language of *capacité* was crucial for this third way, as it expressed the moderate, rational vision of politics liberals wished to see in practice.

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12 This was an ongoing theme in Pierre-Paul Royer-Collard’s speeches before the chamber during the Restoration. He warned that political democracy was imprudent, and worse still, would lead to “anarchy, tyranny, misery, bankruptcy, and despotism.” Royer-Collard, *Opinion de M. Royer-Collard sur l’hérédité de la pairie*, 4 October 1831.


14 On the theme of liberal moderation, see Aurelian Craiutu, *A Virtue for Courageous Minds: Moderation in French Political Thought, 1748-1830*. Temporally, this study picks up roughly where Craiutu’s concludes. Institutionally, this “third way” manifested as representative government, a subject that runs throughout the remaining chapters.
Le citoyen capacitaire was not only reasonable and moderate. Just as importantly, he was self-sufficient and productive, and his status as property-owner stood as proxy for the very qualities liberals regarded as necessary for political life—so necessary, in fact, that they wished to limit the legal title of citoyen to those with demonstrated economic capacities. Liberals’ insistence on economic standards for citizenship, on the individual qualities of industriousness, self-sufficiency, drew extensive criticism from both their left-leaning and democratic contemporaries, as well as interpreters of the history of political thought. French liberals have been accused of simply supplanting aristocracy with oligarchy,15 of engaging in mere electoral opportunism,16 and of promoting an outmoded, even incoherent ideology that failed to yield any robust conception of modern citizenship.17 Some scholars have gone still further, attributing the myriad failures of French political practice to the intransigence of liberal theory, especially on suffrage.18 In light of these prevailing interpretations, it is easy to dismiss liberalism of the period as little more than an antiquated and ultimately failed ideology, predicated on the ascendancy of the bourgeoisie and the desire to retain political power. And it is equally easy to view the economic determinants of citizenship as, at best, rhetorical devices of opportunism, lacking any substantive political or philosophical import.

Yet French liberal theories of citizenship ought not be dismissed as opportunistic. Nor are they simply artifacts of the nineteenth century—time-bound representations of a narrow ideology and unstable history. In articulating the sociological basis of politics, liberals also

highlighted the social and economic dimensions of political inclusion. French liberals – from the Doctrinaires of the Bourbon Restoration to the opposition under the Second Empire – theorized l’état social (the social state, or simply “the social”) as a sphere which preceded and, in some cases, delimited political choice.\textsuperscript{19} They recognized a complex political world shaped by ever-changing social and economic conditions. Larry Siedentop points to the distinct theoretical approach of French liberals (particularly the Doctrinaires), who were “interested in the changing forms of property rights, the social classes which such property rights created, and the conflict between classes…changing social and economic structures established constraints within which political organization had to work.”\textsuperscript{20} This sociological orientation provides a unique lens through which to view an enduring political concern: the construction of citizenship and its relationship to economic participation.

On this particular topic, there is certainly no dearth of historical work on the exclusion of the working classes from French citizenship.\textsuperscript{21} And in political theory, scholars of French liberal thought have situated individual thinkers within the changing political landscape of post-revolutionary France, and have contrasted the approaches and methods of French liberals with

\textsuperscript{19} Rosanvallon emphasizes the distinction between le politique – the political – and la politique – politics. The political captures far more than the activity of politics, narrowly-defined. See Rosanvallon, “Inaugural Lecture to the College de France,” in Democracy Past and Future, ed. Samuel Moyn (New York, 2006) 31-51.

\textsuperscript{20} Larry Siedentop, “Two Liberal Traditions” in French Liberalism from Montesquieu to the Present, Geneens and Rosenblatt, ed. (Cambridge: Cambridge University Press, 2012) 18. We will explore Alexis de Tocqueville’s more complicated relationship to “the social” in Chapter 3. Tocqueville also theorized the social state as a variable on political life, but did not view it as a constraint to the degree that other French liberals did. He recognized more space for agency over determinism than his predecessors and contemporaries.

their Anglo-American counterparts. Few works, however, consider liberal responses – both descriptive and normative – to the problem of economic and political inclusion. Accordingly, this project addresses the work of three liberal thinkers on the question of citizenship and its requirements: François Guizot, the leader of the French Doctrinaires, Alexis de Tocqueville, and Édouard Laboulaye, part of the liberal opposition under the Second Empire. Adopting this approach allows for a reconsideration of the relationship between liberal theory, democracy, and representative institutions in modern France, while underscoring the social dimensions of liberal thought on the problem of inclusion.

This project reveals how the idea of citizen capacity is transformed and re-conceptualized across the French liberal tradition, and how that tradition is itself altered along the way. Writing during the Bourbon Restoration, Guizot framed the relationship between economic and political membership as a problem of capacité, a concept linked to, but not delimited by, social class. He urged his contemporaries to view capacity as an evolving standard for political inclusion, rather than a static assumption about social standing and political virtue. In his response to the social question, Tocqueville explored the economic dimensions of inclusion in terms of the social function of rights, rather than the shared discourse of capacity. His turn to the status of the lowest classes – wage laborers and paupers – marked an obvious departure from the approaches of his liberal contemporaries, as he addressed foundational problems of social and communal membership in addition to legal inclusion. Finally, Laboulaye returned to capacity, but attempted to extend and adapt the moderating virtues of the middle class to a democratizing society by means of “enlightenment” and education, resurrecting the democratic potential inherent in Guizotian capacity. While these liberal arguments pushed in exclusionary directions

– excluding the economically-dependent from full political participation – they also offered complex and evolving justifications for such exclusions, reframing the relationship between economic concerns and political citizenship in light of changing social conditions.

Attention to these liberal arguments also allows us to disentangle the concept of membership from that of citizenship, but also to recognize their interdependence in discussions of individual capacity. Even in contemporary usage, the two terms are often treated interchangeably, blurring necessary distinctions between the legalistic and empirical realities of inclusion – between formal, status-based definitions of “citizenship,” and the informal qualities that designate persons as “members” of particular communities. For French liberals, a specific ideal of membership – of inclusion in a community of the industrious and self-sufficient – preceded the extension of legal citizenship, and more specifically, the right of suffrage that stood as the hallmark of complete political inclusion in the nineteenth century. Citizenship was a privileged political status, but also a status dependent on more fundamental elements of inclusion and participation within the social sphere and marketplace. Liberals analyzed and addressed the social and economic dimensions of membership in order to uncover their importance for political life, and to link the requirements for legal inclusion with more informal, but no less significant activities of social and economic participation.

No single concept better captures the complexity of citizenship and membership – as ideals distinct and yet intertwined – than capacité, a political ideal that at once unifies the French

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23 There are some literatures that do recognize this distinction and emphasize it in debates of over immigration. For one example, see Joseph H. Carens, Immigrants and the Right to Stay (Cambridge, MA: MIT Press, 2010). Carens argues that certain determinants of “social membership” ought to underlie a moral claim to legal citizenship, and I revisit a similar argument in the concluding chapter of this dissertation. Drawing out an idea of membership and the shared elements of community is also central to Roger Smith’s project in Stories of Peoplehood: The Politics and Morals of Political Membership (Cambridge: Cambridge University Press, 2003).
tradition, and evolves alongside it. Though not unique to French liberal discourse, I argue that this particular use of capacity, political and economic, reveals the “forward-looking” stance of liberal theory in France, of an ideology that sought to transcend aristocracy and ultimately alter the configurations of political and economic life for an age of mass politics. Capacity was not only about individual qualities like rationality and moderation (though it did implicate each of those), but also, even primarily, about social dispositions and interests. In discussing citizen capacity in terms of sociology and history, French liberal thought invites us to rethink the meaning of citizenship – in particular, to revisit political citizenship as bound to prior questions of social and economic membership.

I. Political Capacity

The notion of citizenship and its requirements occupies a central place in the history of political thought, and at the risk of anachronism, we might argue that the concept of capacity has its roots well prior to the politics of the nineteenth century. Aristotle first raises the question of requisite capabilities for citizenship, framing his argument in the third book of the *Politics* largely as a class-based analysis of political capacity. Political life, according to Aristotle, was an occupation best left to the leisured, its demands far too exacting for laborers, craftsmen, and of course, slaves.

The concept of political capacity reenters the theoretical conversation in the seventeenth century, draped in the modern liberal language of consent and contract. While liberal theory

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24 Rather than consistently use the French capacité, I use the terms capacity or political capacity throughout most of the dissertation. In the final chapter, I return to capacité in order to distinguish the French ideal from civic requirements expressed by other thinkers in the history of political thought.


26 Aristotle, *Politics*, especially III.1, 6-7.
retains at least a philosophical commitment to universality, the very idea of a contractual politics necessitates some discussion of the requisite personal capabilities, capacities, and even activities for upholding that contract.\textsuperscript{27} John Locke describes those who willfully exclude themselves from the commonwealth by transgressing the law and thus declaring themselves “to live by another Rule, than that of reason and common Equity.”\textsuperscript{28} Locke also ties full political inclusion to productivity and labor. Economic activity exists as a necessary condition for civic membership, as those who fail to contribute to “the common stock of mankind” cannot rightly enjoy the full benefits of political inclusion. In his “Essay on the Poor Law” (1697), industriousness emerges alongside rationality as a requisite quality for inclusion in the Lockean political community. Those who refuse to labor – the “idle poor” as opposed to the “Industrious and Rational” – surrender their political liberty and their status as equal subjects.\textsuperscript{29}

John Stuart Mill extends a version of capacity to democratic citizenship in the nineteenth century. His infamous endorsement of benevolent despotism for backward states hinges on an implicit recognition of the individual and collective qualities necessary for self-government. Representative government is applicable only where individuals have become capable of being improved by free and equal discussion, as a less qualified, a less competent citizenry cannot hope to safeguard the institutions so necessary to maintain liberty and further human progress.\textsuperscript{30} Though he recognized the psychological and political benefits of universal suffrage, Mill also tied the extension of political citizenship to the performance of certain economic and social roles

within society. Individuals who do not pay taxes are not entitled to the full rights of citizenship, as they offer nothing to the public funds and can claim no rightful interest in their proper allocation.\textsuperscript{31} Mill also disqualifies those on parish relief from the right of suffrage, as the situation of relief recipients marks an even more extreme violation of his fundamental principle of free government: that interest and control remain in the same hands. Although non-taxpayers do not contribute to the common stock, they presumably support themselves by their own labor. Conversely, recipients of parish relief neither contribute financially to the public stores nor suffice for their own support. They live exclusively from their neighbor’s funds, and thus granting them an equal right to suffrage wholly divorces the principle of control from that of interest. Standards for rationality and material self-sufficiency ultimately buttress claims for political control and participation, even in a representative democracy where the equal rights of citizenship allegedly extend to human beings as such.\textsuperscript{32}

The standards for suffrage underlying Millean democracy were in fact central to the works of his liberal contemporaries and predecessors in France.\textsuperscript{33} French liberals put forth the ideal of \textit{capacité} to capture these standards, ranging from educational qualifications, to individual competence, to property requirements. They distinguished between those entitled to participate in politics – the capable – and those who lacked the requisite qualifications for the franchise. On the one hand, the notion of capacity also made manifest a host of liberal fears. Informed by the experience of the Revolution, it expressed liberals’ reluctance to embrace popular rule out of concern for the instability and irrationality they expected such rule would bring. Capacity was, in a sense, a way of holding back history, of avoiding the dangerous,

\textsuperscript{31} Ibid., 471-472.
\textsuperscript{32} Ibid.
\textsuperscript{33} They were also, of course, central to the thought of many English liberals, Macaulay and Brougham among them. For a history of capacity as used by the Whigs, see Starzinger, \textit{The Politics of the Center} (1991).
progressive language of political “right” that would open the nation to rule by the impassioned, unrestrained *demos* over the capable few. Citing the reluctance and anxiety at the heart of capacity, scholars have characterized the French tradition as “a liberalism of fear,” concerned simply with preventing the worst evils of democratic politics rather than harnessing or even acknowledging its potential virtues.\(^\text{34}\)

At the same time, however, capacity represented a theoretical advance beyond the politics of the *ancien régime* and the age of aristocracy. By employing the idea of capacity, liberals sought to replace privilege of birth with standards for competence and rationality, to ensure that the truly “best” interests and insights would predominate in politics. They wished to establish a foundation for citizenship independent of birth and social status, a foundation seemingly far more progressive – in a sense, far more *democratic* – than that which preceded the Revolution. And, as I will argue throughout much of this project, they crafted a particular version of capacity as flexible and evolutionary. Capacity stands as a potentially evolving standard for identifying “the capable,” those deserving of the full rights of citizenship. Though liberals attempted to avoid a complete, swift acceptance of universal right, they acknowledged (at least in their theoretical works) that Europe was moving in a more democratic direction. Their vision of citizenship would have to account for this transition.

**Capacity, not contract**

The sociological elements of capacity allowed liberals to incorporate this kind of flexibility into their theories of citizenship. Beginning with the Doctrinaire François Guizot,

\(^{34}\) Hazareesingh (1998); Craiutu (2003) also entertains this vision of the liberalism of the *Doctrinaires*. These scholars borrow the phrase from Judith Shklar, though imbue it with a particular meaning in this context.
himself among the most personally inflexible and conservative of the French liberals, they presented capacity not as a static set of standards for delimiting citizenship, but as an evolving, expanding ideal. Capacity, like the design of political institutions themselves, had to depend upon the underlying social and economic orders. Citizens, in other words, had to “fit” the given state of society, and one could not rightly impose an absolute, unchanging image of the citizen on a social world that is itself ever-evolving. This is an element of capacity utterly overlooked by academic critics of the French liberals, who are too quick to dismiss liberal views of citizenship as simply dogmatic and naïve. Against this tendency, much of this project will highlight how liberal theory provides the resources for looking ahead to a more democratic social state and expansive citizenry – even if liberals themselves failed to translate those resources into practice.

The elasticity of capacity in the French tradition distinguishes it from the more familiar liberal “first principles” of consent and contract. Though Locke relied on some implicit idea of capabilities in his discussion of political society, the ideal of capacity under French liberalism begins from assumptions altogether distinct from those of contractarian politics. It presumes that politics is a reflection of – rather than an escape from – the social state that precedes it, and that citizens, too, are and must be first members of the social and economic orders before the

political one. This notion of membership as a precursor to formal citizenship has been overlooked in scholarship on the French tradition, and wrongly so, as the ideas of social and economic membership helps to illuminate precisely what liberals meant by the capable citizen.

**Determining capacity and its guarantees**

This does not mean, of course, that *capacité* was without its defects. Many of the determinants or “facts” of liberal capacity remain ill-defined, articulated via vague ideals of “social interest” or “general interest” that ultimately proved too indeterminate to guide policy and shape law. What precisely did it mean to be capable of participating in politics, and how was such capacity to be determined? Does capacity rest with individuals or with particular classes in society? Finally, is capacity just an easily corruptible, easy co-opted ideal that can serve to exclude entire classes from the franchise? The economic determinants of capacity remain particularly controversial, as they seemed to provide a convenient mechanism for keeping the lower classes out of politics.

The ambiguity of economic capacity is, at times, on full display in French liberal thought. Liberals sometimes argued persuasively for property ownership as a “sign” of capacity, as ownership granted individuals a “stake” in a social order and prompted them to care for the protection of liberty and the values of the community. Ownership drew persons out of the

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38 The first principles of French liberal thought led Guizot to argue against the “absurdity” that is contractual politics: “The two facts – society and government mutually imply one another; society without government is no more impossible than government without society…the necessary coexistence of society and government shows the absurdity of the hypothesis of the social contract.” *History of Representative Government in Europe*, trans. Andrew R. Scoble (Indianapolis: Liberty Fund, 2003) 49.

39 In chapters 2 and 3, I bring to light the way in which ideals of economic membership precede both the franchise (for Guizot) and the informal acceptance of individuals within a political community (via Tocqueville on the social question).
narrow sphere of self-interest, to apprehend the interests of society as a whole. They also argued that commercial participation – the kind of “work” that allowed individuals to engage and enrich their minds – similarly drew persons out of the sphere of the personal toward the political, forcing them to recognize the common good and their role in fostering it. Guizot himself recognized that commercial participation was the hallmark of membership in a modern, democratic society, distinguishing the capable from the incapable. At other times, however, these theoretically rich, nuanced defenses of economic capacity were subsumed by political prejudices in favor of the middle class. Ideals of property ownership and economic participation, once championed as “evidence” of moderation, independence, and social consciousness in the individual, emerge as little more than rhetorical defenses of middle class interests in the nineteenth century. This tendency, I argue, is on full display in Guizot’s own intellectual transition and political career, as well as in liberal attempts to restrict the franchise through the July Monarchy and after 1848. And it is this very indeterminacy that prompted various interpretations of the French liberal tradition, most of them critical about its contributions to political thought, as well as its successes as an ideology and political party.

II. Interpreting French Liberalism: An Incoherent Tradition?

Despite the centrality of liberal thought and politics in post-revolutionary France, the liberal conception of citizenship has remained largely unaddressed within secondary literature. This relative silence might be attributed to the very structure of French liberalism itself. In

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41 For both of these determinants of capacity – ownership and commercial participation – see Guizot, “Élections,” in Guizot, *Discours académiques* (Paris: Didier, 1862). In Chapter 2, I argue that Guizot moves beyond the concept of property ownership in defining capacity, locating capacity also in market and commercial participation.
interpreting French liberalism as a phenomenon characterized, at best, by variation and discontinuity, and in furthermore discrediting its very coherence as a “tradition” of thought, scholars have argued against the notion of a unified liberal vision of citizenship for modern France. “Mysterious and elusive,” Sudhir Hazareesingh writes, “nineteenth-century French liberalism is also an intrinsically contradictory phenomenon.” Hazareesingh cites “recurring tensions” among quintessentially liberal priorities: political order and economic progress, individual freedom and social stability, local autonomy and national unity. This tradition of intrinsic contradictions, he argues, failed to yield any clear standards for political inclusion and exclusion, let alone a coherent, robust notion of citizenship and its requirements. Liberal thought and liberal politics offered only a further series of paradoxes about democratic citizenship. Similarly, Lucien Jaume presents liberalism as a school of thought “marked by a distinct lack of doctrinal unity.” For Jaume, as well Hazareesingh, it is difficult to speak of an identifiable liberal position on citizenship.

Like works that dismiss French liberalism as ideologically incoherent and ultimately unreflective, other interpretations seek to pigeonhole the tradition as merely conservative, reactionary, or “bourgeois.” Under this interpretation, French liberal thought, and thus its conception of citizenship, is quite clearly driven by bourgeois priorities, such that political citizenship is entirely defined and delimited by long-standing economic or class structure.

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43 Soltau (1959) has a place in both camps.
46 Jaume (2012).
47 In the opening lines of The Communist Manifesto, Karl Marx named Guizot a member of the “Holy Alliance” against the spectre of communism. See Marx, The Communist Manifesto in The Marx-Engels
this is true, the French liberals are hardly worth studying on this point, their ideas merely the result of antiquated politics or embedded class prejudice.\textsuperscript{48} These understandings of French liberalism seemingly follow from similar interpretations of the Revolution as a Marxist phenomenon driven by the economic ascendency of the bourgeoisie, of which the liberal tradition is merely a continuation.\textsuperscript{49} We might argue that this interpretation of the tradition suffers from the same long-standing myopia as historiography of the Revolution had for roughly a century, prior to the revisionist work of Francois Furet.\textsuperscript{50}

While Furet’s historiography challenged the Marxist interpretation of the Revolution and provoked renewed interest in understudied, even misunderstood French thinkers (most notably, Benjamin Constant) scholars have only recently turned to the study of French liberalism as a rich tradition of individual rights and civil freedom.\textsuperscript{51} Following Furet’s insight, political theorists have sought to redeem the French tradition from the charges of ideological incoherence and antiquated or “bourgeois” politics. Building upon the work of Larry Seidentop, Raf Geneens and Helena Rosenblatt argue for the “richness, variety and longevity” of what they term a “lost liberalism,” from Montesquieu to Lefort and Gauchet.\textsuperscript{52} Aurelian Craiutu has accomplished the

\begin{footnotes}
\item See Francois Furet’s characterization of Marxist scholarship on the Revolution and its legacy: “The events of 1789-94 are supposed to have given birth, simultaneously, to capitalism on the economic level, to the preponderance of the bourgeoisie in the social and political order, and to the ideological values that are assumed to go along with these two developments.” Furet, \textit{Interpreting the French Revolution} (Cambridge: Cambridge University Press, 1981) 19.
\end{footnotes}
important work of recovering the liberalism of the Doctrinaires as a coherent ideology and topic of study for contemporary political theorists and historians alike.\textsuperscript{53} In his work on the virtue of moderation, Craiutu also conceptualizes the broader French liberal tradition as a \textit{juste milieu}, rather than simply an extension of the tumult of the Revolution or the extremism of the Terror.\textsuperscript{54}

Adopting a comparative approach, Alan Kahan has emphasized the continuity between Tocqueville’s “aristocratic liberalism” and the thought of John Stuart Mill and Jacob Burckhardt.\textsuperscript{55}

Despite the recent resurgence of French liberal thought in the discipline of political theory, scholars have yet to focus on the notion of liberal \textit{citizenship}, or more specifically, on the relationship of economic and political concerns in the construction of liberal citizenship. In one of few works to consider citizenship in the French liberal tradition, Andrew Jainchill notes that Tocqueville and Benjamin Constant employ a conception of “republican” liberty and robust citizenship, but confines his work to the canonical writings of Constant and Tocqueville alone.\textsuperscript{56} Geneviève Rousselière similarly examines Tocqueville, Constant, and Sismondi on citizenship through the republican lens of state and market domination.\textsuperscript{57} Craiutu devotes only a brief chapter to economic class, political capacity, and the requirements for citizenship in his comprehensive study of the political theory of the Doctrinaires. He acknowledges the limits of

\textsuperscript{53} Craiutu (2003).
\textsuperscript{54} Craiutu (2012). In France, Pierre Rosanvallon has sought to mend the image of Guizot as a unrepentant conservative by highlighting his views on representative government and the sovereignty of reason. His work influenced American academics like Craiutu.
his work on this point, and notes that his brief discussion “lays the groundwork for a reconsideration of the relationship between liberalism and democracy.”

Although drawing out the import of a distinctly French liberalism is a driving motivation behind Craiutu’s work, the unique dimensions of French liberal citizenship get lost in his analysis of capacities. He urges, “it is important to stress that the discourse of political capacity was the language used by all nineteenth-century European liberals, including Constant and Tocqueville in France, Cattaneo in Italy, and J.S. Mill in England.” Similarly, Alan Kahan situates the language of economic exclusion (or class-based exclusion) within the particular, though cross-national tradition of aristocratic liberalism exemplified by Tocqueville in France, Mill in England, and Burckhardt in Germany.

While the language of capacity and economic membership certainly extends across traditions, there is much more by way of nuance and distinction in the use of that language than either Craiutu or Kahan suggest. Within French liberal thought, the language and indeed the very concept of political capacity is far from static, though hardly incoherent as Hazareesingh, Jaume, and others have contended. For French liberals, the discussion of economic dimensions of citizenship evolves in light of changing social circumstances and political imperatives, and such nuances reveal various and evolving assumptions about the compatibility of liberal principles and democratic politics. Just as liberals in this period altered their political aims in light of changing social conditions, so too their visions of citizenship and its economic dimensions were modified in light of political imperatives and social developments. Rather than an ideology of unchanging, bourgeois priorities, French liberal thought remained attentive to

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58 Craiutu (2003) 16. Craiutu admits that there is more complexity to this claim, but exploring these complexities is beyond the scope of his work.
59 Ibid., 224.
pragmatic, political concerns, looking at once backward to the lessons of the Revolution and its aftermath and forward to the threat of tyranny in a democratic age.

Neither should we interpret French liberalism as a tradition of incoherence and internal contradiction, too ideologically unsound to yield a meaningful idea of citizenship or rational set of principles for political inclusion. This is not to argue that there are no meaningful variations or differences among liberals of the nineteenth century. On the contrary, this project will remain attentive to the evolution of liberal thought over citizenship. Even within this evolution, however, there remains a core collection of liberal principles that inform and guide the construction of citizenship, and continue to frame the relationship between economic and political membership in liberal thought. These principles allow us to speak of a liberal tradition in France, and to recover the notion of a “lost liberalism,” as robust and coherent as its Anglo-American counterparts. These core principles are revealed in liberal approaches to the question of citizenship – economic and political – at significant political moments and to particular issues throughout the nineteenth century. Liberal responses to such moments demonstrate the sociological orientation of French liberal thought, and the complex economic and social realities that underlie the construction of citizenship.

III. Project Outline

In conceptualizing citizenship and its requirements, nineteenth-century French liberals returned to the foundational question that animated book III of Aristotle’s Politics: Which capacities does the political community require on the part of its members, and who is “capable” of participating? Furthermore, they expressed specific concerns about economic standards for inclusion: Should some requirement of economic capacity and activity underlie political
participation? Finally, should we conceive of capacity in terms of individuals or classes within society? These questions were, on the one hand, conditioned by the particular historical moment in which liberals found themselves. The right kind of body politic, composed of the right kind of citizens, could serve as a bulwark against instability in a democratizing society, still in the shadow of the Revolution and the Terror. On the other, liberals approached such questions as more than immediate, practical concerns. There was much at stake in determining who would bear the title of citizen. The ultimate triumph of liberty over despotism, self-government over centralization, and reason over passion depended on creating a capable citizenry.

By situating the writings of French liberals within the particular social and political moments out of which they arose (and to which they were intended to respond), we might highlight both the coherence and flexibility of the liberal tradition and its theory of membership, political and economic. Though we can locate the origin of these debates in the Revolution, the dynamic between economic and political citizenship comes to light most fully in the nineteenth century. Methodologically, this project aims uncover and reconstruct a series of arguments on economic and political citizenship through the careful reading of primary works in French liberal thought, including essays, correspondence, and more traditional “texts” in political theory. Some of the authors examined, Alexis de Tocqueville chief among them, are traditionally situated within the canon of political thought. Others, like Laboulaye, receive relatively little attention from political theorists, though they were powerful voices in post-revolutionary conversations on French institutions and citizenship.60 Each of these thinkers – canonical and otherwise – occupied a unique position, bridging the realm of ideas and the sphere of political action, the

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60 More obscure French theorists, most notably the French Doctrinaires, have received serious scholarly attention from political theorists in the English-speaking world only in the past decade or so. See Craiutu (2003 and 2012).
world of philosophers and that of statesmen. In fact, all of the thinkers I examine were actively involved in rebuilding political institutions, and most importantly, in developing a model of citizenship within the tumultuous social condition of nineteenth-century France. This is precisely what makes their insights remarkable, as they wrestled with abstract questions about democracy and citizenship in a particularly uncertain social context. Accordingly, this project moves beyond exegesis, examining these questions historically as they were articulated and addressed through liberal thought in the nineteenth century.

Chapter 2 begins with the writings and political career of François Guizot, one of the leading French Doctrinaires. This chapter accomplishes two aims. First, by drawing on Guizot’s method of “philosophical history,” I complicate the rather simplified and long-standing interpretation of Guizot as a bourgeois apologist alone, while remaining attentive to the role class and economic activity play in his construction of citizenship. A more complex reading of Guizot on citizenship emerges from his article, “Élections” (1826) as well as his reflections on representation in The History of the Origins of Representative Government in Europe (1862, from a series of lectures delivered during the Restoration). Careful consideration of these works and of the political problems they address reveals a more nuanced, more thoughtful vision of capacity and its relationship to class, economic independence, and the role of wealth than typically attributed to Guizot. It reveals a vision of membership modified by political imperatives and social realities, rather than standing class prejudice. Guizotian capacity is fluid, dependent on social and historical contingencies. Socioeconomic class, the result of passing historical circumstance, cannot serve as the definitive standard for interpreting and recognizing political capacity; as society progresses in liberty, so too the concept of capacity must expand and alter in light of new social conditions.
But as a second argument, I point to the tension in this particular vision of capacity, highlighting its theoretical promise as an expansive, evolving concept, while noting Guizot’s own failure to realize and instantiate this promise in political practice. The second half of the chapter focuses on his somewhat puzzling praise of the middle class as a stabilizing, almost transcendent force in modern politics. Despite his own failures, however, Guizot’s work provides an apt starting point for considering the interplay of economic and political concerns in the construction of liberal citizenship. His discussion of capacity illuminates the complex connection between social class, economic activity, and historical context in determining political right and the extension of suffrage. His thought points to the fluid and progressive nature of citizenship and its economic requirements, urging us to look forward in the nineteenth century to evolving liberal arguments for capacity and inclusion.

In Chapter 3, I examine one such evolution: Alexis de Tocqueville’s take on “the social question,” or the problem of pauperism. In one sense, Tocqueville’s study is motivated by the same questions that occupied Guizot: how did changing configurations of social class in the nineteenth century alter the boundaries of politics? In light of changes, what were the requirements for inclusion in the political community? But Tocqueville’s work on pauperism and social reform is also driven by a more philosophical, and in some sense, more foundational inquiry into the challenges of modern political life, even as it intends to response to a concrete, immediate social problem. Tocqueville identified the inevitable march toward equality characteristic of the democratic age, while also recognizing the deep inequalities of modern industrial society, manifested in the condition of the poor. In his two memoirs on pauperism, he turned to the realities of social and political exclusion associated with the “social question.”
Tocqueville’s attention to the very problem Guizot ignored – the material and social status of the lowest classes – prompts a revised notion of “right” and its potential role in repairing social divisions between classes and persons. By framing his argument in terms of this revised ideal of right, Tocqueville establishes a new standard for understanding the dynamic between economic membership and political inclusion that attempts to account for the emergent equality of the democratic age. Looking at once to the current state of English society and toward the future of France, Tocqueville offers a vision of political inclusion in terms of the social function of property rights, a liberal idea well-suited to the democratic age.

And unlike many of his contemporaries, Guizot chief among them, Tocqueville grew disillusioned with the “mediocrity” of middle-class rule by 1848. He cast off the explicit liberal language of capacité in discussions of legal citizenship, and sought to balance the nation’s overarching concern for stability with the need to repair class division and remake “the social.” Though he altered his position on extending suffrage in France, I argue that Tocqueville ultimately recognized that extending political rights beyond the middle class could aid in mending the social fabric, while promoting the end of a stable nation.

Expressed through the language of property rights, Tocqueville’s discussion of pauperism offers a more democratic vision of the relationship between economic and political membership. We might argue, however, that the issues of citizenship and economic status introduced by the Revolution do not seriously re-enter political debate in France until later in the century. Historians identify the emergence of a clear notion of French citizenship only in the Second Republic, The Second Empire, and even as late as the Third Republic. Nor does the attention to social class wholly disappear. A study of French politics in the mid to later part of the century

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allows for reconsideration of the complex relationship between social class, economic status, and the modern rights of citizenship. In Chapter 4, I turn to the thought of Tocqueville’s most ardent disciple in France: Édouard Laboulaye (1811-1883), a member of the “American school” and prominent liberal in the opposition to the Second Empire.

Laboulaye directly confronted the challenges of an egalitarian social condition, defined by the rise of political democracy and demands for working-class inclusion in politics. In true liberal fashion, he extolled the political virtues of the middle class as a moderating force. Yet Laboulaye also “sincerely accepted” the fact of universal suffrage and identified the working classes as “the life of the nation” in his own time. He is also remarkable for interpreting traditionally middle class values as possible universal values, rather than attributes residing in a particular group or socioeconomic class. The right kind of educational institutions could identify and extend the moderating virtues of the traditional middle class to persons across classes and occupations. This, he urged, was to be the primary task of the “new liberal party,” freed from the disillusions and disappointments of the past. I argue that Laboulaye thus revived the promise of Guizotian capacity – its potential as an expansive, evolving concept, open to change in light of various social developments. His work reveals one possible, more democratic outcome of the flexible, history ideal of capacity Guizot championed in his theoretical works.

Yet the unmistakably economic dimensions of middle class virtue introduce an obvious tension into Laboulaye’s thinking, which actually serves to render his thought of particular

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62 Though French liberalism has attracted renewed scholarly attention in recent years, work on French liberalism after 1848 is still quite limited. In mapping the liberal tradition in France, Jaume concludes his discussion with the Coppet group (Constant, de Staël) and “fringe” liberal Catholics in the mid-century. Hazareesingh notes the especially “protean” character of the entire French liberal tradition, and emphasizes liberalism’s notable lack of unity after the July Monarchy and the intellectual contributions of Tocqueville and Constant. In Chapter 4, I revisit the literature on liberal thought after 1848, and argue against the simplified interpretations of an “incoherent” and “failed” liberal tradition.
interest. We might argue that in Laboulaye’s contradictory motivations – the ambition to supersede social divisions (to embrace universal suffrage) and the desire to preserve the virtues of the middle class – we can locate the dilemma of modern France and of liberalism’s place within it. Yet Laboulaye’s arguments are not simply mired in contradiction. His work is instead notable for its attempt to transform the relationship between economic membership and political inclusion, to liberate the beneficial economic and social qualities traditionally held by the middle class, and to broaden them via education for the working classes. In this respect, he extends the logic of Guizot’s insight on the variability of political capacity as an evolving, historical, progressive concept, and locates the enduring and necessary place of liberal principles in a regime of universal suffrage.

IV. Rethinking Citizenship and Capacity

Out of this liberal history, two central arguments emerge about the nature of political citizenship. The first lies at the nexus of the psychological, the economic, and the political. For the French liberals under discussion, economic requirements for citizenship were not simply intended as ends in themselves; they aimed to *elevate* the individual to a social and intellectual position that would afford him sufficient mental capacity and independence to approach political life as citizen rather than subject. Liberals argued that economic participation is *transformative*, as it unites self-interested, atomized persons by granting them a clear stake in the social order and a sense of the future. Economic requirements for citizenship existed to serve common political life in a democratizing society. Though they served to restrict the franchise, such requirements paradoxically *pushed forward* the very concept of citizenship, rather than limiting its possibilities.
This particular focus underscores the second argument: the idea of citizenship as economic membership, whereby economic inclusion in a prior community of the industrious, self-sufficient, and productive proves necessary for political life. Yet in articulating economic standards by which to allocate membership, these thinkers also reveal the “dark side” of such standards: their exclusionary potential. In the final chapter, I revisit the consistent failure of French liberal practice to “live up” to liberal theory.\(^{63}\) Despite their attention to the distinctly sociological elements of membership, and to accompanying notions of a more flexible, more expansive citizenry, French liberals ultimately failed to secure in practice the kind of body politic they extolled in theory. This failure was due, in part, to their inability to separate political capacity from social class in matters of practice and policy. As the century wore on, liberals grew more intransigent politically, and aimed to preserve the rule of the middle class, to the detriment of this evolutionary, flexible theory of capacity with which they began.

Finally, we might wonder whether the French liberals explored in this study have anything to offer us, or whether their particular take on these questions – and indeed, the questions themselves – are the product of a particular time and circumstance. What, if anything, remains of value in the liberal vision of capacity and citizenship? In the final chapter (Chapter 5), I question whether the French liberal theory of evolving capacity is actually more susceptible to exclusionary outcomes than static conceptions of citizenship and its requirements. I complicate my own analysis of the liberal tradition, as one defined by an ongoing tension between rich theory and limited practice, by interrogating whether such exclusionary practices are endemic to the discourse of capacity as such. Is there in fact a tension between the promise

of liberal theory and its failure in practice, or should we attribute those very failures to the theory itself? In the final analysis, however, I argue that in drawing our attention to the relationship between informal, social membership and formal, status-based inclusion, liberal thought can speak to persistent questions surrounding democratic practice.

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64 Karl Marx, of course, offered one clear answer to this problem in *On the Jewish Question*, by presenting liberal constitutionalism as a system that engenders only dependencies and conflicts. See *On the Jewish Question* in Tucker, ed. (1988).
Chapter 2

Economic Participation and Social Interest:
François Guizot on Evolving Political Capacity

“At the beginning of the nineteenth century,” writes Pierre Rosanvallon, “the crucial question that all of the French liberal authors were attempting to resolve was that of the relationship between liberalism and democracy.” Indeed, the democratic promise of the Revolution and the disruptive legacy of the Terror provided an obvious point of departure for political thought. Liberal thinkers in particular aimed to reconcile the goals of freedom and decentralization with a newly emerging democratic order that bordered on instability. But as Rosanvallon’s statement suggests, liberals also grappled with a second task: defining and approaching democracy not simply as a political regime, but as l'état social rooted in Europe’s history, its class structure, and its economic system. For French liberals after the Revolution, the category of “the social” came into view as a central element of political life.

In his reflections on French history and Restoration politics, François Guizot, perhaps more so than any other liberal theorist of the period, pointed to the complexity of democracy and its implications for the future of French society. At the heart of Guizot’s thought lie the lingering themes of the Revolution: the extension of suffrage and the rights of citizenship, and the overcoming of aristocratic privilege. Guizot responded to these themes by looking to class structure in the nineteenth century, and to the specific social and economic conditions that gave rise to a newly ascendant commercial class that would become “first” in electoral politics. He was widely criticized in his own time for opposing universal suffrage, and has been accused by

his interpreters of designing and promoting a “middle-class mystique” that confined the rights of citizenship to the narrow bourgeoisie and merely supplanted aristocracy with oligarchy. He has, above all, been remembered unfavorably in French history for his urging, “Enrichissez-vous!” a phrase that has come to represent the whole of his social thought. For Guizot’s critics, the triumph of his Doctrinaire brand of liberalism translated to a wholesale practical rejection of the very premise – the democratic état social – upon which liberal thought proceeded.

Despite this long-standing image, Guizot’s political thought has undergone somewhat of a renaissance over the last few decades. In his Le moment Guizot, Rosanvallon challenged stereotypes of the thinker as an unimaginative theorist and unrepentant conservative, and argued that his thoughts on citizenship and sovereignty still have much to offer us. Following Rosanvallon, Aurelian Craiutu has aimed to rescue Guizot and the Doctrinaires from neglect among theorists in the English-speaking world. Still other scholars have uncovered Alexis de Tocqueville’s debt to Guizot, and note that the latter’s method of philosophical history informs the entirety of Democracy in America. For all of these scholars, Guizot stands as an original and influential liberal theorist. As Craiutu argues, Guizot provided far more than time-bound

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67 See Douglas Johnson, Guizot: Aspects of French History, 1787-1874 (London: Routledge, 1963). Even in his own time, Guizot was condemned as a reactionary by his political opponents for his opposition to universal suffrage.


reflections on politics; rather, his work helps us to “rethink the nature and limits of the political.”

Questions surrounding Guizot’s theory of citizenship recur throughout these more recent works, as they had in earlier interpretations. Defining “the citizen” was, after all, one of the most pressing political problems following the Revolution. But it was also perhaps the most obvious political manifestation of the confrontation of between liberal principles and democratic aspirations. While Guizot looked upon a social world trending toward civil equality, he also feared that a swift embrace of universal suffrage, of complete political equality, could threaten liberty and order, the values he and his liberal contemporaries held in highest regard. The theme of political inclusion – of who was and who was not to be a citizen – looms large in Guizot’s thought.

But one cannot examine this theme without attending to questions of economic activity and class status in the construction of citizenship. Much of the debate over citizenship following the Revolution concerned the economic status of those seeking representation, and these concerns received expression throughout his written works and speeches. It is on this matter that Guizot’s thought, when it has not been dismissed as dull and unoriginal, has been most widely criticized. His pronouncement – Enrichissez-vous! – reverberates throughout history and scholarship, framing an interpretation of Guizotian citizenship as inextricably bound to wealth, property, and social status.

Yet as this chapter will clarify, Guizot understood that property and social class in themselves could not ground claims to citizenship and political capacity. Capacity must depend upon “natural superiority,” signaled by notions of individual independence and reason that

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property and social status alone cannot confer. I argue that Guizot ultimately liberates the determinants of citizenship from the confines of a rigid class structure – even as he still locates those determinants within specific classes in his own time. He recognized that capacity as a variable, flexible concept, rather than the static possession of entire classes. Still, there exists a connection between economic participation and political capacity. Though capacity is neither synonymous with nor situated entirely within a particular class, the development of capacity depends upon economic activity on the part of individuals. Engagement in commerce, he argued, allows individuals to recognize social bonds and apprehend “the social interest,” an ideal apart from and above the needs of the individual and the household. Economic participation, and not entirely class inclusion, enables persons to rise to the level of social interest while retaining personal independence.

Understanding the relationship between economic activity and political capacity reveals the first principle of Guizotian citizenship. Capacity is an ever-evolving standard for extending citizenship, dependent on the underlying social and economic order. His liberalism therefore yields a particular vision of citizenship for post-revolutionary France: le citoyen denotes social intelligence, apprehended through commercial participation, and a degree of individual independence that indicates a marked departure from aristocratic privilege. He pointed toward the fluid and progressive nature of citizenship and its economic requirements, urging us to look forward in the nineteenth century to evolving liberal arguments for capacity and inclusion. Moreover, as this chapter will reveal, his thought illuminates still more foundational questions of political membership, of social belonging rather than simply legal citizenship.

Guizot’s vision of evolving capacity finds its beginnings in historical narrative, and this chapter opens with a discussion of his method of “philosophical history,” a constituent element
of his political thought. Using the lens of history, Guizot outlined the complex relationship between domains of the social, the economic, and the political, which informed his thoughts on citizenship and membership.

I. Guizot’s Method: Philosophical History and Political Necessity

Guizot’s liberalism is uniquely rooted in history; the first principles of liberty, he argued, can be derived from Europe’s social and political past. Discovering, revealing, and articulating those principles is the ultimate goal of historical reflection. Thus, historical inquiry exists as a constituent part of political philosophy, not a separate scholarly pursuit. Bearing in mind the aims of history, the full meaning of Guizot’s self-identified methodology – the method of “philosophical history” – comes fully into view:

For some time past, there has been much talk of the necessity of limiting history to the narration of facts: nothing can be more just; but we must always bear in mind that there are far more facts to narrate…The very portion of history which we are accustomed to call philosophy, the relation of events to each other, the connexion which unites them, their causes and their effects – these are all facts, these are all history.\(^\text{72}\)

Historical study must attend to underlying causes, to the immediate effects of events, and most importantly, to the “moral facts” that result from such events.\(^\text{73}\) Guizot’s view of history called for a wider interpretation of the nature of “facts” themselves, and demands inquiry into cause and effect as well as general patterns throughout time. Still, this perspective was informed not simply by the epistemic character of history as a subject of study. It was rather, a view of history conditioned by the present, in particular by Guizot’s present moment. Looking upon France in the early nineteenth century, he declared “that which is now revealed has been laboring


\(^\text{73}\) Ibid.
for more than twelve centuries to manifest itself.” The spirit of a new age following the French Revolution, a spirit characterized by an egalitarian, democratic social condition, demanded an inquiry into the trajectory of European society that “labored” until its present arrival. But even more importantly for and in this age, political philosophy itself required the assistance of historical reflection. A vision of France’s future could only be discovered by unearthing its past, and by interpreting that past in light of the moral and political necessities of the present day.

The use and advantage of history for Guizot can only be apprehended by looking at his own historical circumstance. He delivered his lectures on the history of Europe in 1828, shortly after the Martignac Ministry lifted the five-year ban on university lectures imposed by the ultra-royalist Villèle government. As Larry Siedentop notes, the lectures fostered “a liberal enthusiasm” absent from the political landscape during the Villèle regime and became a “rallying point for liberal youth and intelligentsia.” The timing of the lectures was certainly not lost on Guizot. His “selective reading of the past,” as Aurelian Craiutu has called it, had an immediate political and rhetorical purpose: defending the first principles of liberty and the vitality of representative government as matters of political necessity, not simply academic inquiry.

Historical reflection thus served as a fundamental if disguised liberal strategy. In pointing to the germ of representative institutions and political liberty in Europe’s rich past, Guizot and his liberal allies sought to promote an agenda of reform during the Restoration.

What, then, was the message of European history Guizot wished to restore for present politics? He aimed, above all, to present certain principles and social facts as historical

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inevitabilities rather than matters of political choice. His first target was the restoration of French aristocracy, an ultra-royalist proposal he condemned not as politically unjust or philosophically unsound, but as socially unattainable. His condemnation of aristocratic rule reveals the whole of his philosophical-historical method. It draws on the social and economic trajectories of Europe to explain l’état social of post-revolutionary France, a state of social equality rather than hereditary privilege. Although the term “aristocracy” points inherently to virtue and “moral and intellectual superiority,” Guizot urged that the actual meaning of the term must be understood historically:

If we take the word according as facts have interpreted it, we shall find its meaning to be, a government in which the sovereign power is placed at the disposal of a particular class of citizens, who are hereditarily invested with it, their only qualification being a certain descent, in a manner more or less exclusive, and sometimes almost completely exclusive.78

There is an obvious normative undertone to Guizot’s definition and subsequent critique of aristocracy. Aristocratic government operates according to a mistaken view of sovereignty, where sovereignty is derived from “purely material fact, independent of the worth of him who possess it.”79 Yet the force of this normative claim arises from sociological argument. The central principle of aristocratic rule – the hereditary claim to privilege and relationship between privilege and sovereignty – rests upon a particular class structure. In order for aristocracy to emerge as the dominant political order, the privileged class “must necessarily establish a great

78 Guizot, HORG, 57.
79 Ibid. For two more detailed treatments of the French Doctrinaires’ view of sovereignty, see Craiutu (2003) especially Chapters 5 and 7; Rosanvallon (1985). Rosanvallon’s work in particular centers on the sovereignty of reason in Guizot’s political thought.
inequality in fact, as well as opinion, between this class and the rest of the citizens.” Inequality in the social sphere enables a regime founded upon aristocratic principle.80

The category of the social retains casual priority in Guizot’s view of history and accordingly in his political thought, as the organization of society supports a corresponding model of political rule. Any discussion of political institutions must account primarily for the character of the underlying social order and specifically the relationship between classes. In this respect, his theoretical approach is at once a rejection of the social contract tradition and the classical search for the “best” regime.81 The political theorist must attend instead to the “most fitting” regime as a socially and historically situated category.82 And the liberal theorist, in particular, must defend freedom from within history by unearthing its beginnings in the past.

Understanding Guizot’s method brings his critique of aristocracy into focus. While aristocratic rule triumphed in past societies governed by “great inequality in fact and opinion,” including France’s ancien régime, it is nonetheless ill-suited to Guizot’s present moment. In his works of history, he spent little time explicitly outlining the characteristics of his age – an obvious foray into contemporary politics would clearly undermine his polemical strategy of presenting historical arguments for liberal ends. Nonetheless, the qualities of the present age emerge as contrasts with the aristocratic past. There exist states of society in which “all classes of society are perpetually invited and urged to elevate and perfect themselves...factious and violent inequalities are resisted and exhibited in their true colors, social forces are, so to speak,

80 It should be noted that this is inequality of a particular kind, as Guizot’s rich statement suggests: it relies on the gulf between the aristocratic class and the masses, with the latter class comprising a large portion of the population. It is also an inequality perpetuated by belief as well as fact.
81 Guizot on the social contract tradition: “The two facts – society and government mutually imply one another; society without government is no more impossible than government without society...the necessary coexistence of society and government shows the absurdity of the hypothesis of the social contract.” HORG, 49.
82 See HORG, “Author’s Preface,” xx.
brought into competition, and the forces which struggle to possess them are moral."\(^8\) France in the early part of the century possesses such a social state. Through the erosion of feudalism, the growth of towns and municipalities, and the emergence of commercial society, the “fact of inequality” necessary for aristocratic rule has been replaced by an egalitarian social condition. The return of aristocracy is more than an unjust political proposal; it is a social impossibility, an institutional artifice unfit for the social and economic state of post-revolutionary France.

**Political democracy**

Guizot’s rejection of aristocracy, however, did not translate into a wholesale embrace of democratic government. In fact, democratic claims to sovereignty fail according to the same standard as aristocracy: both regimes find their first principle in the “solitary fact of birth.”\(^84\) Under aristocracy, the principle pushes in an exclusionary direction, as sovereignty arises from one’s birth into a privileged class. Democracy, by contrast, universalizes the fact of birth: an individual is born sovereign as he is born human.\(^85\)

In his extended critique of democracy, Guizot at times seemingly abandoned the methods of his philosophical history as we have so far analyzed them. Though aristocracy is outmoded and unfit for a democratic l’État social, the same argument cannot exactly be made for rejecting political democracy. It would appear, on the contrary, that a democratic regime built on

\(^83\) HORG, 58. We might also read this statement as Guizot’s interpretation of the Revolution’s consequences.
\(^84\) HORG, 57.
\(^85\) Guizot presented sovereignty as that which resides not in a particular person or class of persons, but remains scattered in incomplete fragments within society. The task of institutions was to bring together these disparate, fragmented parts of reason, and to distill a “public reason” from the social order. My goal here is only to acknowledge his rejection of the “ideal types” of aristocratic and democratic sovereignty, rather than to offer a full account of Guizotian sovereignty. For fuller treatments, see Douglas Johnson, “A Reconsideration of Guizot,” History 47:161 (1962) 239-253; Rosanvallon, Le moment Guizot (1985) Chapter 3; Craiutu (2003) especially Chapter 5; Craiutu, “The Battle for Legitimacy: Guizot and Constant on Sovereignty” Historical Reflections 28:3 (2002) 471-491.
universal suffrage would prove most fitting for Guizot’s France. The “fact of equality” in the social sphere might intuitively translate to complete equality in matters of politics and political deliberation. This logic informs the arguments of Guizot’s twentieth century critics like Roger Soltau, who viewed doctrinaire liberalism as an incoherent and hypocritical rejection of the very democratic claims that gave it life.\(^{86}\) In order to remain consistent with his own methodology and worldview, Soltau contends that Guizot would have to acknowledge the suitability of democratic governance for his own age.

Still, critiques like Soltau’s fail to apprehend the entirety of Guizot’s motivations. While philosophical history begins sociologically in its search for the “most fitting regime,” it is also informed and even bounded by political necessity. Guizot’s simultaneous rejection of aristocracy and political democracy illuminates the two-fold character of his method. Alongside the goal of preventing aristocratic return, he recognized the danger posed to liberal commitments – preservation of civil rights, avoidance of tyranny – by a swift embrace of democratic rule. Universal suffrage, he warns, threatens to “our liberties and our public order.”\(^{87}\) In one respect, his attitude toward universal suffrage is characteristic of the century’s skepticism of political democracy. John Stuart Mill expresses his uneasiness with democracy throughout *On Liberty* and *Considerations on Representative Government*, even as he acknowledges its benefits for both individuals and entire civilizations. We might assert, however, that Guizot’s unease – like that of other French liberals such as Odilon Barrot, the Doctrinaire Pierre Paul Royer-Collard, and most famously Alexis de Tocqueville – arises from a particular, concrete, and lived fear about democratic instability. As Jeremy Jennings notes, for French liberals in this period, democratic rule became synonymous with passions, instability, and most concretely, with

\(^{86}\) Soltau (1959) 44.  
\(^{87}\) Guizot, *Histoire parlementaire* (1863) CXVI, session 15 February 1842.
revolution. The dominant liberal sentiment, Jennings summarizes, “was that the Revolution would only be brought to an end if politics could leave passions behind and enter a new age of reason.”

Understanding this liberal sentiment allows us to contextualize Guizot’s critique of political democracy not simply as hypocritical rejection of democratic principle, but as a pragmatic political concern. It allows us to apprehend the full meaning of “philosophical history” – a method of inquiry sensitive to immediate circumstance and political necessity. And finally, it enables us to grasp the motivations behind what commentators have characterized as the juste milieu position of French liberal thought. Caught between threats of tyranny posed by both aristocracy and political democracy, French liberals like Guizot sought to steer a middle course, “a third way,” between reactionary and revolutionary politics. The age of reason, they argued, could be realized only through representative institutions with limited franchise.

**Representative government and the question of citizenship**

No single proposal better captures the Doctrinaires’ juste milieu position than their collective call for representative government. Reaching back to Aristotle’s polity, the Doctrinaires recognized the virtues of a “mixed regime,” a political order J.S. Mill would later extol as the best regime for advanced civilizations and peoples. Guizot devoted no fewer than three written volumes, at least one essay, and countless parliamentary speeches to defending

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89 The term juste milieu has been used by several academics to characterize Guizot’s position and that of the Doctrinaires generally. See Siedentop (1979); Starzinger (1991); Craiutu (2003); Rosanvallon, “Guizot” in *Dictionnaire critique de la révolution française*, ed. François Furet (Paris: Flammarion, 1988).
representative government. For him, representative institutions alone avoid the dangerous shortcomings of aristocracy and political democracy. A representative regime eschews claims to permanent sovereignty and birthright that undergird aristocracy and democracy, and instead “rests upon the disposition of actual power in proportion to the capacity to act according to reason and justice, from whence power derives its right.” Representative institutions rely upon the rule of reason rather than wealth, birth, natural right.

Guizot defended representative government not simply on normative grounds, but situated the regime historically within a broad narrative of European civilization. He unearthed the seeds of representative institutions out of watershed moments in history, when political liberty “labored” under crude conditions that ultimately stifled its progress. And according to Guizot, the spirit of post-revolutionary France would allow those very seeds to take root; a social order predicated on civil equality provides the surest ground for the growth of representative government and for the exercise of reason that maintains it.

The presentation of aristocratic return as a virtual impossibility, along with the liberal endorsement of representative institutions, introduces the problem of citizenship into Guizot’s political theory. If both aristocratic and democratic rule prove unfit and ill-suited to the modern age, then who will be “represented”? How does social equality translate politically? Who, after all, is the citizen, and what are the requirements for citizenship under this new social condition? Bound to these questions is a more theoretical inquiry about the relationship between social and political order, the very theme that underlies the century’s “crucial question” on the relationship between liberalism and democracy.

90 In addition to HORG, Guizot authored other works on the theme of representative government: Du gouvernement représentatif et de l’état actuel de la France (1816); Du gouvernement de la France depuis la Restouration (1820); and an essay, “Élections” (1826).
91 HORG, 61.
Guizot recognized that such questions lie at the center of his thought. Even (and especially) in works of history, the question of how to organize politics for the future presents itself as a necessity, with citizenship among the most pressing subjects of inquiry. His response to that question again finds purchase in Europe’s past, as he fleshes out a conception of “political capacity” with Roman beginnings. This was the means by which politics could shed the vestiges of privilege while transcending the modern problem of passion. Capacity, however, is also directed toward the future; it is meant to serve as an evolving, variable standard for the extension of rights and citizenship. Nonetheless, the notion of capacity introduces new controversies over political inclusion. Which capacities does political life require on the part of its members, and who is “capable” of participating? Should some requirement of economic capacity and activity underlie the right to political participation? Finally, should we conceive of capacity in terms of individuals or social classes within society?

II. Political Capacity

Commenting on liberal thought in the nineteenth century, Alan Kahan writes that the “discourse of capacity was the foundation of liberal political culture.”92 Similarly, Craiutu notes that the language of capacity was “used by all nineteenth-century European liberals, including Constant and Tocqueville in France, Cattaneo in Italy, and J.S. Mill in England.”93 The language of capacity draws our attention once again to the prevailing theme of political thought in the nineteenth century: the precarious and even problematic relationship between liberal ideals and democratic conditions. Whereas democratic arguments were based solely upon political right, principally the universal right to suffrage, liberal theorists sought to elucidate a concept of

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capacity that *lies behind* and actually confers political right. The discourse of capacity reflects the unique political moment to which these thinkers sought to respond, a moment Guizot captured in his historical lectures. Caught between the death of aristocratic privilege and the birth of democratic right, liberals adopted a language that would, as Odilon Barrot declared, provide a “necessary elasticity” to politics, extending the franchise while avoiding the problems of passion and despotism.\(^{94}\) In France, this point of view received direct expression in the parliamentary debates of 1831 and beyond, when liberals argued that the country could avoid revolution – or more directly, bring the Revolution to an end – by restricting suffrage to those with demonstrated capacity.\(^{95}\)

If the language of capacity was a way of elasticizing rights talk, it was also a way of defining citizenship. As Kahan writes, capacity conferred “the title to political participation.”\(^{96}\) It defined who was and who was not a legally recognized member of the polity, free to exercise the right of suffrage. In this respect, it was a fundamentally exclusionary language, especially when juxtaposed with the universal rights discourse of democracy. Unsurprisingly, critics of liberalism in the nineteenth century and throughout the next alleged that the concept of capacity was little more than a reactionary attempt to halt the movement of history. They ascribed to liberals a remarkable naïveté about the future of Europe’s egalitarian social condition and democratic political order. According to these critics, the restriction of suffrage on grounds of “incapacity” stands as the most obvious manifestation of the limits of liberal thought.\(^{97}\)

Guizot was and remains the object of many of these critiques. Within the chamber, his opponents condemned “capacity” as the restoration of “an aristocratic scheme” wholly opposed

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\(^{95}\) See especially Kahan (2003) note 98.


\(^{97}\) Soltau (1959) xxi and 33.
to political democracy. The entry on Guizot in the *Petit Larousse* characterizes his ideas on suffrage as “conservative” and “too timid.” Such critiques, however, neglect the nuanced and rich theoretical discussion of political capacity that emerges from both his works on history and his essay “Élections,” authored in 1826 and reprinted in *Discours academique* in 1862. For Guizot, capacity is an ever-evolving standard for political inclusion directed toward France’s future.

Even among his liberal contemporaries across Europe, Guizot’s understanding of capacity was distinctive. In keeping with his unique method of philosophical history, his theory of capacity hinged on changing class and economic relations. This vision of capacity allowed him to speak to the economic and political elements of the social order. He highlighted the economic dimensions of capacity and thus of citizenship, and argued that these dimensions can and ought to evolve in light of changing social circumstance and property arrangements. Guizot, more so than his liberal contemporaries, identified the relationship between economic activity, individual freedom, and the social interest.

Guizot’s unique method of approaching capacity – a method that begins within history – also allowed him to address the problem of political membership, not simply legal citizenship. While the latter concerns the right of suffrage and the extension of legal status, the former involves the lived experiences of community and belonging. As a theorist of democracy as l’état social, Guizot recognized the concept of membership at the cornerstone of a new France, and foresaw how a social order defined by equality would depend upon *inclusion* below the level of political institutions. This vision of membership was woven into the language of capacity as he used it.

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Capacity and membership

Guizot spoke of capacity rather than right, a distinction shared and articulated, as we have seen, by other nineteenth-century liberals. Capacity not only precedes political right; it confers it. Unlike his contemporaries, however, he located capacity within history in order to illustrate this distinction:

…right was attached to presumed capacity, without any privilege of birth, or limit as to number; and this right was not a simple right of election, but the right of full deliberation, of immediate participation in affairs, as far as they related to what occurred in the interior of the town, and to interests which might be understood and discussed by all those who were capable of raising themselves above the cares of individual existence.

The contrast with aristocratic right emerges immediately from this definition: right depends on evidence of capacity, rather than privilege of birth. And where the conditions for aristocratic rule are lacking, where equality rather than inequality governs social life, capacity must replace privilege as the standard for political right. A second facet of capacity also distinguishes it from aristocratic claims: the number of capable individuals has no limit in theory. Freed from the artificial impediments of privilege, anyone who meets the requirements may be deemed “capable.” In this respect, capacity has a curiously, potentially democratic cast, as it acknowledges a degree of individual agency and activity over the artificial social barriers of aristocracy.

His rich definition of capacity also implicitly illuminates his idea of political membership – a notion of inclusion that moves beyond the confines of *le pays légal* toward broader categories.

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100 See Kahan (2003) 2-3.
101 *HORG*, 175.
of recognition and belonging. This portion of Guizot’s thought has been largely ignored. The central institutional question of his time involved extending the franchise, and thus much of the literature focuses on the link between capacity and the political right of suffrage. Even in his comprehensive Le moment Guizot, Pierre Rosanvallon only gestures toward the notion of political membership in Guizot’s writings, before ultimately confining his analysis to political representation and the capacity of citizen-electors. Following Rosanvallon, scholars who have sought to revive Guizot’s political thought similarly focus on the citizen as electeur. Framing their discussions in light of Sieyes’ theory of representation on the one hand, and parliamentary debates on the other, these scholars explore capacity as a determinant of le pays légal – of inclusion in legal France as a voter.

Guizot and his fellow liberals, however, recognized and addressed “democracy” not solely or even primarily as a political arrangement, but as a social condition with profound implications for relations among classes and individuals. As Tocqueville would later argue famously in Democracy in America (1835), a democratic social state is one in which individuals approach one another as equals, enabling relationships based on sympathy and mutual recognition. As Guizot himself noted in his lectures on history years prior, the fact of equality defines the democratic social state, a marked departure from the underlying inequality that

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102 Guizot used this term while speaking of electors before the assembly. I employ it here to draw out the distinction between a legal/juridical understanding of citizenship and membership as a social category.

103 Interestingly, Rosanvallon argues that political capacity confers social distinction, inverting the relationship between politics and society as the Doctrinaires conceived it. He writes: “L’homme qui a une capacité éminente pour le gouvernement n’est pas seulement différent de l’artisan qui a le talent de sa profession; il lui est supérieur du point de vue de l’importance sociale. La capacité politique introduit en de sens un nouveau mode de distinction des individus.” Rosanvallon (1985) 104.

supported aristocratic regimes. Under such a democratic condition, the very ideas of community and belonging become central.

Guizot recognized just how deeply this condition influenced ideas about community and inclusion. He noted that political capacity involves not only the “simple” right of suffrage and formal deliberation over institutions, but communal participation and social interest. In a passage that mirrors the first chapters of Aristotle’s *Politics*, he highlighted the evolution of interest from the domain of the household to communities, towns, and finally nations. Capacity, he wrote, extends beyond “the family and purely individual interests” and concerns the domain of common life that “includes a number of families and individuals united under a common destiny and under the same laws, united by some common origin, language, locality, and interest.” Membership in these communities actually exists prior to political engagement and voting; recognition of shared interests and participation in shared habits – the habits of membership in a given community – allows for rational and free engagement in politics. There exists an important correspondence between the polity and the individual in Guizot’s theory which has gone heretofore unaddressed. For just as the underlying social order supports a certain arrangement of political institutions, so too social habits and ties at the individual level give rise to certain political behaviors and capabilities.

His thoughts on the purpose and character of elections reveal the priority of communal membership in the political life of the individual. If elections are seen as abrupt, asocial moments, divorced from the shared life of the community, they will yield only insincere, even irrational results. Individuals will view participation in elections as single, isolated events, wholly separate from their daily lives and actions. Elections, Guizot contended, should instead

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105 “Élections,” in Guizot, *Discours académiques* (Paris: Didier, 1862) 385. All translations from this text are my own.
be conducted to respect the “natural influences” and relationships among individuals in a given community. Far from drawing individuals out of their daily routines, elections ought to remain embedded within the practices and social ties of a particular place:

[If] the men gathered to elect a deputy are for a long time united by common interests, if they are habituated to treat all of their affairs in common, if the election, instead of pulling them out of the sphere where their lives are lived, where their affairs are extended, where their thoughts are exchanged, does nothing but unite them at the center of this sphere to ask for a summary of their opinions, of their wishes, and of the natural influences that they exert upon one another, then it may be, it will generally be, reasonable and sincere.¹⁰⁶

The political act of voting, the fundamental act of citizenship, must be tied to long-standing, natural habits of membership. And these habits, which themselves sit well below the reach of political institutions proper, are foundational for the healthy functioning of those institutions. For Guizot, membership in a community proves formative for engaging in politics itself. The “capable” individual has a share in the interior events of his community, and these habits of shared life extend into the act of voting.

Given this comprehensive vision of membership, the notion of capacity, of “fitness” for political and social life, carries great weight. Capacity alone confers political right, but it also enables participation at a more fundamental level: the community. Only the capable individual can ascend beyond the private and domestic spheres to take part in the “common destiny” of his town and nation. And only the capable individual may belong socially in the fullest sense, as both le pay réel and le pays légal, part of the social order and the political one. Attention to the category of membership as foundational and formative reorients liberal thought toward consideration of the social realm of common life and its relationship to politics.

¹⁰⁶ Ibid., 396.
Determining capacity

Of course, acknowledging the centrality of capacity for both politics and society raises practical questions about determining capacity. How does one become capable of ascending beyond the cares of individual or domestic existence? What is the relationship between political capacity and social class? Between capacity and wealth? We have already seen that capacity cannot depend upon privilege, and ultimately replaces privilege as the standard for political right. Nor is it intended as a democratic ideal, beholden to rights of nature and universality of birth. At least initially, Guizot was clear on the basis of capacity: “Why does capacity confer right? Because right is inherent in reason and only in reason. Capacity is nothing other than the ability to act according to reason.”

Recall that reason lies at the foundation of representative government, a regime that aims to correct the imperfections of human nature by distilling the scattered, disparate elements of reason in society into a coherent public reason. Given the prominence of reason in Guizot’s theory of government, it is altogether unsurprising that the idea reappears at the center of his thoughts on citizenship.

But the extent of that reason requires further elaboration. The strength of reason, in the first place, “makes [men] capable of governing their own lives.” Still, as revealed through Guizot’s discussion of membership, capacity also concerns the ability of individuals to rise beyond their own individual cares and even those of the family. To possess capacity is to recognize the needs and interests of one’s community, and thus to possess the corresponding right of participating in that community. Reason, then, allows one to apprehend “the social interest,” a term Guizot often employed across his historical lectures, parliamentary speeches, and political essays. Despite its ubiquity, the term proves to be, as Starzinger has acknowledged,

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107 Ibid., 185. He repeats nearly the same statement in HORG, 334.
108 Ibid., 186.
“a somewhat puzzling category…though the Doctrinaires constantly used the term, one is never
certain precisely what they meant by it or where they got it.”\textsuperscript{109}

True, Guizot’s reflections on the social interest exist only in scattered lines and
statements. But his evolutionary picture of human partnerships – the ascendance from family to
clan to nation – grants insight into what the social interest is not, and from here we may begin to
clarify its meaning. The social interest is not exhausted by personal and familial interest, nor
synonymous with necessity. Indeed, rather than specify the content of that interest – a move that
has long frustrated his interpreters – Guizot emphasized its distinctiveness. The social interest
curiously points beyond itself. In his writings, it bears some relationship to ideals of truth and
justice that unencumbered reason is supposed to apprehend.\textsuperscript{110} This apprehension, though, arises
not as the result of detached speculation, but from engagement in the social order itself.

It would be easy to get bogged down in philosophical questions of causality when
considering the social interest. Its meaning must be gleaned from seemingly disparate half-
statements, yielding a definition that is at times philosophically confused and perhaps even
hopelessly logically puzzling. Out of this apparent lack of clarity, we may nonetheless distill
Guizot’s conclusion about the relation between social interest, capacity, and citizenship. Social
engagement and the recognition it enables distinguishes the citizen from the individual. The
latter looks inward toward his own needs and cares, the former, at once outward and upward,
toward the society that surrounds him and the enduring ideals of truth and justice that ought to
govern it. The social interest is the object, the end of capacity, the goal at which reason ought to
aim.

\textsuperscript{109} Starzinger (1991) 61. Starzinger concludes that this was a deliberate ambiguity on the part of the
Doctrinaires, intended to glorify uniform property qualifications in the name of an ill-defined set of social
“interests.” As will become evident throughout this chapter, my interpretation departs significantly from
this view.

\textsuperscript{110} See HORG, 61-62.
Still, reason alone proves inadequate for its complete apprehension, and on this point Guizot expressed a fuller understanding of the determinants and definitions of capacity:

Capacity exists wherever we meet with the conditions, whether material or moral, of that degree of independence and intellectual development which enables a man freely and reasonably to accomplish the political act he is required to perform...[the capable] include all men invested with real independence, free to dispose of their person and wealth, and in a position to rise to some level of social interest.¹¹¹

Reason stands as a necessary but insufficient condition for capacity, as one’s intellectual state must be accompanied by an independence of mind and circumstance that seemingly enlarges the sphere of human interest from the personal to the political. He elsewhere confirms the dual character of capacity, noting that “it has two conditions, or rather is the result of two facts, lights and independence.”¹¹² The semantic separation of the two facts suggests more than a simple causal relationship between reason and independence. Rationality alone cannot confer the inner freedom necessary for political life.

The relationship between independence of mind and circumstance, between conditions moral and material, strikes us immediately. It raises profound questions about the correspondence between one’s economic condition and one’s inner life. Just as economic and social structure delimits political institutions, establishing what kind of political order best fits a given social state, so too does it define the parameters of citizenship. Capable individuals and thus citizens exist only under certain social conditions. Anticipating J.S. Mill’s infamous claims about barbarism and “backward states,” Guizot implied that there are entire societies in which capable individuals are nowhere to be found.¹¹³ But his analysis goes yet deeper. Viewing

¹¹¹ Ibid., 334.
¹¹² “Élections,” 390.
¹¹³ See Guizot, HOCE, “Lecture the First” especially 13-19. Civilization is not exhausted by developments in social relations or economic progress, but also must account for “the development of man himself, of his faculties, his sentiments, his ideas.”
capacity as the static possession of entire societies and social classes proves philosophically and historically unsound. Capacity instead varies with evolving social and economic forces within a given nation, such that “the determination of the conditions of capacity and that of the external characteristics which reveal it, possess, by the very nature of things, no universal or permanent character.”

The requirements for possessing capacity in one period may well prove incomplete in the next, or those requirements may expand to broaden the range of capable citizens. This point underscores Guizot’s insistence that capacity remain ever open to “legal suspicion.” The lens of philosophical history here, too, proves instructive. We must determine capacity by looking to a given state of society, specifically to the economic relations among classes and persons.

The evolutionary character of capacity brings the issue of economic standing and economic activity to the fore, especially in modern France. In a society both commercial and industrial, there exist specific economic determinants of capacity. And these economic determinants stand in complex relation to the dual elements of capacity: reason and independence. This complexity prompts us to examine how property ownership, wealth, and economic activity more broadly underlie the requirements of capacity and thus of political membership for Guizot. It also reintroduces the question of class into the discussion of membership and capacity. In the following section (III), I address economic activity in the construction of capacity, before turning to a discussion of class criteria, specifically the standing of the middle class, in Section IV.

114 HORG, 337.
115 Ibid., 62.
III. Economic Activity and the Capacity for Membership

**Electoral laws under the Restoration**

Electoral debates during the Bourbon Restoration reflected the centrality of economic concerns in the construction of citizenship. The Electoral Law of 1817 established eligibility requirements of age and income: to be eligible for direct election to the Chamber of Deputies, a man must be at least forty years of age and pay a direct tax of 1,000 francs; to vote, a man must be at least thirty years old and pay 300 francs in direct taxes. The law also abolished the system of indirect elections, and provided for the formation of a single electoral college scheduled to meet in the chief town of each department. In this respect, the law fulfilled Guizot’s first principle concerning the nature of elections – that elections take place within communities, close to the daily lives and habits of electors.\(^{116}\)

The law’s income and age requirements had a dramatic effect on the size of the French electorate. Of a population of 29 million, only 90,000 citizens retained the right to vote.\(^{117}\) Compared with the electoral legislation of the Revolution, the restrictions set by the 1817 law are all the more remarkable. In his study of electoral laws during the Revolution, Patrice Guéniffey estimated that in 1789, approximately 61.5% of white males had the right to vote, representing 15.7% of the total population.\(^{118}\)

To be sure, the income and age requirements of the 1817 law emerged partly from political exigency. The historian Frederick Artz characterized the electoral debates as starkly political moments directed toward electoral ends, for “though fine arguments were used on both

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\(^{117}\) On the 1817 electoral law, see Frederick B. Artz, “The Electoral System in France during the Bourbon Restoration, 1815-1830,” *The Journal of Modern History* 1:2 (June 1929) 205-218.

sides, each party was really less interested in creating an electoral law that would itself be reasonable than in finding one that would assure a majority for itself in the chamber of deputies. Ultra-royalists sought to lower the qualifications for suffrage while royalist loyalties remained strong, but changed their approach later in the Restoration when the liberal opposition gained ground among the population. Given the timing, the 1817 law was viewed as a triumph for liberals, as it limited the electorate to a sympathetic middle class and contributed to the rise of the bourgeoisie in French politics.

Viewed through the lens of political necessity, it is tempting to interpret the economic dimensions of citizenship as mere instrumentalities, established to ensure the victory of the liberal Doctrinaires over their royalist opponents. It is equally tempting, then, to view the economic determinants of capacity as little more than manifestations of a liberal opportunism, or a desire to capitalize politically on the rise of commercial classes in France. This view has emerged as the dominant legacy of Guizot and the Doctrinaires in French history and in the discipline of political theory: Guizot as heartless, cynical politician, or as oligarchic apologist. In that case, the economic dimensions of citizenship are wholly uninteresting as anything other than political maneuvers and tactics directed toward electoral victory. And the entire liberal project as represented by the Doctrinaires reflects immediate political goals rather than standing principles.

Yet this interpretation – the still persistent understanding of Guizot, his political theory, and his place in history – fails on two fronts. First, like critics of his philosophical history, those who paint a cynical portrait of Guizot as political opportunist neglect both the principles at the

\[^{119}\text{Artz (1929) 206.}\]
\[^{120}\text{Jules Michelet, The People, trans. J. McKay (Urbana, IL: University of Illinois Press, 1973) 131.}\]
\[^{121}\text{Starzinger (1991); Jaume (1997).}\]
foundation of his theory and the historical moment to which he responded. He and his fellow liberals championed liberty as a first principle, but knew that the achievement of freedom and avoidance of tyranny depended upon social stability. Second, in dismissing economic requirements for suffrage as mere instances of opportunism, critics of Guizot’s liberalism fail to grasp the significance of citizenship within the larger liberal project. French liberals understood the political and social import of citizenship and membership, of defining who is and who is not a member of a political community. The right kind of body politic, composed of the right kind of vigilant citizens, could serve as a bulwark against instability in a democratizing society, still in the shadow of the Revolution and the Terror. Citizenship was a political category directed toward ensuring a stable, free nation. Defining “the citizen” meant looking forward to France’s future. Interestingly, it was an Englishman writing at the end of the nineteenth century who best captured what Guizot and the Doctrinaires sought to effect in France decades earlier. The best guarantee of liberty and stability, wrote Lord Brougham in 1860, consisted in selecting “a body of able watchmen to guard those invaluable possessions.” Brougham’s words carry even more weight when applied to post-revolutionary France: the citizen, the able watchman of individual liberty and bearer of social interest, could alone preserve those hard-won possessions for the future.

Two questions nonetheless remain. What entitles members of the commercial classes – economically productive persons who fulfill the law’s income requirements – to the status of “able watchmen”? What is the correspondence between economic activity and the requirements of capable citizenship? These theoretical questions get lost amid critiques of liberalism as an

122 See p. 38-39 above.
123 Guizot and the Doctrinaires championed the middle class as a stabilizing force in French society. This aspect of their thought will be examined in Section IV below.
opportunist philosophy, aimed only toward electoral goals. But Guizot recognized a central relationship between individual self-sufficiency and political capacity, and even more crucially, between participation in the commercial sphere and the polity. Economic participation – for which income and tax requirements stood as legislative proxy – ultimately emerge as one of the “facts” or conditions of capacity in his political thought.

**Beyond property: economic activity redefined**

Configurations of property and property ownership play a central role in Guizot’s historical narrative of modern Europe. For him, property arrangements had a profound, direct effect on social ties and even the moral character of persons. His extended analysis of the social positions created by feudalism remains the clearest example of the causal reach of property. Under feudalism, the lord as possessor of the fief “had no equal near him, no powerful or general law which weighed upon him; he knew no curb to the limits of his strength.” The image of the lord as lone possessor of property and power had far-reaching social consequences, as feudalism could establish no “moral tie” between the lord and those who were merely his property. The lord’s family, too, remained isolated, granting significance to the household as the highest human partnership. Guizot reached a striking conclusion about the nature of shared life under this system: feudalism gave rise to no extended social relations, no ideas which would correspond to a country or people. Political institutions had a consequent impermanence, such that “social

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125 *HOCE*, 77.
126 Guizot articulates a number of interesting claims about family life under feudalism. The extended comparison of the feudal family with the ancient clan is the most telling for our purposes: the lord, like the chief, “necessarily returned home habitually; there he found his wife and children; these would alone constitute his permanent society – they would alone share his interests, his destiny.” *HOCE*, Fourth Lecture, 78-79.
powers and institutions had to recommence and recreate themselves every time they were required.”  

The virtually asocial state of feudal society, created by specific arrangements of property and ownership, stands in stark contrast to the commercial order of later centuries. The free circulation of property fostered new forms of interdependence among persons and classes. Changes in the mode of subsistence, from the agriculture of early feudalism to the commercial economy of the eighteenth century, gave rise to novel interactions between persons and classes. Siedentop conceptualizes this phenomenon through the history of political thought, noting that what the eighteenth-century Scots had called “commercial” – a mode of subsistence that altered property rights, social stratification, and even family structure – Guizot and the Restoration liberals labeled “democratic.”

Guizot’s work on this point goes still deeper than the Restoration dichotomy between aristocratic and democratic conditions. Following his thinking to its theoretical conclusion, we might say that the erosion of feudalism and the expansion of private property enabled the creation of “the political” as a sphere of human life. The social relationships fostered through commerce extended human interest beyond fief and household; they facilitated interactions based upon equality rather than hereditary right. A vision of the social interest, as opposed to domestic harmony, emerged as the end of human action. These conclusions, at which Guizot only gestured, have an undoubtedly Aristotelian undertone, qualified and reshaped by the

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127 Ibid., 83.
128 This is not to say, of course, that this social condition did not have its costs. Tocqueville presented them most systematically, but Guizot and the Doctrinaires also noted the threats of centralization and tyranny posed by a democratic social condition.
129 Siedentop (1994) 27.
commercial conditions of modernity.\textsuperscript{130} For Guizot, the principle of private ownership and the forces of commercial interaction introduced a notion of civil equality into social life, which in turn brought distinctly political questions of membership, inclusion, and citizenship to the fore.

The features of a democratic social state – natural equality chief among them – have their origins in private ownership. It is thus altogether unsurprising that Guizot returned to the ideal of property ownership when articulating the requirements for political membership under this new social condition. He was certainly not the first to do so. Property qualifications were part and parcel of the liberal language of capacity, and as Benjamin Constant declared in his 

*Principles of Politics* (1815), such qualifications were necessary for stable, functioning political institutions. Drawing out the contrast between the ancient spirit of conquest and the modern spirit of commerce, Constant argued that the requirements for national citizenship cannot be exhausted by an ancient “patriotism which gives one the courage to die for one’s country.” Individuals must rather live “under a condition of leisure indispensable for the acquisition of understanding and the soundness of judgment.” Leisure fosters a new, modern patriotism “which enables one to fully understand [the country’s] interests.”\textsuperscript{131} In the modern age, the very virtues of citizenship undergo a significant transformation: rationality, not courage, distinguishes the citizen-patriot. Curiously, Constant’s invocation of leisure for modern times calls to mind an ancient example. In his *Politics*, Aristotle emphasized the necessity of leisure for political life, as the activities of citizenship are far too exacting for members of the laboring classes.\textsuperscript{132} For Constant, property ownership signals capacity, as it similarly represents the condition of leisure which citizenship demands.

\textsuperscript{130} Recall that the development of human partnerships from family to clan to city appears also in Guizot’s essay “Élections.” See p. 47 above.


Still, his second argument in favor of property qualifications proves more unique and theoretically rich than the first. His presentation bears quoting extensively:

Property alone establishes between men uniform ties. Property sets them on guard against the imprudent sacrifice of the happiness and tranquility of others, by including in that sacrifice of their own well-being, and by forcing them to calculate for themselves. It forces them to descend from the heights of chimerical theories and impracticable extravagances by re-establishing between them and other members of the association numerous relations and common interests. We must not believe that this precaution is useful only in maintaining order; it is in fact no less essential in the preservation of liberty.\footnote{Constant (1988) 221.}

Constant here offers a truly modern justification for property, a defense of ownership tailored to the circumstances of a post-revolutionary, democratic society. Property strengthens the bonds of interdependence and community, preserving order while safeguarding against despotism. The argument is largely psychological: the tangible, lived experience of ownership grants individuals an understanding of liberty – and of its fragility. Through the ownership of property, the individual’s interests overlap and align with those of the wider community; he feels the loss of liberty because he takes an active share in it.\footnote{This is, of course, still the limited community of property owners.} In this line of argument, the emphasis is altogether distinct from the Aristotelian focus on leisure. Property confers understanding not because it affords leisure time for intellectual study or political engagement, but because it provides an experiential education in the lessons of shared life.

Guizot’s defense of property navigates the two poles – the Aristotelian praise of leisure and the educative influence of property – articulated by his liberal predecessor. But Guizot also deepened these arguments, situating property qualifications within a more systematic view of capacity, its end, and its determinants. Furthermore, he offered a more expansive vision of “economic activity” and its relationship to politics, elucidating the \textit{commercial} character of economic participation in the eighteenth and nineteenth centuries. The vantage of philosophical
history yields a theoretically nuanced analysis of the economic elements or “facts” of capacity. Using history as a tool of political philosophy, he distinguished his argument for capacity from those of his liberal predecessors and even successors across the continent.

By “considering society in its material order,” Guizot identified the three-tiered class structure and corresponding moral order spawned by commerce and industry. Landowners and capitalists comprise the first class, while members of the second are further specified as “men who affirm by industry or any work, either by their own capital or rented capital, so as to enrich themselves by this work.” The third class, by contrast, consists of men “having little to no equity” who “do not feel sufficient in their work for their survival and the care of their families.” Consistent with Guizot’s philosophy of history, these material circumstances correspond to respective moral conditions. Members of the first class possess the leisure to engage “almost exclusively” in cultivating their intelligence. Those in the second class are “forced” to gain knowledge through their work, and this work at best elevates that intelligence or at least “makes men able to recognize and understand a higher level of intellectual development.” Weighed down by a primary need for subsistence, men in the third class remain only in the “narrow circle of individual interests, bounded to the daily satisfaction of the needs of life.”

Capacity can belong only to individuals in the first two classes, Guizot concludes. Landowners and capitalists retain leisure to understand the social interest by means of study, while members of the second class are “forced” by the experience of their labor to recognize social ideals, if not apprehend them fully. In this way, Guizot divided and detailed the dual merits of property identified by Constant – the benefits of leisure and the experiential lessons of

\[\text{135} \text{ “Élections,” 389.} \]
\[\text{136} \text{ Ibid., 390.} \]
\[\text{137} \text{ Ibid.} \]
ownership – locating these merits within specific economic classes. More importantly, he extends the analysis beyond property ownership itself. Though possession of capital allows time for devoted, extended study, the lessons of social life can be grasped apart from landowning.

Men in the second class, even those without their own capital, may be so enriched by work as to extend their interests outward, from immediate needs to social ends. For many individuals, the lessons of common life have their beginnings in economic activity, not in treatises of politics.

We must take care to uncover precisely what Guizot meant by “labor” and “work” in the context of this second, commercial or middle class. Siedentop summarizes the distinctiveness of this class, its members “free to move about, to buy and sell.” Their work consists foremost in participation in the market economy, and their freedom of mobility marks an obvious departure from the condition of serfs tied to the land. This description evokes images of merchants and traders, what Guizot labels the “petty bourgeoisie” of earlier centuries. Still, the commercial participation of the new middle class consists in more than market transactions. Their labor in the first place provides enrichment, both moral and material. But Guizot also suggested that this work has an unmistakably social cast, as such persons “ensure the subsistence of those they employ.” Their position is a far cry from that of the detached landowner or feudal lord, alone in power and station. By their occupation, members of the commercial class stand in particular relation to those they employ and to others within a market society. And as Guizot suggested, this relationship fosters an awareness of social interdependence and public interests apart from the self. Economic activity provides a social lesson that proves necessary for politics, as it strengthens and makes clear the bonds of shared life that arise initially through commerce and exchange.

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In this respect, Guizot’s argument stands as a modern, democratic vision of the benefits of economic activity. The leisured class certainly has a defined place in political life, as it had under the *ancien régime* and in the pages of Aristotle’s *Politics*. But in identifying the practical, experiential knowledge that emerges from economic activity, Guizot enlarges the category of the capable from the leisured to the commercial classes. This expansion of capacities reflects a novel democratic social condition effected by changes in economic order and class structure. Where social conditions tend toward equality, the determinants of capacity and the resulting class of “the capable” must expand in turn. Here again, the lens of philosophical history helps to contextualize Guizot’s claims: the standard of leisure, while well-suited to the pre-modern age, cannot alone ground claims to political capacity in a democratic society.

Nor can property serve as the sole determinant of capacity. Although “landed property almost alone revealed a degree of intellectual development and independence” in prior epochs, the circumstances of commercial society prompt a revised understanding of economic activity and its relation to capacity.139 This is a point generally unacknowledged by Guizot’s interpreters. Those like Soltau, Starzinger, and most recently Lucien Jaume, who ascribe to him “aristocratic motives” see only wealth and property in Guizot’s theory of capacity, the conceptual remnants of an older economic order he claimed to transcend and yet continued to champion. More recent commentators take a position at the opposite extreme. In downplaying the role of wealth in the formation of capacity, Craiutu seeks to mend the conventional image of Guizot as proponent of oligarchy.140 Yet in so doing, he overlooks the economic foundations of capacity as Guizot understood them, and neglects the experiential and practical merits of commercial participation. On Craiutu’s interpretation, the economic elements of capacity all but disappear.

139 “Élections,” 391-392.
Within Guizot’s writing, however, we see the category of “the economic” develop and alter alongside the progress of history. Leisure and property, the central determinants of political capacity in earlier epochs, no longer constitute the whole of economic life under a commercial order. Looking to the “state of civilization” in the eighteenth and nineteenth centuries, he revises the meaning of “economic activity” and its benefits for the commercial classes. Gone are political distinctions based upon aristocratic conceptions of property and estate. With this expansion of “the economic” comes a broader, more inclusive image of the capable citizen and his potential contributions to politics.

And though this image is initially tied to class – albeit to a new, intermediate class – in the “Élections” essay, Guizot’s vision of *le citoyen capacitaire* ultimately points beyond class. The expansion of capacity’s economic determinants from landed property to commercial activity illustrates the evolutionary character of capacity itself as an ever-changing mark of citizenship. Socioeconomic class, the product of historical contingency, cannot serve as a definitive standard for interpreting and recognizing political capacity; as society progresses in liberty, so too must the concept of capacity expand and alter in light of new social and economic circumstance.

Indeed, the *historical* character of class renders it incapable of grounding claims to capacity. What defines the citizen is neither membership in a given class, nor a claim to social standing, nor possession of wealth or property in itself, but some vision of the social interest born out of reason, social engagement, and mental freedom. In pointing to the fluidity of capacity, Guizot seeks to shed the vestiges of class that limited claims to sovereignty in earlier ages. And though drawn from Europe’s past, Guizotian capacity is directed toward its future.
Work, reason, independence

Framed in these terms, we might further specify the theoretical relationship between economic activity and the exercise of reason, the unassailable “fact” of capacity. Landowners and capitalists cultivate reason through study, as their material condition affords the requisite freedom for intellectual pursuits. The situation of those in the second class, however, remains a more interesting case. These men develop and strengthen their reason through economic participation, via labor and engagement in commerce. Economic activity expands the intellect slowly, perhaps even imperceptibly, since persons are “forced” by the demands of their occupation to recognize interests apart from their own. This is the burden, if we may call it that, imposed by commercial society, a socioeconomic order that draws the individual’s attention from the household to the marketplace and consequently toward society as a whole. Participation in that order necessitates that men recognize the correspondence between private and social interest, between the needs of the household and those of the nation. And it is through that very participation that such recognition emerges.

This insight may go some way toward explaining Guizot’s shift in terminology, from raison to lumière.\(^{141}\) Though the two terms have achieved a certain linguistic unity in the history of political thought – Descartes famously followed “the light of reason” in his quest for epistemic certainty\(^ {142}\) – Guizot suggested that lumière may constitute a more expansive faculty of mind, attained through experience and action. While reason guides “the study of objects and

\(^{141}\) Raison appears as a fact of capacity in HORG, “Élections,” and Guizot’s speeches before the assembly. Midway through “Élections,” shortly after the presentation of the three classes, Guizot employs lumière to describe one of the facts of capacity, possibly denoting the faculty of recognition possessed by the commercial classes.

general interests,” lumiè re entails a sense of recognition, the first though no less significant step to complete rational apprehension of the social.

Economic activity also bears a particular relationship to the second fact of capacity: indépendence. The very term “leisure” evokes a notion of freedom, a state in which the use of one’s time is directed by intentional choice rather than necessity of circumstance. As with reason, however, independence is not the sole possession of the leisured, landowning classes within a democratic society. The newfound independence of the commercial classes arises from development of mind, itself a product of economy activity. To be sure, this freedom is partly material; liberated from the cares of daily existence, members of the commercial class attain a degree of freedom unavailable to wage earners. Yet the most important element of commercial freedom is intellectual in nature. Participation in the marketplace extends the individual’s mental horizons. It reveals to him the breadth of his community and brings the “social interest” into focus. The same practices which elevate the individual to “intelligence of general interests” consequently grant a degree of personal freedom to exercise that intelligence.

While the character of that freedom goes largely unspecified in Guizot’s work, the contrast with the dependent “third class” of his “Élections” essay is telling. Neither reason nor independence exists among persons who as Guizot pointedly described, “only work for a living and live to work.”

If the individual’s end is subsistence and only subsistence, he never ascends beyond immediate, practical needs. His thoughts never extend above the household, for the continued life of his family must be the object of constant attention and action. Though a wage-earner, he occupies what Joseph Schumpeter would later call the “short-run viewpoint of

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143 “Élections,” 390.
the unemployed,” a moral and practical state of necessity.\textsuperscript{144} An obvious condition of dependence defines the circumstance of working class persons, and keeps them ever incapable of attaining higher development and recognizing social needs. As we have seen, development accompanies action and practice. Without the requisite experiences of social life, experiences of community and commerce, those who “work to live” cannot rightly be considered capable of participating politically.

\textit{The working classes}

The condition of the working class serves as an instructive point of contrast in this theory of capacity. Members of the third class represent the dependent, the incapable, and thus bring the true determinants of capacity into sharper relief. But the situation of the working class also reveals an important if unstated assumption at the heart of Guizot’s thought on economic and political capacity. For Guizot, there exists an implicit distinction between \textit{kinds} of economic activity, between commercial participation and the labor of industrial workers.

While the modern economic determinants of capacity extend beyond landowning, exclusions nonetheless persist. Unfortunately for those of us trying to reconstruct Guizot’s thought, the specific grounds for such exclusions emerge only through scattered lines and brief comments across dozens of written works and hundreds of documented speeches. In some instances, though, these scattered reflections are revealing. The brief discussion of workers in “Élections” illustrates a distinction between those involved in commercial activities and industrial wage-earners. The former are “enriched by their work,” the latter, “bounded to the

daily satisfaction of the needs of life” and dependent on wages for mere subsistence.\textsuperscript{145}\ A clear
gulf exists between the two classes, different in kind from that which separates the landowning
from the commercial classes, but far wider. For members of the working class, the social interest
never comes fully into view, always obscured by problems of necessity and mere subsistence.
Lacking the experiences of the marketplace, the worker’s incapacity is self-perpetuating.
Furthermore, his incapacity takes on a degree of permanence, from which no immediate relief can
be found in his present state.

Guizot’s characterization of the working class highlights an implicit hierarchy of needs.
Workers are rightly classified as dependent, since their thoughts and actions never rise above
basic subsistence and earning. Their state is thus one of obvious material dependence. But
Guizot also intimates that a second, more alarming form of dependence permeates the working
classes. The workers’ “almost servile dependence” arises from a “brutal ignorance” of matters
political, social, and even personal.\textsuperscript{146}\ As the commercial classes feel their minds developed and
interests enlarged through economic engagement, wage earners are subject to an opposite
process that constrains the will, narrows the intellect, and lowers the ends of human action. For
the worker, the social, communal, and political elements of human life have no real existence; he
is a solitary individual, working only to live and possibly to meet the needs of his household.
His very livelihood lowers his sights and limits his purposes.

This phenomenon, which begins psychologically for the worker, has the potential to
manifest politically with devastating consequences. Guizot and the Doctrinaires recognized in
the worker’s psyche the seeds of what Tocqueville would later famously call the threat of
atomization. A “society” of isolated individuals who recognize no tie between them, no

\textsuperscript{145}\ “Élections,” 390.
\textsuperscript{146}\ \textit{HORG}, 334.
correspondence between their private actions and public interest remains especially susceptible to the modern danger of centralization.\textsuperscript{147} The Doctrinaires drew attention to the way \textit{la société en poussière} – the atomized society – could create “a nation of administered people, under the hand of irresponsible civil servants, themselves centralized by the power of which they are agents.”\textsuperscript{148} The dependence, ignorance, and “servile” position of the worker stands as the most extreme, most dangerous manifestation of the atomized condition, as it is both psychological and material, at once individualized and yet socialized in the circumstance of an entire class.

In this way, the working class returns us to the problem of political membership in Guizot’s thought. Existing outside of commercial society proper, and tethered to the cares of individual existence, the working classes live outside of the bounds of the social order as Guizot conceived it. He saw the commercial economy as the organizing principle of French society and politics, giving shape to class relations and institutions. And it was in this commercial order that he foresaw Europe’s future by looking at the trajectory of its past. Commercial society represents the culmination of that which “labored” for twelve centuries to come into being; it signals the progress of civilization, material and moral, and consequently of mankind.

Within this social fabric, wage earners lack a clear social existence, living neither as members of the economic order nor the political one. Such a condition obviously disqualifies the

\textsuperscript{147} During the Bourbon Restoration, Guizot either did not anticipate or chose to ignore the ideas of class consciousness and worker solidarity that would come to characterize working-class movements later in the century. Even when such themes became an obvious, entrenched part of working class rhetoric roughly a decade later, Guizot dismissed them. When faced with calls to reform suffrage, and to correct for the “ills” of excluding the working classes, he responded, “in my opinion, the ill which is spoken of is not real in France, it does not exist; the need for electoral reform is not real either.” \textit{Moniteur Universel}, 16 February 1842 (321-322). As we will see in Chapter 4 of this project, Laboulaye later saw what Guizot himself refused to: that the workers had become both “conscious” and organized, and could not be dismissed in society or in electoral politics. I am grateful to Bruce Douglass for urging me to consider this point, which helps to frame the fourth chapter of this dissertation.

working class from the rights of legal citizenship, as they lack the reason, independence, and material existence to exercise those rights. More foundationally, it also places them outside of the community. In the image of the worker – dependent, atomized, incapable – Guizot identifies the exception to a democratic social state predicated on equality. Even more forcefully, he sees the working class condition as an obvious threat to French liberty and stability. Between the lines of Guizot’s writing, we might unearth his contribution to the conversations on pauperism and class consciousness that occupied much of French and English thought in the nineteenth century. A community and electorate composed of wage-earners posed a clear danger to liberal values of freedom and stability indispensable to post-revolutionary France.

If the condition of the industrial worker represented one of the worst threats to liberal principles, the stabilizing force of the middle class offered a remedy. It is the moral status of the middle class Guizot wished to capture in his description of persons “enriched by their work” and “forced” to develop a level of intellectual development and social interest. Following his liberal predecessors Mme de Staël and Constant, he identified the “rise of the middle class” as a defining feature of democratic society. He went still further, however, in ascribing to that class a historical, often transcendental role. For this, he has often been accused of serving as a dogmatic apologist for the bourgeoisie, and of ignoring social realities in favor of touting middle class virtues. In the following section, I examine Guizot’s discussion of the middle class and the role of class structure in the context of economic and political membership.

149 The debate on pauperism or “the social question” was one of the dominant themes in political thought of the nineteenth century, and will be the subject of the next chapter. For only a few of the works addressing the social question, see A. de Villeneuve-Bargemont, Traité d’économique politique chrétienne ou recherches sur le paupérisme (1834); Tocqueville, Mémoire sur le paupérisme (1835); Nassau Senior, Statement for the Provision for the Poor and the Condition of the Laboring Classes in a Considerable Portion of America and Europe (1835); Eugene Buret, De la misère des classes laborieuses en France et en Angleterre (1840); Louis Napoleon Bonaparte, l’extinction du paupérisme (1844).
IV. The Role of the Middle Class

Guizot identified the middle classes (“the second class” of his “Élections” essay) as the preeminent development of the eighteenth and nineteenth centuries. The middle classes owe their existence to changes in property ownership and economic structure. They represent a novel economic position and thus a redefined vision of “capacity” for social and political life. Yet these classes, too, find their origins in European history. The cause of their emergence, Guizot argued, is largely economic: the rise of commerce established new configurations of property rights, which ultimately subverted the feudal system.\textsuperscript{150} Out of this novel condition grew a new class of burghers, consisting “almost entirely of merchants, traders carrying on a petty commerce, and of small proprietors of either land or houses.”\textsuperscript{151} The burghers are remarkable not only for their commercial activity, but also for their public existence. Following the insurrection of the commons in the eleventh century, “the country was filled with men in the same situation, having the same interest, and the same manners, between whom a certain bond and unity could not fail of being gradually established.”\textsuperscript{152} Though still lacking in class consciousness, the burghers exhibited a social unity that would constitute the foundation of the self-aware bourgeoisie of later centuries.\textsuperscript{153}

Guizot’s aim in uncovering the bourgeoisie’s historical roots is partly rhetorical: he sought to show that the middle classes had a deep past that extended well earlier than 1789.

\textsuperscript{150} Guizot also argues that the cause was in part moral. In an argument reminiscent of Nietzsche’s genealogy, he claims that the moral revolution begun by Christianity contributed to a widespread recognition of human moral equality. \textit{HOCE}, “Lecture the First,” 18-19.
\textsuperscript{151} \textit{HOCE}, Seventh Lecture, 144.
\textsuperscript{152} Ibid.
\textsuperscript{153} Throughout this chapter, I use the terms “middle class” and “bourgeoisie” interchangeably, as I can discern no clear standard by which Guizot distinguished the two terms. Aurelian Craiutu speculates that “for Guizot, \textit{bourgeoisie} was a more historical term, while \textit{middle class} represented a more present-oriented notion.” Though this claim is convincing, I remain consistent with my own reading of Guizot in using the two terms seemingly interchangeable. See Craiutu (2003) 229.
These classes, he declared, were not created by or in the Revolution. On the contrary, the Revolution should be understood as the culmination of a centuries-long development rather than a radical break with the past, with the middle classes representing a similar culmination in the social sphere. They are the manifestation of a lengthy historical process. Their story is that of progress, of civilization itself.\footnote{See \textit{HOCE}, Seventh Lecture.}

At this point, it is important to step back and consider precisely what the middle classes represent for Guizot, and how he justified their status as not only capable citizens but ultimately as representatives of an entire epoch. He celebrated two virtues surrounding the middle classes: an \textit{ethos} of stability and an inherent universality. These virtues spring from the unique economic and social position of the middle classes as those steeped in the educative experiences of commercial society and political engagement, but also from their position as \textit{the} great social development of their time. Ultimately, Guizot saw these two virtues as indispensable for fostering orderly society and healthy representative institutions.

\textit{Stability and universality}

As we have seen, the problem of instability remained an omnipresent concern for Guizot and the Doctrinaires. He directed much of his philosophical history and political theory toward overcoming the threats of instability as he recognized them; even his justification for the political exclusion of wage-earners is colored by a concrete fear of social disorder. This was, after all, why defining \textit{le citoyen} proved so important. As able watchmen of liberty and order, armed with the light of reason and independence of mind, citizens were to perform the necessary and noble task of moderating passion and giving voice to reason in politics. For the Doctrinaires, this was a task too exacting for the many, too costly to be left to the unenlightened and economically
dependent. The ideal citizen of Guizot’s France occupied that “second class,” the middle class, defined by an economic role and corresponding mental state.

It is not difficult to extrapolate from those facts of capacity possessed by the middle class – reason, independence, self-sufficiency – to stability. Their social position and mental state evoke images of moderation, of middlingness, of centrism. They occupy a role between the old order of aristocratic landowners and the dangerous condition of industrial workers. They seem to bear and represent a liberal hope in the juste milieu. And this role, as we have seen, grants them a unique independence and mental capacity. They are undoubtedly free, but that freedom is well-directed by the end of social interest, brought into focus through economic participation. Led by the social interest and guided by rationality, the middle classes of Guizot’s theoretical universe avoid the extremes of revolutionary violence on the one hand and reactionary politics on the other.

The stability of the middle class springs not only from rationality and independence. Embodying the culmination of a centuries-long process, the middle class in Guizot’s thought ultimately stands above and astride history. The dangers of their own age do not seem to reach them; they remain impervious to the modern problem of passion, easily resisted by their possession of a transcendent, almost other-worldly rationality. Rosanvallon summarizes their status: “In Guizot’s system, the middle classes have thus consecrated for them a function that transcends their class, in the economic sense of the term: they are instituted as agents of the realization of the universal.”

155 “Middlingness” was the original title of Starzinger’s reprinted The Politics of the Center (1991). I borrow the phrase here, which Starzinger gleaned from both the writings of the Doctrinaires and the Old Whigs.
156 Histoire Parlementaire, Vol. III,
Rosanvallon’s statement reveals the complex, ahistorical, and exemplary status to which the middle class of Guizot’s mind ascends. We must begin by looking to their function, one that extends well beyond providing stability in otherwise turbulent times. Through their unique economic and social position, the middle class ostensibly represents the entirety of the new social order and each of the persons within it:

…the need for all the superiorities, whatever their date and nature, I repeat, accept this fact, this definitive fact of our time: the triumph of the middle classes, the preponderance of general interests they represent, and clearly come to meet them to resume their place, a place worthy and great in the country’s affairs.\(^{158}\)

The juxtaposition of middle class and general interests is telling, for it illustrates Guizot’s belief that this class transcends the very structures that were so instrumental in its emergence and identity. The middle class attains a position above class itself. Its interests are coeval with those of the nation, its triumph one and the same as the *état social* of France.

An important correspondence exists between the middle class citizen, the bearer of social interest, and the French nation. While the aristocrats of earlier centuries held no just claim to represent the entirety of French society, the middle class citizen embodies interests across the spectrum of classes and persons. Guizot distinguished the agonistic pluralism of earlier epochs from the unity of his age:

Another great fact is that the distribution of political rights is not, cannot be with us, an object of perpetual struggles and competitions, as happened in other societies. The voter of 300 francs represents perfectly the voter of 200, 100: he does not exclude him, he represents him, he protects him, he covers him, he feels, he defends the same interests.\(^{159}\)

Guizot’s words underscore his justification for limited suffrage: exclusion in practice does not amount to exclusion in principle, for the interests and needs of the lower classes reside also in those who stand above them in the social hierarchy. A capable, middle class citizenry captures

\(^{158}\) *Histoire Parlementaire*, III, 554.  
\(^{159}\) *Histoire Parlementaire*, III, 556.
interests above and below, while avoiding the perils of mass politics. Of course, it is only the “right” kinds of interests that receive representation. Incapacity, irrationality, disorder remain ever on the social periphery, but whatever potential rationality exists among wage-earners and day laborers receives expression in the point of view of the middle class. Glossed over in this way, the Guizotian view of citizenship morphs into an inclusionary ideal, in which the “best” elements of society across all classes receive their place in political debate.

In many ways, Guizot’s faith in middle class universality lies deeply at odds with his historical method. His message of middle-class heroism and historical transcendence stands as a striking, even disappointing exception to an otherwise sociological approach to political life and the evolving nature of political capacity. Here is a static, fixed claim in a social world we are otherwise instructed to view as contingent and ever-changing, grounded by economic and class structures that also must transform and define their times. While his theoretical view of capacity urged us to look forward, to acknowledge the determinants of citizenship as fluid and potentially expansive, his vision of middle class universality paradoxically pushes us back to a social world confined by the artificial, ahistorical barriers of class.

The ideal of middle class universality represents the limits and decline of Guizot’s thought during his lifetime. Both Rosanvallon and Jennings have documented this decline,

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160 As a point of contrast, we can compare Guizot’s view of representation with that of John Stuart Mill, who sought a truly balanced representation of classes. In Mill’s Considerations on Representative Government, he wrote that “if the representative system could be made ideally perfect, and if it were possible to maintain it in that state, its organization must be such, that these two classes, manual laborers and their affinities on one side, employers of labor and their affinities on the other, should be, in the arrangement of the representative system, equally balanced, each influencing about an equal number of votes in Parliament.” In an 1866 speech before Parliament, he echoed this recommendation and similarly argued in favor of franchising the working classes, in order that issues and topics unique to the wage-earning classes, like “apprenticeships” and “labour hours,” received expression and due deliberation in politics. Only true balanced representation, for Mill, could claim to capture the range of interests among different classes in society. See Mill, Considerations, CW, XIX, 447 and Parliamentary Speech of 13 April 1866, CW, XXVIII, 65.
providing evidence of Guizot’s intransigence in the face of mounting demands to extend the franchise.\textsuperscript{161} What began in Guizot’s mind as a defense of middle-class universality culminated in his “refusal to contemplate any compromise with the spirit of a more extensive democracy,” to extend the franchise beyond the 260,000 electors eligible to vote by 1847.\textsuperscript{162} Guizot’s increasing inflexibility is on full display in his pamphlet, \textit{De la Démocratie en France} (1849), in which he declares demands for political democracy as France’s “greatest weakness” and the origin of its ills. What is framed in his earlier works as a potentially unstable regime, unfit for the current social \textit{milieu} of France, now appears a belief to be entirely “eradicated” by “the conservative forces of social order.”\textsuperscript{163} Absent from Guizot’s later works (roughly 1847 and beyond, though seeds of this intransigence appear earlier and define his political career) is any notion of the fluidity of capacity and the possibility of expanding the franchise to account for evolving capacities.\textsuperscript{164}

On this point, Guizot’s critics may speak to us the most strongly. If we limit our study to his later works and speeches, and to his own political career under the July regime, the image of a dogmatic, inflexible, anti-democratic thinker cannot help but surface. The question that confronts us is whether Guizot’s own failures – intellectual and practical – ought to color or negate his earlier reflections on the evolving nature of citizen capacity and its economic foundations. What remains of value in Guizot’s thoughts on citizenship?

\textsuperscript{161} Rosanvallon (1985) 305-306.  
\textsuperscript{162} Jennings (2011) 179.  
\textsuperscript{164} Alan Kahan frames the problem of Guizot’s personal inflexibility quite starkly, but does so paradoxically in terms of the \textit{flexibility} of his rhetoric. Kahan declares that by 1848, Guizot was “no longer a liberal…[he] thus returned to the rhetoric of social representation that had been central to most liberal theories since the 1830s, but now showed how this rhetoric could slide over into a purely conservative defense of the status quo.” Guizot seemingly abandoned his own idea of evolving capacity (an idea that supported the rise of the middle classes under the Restoration) in favor of a static theory that could support middle class interests alone. See Kahan (2003) 50.
IV. Conclusion: The Future of Liberal Citizenship

Guizot’s political thought has been largely dismissed by history, and we might allege (as many have done) that this dismissal has been for good reason. Looking to his writings and speeches after roughly 1847, we might assent to Stanley Mellon’s characterization of Guizot as a “remarkably poor prophet; everything he feared and resisted came to pass; all those things he believed could not endure, triumphed.”165 Those “things,” of course, include the triumph of political democracy and the extension of the franchise. For his intellectual intransigence, Guizot was also a failure as a career politician and public figure. A deeply unpopular, polarizing figure in public office, the entire downfall of the July regime has been attributed to his policies and his personality.166 His entry in the Petit Larousse speaks to the perceived extent of his failures: “defender of conservative ideas…his faults had not a little to do with the Revolution of 1848.”167

In light of his political failures and well-documented intellectual decline, it would be easy to dismiss all of his thought as the time-bound reflections of a second-rate thinker. On this reading, Guizot was merely the product of a time when conservatives saw democracy as a threat to their way of life. His thoughts on citizenship, too, could be seen as little more than tactics of political opportunism, aimed toward the victory of liberals in French politics, with his reflections on the economic elements of citizenship as but another instance – perhaps the strongest instance

165 Mellon (1972) xviii.
– of this opportunism. Under this interpretation, his thoughts on citizenship are interesting only
as matters of historical study, and even then, they echo only conservative anxieties about
democratic progress.

Yet for all of the limitations of Guizot’s thought, we should not ignore the theoretical
promise that lies at its foundation. John Stuart Mill seemingly adopted this stance as well, and in
contfronting the best and worst of Guizot’s thought, concluded:

M. Guizot, a man of greater range of ideas and greater historical impartiality, gave
the world those immortal essays and lectures for which posterity will forgive him
the great faults of his political career. 168

Though posterity has yet to forgive, Guizot’s theoretical work on citizenship offers us far more
than his political career would suggest. His presentation of political capacity as an evolving
standard, dependent on the social and economic state of a given nation, reveals that membership
in a given class alone cannot confer capacity. As a society progresses in its material and moral
order, the category of “the capable” must expand in turn. Taking Guizot’s thoughts on capacity
to their theoretical conclusion, we must acknowledge that at least in theory, extension of the
franchise is possible and in some cases, necessary. In this way, his thought provides a forward-
looking liberal ideal, one which reaches back to the past in an effort to guide Europe through the
next century. While Guizot himself (along with many other liberals) abandoned this ideal in
favor of conservatism later in the century, it was not entirely lost. As we will see in Chapter 4,
Édouard Laboulaye, though a self-proclaimed disciple of Tocqueville and Constant, revived the

(Toronto: 1985) 185.
For more on Guizot’s influence on Mill, see George Varouxakis, “Guizot’s Historical Works and J.S.
Guizotian promise of fluid, expanding capacity to advocate for political democracy and preserve the place of liberalism in a culture of universal suffrage.

Guizot also offers profound insight into the relationship between the economic, social, and political spheres of life, which he saw as distinct and yet mutually reinforcing. In pointing to the economic determinants of capacity, he suggested that the possession of wealth and property in itself does not equal capacity. Rather, he argued that recognition of the social interest is the end to which economic participation may direct our minds and sentiments. Far from drawing individuals further into their own immediate needs and selfish wants, commercial participation urges the citizen to look outward toward the larger social order. This is a lesson he saw as necessary for a stable society that may in turn foster rational institutions; this is a lesson valuable for Europe’s future.

Above all, his thought draws our attention to foundational questions of political membership and inclusion. Though he participated directly in debates regarding suffrage, his statements reflect a yet more enduring concern for rebuilding a social order disrupted by revolution and divided by class. In tying social interest and communal belonging to a commercial ideal, he implicitly speaks to the problem of inclusion in new France. The questions with which Guizot leaves us are those which would persist throughout his century: what of the industrial classes, who seemingly stand outside of the new social condition? Does their economic status render them ever separate from the social order, as Guizot seemed to suggest, and ever incapable of entering the political one? The condition of wage-earners and paupers tests the limits of an evolutionary, liberal concept of economic capacity as the guiding principle for politics, returning us once again to the problem of liberalism’s openness to democracy.

Examining liberalism’s limits via “the social question” will occupy our attention in the next
chapter, as we consider Tocqueville’s response to the problem of pauperism and political and social exclusion.
Chapter 3

Tocqueville, Pauperism, and the Problem of Political Membership

François Guizot’s vision of evolving capacity reaches its limit with the condition of the industrial working class. Industrial wage-earners pose a particular problem for a Guizotian theory of capacity: their circumstances, economic and social, place them on the periphery of an emergent social order that is both commercial and democratic. Throughout Guizot’s writings, the wage-earner stands as a notable point of contrast to *le citoyen capacitaire*. The latter possesses reason, independence, and an understanding of the social interest necessary for political engagement, while the former remains apart from collective life, his thoughts directed only to subsistence.

The situation of industrial workers and paupers – two classes that were regularly discussed as one – occupied much of political thought in the eighteenth and nineteenth centuries.\(^{169}\) Though debates over poor relief began much earlier, the “new poor” of these centuries occupied a novel and perplexing social position. They existed at the center of society’s productive capacity, in the factories and industrial centers of England and France. But they were at the same time impoverished by the very processes of production and progress to which they contributed.\(^{170}\) Guizot himself was alert to this tension. Though industrial workers were situated at the heart of modern society, they were in a more foundational sense excluded from that society, materially and politically.

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\(^{169}\) For a discussion of the ambiguity surrounding the label “pauper,” see p. 83-4 below.

\(^{170}\) See also Robert Castel on the social question posed anew: “We are now confronted with an indigence that is not due to the absence of work but rather stems from the new system of work itself, that is to say, from ‘liberated’ labor. This is the dread spawn of industrialization.” Castel (2003) 197.
Alexis de Tocqueville also considered the “new social question,” inquiring into the causes and remedies for poverty and pauperism. In addition to his reflections on industrialization in England and Ireland, he authored two reports on pauperism. He delivered the first, his Memoir on Pauperism, to the Royal Academy of Cherbourg in 1835; the unfinished Second Memoir on Pauperism was not published until 1989 as part of his collected works. Following the work of Seymour Drescher in the 1960s, scholars have recently revisited Tocqueville’s writings on pauperism, industrialization, and social reform. These scholars interpret the reports on pauperism in order to situate Tocqueville among distinct French schools of political economy, to highlight the originality of his economic thinking, or to reveal the nuances and limits of his liberalism.

In this chapter, I consider Tocqueville’s reflections on pauperism in light of the problem of political and social inclusion central to the new social question, a yet unexplored element of his thought. How does the obvious inequality characteristic of pauperism comport with the egalitarian social condition of a democratic état social? Can paupers, as members of a dependent social class, be incorporated into the social order as Tocqueville understood it? These were among the questions that troubled the thinker during his journeys to England and Ireland in the 1830s, and reverberated throughout his reflections on French politics and the future of democracy.

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171 For some of the earlier scholarship on Tocqueville and industrialization, see Seymour Drescher, Dilemmas of Democracy (Pittsburgh: University of Pittsburgh Press, 1968) and Tocqueville and Beaumont on Social Reform (New York: Harper and Row, 1968).
174 Eric Keslassy, Le libéralisme de Tocqueville à l’épreuve du paupérisme (Paris: L’Harmattan, 2000). In addition to the approaches I have outlined above, Gertrude Himmelfarb examines the Memoir in light of the problem of social welfare, and interprets Tocqueville as a proponent private charity over public relief. See Himmelfarb, “Introduction” to the Memoir on Pauperism (Civitas: 1997).
This chapter aims to highlight the novelty of Tocqueville’s response to the social question, and thus to clarify his thoughts on the problems of political membership and legal citizenship more generally. For Tocqueville, “solving” the social question consisted not in finding temporary, material solutions to the entrenched problem of pauperism, but in presenting some means by which to integrate the lowest classes into the political community. This solution, he argued, consisted in reclaiming the idea of right as that which exercises an equalizing, socializing function. Though widespread schemes of public relief corrupted such an ideal, the exercise of rights had the potential to grant even the poorest persons a stake in the shared life of the community, incorporating once solitary, dependent individuals into the social order. Rights – specifically, the exercise of property rights – thus stand as his modern, democratic response to the social question.

What begins with a reflection on property rights and habits of ownership extends to the political realm and to the question of legal citizenship in Tocqueville’s thought. Just as the exercise of property rights interests and incorporates the individual in the community, so too Tocqueville acknowledged in *Democracy in America* that political participation could provide an educative experience in shared life. His overarching stance on political rights was, however, more complicated than his work on America might suggest. He shifted his position on expanding suffrage in France, prompting us to question under what circumstances political participation could assist to remedy the problems of social exclusion and class division – the heart of the social question. In the second half of this chapter, I argue that Tocqueville weighed the philosophical and psychological benefits of political participation for the individual against the pressing requirements of stability for his own nation. His call to extend suffrage in 1848 – a shift from his earlier arguments before the Chamber – reflected not simply a concern for
stability, but his belief that, under the right conditions, political rights could potentially repair “the social” by incorporating once-estranged classes and persons into public life.

Tocqueville approached the social question by comparing his own country with conditions he observed in England and America. America offered necessary lessons in democratic practice; England revealed the full scope of the problem of pauperism. Accordingly, this chapter opens with a historical examination of the social question in England and France, before turning to the originality of Tocqueville’s response.

I. The Social Question: A Cross-national Conversation

To study pauperism was to look to England. Tocqueville’s interest in the subject emerged during his journeys to England and Ireland in the 1830s, where he observed the “immense workshop, huge forge, and vast shop” that was Birmingham. It was also where he noted the tensions inherent in industrialization. Manchester, above all, is a lesson in contrasts—a “palace of industry” and “refuge of poverty.”¹⁷⁵ His observations seemingly confirmed the insights of his countryman, Jean-Baptiste Say, who claimed that the very term “pauperism” was invented by the English to describe their country’s widespread condition.¹⁷⁶

Still, defining and delimiting a class of paupers remained somewhat of an open question. The term certainly signaled a shift in conceptions of the “able-bodied poor” from agricultural laborers and mendicants to industrial workers and the urban poor. But as Drescher notes, neither English nor French theorists made much of an attempt to discriminate between categories of the

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¹⁷⁶ J-B Say, *Cours complêt d’économie politique* (Paris: 1828) Tome II, 361n1. See also Eugene Buret, who wrote that the term *pauperisme* was “borrowed from England, which undoubtedly deserved the honor of naming this new evil that it possessed before any other nation.” E. Buret, *De la misère des classes laborieuses en France et en Angleterre* (Paris: 1840) I, 120.
poor in discussions of laws and relief. The working poor, the industrial wage-earner, the unemployed, the indigent were grouped together, and joined to moral categories of the dangerous, delinquent, and depraved. Titles of various writings on poverty attest to this ambiguity – “les classes laborieuses,” “proletaires,” “paupérisme.” The only notable distinction existed between rich and poor, highest and lowest, perhaps the result of a still-persistent aristocratic mindset that could not account for the emergence of new classes and occupations.

In spite of this analytic confusion, one characteristic remained constant: paupers were distinguished by a condition of permanent poverty (or at least, by the threat of permanence), from which there was no obvious escape in their present state. If such persons were not currently relief recipients, they soon would be, as they could not provide for their own subsistence. A second characteristic concerned the origins of pauperism itself. Nearly all social theorists of the time attributed pauperism, in one way or another, to industrialization. This was especially true of French theorists who, like Tocqueville, looked upon England’s industrial centers and saw poverty in the same places. The Catholic thinker Alban de Villeneuve-Bargemont attributed pauperism to the English model of industrial development and the flawed science of classical political economy that supported such a model. Even Say, a proponent of the classical school Villeneuve-Bargemont condemned, saw pauperism as the by-product of an English industrial

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177 Drescher (1968), Dilemmas of Democracy, 105. One notable exception to this claim is Edmund Burke’s attempt to distinguish between laborers and the poor in Thoughts and Details on Scarcity (1795). Burke’s distinction has a dual purpose. First, he argued that the “poor” were those who simply could not work – the infirm, the elderly, the sick, children – and were thus the proper recipients of charity. Second, he sought to convince the laborer that he was not actually “poor” in this sense, and should not believe that he can depend on anything but his own “industry and frugality” for assistance. As we will see, the Royal Commission behind the 1834 poor law reform outlined a similar distinction.

(and political) system that created new, artificial needs without supplying the means to meet them.\textsuperscript{179}

Underlying each of these discussions was a deep concern about the social consequences of poverty. Thomas Malthus’s earlier critique of the poor laws (1798) had an undoubtedly moral cast, as he argued the laws encouraged “careless and want of frugality” and incited individuals to “drunkenness and dissipation.”\textsuperscript{180} Discussions of poor relief in the 1830s and 1840s deepened Malthus’s image of moral degradation brought on by material poverty. In his survey history of the Parisian working classes, Louis Chevalier quotes several nineteenth-century thinkers on the novel and troubling social position of the poor. Descriptions of the poorest classes as “nomads” and “barbarians” abound. Eugene Buret warned of a new barbarism among the poor who have “regressed into savage life from exhaustion” and wrote of entire populations living “outside of society, outside of the law, as outlaws.”\textsuperscript{181} Adolphe Thiers infamously spoke of “the vile mob that overthrown every Republic,”\textsuperscript{182} and Honore-Antoine Frégier identified pauperism as “the social danger…the proper object of fear to society.”\textsuperscript{183} While these portrayals link poverty with criminality and revolution, images of the poor as nomads and outsiders suggest a still more fundamental concern about the relation of the poorest classes to the rest of society. Paupers seemingly live beyond the bounds of the community, lacking both permanency of place (nomads) and the moral and mental disposition (barbarians) to take part in the larger social

\textsuperscript{180} Thomas Malthus, \textit{An Essay on the Principle of Population} 6\textsuperscript{th} ed. (London: John Murray, 1826) III.VI.6-8.
\textsuperscript{181} Buret, II, 35. Tocqueville also discusses pauperism as a new barbarism. See Section XX below.
\textsuperscript{183} Ibid.
Their material and moral state transforms into a problem of sociality. As Pierre Rosanvallon writes, paupers “revived the specter of a fourth order driven outside the gates of the city and even excluded from the human community.” Indeed, pauperism represented a new breaking point between member and outsider, society and barbarism.

In the asocial condition of the poor they observed in England and within their own borders, the French recognized threats of revolution and social disorder. Their approach to pauperism was obviously colored by the experience of revolutionary violence, but also by the promise of 1789, as pauperism challenged the ideal of a common nation. “Solving” the problem of pauperism meant not simply providing for the basic, material needs of the lowest classes, but finding some means by which to integrate entire “asocial” populations into the social state. Whether this could be accomplished materially at all – via programs of public relief or private charity – remained a guiding question.

This was the question facing England in the 1830s. Though the poor laws had been criticized for at least half a century, the recent “Swing riots” among rural workers prompted renewed demands for reform and even abolition. These images of rural unrest, coupled with political agitation over the franchise, introduced the threat of revolution into English society, which made the problem of pauperism and urban poverty as well appear all the more pressing.

184 These descriptions call to mind Guizot’s discussions of the lower classes (his “third class” of the “Élections” essay) from the previous chapter.
186 See also Robert Castel’s formulation of the problem: “The social question may be characterized as a concern about a society’s ability to maintain its own cohesion. The threat of breakdown is borne by groups whose very existence shakes the cohesion of the whole collectivity.” Castel (2003) 3.
187 While Himmelfarb (1983) cautions against drawing too direct a connection between these events and England’s New Poor Law, others have argued that threats of revolution were deliberately exaggerated in order to encourage support for poor law reform. See Peter Dunkley, “Whigs and Paupers: The Reform of the English Poor Laws, 1830-1834, Journal of British Studies Vol 20, No. 2: 1981. I do not enter this debate here, but merely outline it to contextualize the debates over poor relief.
It was against the backdrop of reform and unrest that Tocqueville took up the question of pauperism during his visits to England, where he reflected on the problem of poverty in a democratizing society.

_Tocqueville and English reform_

Tocqueville’s interest in poverty reform grew out of the tensions he noted in English society during his 1833 journey: the movement toward an egalitarian, democratic social condition on the one hand, and the emergence of a “cult of money” on the other. While the power of the English aristocracy was being slowly eroded and replaced by the middle class, the English simply substituted one form of privilege for another. “Money,” Tocqueville observed, “is the hallmark not of wealth alone, but of power, reputation and glory. Where the Frenchman says: ‘He has 10,000 francs of income,’ the Englishman says, ‘He is worth 5,000 pounds a year’…Everything worthwhile is somehow tied up with money.”\(^\text{188}\) He had seen these processes at work in America only a year before, and worried similarly that the relentless pursuit of wealth might undermine the exercise of democratic freedom.\(^\text{189}\) England presented a still more difficult case, one for which the aristocratic-democratic binary he developed in _Democracy in America_ was ill-suited. By the 1830s, England far outpaced America in the growth of industry and manufacturing, and industrialization only seemed to bolster this new type of inequality based upon wealth rather than birth.\(^\text{190}\) He devoted his journeys to investigating England’s rapid

\(^\text{188}\) Tocqueville, _Journeys_, 91.

\(^\text{189}\) On this subject, see Roger Boesche, “Tocqueville on the Tension between Commerce and Citizenship” in _Tocqueville’s Road Map_ (Lanham, MD: Lexington Books, 2006) 59-79.

\(^\text{190}\) Drescher goes so far as to argue that Tocqueville recognized a new type of aristocracy in England, “an aristocracy of wealth” that represented a transitory condition between birthright aristocracy and a democratic social state. See Drescher, “Tocqueville’s Comparative Perspectives” in _The Cambridge Companion to Tocqueville_, ed. Cheryl Welch (Cambridge University Press, 2006) 28.
commercial and industrial growth. The problem of pauperism lie at the heart of this investigation, for it remained the most obvious, most troubling exception to the idea of providential equality and a democratic social state.

Nassau Senior, English economist and the primary author of the Poor Law Amendment Act of 1834, became somewhat of an authority (and mentor) for Tocqueville on pauperism and poor law reform. Senior supplied him with a copy of the 1834 act, the product of a study undertaken by the Royal Commission of Inquiry on the Poor Law into the economic effects of outdoor relief. The Commission’s report repeated many of the previous critiques surrounding outdoor relief: it contributed to an increase in poor rates, a decrease in wages, a decline in productivity, and an increase in population, as it encouraged the poor to marry young and have more children.¹⁹¹ As Gertrude Himmelfarb summarizes, echoing Malthus, the central and recurring critique was that the poor laws succeeded only in “pauperizing the poor.”¹⁹²

The Commission was tasked with amending rather than abolishing the existing laws, and the 1834 act established a central authority with jurisdiction over regulations and local administration. Perhaps because he had read the Commission’s full report, or because he was particularly aware of the issues surrounding the poor law, Tocqueville saw the act for what it was: an attempt to discourage the poor from seeking public charity, by making its receipt too distasteful and burdensome. The Commission sought to distinguish between laborers and paupers, to make the condition of the able-bodied pauper less “eligible” – less desirable –

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¹⁹² Gertrude Himmelfarb, *The Idea of Poverty: England in the Early Industrial Age* (New York: Alfred A. Knopf, Inc, 1983) 155. This point may go some way toward explaining the ambiguity and lack of clarity surrounding categories of the poor, the worker, and the pauper in writings of the period, an ambiguity the 1834 act itself attempted to remedy.
relative to the laborer; in other words, to excuse poverty while avoiding pauperism. This system of “less-eligibility” informed the Report’s central proposal that relief for the able-bodied be dispensed only in workhouses.

Much of the reform Tocqueville recognized in the 1834 act was nowhere in the written text. Looking at the act closely, he wrote, “one can easily see that the most important change is by no means in the letter of the law, but in the spirit which cause it to be enacted.” That spirit, after all, consisted in alleviating the social burden of poor relief. The hope was that it could be fulfilled by decreasing the number of paupers while maintaining, even enlarging the class of industrial laborers who lived upon wages instead of relief. Tocqueville’s dissatisfaction with the 1834 solution is not immediately clear from his brief examination of the law itself, but emerges over the course of his Memoir on Pauperism. Though the act aimed to confine relief to workhouses, it left intact the very notion of a “right to relief,” however limited and constrained. So long as relief remained a “right,” and the very notion of right remained misunderstood, he believed that the true “social” problem of poverty – that of integrating the lowest classes into society – would go unresolved.

II. Tocqueville’s Voice: Pauperism, its Causes and Remedies

With his Memoir on Pauperism (1835), Tocqueville joined the chorus of social theorists and political economists commenting on pauperism and seeking its remedy. Upon first glance, his attempt looks unremarkable. At roughly twenty-pages long, it offers an extended discussion of the origins and causes of pauperism, before dismissing all current means of remedy as either dangerous or insufficient. Even scholars who have devoted attention to the Memoir deem it

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“strangely inconclusive” and “unsatisfactory.” For all of its limitations, however, the work offers a rich discussion of pauperism as a social problem, not merely an economic one, and thus provides a lens through which to consider the relationship between material and social conditions, class and community. And though the term “democracy” never appears in the *Memoir*, the entire work represents Tocqueville’s struggle to analyze those elements of the social order that fit uneasily within his schema of equality’s inevitable triumph. He focused on pauperism as part of the new social question, and sought a remedy whereby the poor could find place as members of the larger community. His question, specifically, was whether the gulf—material and social— that separated the poor from the wealthy and middle classes could ultimately be overcome, and whether the equalizing force of providential democracy could reach the poorest and most miserable persons.

For Tocqueville, the study of pauperism must locate its beginnings in the progress of historical and material conditions. His work opens with a series of paradoxes about the causes and advances of poverty, contrasting the development of civilization with the crude conditions of poverty he witnessed across Europe.

*The paradox of progress and need*

The first section of the *Memoir* undoubtedly reflects Tocqueville’s observations on the tensions inherent in English industrialization. He noted that during the 1830s, one-sixth of the population of the “flourishing kingdom” of England, Europe’s most advanced nation, subsisted on poor relief. But the condition of England contrasted sharply with the impoverished nations of Spain and Portugal, their people “ignorant and coarse” but where nonetheless “the number of

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indigents is insignificant.” Though Tocqueville called these conditions “striking,” he hinted that they were unsurprising given the origin of human society and the historical relationship between prosperity and need. For him, the introduction of private property served as the catalyst for both progress and desire:

From the moment that landed property was recognized and men had converted the vast forests into fertile cropland and rich pasture, from this moment, individuals arose who accumulated more land than they required to feed themselves and so perpetuated property in the hands of their progeny. Henceforth abundance exists; with superfluity comes a taste for pleasures other than the satisfaction of crudest physical needs.  

Tocqueville’s narrative to this point closely mirrors Jean-Jacques Rousseau’s account of the origins of inequality and political society: private property introduces inequalities that are later entrenched in political institutions, themselves created to preserve the interests of the few over the many. But the remainder of his evolutionary picture owes more to the Doctrinaire Guizot, his “teacher and guide,” who identified a causal chain extending from property relations to class divisions that culminated in the modern democratic social condition. What Guizot framed almost entirely in terms of “civilization,” Tocqueville interpreted as a paradox of needs and powers. In the Middle Ages, Tocqueville wrote, when “almost the entire population lived off the soil, great poverty and rude manners could exist, but man’s most pressing needs were satisfied...Today the majority is happier but it would always be on the verge of dying of...
hunger if public support were lacking.” The very phenomena that distinguished industrialized nations from their backward counterparts can be traced to the expansion of needs throughout human history.

Here Tocqueville has identified a historical process concurrent to his theory of providential equality, yet hostile to it. These opposing forces resemble those he witnessed in England during his travels: the erosion of traditional aristocracy, and the emergence of a culture of money. Though his schema in *Democracy in America* closes the circle of history, returning mankind to a version of natural equality enjoyed in the simplest societies, a general increase in prosperity introduces a new form of inequality that only deepens with the progress of material well-being. It is on this point that Tocqueville’s thought departs from that of his liberal predecessor Guizot. Though he utilized the Guizotian framework of property and civilization to describe social development, Tocqueville acknowledged that this development had its costs. Where Guizot saw only the unity of commercial and democratic principles – of private ownership and commercial participation, along with social equality – Tocqueville worried that commercial society would exclude entire populations from reaping its benefits. Perhaps this is why Guizot treated the lowest classes as a mere afterthought, a point of contrast to the capable commercial classes, while Tocqueville directed his attention to the poorest persons in the social order.

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199 *Memoir*, 8.

200 Earlier versions of this claim about the paradox of industry and poverty appeared in Villeneuve-Bargemont’s treatise on pauperism, in which he argued that systems of indefinite production created conditions for relative poverty. Other scholars have undertaken the important work of uncovering Tocqueville’s intellectual debt to his French contemporaries like Villeneuve-Bargemont, J-B Say, and Duchâtel (see Welch 2004) and to English political economists like Malthus (see Drolet 2003) and even to Pascal (see Lucien Jaume, *L’individu effacé ou la paradoxe du libéralisme française* (Paris: 1997) 175). This chapter will not offer an extensive intellectual history of Tocqueville’s influences, but will highlight affinities and disagreements with other figures where they are important to the argument.
The paradox of comfort and indigence, after all, weighs heaviest on members of the working class, and Tocqueville described their unique social position:

The industrial class which gives so much impetus to the well-being of others is thus much more exposed to sudden and irremediable evils. In the total fabric of human societies, I consider the industrial class as having received from God the special and dangerous mission of securing the material well-being of all others by its risks and dangers. The natural and irresistible movement of civilization continuously tends to increase the comparative size of this class...The industrial class, which provides for the pleasures of the greatest number, is itself exposed to miseries that would be almost unknown if this class did not exist.  

The products of their labor fulfill the “secondary needs” that a modern wealthy society has acquired, but at the same time tethers workers to those very products. First, because luxuries have become necessities, the worker’s labor is directed toward only the satisfaction of these new needs. If he is laid off or displaced, he has no other means of support. The contrast with agricultural labor proves instructive for Tocqueville, for though agricultural workers may live off the soil, “the [industrial] worker, on the contrary, speculates on secondary needs which a thousand causes can restrict and important events completely eliminate.” And while the rural peasant was bound to his lord, who took some responsibility for the peasant’s subsistence, there exists no equivalent tie between worker and industrialist. The agricultural laborer remained at once tied to land and lord; the industrial worker shares in no such bonds. He is at once dependent but solitary.

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201 Memoir, 9.
202 This line of thought calls to mind the famous theory of alienated labor Marx and Engels would introduce roughly a decade later. See Marx and Engels, Economic and Philosophic Manuscripts of 1844. Tocqueville articulated similar concerns in his examination of an “aristocracy by industry” in Democracy in America. He warned: “[the workman’s] thought is permanently fixed on the object of his daily toil; his body has contracted certain habits which it can never shake off. In a word, he no longer belongs to himself, but to his chosen calling.” DA, trans. by George Lawrence, ed. J.P. Mayer (New York: Harper & Row, 1988) Vol. II, Part II, Ch. 20, 455.
203 Memoir, 9.
Second, the progress of luxury alters the very definition of poverty. Increasing luxury brings expanding expectations, and a revised notion of precisely what constitutes subsistence and commodious living. It also places a growing expectation on society to provide material aid to those who fall below this revised standard. These two qualities – the untethered, precarious condition of the industrial worker and the fact of rising expectations – reveal the novelty and distinctiveness of pauperism as a social problem. They also explain why pauperism as a social ill affects only the most advanced European nations, as it depends upon processes of industrialization and upon the taste for luxury such processes encourage.

Underlying Tocqueville’s discussion of causes is a broader concern for the way pauperism alters social relationships and the contours of the political community. Industrialization paradoxically situates the worker at both the center of society and outside of it. He is the force behind productive capacity, and his work presumably enables the fulfillment of those secondary needs that have become so central to modern societies. But he is also subject to the whims of changing tastes and markets, without benefit of the social bonds that might unite him to other persons and ways of life. A similar argument animated Tocqueville’s worry about democratic atomization in *Democracy in America*. Lacking the social ties that linked them to one another under aristocracy, democratic individuals were equal but isolated, susceptible to new forms of dependency and despotism. But pauperism also reconfigures the social in another respect, one Tocqueville found even more alarming than atomization alone. Via public relief, society itself assumes partial responsibility for the pauper, but only in a distorted and ultimately dangerous way. Public relief marks an attempt to reconstruct the social by material means, a solution Tocqueville deemed both insufficient and dangerous. This is the guiding theme, I argue, of *Memoir*’s second half.
Public relief versus private charity

Tocqueville began the second half of his report by distinguishing between private charity and public welfare. The former has been elevated to a moral virtue by Christianity; the latter proves more systematic, “less instinctive, more reasoned, less emotional, and often more powerful” yet remains nothing more than a “beautiful illusion.” The case of England reveals the depth of this illusion. Nowhere else has the principle of public welfare been so embraced, Tocqueville alleged, and nowhere else has it wrought such “fatal consequences.” The first of these consequences has an undoubtedly Malthusian undertone, and calls to mind English critiques of the poor laws prior to the 1834 reform. Public aid removes the incentive to work, supplanting industry with idleness. In all nations with widespread public relief, the result is the same: “the most generous, the most active, the most industrious part of the nation, devotes its resources to furnishing the means of existence for those who do nothing or who make bad use of their labor.” Moreover, relief encourages humans’ “natural passion for idleness,” only perpetuating this relationship between the nation’s “most industrious” and its most idle.

This line of argument would have already been familiar to Tocqueville’s audience. In his Thoughts and Details on Scarcity (1795), Edmund Burke argued that the poor laws would only deepen poverty by reminding the poor of their own misery. This is especially true, he claimed, when the label “poor” is applied to wage-earners. Malthus similarly concluded that the poor laws “create the poor which they maintain” at the expense of the “more industrious and more

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204 Ibid., 11.
205 Ibid., 15.
206 Ibid., 15-16.
worthy members of society.” Tocqueville certainly appropriated and repeated these earlier arguments in his objections to public welfare. But his critique goes yet deeper. The crux of his argument concerns the understanding of relief as a right, and the general misconception of “right” engendered by such an understanding. It is on this point that Tocqueville offered his most original contribution to the social question. In so doing, he laid bare his desire to approach the question as just that – a social and political issue, of which the debate over material relief was merely a part.

III. The Transformational Possibility of Rights

Tocqueville’s definition of “right” and its role in modern society serves as the unifying principle of the Memoir. Curiously, scholars who have studied the work closely devote relatively little attention to this theme. In one obvious respect, this relative neglect seems justified. Even in a work as brief as the Memoir, Tocqueville’s explicit discussion of rights is quite short, comprising only a few pages. Still, this discussion is informed by his reflections on the relational character of rights in Democracy in America (hereafter DA), and anticipates his arguments for integrating the lower classes into political life in the Second Memoir. When read in isolation, the brief treatment of rights in the Memoir appears interesting but inconclusive; when considered alongside other elements of his thought, it frames the entirety of his conclusions on poverty and the social inclusion of the poor.

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209 Swedberg (2009) devotes roughly one paragraph to Tocqueville on “rights.” The subject receives more attention in Himmelfarb’s work (1983 and 1997) but is framed as yet another Tocquevillian paradox. Drolet (2009) offers the most extended interpretation of the rights argument; even then, he does not interpret the discussion of rights as the unifying principle of the Memoir.
210 This theme also reappears in the context of extending political rights in his “On the Middle Class and the People,” a so-called “liberal manifesto” he authored in 1847 to warn of impending revolutions. Discussion of this work will follow later in this chapter.
Tocqueville highlighted the social function of “the idea of right,” for “there is something great and virile in the idea of right which removes from any request its supplicant character, and places the one who claims it on the same level as the one who grants it.” Properly-conceived, rights entail and extend equality; they “elevate and sustain the human spirit,” supplanting arbitrary distinctions with mutual equality. Oddly, Tocqueville noted that rights are typically conferred on the basis of superiority of one person over another, a claim that seems to be move beyond equality toward something, as Michael Drolet has claimed, more akin to privilege. Nonetheless, what may begin from acknowledged superiority culminates in equality, placing individuals “on the same level” with one another. Rights also originate within social relationships, freely granted from one individual to another. Absent from the “idea of a right” in its purest form is any mention of legislation or state activity.

The so-called “right to relief,” however, begins from the opposite principle and has a contrary effect: “the right of the poor to obtain society’s help is unique in that instead of elevating the heart of the man who exercises it, it lowers him.” The name of the relief recipient was inscribed on the poor list of his local parish, an act Tocqueville likened to “a notarized manifestation of misery, of weakness,” a clear statement of inferiority. The right to relief disrupts the equality inherent in right itself, all the while forcing the individual to internalize his alleged inferiority. Private charity, too, originates in inferiority, but its recipient

211 Memoir, 17.
212 Drolet (2009) 142-143. It could be that Tocqueville here is both appealing to and complicating different, pre-existing discourses of “rights.” The first is that of the Revolution, which championed equality and universality in its treatment of the natural rights of man and citizen. The second, older discourse concerns the idea of rights as social privileges, that which conferred or marked the elevated social status of the clergy. Writing at a time when these rival discourses were themselves shifting and uncertain, it is likely that Tocqueville is inserting his own thoughts into this conversation, and appealing to but ultimately attempting to supplant these pre-existing views with his own.
213 Memoir, 17.
adopts that label only “secretly and temporarily.” Public relief, by contrast, publicizes and perpetuates inequality.

This argument certainly echoed of earlier critiques of public relief. Burke also warned of the troubling psychological influence of relief on the working poor, who might come to internalize their own misery when they are consistently reminded of it. But in articulating similar anxieties through the language of right, Tocqueville departed from his predecessors and contemporaries on the social question. Public relief not only produces dangerous outcomes for the moral and material condition of the individual poor, but has profound social consequences as well, as it entrenches the concept of inferiority for entire classes. One need only look to Tocqueville’s language for evidence of this position: extended public relief proves “humiliating” and “degrading.” Moreover, it undermines the “idea of right” itself, which Tocqueville interpreted as a mechanism for affirming social equality. In undermining this ideal, it created but another obstacle to reintegrating the poor classes into society. If the possibilities of right remain misunderstood, even undone by the principle of public relief, they cannot serve as remedies to problems of poverty and exclusion. In the sections that follow, I turn to the problems of disassociation and class conflict Tocqueville attributed to poor relief, before exploring the possibility of rights as remedy.

The social cost of relief

Like many of his contemporaries, Tocqueville identified the injurious influence of relief on the individual. He questioned:

What can be expected from a man whose position cannot improve, since he has lost the respect of his fellow men which is the precondition for all progress, whose lot cannot become worse, since, being reduced to the satisfaction of his most pressing needs, he is assured that they will always be satisfied? What course
of action is left to the conscience or to human activity in being so limited, who lives without hope and without fear? He looks to the future as an animal does. Absorbed in the present and the ignoble and transient pleasures it affords, his brutalized nature is unaware of the determinants of its destiny.\textsuperscript{214}

This rich passage illuminates the dehumanizing condition of relief recipients as Tocqueville understood it. Denied the respect of his fellows, seen simply as an inferior, the pauper cares only to satisfy his immediate, daily needs. In this respect, he is more animal than human, for his thoughts do not extend beyond the present moment and the pursuit of pleasure. The pauper of Tocqueville’s \textit{Memoir} resembles the wage-earner of Guizot’s “Élections” essay. Though the pauper’s daily needs are satisfied by means of public aid, while the wage-earner must provide for himself, both remain focused only on the short-term without much care for the future. The pauper’s situation, however, proves far more demoralizing: since he need not provide for himself, there is little hope that he may improve by his own actions. Though he presumably cannot descend any lower than his current condition, neither can he improve himself. He is trapped in this present state that, as we have seen, places him just outside the bounds of civilization and society. Worse still, Tocqueville suggests, the pauper lacks the agency and foresight to understand the depth of his dependency and the hopelessness of his condition.

Tocqueville also displayed an abiding concern for the liberty of the pauper, and here the problem of inclusion re-enters the discussion. Once again, England serves as his example. Because relief was administered locally, parishes aided only to those who resided in their jurisdictions, and other localities were wary of accepting new residents on their relief rosters. If an individual attempted to relocate, “the authorities immediately ask him to post bond against possible indigence, and if he cannot furnish this security, he must leave.”\textsuperscript{215} A standard of economic self-sufficiency precedes social inclusion, the outcome of both a relief program that

\begin{footnotes}
\footnote{Ibid., 19.}
\footnote{Ibid., 20.}
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burdens local parishes, and the mark of inferiority created by a “right” to relief. Paupers are limited to reside in the communities of their birth; even then, they are only reluctantly accepted by those communities. This exclusion presumably applies not only to the poor seeking relief, but to any person “threatened by poverty” who cannot meet the implicit economic threshold for inclusion. Tocqueville’s concern for liberty illuminates the grounds for his dissatisfaction with the 1834 English reform. Although the reform presumably avoided this problem of communal exclusion, it did so simply by confining the able-bodied pauper to the workhouse, constituting a near-total deprivation of liberty, while literally isolating the pauper from the community.

Such an outcome is not limited to circumstances of “less-eligibility,” like those established by the 1834 reform. If relief renders the pauper stationary and confined, it also fundamentally separates him from the given community in which he is forced to reside and where he must remain. Far from closing the gap between rich and poor, the right to relief undermines any hope of uniting “the two rival nations,” wealthy and indigent. As soon as the law intervenes to alleviate poverty, the rich man views the poor man as simply a “greedy stranger invited by the legislator to share in his wealth.” State intervention shatters any potential bond between rich and poor that could be established by private alms, an arrangement, though imperfect, that nonetheless “involves” the giver in the fate of the poor man. Public relief reduces this potential relationship to a burden, alienating the pauper from the wider community. And just as the rich look upon the poor as strangers, the latter recognize no moral tie or personal gratitude to the former. For Tocqueville, feelings of gratitude could potentially unite rich and poor via private charity. Disunion and even resentment, by contrast, characterize class relations within a system of public relief. Each class remains a stranger to the other. Under such

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216 Ibid., 18.
217 Ibid., 18.
circumstances, revolution could not be far behind, and on this point Tocqueville shared in the anxieties of his countrymen on instability and violence in a democratizing age.\textsuperscript{218}

Poor laws seemingly entrench existing moral and social divisions among rich and poor, reinforcing the material distinctions that already divide the two classes. The language of “rival nations” is telling, for it reveals Tocqueville’s emphasis on the profound social outcomes created by poverty and relief.\textsuperscript{219} Beyond this, it suggests a relationship between the social and the economic, between the sentiments of shared political life and the economic standards for accepting or excluding certain persons and classes from membership. If the contours of the political community may be so shaped by expectations about the economic and material standing of its members, then the question becomes whether economic or material proposals may provide a solution.

Tocqueville offered some praise of private charity as a means of rebuilding social bonds between rich and poor, but acknowledged its limits. The great virtue of private charity consists in its personal character: it emanates from good-will and fosters a sense of duty. It involves giver and recipient in a voluntary exchange, where material aid is ideally met with gratitude. But it remains arbitrary, limited, and local. For all of its dangers, public relief is systematic, more powerful, and in a sense, democratic: the same spirit of equality that underlies democracy also

\begin{footnote}
\textsuperscript{218} The language of estrangement reappears in Tocqueville’s speeches in 1847 and 1848, and he takes up this problem in terms of extending the right of suffrage and reviving the political life of the nation. I take up this theme systematically in the second half of this chapter.
\textsuperscript{219} Tocqueville was neither the first nor the last to use this kind of image to describe the social divide between classes. In his 1833 \textit{Lettre aux prolétaires}, Albert Laponneraye observed the division of France into two nations, “a nation of the privileged and a nation of the unprivileged, or proletarians” (p. 1). Buret warned that the two classes, industrialists and workers, were so divided as to “resemble preparation for civil war” (Vol II, p. 50). Benjamin Disraeli invoked this image in the title of 1845 novel, \textit{Sybil, or the Two Nations}.
\end{footnote}
impels society as a whole to aid its most suffering members. As the image of “rival nations” suggests, however, supporting this democratic impulse yields results that are burdensome and divisive. Tocqueville’s challenge was thus two-fold. Any worthwhile solution must retain the personal dimensions of private charity and the systematic character of public welfare, all the while avoiding the social costs of legislated relief.

A still more fundamental problem complicated Tocqueville’s challenge even further. For the social problem of pauperism had grown well-beyond a matter of material distinctions to be overcome by material solutions. A complete remedy must, above all, rebuild “the social” by uniting the rival nations of rich and poor. It must erase the mark of inferiority stamped upon the pauper by the corrupted “right” to relief. And if the corruption of right constituted the heart of the problem, it could only be resolved by reclaiming the idea of right as that which elevates rather than degrades. Tocqueville’s proposed remedy thus begins not with specific policies, but with the restoration of right itself.

Rights as remedy

Though the causes and social effects of pauperism emerge quite clearly from the Memoir, distilling a concrete solution proves difficult. This matter has divided scholars, who locate Tocqueville’s proposals at various points along a spectrum from purely private charity to public relief. The Memoir, after all, concludes with reflections on the virtues and limitations

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220 Keslassy (2000) has seized on this point in situating Tocqueville’s thought somewhere between economic liberalism and state socialism. According to Keslassy, Tocqueville rejected public relief but offered a new conception of the state that would overcome the limitations of private charity.

221 Keslassy locates Tocqueville closer to the “public” side, but short of state socialism. Himmelfarb (1997) interprets Tocqueville as a proponent of private charity, but one who is nonetheless well-aware of its limitations. Castel (2003) sees him as an exemplar of nineteenth-century “politics without a state,” a set of novel strategies that avoid state intervention in favor of private, contractual solutions. Reconstructing Tocqueville’s arguments for the present day, Chad Alan Goldberg argues that a welfare
of both solutions. The Second Memoir is similarly unsatisfactory in this regard; though it raises alternatives, it concludes with a tone of defeat.

Yet Tocqueville’s proposed remedy to the problem of pauperism may be unearthed from his statements on the elevating, equalizing potential of rights. If the so-called right to relief undermines this potential, the aim must be to restore it. His economic proposals concerning charity in the first Memoir and property ownership in the second exist as practical attempts to rejuvenate the idea of right, and establish social bonds between rich and poor. His solution, then, cannot be captured by reference to a purely economic remedy alone – by private charity, social welfare, or shared ownership. Perhaps this is why scholars have been so divided in their attempts to appropriate Tocqueville as an advocate for one economic policy or another. In fact, Tocqueville articulated an understanding of political economy interwoven with social phenomena, with “ideas and moral feelings.” His views on pauperism suggest as much. Accordingly, his economic proposals must be framed in terms of the theoretical and social concerns that animate them, principally, the role of rights in extending social ties and overcoming class conflict.

Tocqueville offered a more complete vision of the social function of rights in DA. His thoughts on America’s democratic social state provide a clearer picture of the “idea of right” only mentioned in the Memoir. What appears as mere possibility in the Memoir – the equalizing promise of right – he saw actualized in the American way of life:

…the political rights enjoyed there provide a thousand continual reminders to every citizen that he lives in society. At every moment they bring his mind back to this idea, that it is his duty as well as the interest of men to be useful to their


222 This phrase belongs to Swedberg (2009) 2-4. Welch (2004) emphasizes Tocqueville’s distinctiveness from liberal political economists (Say, Duchâtel, Dunoyer) and from the “philanthropic” approaches to political economy that characterized those on the “right” (Buret, Villeneuve-Bargemont).
fellows. Having no particular reason to hate others, since he is neither their slave nor their master, the American’s heart easily inclines toward benevolence.\textsuperscript{223} Just as rights begin socially with the extension of equality, they also serve as continual reminders of the same. The idea of duty, which he presented as central to private charity in the \textit{Memoir}, links persons in an extended, voluntary exchange. In this way, the idea of right is self-reinforcing: the individual, himself elevated by the exercise of rights, extends that same respect to his fellow citizens. Recall that this model of duty was altogether absent in a schema of public relief, in which rich and poor look upon one another as strangers rather than fellows. If English poor relief represents the worst – the distortion of right -- American democracy represents the best. It offers a model under which both duty and benevolence prove self-perpetuating, grounded in equality and mutual recognition.

It is telling that this argument for the social function of rights in \textit{DA} follows Tocqueville’s discussion of the rich in democratic society. The contrast with Europe on this point emerges quite clearly. In England, where benevolence was imposed as a social burden rather than a matter of private choice, the rich attempted to exclude the poor from local communities. In America, however, “the most opulent citizens are at pains not to get isolated from the people.”\textsuperscript{224} At first glance, this sweeping claim appears odd and even hopelessly naive. But Tocqueville’s statement serves as an instructive point of contrast with the fact of class conflict he observed in European societies. The exercise of rights in America strengthens rather than divides communities, so much so that far from excluding persons based on material distinctions, “the rich in democracies always need the poor.” What might begin from electoral ambition on the part of the rich eventually “interests them in the public welfare and convinces

\textsuperscript{223} Tocqueville, \textit{Democracy in America}, Vol. II, Part 2, Chapter 4.

\textsuperscript{224} Ibid.
them that they constantly stand in need of [other citizens] in order to provide for it."\textsuperscript{225} Such an argument reveals the full extent of the socializing potential of rights. While the corruption of right altered the boundaries of community in European societies, creating rival nations of rich and poor, the extension of rights in America had the opposite effect. Rather than separating the population politically, it involves both rich and poor in the affairs of the community. Though material divisions remain, they need not become politicized to spur asocial sentiment and class conflict.

But here the distance between America and Europe poses a challenge. The former, Tocqueville contended, has thus far survived its democratic revolution, embracing equality and maintaining liberty at least for the present. He compiled his reflections on America, however, under the impulse of a “religious dread,” anxious for what this same revolution would hold for Europe’s future.\textsuperscript{226} The fact of industrialization complicates this picture even further. England’s social condition forced Tocqueville to adopt a new point of departure when considering the fate of democratic societies. Pauperism represented this very problem, an outright challenge to the cautious optimism he placed in the American model. He nonetheless seemingly held fast to the exercise of rights he observed there as a potential solution to the social and material problem of pauperism. Still, the question becomes how rights might extend to those who lack them entirely, especially those whose material poverty places them at great distance from others and confines them to an impoverished class. Can the exercise of rights serve a similar socializing, equalizing function in a society so divided along class lines as to constitute rival nations? Under such conditions, what would it take to integrate the lowest classes into the social order?

\textsuperscript{225} Ibid.
\textsuperscript{226} Ibid., Author’s Introduction.
Tocqueville placed such questions at the heart of his second report on pauperism, authored in the summer of 1837 and likely unfinished. While the first Memoir outlined the effects of relief in England, the second focused on ameliorating and avoiding these same outcomes in France. He looked to France’s agricultural past for solutions to problems posed by its industrializing present. Again, the image of American democracy provides the unseen lens through which he interpreted the viability of these solutions for the future. In particular, he began with property ownership as the first “right” that could potentially reach the poorest classes.

Property rights and habits of ownership

An obvious immediacy and particularity characterizes the Second Memoir. While the first memoir began with an abstract reflection on human needs and historical progress, the second contrasts England and France in search of pauperism’s remedy. It opens with a restatement of the somewhat unsatisfying conclusions of the first: neither public relief nor private charity suffice to cure the ills of the impoverished. But in the Second Memoir, Tocqueville classified the “impoverished” in terms of France’s history: he separates the poor “who belong to the agricultural classes” from those “dependent on the industrial classes.”

The terms of this distinction are evident from studying France’s rural economy. While property in England remained condensed in the hands of the few, in France “equal shares” were established in law and diffused into manners. The distinction in matters of property ownership led the two nations down different economic paths, and though France lagged behind England in innovation, it avoided some of the social costs associated with rapid economic growth. Above all, dispersed,

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228 Ibid., 141. Tocqueville is likely referring to the Inclosure Acts.
decentralized property ownership prevented the development of pauperism among the agricultural classes.

Tocqueville drew a grand lesson from these two trajectories. The most effective way to prevent poverty among the agricultural classes, he concluded, was to grant them a share in property ownership. For it is not poverty *per se* that causes pauperism, but the absence of property among the lower classes.\(^{229}\) While the English model spurred industry and innovation, it also made individuals dependent upon large estates for their well-being. Worse still, this model cultivated dependency without attachment; it bound the worker to land that was not and would never be his own. Living at the whim of the estate, without control over his own destiny, the worker found himself susceptible to every economic crisis and change. Wide distribution of land had the opposite effect, cultivating habits of industry and ownership while avoiding dependency and the dictates of chance.

On this point, Tocqueville challenged his mentor Nassau Senior, who lauded the economic benefits of large estates. According to Senior, both rich and poor would remain better-off in a country with centralized ownership, as the agricultural worker would earn far more from cultivating the large estate of another than working his own small plot.\(^{230}\) But for Tocqueville, the issue went well beyond considerations of efficiency and earning. Small land ownership fostered habits, ideas, and attachments that would serve the individual in the long-term. In this respect, he sought to redefine Senior’s narrow, short-run concept of “well-being” by supplanting purely economic analysis with psychological and social arguments. He asserted:

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\(^{229}\) Ibid., 142. Even in the first *Memoir*, he often coupled the concern for “idleness” with his worry that such individuals were also not saving for their futures. Possessing seemed just as important to him as laboring, an innovation from earlier discussions of poor relief from Malthus and Burke onward.

\(^{230}\) Senior argued that political economy should focus on wealth rather than welfare, science rather than politics. For him, the study of history and institutions had no rightful place in political economy. See Senior, *An Outline of the Science of Political Economy* (London: Allen and Unwin, 1938) especially 2-4.
To the extent that [workers] come to own a parcel of land, however small, do you not perceive that their ideas are altered and their habits change? Is it not obvious that with land ownership the thought of the future occurs to them? They become farsighted the moment they feel they have something valuable to lose. As soon as they think they have the means to put themselves and their children out of the reach of misery, they take active measures to escape it…These people are still not rich, but they have the qualities to create wealth.\(^{231}\)

Experiences of ownership foster habits and grant a degree of independence unavailable to the laborer on a large estate. They draw the individual out of the narrow circle of daily life, beginning with the sentiments. A feeling of attachment first directs one’s mind to a future without poverty, and then focuses one’s actions toward fulfilling that end. Tocqueville’s emphasis on the psychological implications of land ownership calls to mind earlier liberal articulations of the same. For Constant, the feeling of attachment created by ownership proved indispensable for liberty.\(^ {232}\) By granting individuals the tangible experience of owning and possessing, land ownership, in a sense, brought abstract notions of freedom closer to home. The individual felt and feared the loss of liberty because he had an obvious stake in its preservation. These feelings, both Constant and Tocqueville suggested, would give rise to more reasoned defenses of freedom.

Moreover, the Tocquevillean discussion of ownership fit within broader liberal narratives regarding the primacy of property relations. Guizot outlined a philosophy of history in which social design depended upon patterns of landholding.\(^ {233}\) Say formulated his critique of large estates against the power of the French aristocracy, and argued that large landholdings “assume a state of society where social pressure constrains the great majority of society to bear the

\(^{231}\) Tocqueville, *OC*, XVI. 142. Emphasis mine.


privileges of a few.234 Drawing on these liberal lessons, Tocqueville recognized the causal reach of landholding. Just as large estates could establish a rigid inequality of conditions, characterized by class division and dependency, small-scale holdings could encourage democratic habits of independence. Patterns of landholding influenced not only individual psychology, but also molded the very structure of society itself.

Yet in ultimately framing property ownership as a right, Tocqueville extended these liberal insights to promote social inclusion and prevent poverty. Where Say saw the potential of decentralized ownership to undermine aristocracy, Tocqueville contended that such a system could elevate even the lowest classes. Say and Guizot looked to eliminate privilege of the highest order, leveling society from the top down; in the two Memoirs, Tocqueville sought to raise the lowest classes to a place in the new social order. Property ownership existed as the first right that could extend to those utterly excluded from the social state. The very exercise of that right, moreover, could restore the bonds between pauper and society, beginning psychologically with the individual and creating a social state predicated upon equality rather than privilege.

Though the explicit language of rights is curiously absent from the Second Memoir, Tocqueville’s prescriptions regarding ownership call to mind similar passages in DA involving property rights. Drawing a curious yet apt analogy between child and citizen, he outlines a specific process by which the individual may arrive at an understanding of rights and eventually duties. Property rights must constitute the first step:

…when a baby first begins to move among things outside himself…he has no idea of other people’s property, not even that it exists; but as he is instructed in the value of things and discovers that he too may be despoiled, he becomes more circumspect, and in the end is lead to respect for others that which he wishes to be

respected for himself. As for a child with his toys, so is it later for a man with all his belongings.\textsuperscript{235}

The best way to educate the individual about rights and duties is to grant him rights of his own for actual use. Landholding fosters not only forward-looking ideals and habits of independence, but instructs individuals in the \textit{social} dimension of rights. It provides an experiential lesson in the social virtues of respect and duty, the very qualities lost to widespread schemes of public relief, which provide material relief but offer nothing educative. Experiences of ownership seemingly transform the self-interested individual into a member of the community; they draw his sights outward to apprehend notions of respect and exchange. Just as the individual’s own horizons expand from present-day cares to future hopes, so too his vision turns outward from individual to family to community.

The challenge, however, was to approximate such “feelings and habits of property” for the modern industrial and urban worker. Finding an analogous experience and corresponding right, in the Tocquevillean sense, was no easy task. Tocqueville explored the idea of worker-owned corporations and industrial associations before settling on savings banks as the most promising option. He distinguished his design from those of his contemporaries, and proposed to make savings banks independent of the state and locally organized, so as to counteract the centralizing tendencies of an industrial economy.\textsuperscript{236} Moreover, he suggested combining the functions of savings banks with that of \textit{monts-de-piété}, charitable pawnshops that made small loans to the poor at reasonable rates. Such a combined institution, he argued, would help workers accumulate savings, understand the value of saving, and foster an understanding of

\textsuperscript{235} DA, Volume I, Part 2, Chapter 6. As an interesting point of comparison, recall that property rights are among the first lessons the tutor Jean-Jacques offers his young pupil in Rousseau’s \textit{Emile}.

\textsuperscript{236} Charles Dupin and Jules Dufaure, among others, proposed a similar schema of savings banks, but Tocqueville argued that their designs were too restricted by state control.
ownership. He pointed to a similar design at work in the city of Metz, where it had already achieved some success.  

While Tocqueville’s saving banks were perhaps more stable than solutions based on private charity alone, they were similarly ill-suited to alleviate poverty on a large scale. They were not as systematic or far-reaching as public relief. Tocqueville knew this, and his Second Memoir concludes with a tone of defeat. “It is not enough,” he admitted, “…one does not arrive at results that are both great and safe.”  

Taken together, neither of his reports on pauperism offer a definitive policy. In this respect, they are equally unsatisfying.  

Still, the Second Memoir is less interesting for the specific proposals it contains (or, for that matter, does not contain) than for the theoretical insights it offers on the social question. Although his solutions suffer from problems in administration and scale, there remains something of value in Tocqueville’s suggestions for integrating the impoverished into society. Extending rights – an ideal based on recognized equality – proves the best means, perhaps the only means, of constituting a social whole. The right to property was primary, as it alone could overcome material divisions by fostering psychological feelings of attachment, which granted the worker a vision of the future, a sense of his own well-being, and an understanding of respect. Rights thus had a unique social and socializing function: they entrenched the concept of equality in practice, forming social bonds via reciprocity and duty.  

Following his two reports on pauperism, the question remained whether these social bonds could be remade by political means. If Tocqueville’s suggested material solutions – savings banks, charitable pawnshops – proved too limited and local to remedy pauperism, could

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237 This kind of institution appeared in various forms in France throughout the nineteenth century and earlier. Napoleon granted the mont-de-piété of Paris a monopoly on pawnbroking to meet the needs of a growing population in the city. For a more complete history, see Eric Deschodt, Histoire du Mont-de-Piété (Paris: Le Cherche Midi éditeur, 1993).

238 OC, XVI. 142.
politics reach where economics fell short? Could the extension of political rights accomplish a similar goal, influencing individual psychology and transforming the isolated pauper into a member of the community?

The answer to this question is complicated, following Tocqueville’s own complex, vacillating position on political rights and extending the franchise. On the one hand, he acknowledged that political engagement could create social attachments on a grander scale, interesting the individual in the shared life of his community. In Democracy in America, he contended that the exercise of political rights – engagement in democratic practice – serves a function similar to ownership: it continually reminds persons of their place in common political life. Tocqueville’s revelation regarding the social function of political rights arose from observing their exercise in the American township, where the individual who “took a share in politics” witnessed “the great work of society daily performed before his eyes, and so to say, under his hands.”

On the other hand, Tocqueville’s position on political rights in France was not as straightforward as his praise of American democratic practice might lead us to assume. Though he recognized in theory the value and potential in exercising political rights, and saw this theory manifested in America, his vision of citizenship was tempered in practice by the pressing needs and unique circumstances of his own nation. In the following sections, I briefly contextualize Tocqueville’s thought in the liberal landscape of the nineteenth century, recounting the arguments of the Doctrinaires on legal citizenship and the concept of political right. I present Tocqueville’s theoretical praise of political rights, as that which could exercise a socializing function analogous to property rights, by looking primarily to his reflections in DA. Finally, I complicate this picture by examining his own changing stance on suffrage and legal citizenship

239 DA, I, 2, 9.
in France, and offer an explanation for how and why he periodically altered his position. The
distance between his praise of political rights and his shifting views on suffrage urges us to re-
examine his specific vision of legal citizenship for modern France. It also leads us to reconsider
whether (and to what degree) American democracy stood as a model for France in his own mind,
or simply offered one particular vision of how to navigate the democratic age, and the problem
of political inclusion within it.

IV. Tocqueville’s Liberalism: Political Rights and Recreating the Social

*Pauperism and the question of inclusion*

Tocqueville’s novel theory of property rights distinguished his approach to pauperism
from the countless others that appeared in treatises and speeches throughout the century. But his
approach to the social question also distinguished him from his liberal predecessors and
contemporaries on the problem of political membership. His reflections on pauperism were part
and parcel of the broader debate over inclusion in France following the Revolution. Who was to
be included in the new social order, and where was the boundary between insider and outsider?
Whereas many of his liberal contemporaries approached this question by way of legal citizenship
– determining who was and who was not entitled to the franchise – Tocqueville started with the
more foundational problem of communal membership, though for him the question of legal
citizenship was not far behind.²⁴⁰ These two points of departure are revealing, for they disclose

²⁴⁰ As we saw in Chapter 2, Guizot was also concerned with prior questions of membership – of informal
belonging at the level of the community; this insight informed his overarching thesis about the
relationship between social and economic conditions and the requirements of citizenship. But in largely
dismissing the classes of wage-earners (and seemingly ignoring paupers and public relief entirely), he did
not turn to the problem of social inclusion or communal membership as earnestly or seriously as
Tocqueville had. For Guizot, the theme of membership and capacity at the level of the community was a
way of arriving at and addressing legal citizenship, his primary concern. Guizot asked first and foremost
two different liberal approaches to the problem of inclusion, and diverging attitudes toward the compatibility of liberal principles and democratic possibilities.

**Guizot and the liberalism of the Doctrinaires**

Although Guizot and the Doctrinaires championed a complement of “civil” rights – freedom of the press, assembly, religion – they understood political rights to be of a different sort, predicated upon proven capacities. For Guizot, political rights stood as the *confirmation* of social inclusion, the fullest expression of one’s rationality, independence, and capability for politics. But such a title had to be legitimated and earned by possessing capacity. As we saw in Chapter 2, Guizot argued that economic participation and property ownership helped to shape and enlarge this capacity, providing an education in common life unavailable to those who labored for mere subsistence. He understood property ownership as a sign of one’s ability to make independent, rational choices based upon an understanding of social interest rather than individual need.

Guizot associated the democratic penchant for political rights with mere folly at best, instability at worst. On his interpretation, the democratic claim to right fails on the same grounds as aristocratic privilege. Both claims prioritize birth over capacity, ignoring the role rationality and personal independence ought to play in politics. Under aristocracy, the result was a politics of inequality in which the majority of society bears the costs associated with the privilege of an undeserving few. Democratic right introduces the problems of instability and irrationality, placing political control in the hands of the incapable, immoderate many.

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who was entitled to the possession of citizenship. From his *Memoirs*, Tocqueville was concerned also with how to integrate persons at the level of the community.

Guizot's critique of right was undoubtedly aimed at the natural rights framework of prior centuries, and at proponents of political democracy who appropriated such a framework for post-revolutionary France. Though he recognized the possibility of expanding the franchise to account for emerging capacities, he condemned the language of rights as premature. The right to political participation had to be legitimated and limited. Any political theory that originated in rights rather than capacities was inherently dangerous, as it extended citizenship to those who were wholly undeserving of the title to rule.242

Tocqueville was certainly not unaware of the need to “prepare” individuals for the demands of political life. His reflections on both the asocial, barbarous condition of paupers and the psychological, educative experiences of ownership reveal as much. In their present state, animalistic and ignoble, the pauper class lies outside of society, unable to participate in either the social or political practices of a given community. But for Tocqueville, this exclusion proves self-enforcing and detrimental. Denied the experiences of common life, paupers would presumably never take part in the social order. To rephrase the problem in Guizot’s terms – terms Tocqueville himself never actually used – he believed that persons could never become “capable” in their present state. With limited means and thus limited horizons, the pauper lives no better than an animal, and public relief succeeds only in perpetuating his current condition. Any remedy to this condition must be sought from without.

Thus rather than search in vain for existing or even evolving signs of capacity among such persons, as Guizot and the Doctrinaire view of capacity would have suggested, Tocqueville lauded the socializing function of property rights to incorporate individuals into society. He

242 See Guizot: “Superiority felt and accepted, this is the primitive and legitimate bond of human societies; it is at the same time both fact and right; this is the true, and only social contract.” For Guizot, it was true superiority (capacity), and not privilege or the universality of “human nature” that ought to legitimate the title to rule. Guizot, Des moyens de gouvernement et d'opposition dans l'état actuel de la France (Paris, 1821) 1864.
agreed with the Doctrinaires regarding the educative experiences of ownership in granting individuals some notion of common interest; his recommendations regarding savings banks in the Second Memoir hinge on a similar argument about habits of ownership and the social lessons they present. But whereas Guizot was concerned primarily with finding evidence of political capacity where it already existed or would soon emerge, Tocqueville began with a more foundational problem: discovering the means to incorporate persons at the level of the community, where they could then develop the habits and dispositions necessary for common life. His very unease about pauperism and the condition of the lower classes, who were almost entirely dismissed by Guizot, reveals this more foundational concern. For him, the problem was not one of assessing criteria and fitness for citizenship, as it was for Guizot and the Doctrinaires, and he cast off the liberal language of “capacities” entirely. He was concerned instead to repair “the social,” forging ties across socioeconomic classes that could render material distinctions unimportant for the purposes of shared life. Such ties, as we have seen, could theoretically be forged between benefactor and pauper, and between property owners of all classes, from the smallest plot to the largest estate.

Even if the precise means for realizing this end remained unclear and unsatisfying, the end itself represented a cautious hope that Europe would not always remain divided across class lines. Tocqueville argued that the very exercise of property rights might provide the necessary experience to draw individuals out of narrow self-interest. Moreover, their exercise could

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243 Recall that Guizot spent little time addressing wage earners, calling them simply a “third class” in his work on elections and characterizing their situation in terms of necessity rather than freedom.

244 Throughout his writings and speeches, Tocqueville seemed unconcerned with capacité. As Cheryl Welch points out, he did not see himself beholden to the dominant discourses of nineteenth-century politics, the liberal language of capacité among them. See Welch, De Tocqueville (Oxford: Oxford University Press, 2001) Chapter I.
potentially alleviate poverty by providing the individual something to call his own, while simultaneously granting him a sense of the future and bringing the common welfare into view.

The question remained as to whether the concept of political right could assist in furthering this goal, and whether such rights accomplished a transformative function analogous to that of property ownership. Did Tocqueville depart entirely from the opinions of his “teacher and guide” Guizot by advocating for political rights for all classes, independent of individual or class capacity? Could political participation prepare, even educate individuals in the lessons of social life, and aid in overcoming material and social division?

Tocqueville’s shifting position on French suffrage

Looking to his work on American democracy, the answer to these questions initially appears a resounding “yes.” In his reflections on the American social state, Tocqueville suggested that political rights could accomplish an end similar to that he associated with property rights in the Second Memoir. Political participation was the means by which the individual could grasp his place in society. Just as property ownership introduces ideas of respect and commonality, “it is the same in the world of politics. The American man of the people has conceived a high idea of political rights because he has some.”

In America, the grand lessons of politics arise not from treatises of political philosophy, to be apprehended only by the rational and capable few, but have their beginnings in the very practices of democracy. The township, after all, was the space in which local participation could serve as an “incubator” for democracy, educating individuals in democratic practice at the same moments they engaged in it for themselves.

245 Tocqueville, DA, Vol. 1, Part II, Ch. 6.
Tocqueville’s theoretical perspective in *DA* was a far cry from that of the Doctrinaires in France. For Tocqueville in America, political rights stood not as the confirmation of one’s capacity or fitness for community, but as a *prerequisite* for the formation of community itself, at least in America. The great work of building society was accomplished not by those deemed rational, privileged, and capable, but by each person’s taking an active share in political rights.

Yet it remained to be seen whether that civic spirit he observed in America could be fostered in France – and by what means. Tocqueville undoubtedly acknowledged the potential benefits of political participation in theory, but would widespread suffrage in France confer those same benefits on his own nation as they had in America? Was his apparent enthusiasm for the democratic experiment of the American township tempered – even altogether undone – by the unique circumstances of France? These questions have divided scholars, who wrangle with Tocqueville’s own shifting claims on French suffrage, as well as his status as a theorist of democracy. Sheldon Wolin offers the most extreme interpretation of Tocqueville as an ardent anti-democrat in France, whose “deepest and most abiding concern [was]…to obstruct the expansion of democracy.”

In Wolin’s mind, Tocqueville appeared to share the aims of Guizot and the Orléanist elites to restrict suffrage and “hold back,” or in Wolin’s terms, actually “obstruct” the forces of political democracy. Tocqueville’s own argument against expanding French suffrage in 1842 initially seems to confirm these claims. Speaking before the Chamber, he appeared a pragmatic liberal and very reluctant democrat (if much of one at all), urging France to “give enough, but not too much to democracy” in matters of electoral law.

Robert Gannett attempts to account for this shift in Tocqueville’s thought, from his admiration of the New England township in 1835, to his reservations about “too much”

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democracy in France only seven years later. Gannett frames Tocqueville’s apparent change of heart in terms of the stability he wished to preserve and the revolutionary violence he aimed to avoid. Even in America, Gannett argues, this was the motivation behind Tocqueville’s praise of democratic practice in the township, where he recognized how the “extreme” elements of democracy – the exercise of a widespread suffrage – could dampen the democratic excesses of instability and despotism. By 1842, occupied by the same prudential concerns, now amplified in his own nation, Tocqueville recognized that the ends of stability would be best served by avoiding in France those same democratic practices that proved so vital for America. In Gannett’s interpretation, suffrage was a tool for Tocqueville, to be deployed in service of the wider cause to resist social revolution and political corruption.

Gannett also explains Tocqueville’s second subsequent “shift” in thought – his call to expand the suffrage in 1848 – in terms of this emphasis on stability. In his famous speech of January 27, 1848, Tocqueville addressed the Chamber, warning of the “slumbering volcano” that was France, a nation that would soon be wracked by revolutions from below. His language undoubtedly reflected the anxieties about violence Gannett recognizes, as he spoke of the “passionate feelings” of the lower classes that would overturn “society itself, shaking the very foundations upon which it now rests.” At the conclusion of his speech, he declared that electoral reform was both useful and urgent; the preservation of society depended upon a change

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249 Ibid., 216.
250 Gannett consistently uses the image of “calibration” when discussing Tocqueville’s shifting justifications, and argues that his overarching concern was to balance countervailing forces in society to achieve the most stable, peaceful outcomes. See Gannett, 222.
252 Ibid., 752.
in the law and in the public spirit.\textsuperscript{253} In October of that same year, he argued eloquently in favor of popular election of the chief executive by universal suffrage. Tocqueville undoubtedly worried about the coming revolutions, and his calls for electoral reform similarly reveal the necessity of accommodating working class demands in order to avoid social unrest.\textsuperscript{254} But his justification for these 1848 reforms runs deeper than the problem of “stabilizing democracy” Gannett presents. One need only look to his reflections a year earlier, in his unpublished manifesto for the “New Left,” for a fuller explanation of his reasoning in favor of reform. Disencharmed with the policies of the July Monarchy (of which Guizot was the prime architect), Tocqueville wrote in 1847 of “a morbid torpor” prevailing in politics, and warned that “a muffled restiveness is beginning to appear among the lower classes, who are supposed to remain \textit{strangers} to public life according to our laws.”\textsuperscript{255} Much of his analysis hinged on a broader critique of bourgeois society and of the preeminence of the bourgeoisie under the July regime, themes he would raise again in his 1848 speech before the Chamber.\textsuperscript{256} He attacked the fundamental bourgeois claim to rule and with it, the Doctrinaires’ foundational argument for property ownership as the sole index of capacity. He contended that “today the right of property alone, sacred as it is, no longer seems anything but the last remnant of a destroyed world, an isolated privilege in the midst of a leveled society.”\textsuperscript{257} The possession of property alone could

\begin{footnotes}
\footnotetext[253]{Ibid., 758.}
\footnotetext[254]{Tocqueville notes in his \textit{Recollections} that he was not in fact as alarmed about revolution as he seemed in the 1848 speech. See \textit{Recollections}, 18.}
\footnotetext[255]{Tocqueville, “On the Middle Class and the People” (1847), in Drescher (1968) 174-175. Emphasis mine. Tocqueville included selections from this previously unpublished work in his \textit{Recollections}.}
\footnotetext[256]{In his \textit{Recollections}, Tocqueville condemned the bourgeois class under the July Monarchy as “a selfish and grasping plutocracy” which treated government “like a private business.” \textit{Recollections}, 5.}
\footnotetext[257]{Roger Boesche has labeled Tocqueville a “strange liberal” in part for his critique of the intellectual mediocrity and political torpor of bourgeois society. See Boesche, “The Strange Liberalism of Alexis de Tocqueville” (2006).}
\end{footnotes}
not sustain claims to political rule in a democratizing age, nor could the middle classes rightly claim to represent all interests across French society, as Guizot had alleged. Tocqueville sought to challenge property ownership – the justification for bourgeois capacity and thus bourgeois government – as the sole, legitimate foundation for rule in a democratizing society.

In the conclusion to his 1847 manifesto, he called on France to “slowly extend the circle of political rights, so as to go beyond the limits of the middle class…involve the lower classes in politics,” a solution that would not only quiet social unrest, but make public life “more diversified, more fruitful.”

His final recommendation goes still further, and discloses the extent of his attitude toward the lowest classes and their role in a changing society. He urged:

Make the intellectual and material fate of these classes the principal object of legislative concern; direct the whole thrust of the law toward the alleviation, and above all the perfect equalization of public charges, in order to abolish all the remaining inequalities in our fiscal legislation; in a word, assure to the poor all the legal equality and all the well-being compatible with the existence of the right of individual property, and with the inequality of conditions which flow from that right.

In this passage, Tocqueville reveals his intent not to abolish the individual right to property or to create a comprehensive system of public relief, but to create a politics in conformity with the equality of a democratic social state. Material inequality will ever remain, but so long as social equality prevails, politics must acknowledge and reinforce it. His statement certainly anticipates the Revolution of 1848, but beyond that, it stands as an expression of the potential function of political rights. For Tocqueville, the extension of rights serves as the final means of integrating the lowest classes at once into the social order and the political one. And

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258 Ibid., 178.

259 Ibid.
this integration serves politics itself, for it introduces newfound energy and life into what was previously a privileged yet weakened sphere of human action.

Preservation of stability was certainly at the front of Tocqueville’s mind when weighing matters of electoral reform, but his 1847 manifesto reveals that it was not his only concern. As André Jardin argues, Tocqueville turned his thoughts once again to “the social” in the late 1840s, a subject Jardin alleges he had abandoned in the roughly ten years since writing the first Memoir on Pauperism.\textsuperscript{260} This turn “back” to the social, undertaken certainly out of anxiety about the coming unrest, eventually moved him beyond the political problem of instability. Tocqueville acknowledged the distance between *le pays légal* and *le pays réel* in France – themselves emerging as “two rival nations”\textsuperscript{261} – and the reality of a political order that excluded entire classes. Just as the forces of industrialization and social change forced him to wrestle with the problem of pauperism as a social question, those same changes necessitated a reconsideration of politics. Electoral reform was not simply a “safety valve” that might accommodate and relieve working-class pressures from below, the suggestion of a reluctant democrat whose aim, as Wolin claims, to “obstruct democracy” was thwarted by the threat of revolutionary violence. It was, rather, a means of actually creating a legal France that mirrored the ideal social one. The result would be a more stable nation, to be sure, but also one in which there were no longer “strangers to public life,” and where each class could take an interest in the affairs of the nation through political participation.

\textsuperscript{260} Jardin, *Tocqueville: A Biography* (1988) 402. Given that Tocqueville was concerned with a number of social questions through the 1830s and 1840s – the right to work, the problem of abandoned children, prison reform – Jardin’s claim that he “abandoned” the social for a time and revisited it again in 1848 is likely overstated. It does appear, nonetheless, that Tocqueville’s claims to expand suffrage at that time depended in part on social arguments he did not weigh as heavily in 1842 or earlier.

\textsuperscript{261} “Soon, it can hardly be doubted, the struggle of political parties will begin between those who possess and those who have nothing. The great field of battle will be property.” Tocqueville, “On the Middle Class and the People” (1847) 177.
Tocqueville did in fact come “full circle” on political rights in 1848, as Gannett writes, “reiterating his belief first expressed sixteen years earlier in *Democracy in America*.” And this return did reflect “what he believed best for France at each given moment.” But this was not a belief solely in the stabilizing power of political democracy, as a force that could at times temper its own excesses and moderate competing claims to rule. It was also a belief that democratic participation could potentially repair social divisions, and by incorporating once-excluded persons into public life, grant new vitality to the public sphere. The American model was not a one-size-fits-all solution for France or the whole of Europe; the philosophical lessons it offered had to be weighed against the particular circumstances of a given place and time. The question of suffrage was no exception. But by 1848, Tocqueville seemed to have recognized that those lessons, though adapted, might now suit his own country, leading it forward in the evolution of democracy. He acknowledged for France the same argument he articulated years earlier while reflecting on America: “civic spirit is inseparable from the exercise of political rights, and...henceforward in Europe the numbers of the citizens will be found to increase or diminish in proportion to the extension of rights.”

**Politics and poverty**

With his call for suffrage reform in 1848, and his subsequent vote in favor of universal suffrage in the assembly that same year, Tocqueville began to recognize the social benefits of

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263 Ibid.
264 This conclusion calls to mind Welch’s argument that America “serves heuristically only as a way of shedding light on France’s particular historical situation.” Welch (2001) 23. Tocqueville himself wrote that the American example offered “instruction, of which we might profit.” *DA*, Volume I, Author’s Introduction, p. 12.
265 *DA*, Vol. 1, Part 2, Ch. 6.
extending political rights in France. He was not so naïve, however, to think these benefits would become immediately apparent, nor that politics would simply alleviate social problems, poverty among them. The social question, after all, was two-fold. In the first place, it consisted in elevating the individual out of a state of material poverty and dependency; in the second, it involved removing the stigma of inferiority and exclusion that plagues the lowest classes and renders them outsiders. While political engagement at least partially effaces the social mark of inferiority and confers, as Tocqueville stated, “legal equality,” it accomplishes far less in terms of alleviating material poverty. In one respect, it certainly interests the individual in the common welfare and grants him a stake in the future. But engagement in politics cannot hope to overcome the more immediate, more concrete problem of poverty. Although it affords equality in the legal and thus social spheres, it can hardly touch the foundational problem of material inequality. For this dimension of the social question, possession and ownership prove necessary. As Tocqueville urged in 1847, the goal must be to “assure to the poor” both “legal equality” and “all the well-being compatible with the existence of the right of individual property.” Any schema that sought after the first without attending to the second would prove naïve and incomplete. Likewise, by 1848, Tocqueville realized that the pursuit of well-being without legal equality could not hope to repair the social divisions that had led France to the point of unrest and its working classes to the point of estrangement.

Still, property ownership stands not as a prerequisite for political rights, nor a sign of capacity as the Doctrinaires conceived it. Though the problem of pauperism could not be entirely “solved” by extending political rights, there is little in Tocqueville’s thought to suggest that economic self-sufficiency must precede the franchise. This line of thought underscored the July Monarchy, a regime Tocqueville eventually condemned as politically enervating and
corrupting. For him, the social question could find its solution in both property rights and later in political rights, which exercised together could alleviate the ills – material, social, and political – characteristic of the social question.

V. Conclusion: French Society and the Future of Democracy

Looking at once to England’s failures and America’s potential successes, Tocqueville sought to remedy the problem of pauperism for nineteenth-century France. He largely shared in his generation’s diagnosis of the problem: pauperism as the consequence of industrialization and as a “fourth order” that marked the boundary between society and barbarism. Yet his overarching thesis on the providential character of democracy frames his particular take on the social question, granting his project a unique depth. For him, the social question posed a problem not only for the ideal of French nationhood following the Revolution, but for the larger historical emergence of democratic equality. The very condition of paupers challenged the great optimism he found in the American model, and threatened the potential administration of a similar model of democratic practice within Europe.

His unique point of departure on the social question led him to advocate a novel solution: reclaiming the idea of right as that which equalizes rather than degrades, with the exercise of property rights emerging as the most fruitful remedy for widespread poverty.\(^{266}\) Within this solution, as I have argued, we might uncover Tocqueville’s broader position regarding both the lowest classes and the character of the political community. For it was his return “the social” – to the concerns for class division and exclusion that dominated his work on the social question – that in part prompted Tocqueville to advocate for extending political rights in France by 1848, in

\(^{266}\) Tocqueville’s response to the social question also highlighted his departure from the conventions and discourses of his own time, what Cheryl Welch has called his inclination toward an “original and sometimes solitary path that disregarded the markers and signs constructed by others.” Welch (2001) 8.
the hope that public life would be made more robust and diversified, and society itself less divided.

Still, in his condemnation of middle-class mediocrity and calls for extending the franchise, Tocqueville stood largely alone in the liberal landscape of France in the 1840s. Though still an aristocrat at heart, he was among the most democratic of the French liberals in this period, open to the possibilities democratic practice might bring (even as those practices themselves posed a great threat to liberty). Though his fascination with America persisted, he too grew disillusioned with the prospect of French democracy and even civil liberty following the Revolution of 1848, and feared the despotism and centralization of the Second Empire. As Jennings notes, the 1850s and 1860s were difficult for Tocqueville, as for anyone in France “who entertained liberal opinions, and for those who viewed France’s willing embrace of Bonapartist despotism with dismay.”

Even in the difficult, illiberal political climate of the Second Empire, liberal voices emerged with calls to reestablish the conditions for liberty. Édouard Laboulaye sought to revive the French liberal tradition by emphasizing Benjamin Constant’s distinction between ancient and modern liberty, and urging that modern liberty, well-directed and informed, could counteract despotism. Like Tocqueville, Laboulaye also had great reverence for America, believing even more earnestly than Tocqueville himself that the solution for France was to be found in American constitutionalism.

Yet questions of social class and suffrage continued to confront Laboulaye and liberal statesmen throughout the 1850s and 1860s, as they had Tocqueville and Guizot decades earlier.

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267 On Tocqueville’s continued interest in America, see *Tocqueville on America After 1840: Letters and Other Writings*, eds. Jeremy Jennings and Aurelian Craiutu (Cambridge: Cambridge University Press, 2009).
268 Jennings (2011) 188.
And the same problems that troubled Tocqueville – the status of the working classes, and of those who were excluded entirely from French public life – became a central theme in Laboulaye’s thought, and the cornerstone of his program for the new liberal party. A study of French liberalism following 1848 allows for a reconsideration of the complex relationship between social class, economic status, and the modern rights of citizenship. It also recasts the century’s “crucial question” about the relationship between liberalism and democracy in light of the reality of universal suffrage. In the next chapter, we turn to Laboulaye’s project, representative of both continuity and innovation in the nineteenth century. In particular, we examine his suggestion that political democracy could be “enlightened” by liberal principles, and situate his thought in the broader French liberal tradition.
Chapter 4

To Enlighten the Franchise: Édouard Laboulaye and the New Liberal Party

By 1840, the social question that occupied Tocqueville from his visits to England had captured the attention of France. “Suddenly and dramatically,” the historian Christopher Johnson writes, “the social question exploded, showering the nation with a torrent of ideas.”269 In 1840 alone, the nation saw the publication of Eugene Buret’s *De la misère des classes laborieuses en France et en Angleterre*, Louis Blanc’s *Organisation du travail*, and Pierre-Joseph Proudhon’s *Qu’est-ce que la propriété?*, along with the first issues of the Christian socialist journal *L’Atelier*. Though concerns over urban poverty were certainly not new, the appearance of these works suggested that the working class could no longer be simply dismissed as Guizot’s forgotten “third class” in French society. The emergence of a conscious, increasingly organized working class forced liberals to confront the reality of a changing social condition, wherein the workers, and not the bourgeoisie, led calls for reform.270

Nor could liberals ignore the political implications of these reforms. The question for liberals, from the end of the July Monarchy through at least the Second Empire, was whether their political ideology could accommodate itself to a changing society. Could they account for the growth and influence of the working class, and how would their ideology survive aspirations for democratic reform? Could liberals hold fast to the language of *capacité*, or would they have to support – or at the very least, not actively resist – the extension of political rights, independent


270 David Pinkney argues that words like “associations” and “organization of labor” (which appeared in Blanc’s *Organisation du travail*) became a systematic part of the working class vocabulary in the 1840s. By 1848, those slogans appeared on banners for working class movements in the streets of Paris. See Pinkney, *Decisive Years in France, 1840-1847* (Princeton: Princeton University Press, 1986) 96.
of individual or class capacity? What would happen to distinctly liberal notions of citizenship and its requirements? Underlying each of these questions was a broader, theoretical concern: was there any place left for liberal thought in a political culture of universal suffrage?

To examine these questions, I turn to the political thought of statesman and scholar Édouard Laboulaye (1811-1883), one of the leading liberal theorists under the Second Empire into the Third Republic. A legal scholar and professor-turned-politician, Laboulaye entered public life following his “disillusion” with the Revolution of 1848 and the regime failures that precipitated it. He took an active interest in constitutional reform, and in the drafting of the French constitutions in 1848, 1851, and again in the 1870s. An avowed disciple of both Constant and Tocqueville, he also drew great inspiration from the careers of American statesmen like Benjamin Franklin, and viewed American institutions as a model of liberty and stability for modern France, even more earnestly than Tocqueville.

While scholars at least acknowledge Laboulaye’s contributions to the French liberal tradition, few have engaged in any sustained interpretation of his political thought, or carefully examined his thoughts on citizenship. In their respective studies of the nineteenth century, André Jardin and Louis Girard briefly discuss Laboulaye’s writings and leadership in the liberal

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271 Writing of 1848, he asserted, “these were the revolutions that made a political writer of me.” *Questions constitutionnelles* (1849) 3.

272 He authored *Considérations sur la Constitution* in 1849 as a critique of socialist thought and of elements of France’s constitution that deviated too significantly from the American model. He took up similar themes in *La Révision de la constitution* in 1851.

273 For a more complete biography of Laboulaye, see Jean de Soto, “Édouard Laboulaye,” *Revue internationale d’histoire politique et constitutionelle* 5 (1955): 114-150. While Tocqueville seemed to waver on whether American institutions were in fact a model or simply a heuristic for France, Laboulaye remained consistent in praising American constitutionalism as a system to be adopted within his own nation. Jennings (2005) calls Laboulaye “the most vigorous and articulate member of the ‘American school’ in France.” Laboulaye did not share Tocqueville’s aristocratic “instinct,” and was therefore more willing to embrace both democracy in the abstract and its particular manifestation in the American social state.
party. Lucien Jaume’s *L’individu effacé* contains several references to Laboulaye, but mostly as an interpreter of the canonical thinker Benjamin Constant. Even Rosanvallon’s account of liberal responses to the suffrage question contains only four references to Laboulaye, two of them in brief footnotes. In the English-speaking world, where scholars have widely embraced the thought of Constant, Tocqueville, and even Mme de Staël, one rarely encounters his name. Helena Rosenblatt’s work is an exception. Like Jaume, she discusses Laboulaye as an admirer of Constant, who sought to revive the latter’s thoughts on religious liberty in the 1860s. The only book-length project on Laboulaye in English is Walter Gray’s *Interpreting American Democracy in France*, which highlights Laboulaye’s debt to Constant on the one hand and to American institutions on the other. Gray’s work was also the first book-length biography and study of Laboulaye published anywhere.

This relative neglect may be attributed to prevailing views of liberal practice and theory after 1848. Studies of liberalism in the 1850s and 1860s unsurprisingly emphasize its political failures as a party, but also question its coherence and vitality as a tradition of thought. Kahan

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276 Rosanvallon, *Le sacre du citoyen* (Paris: Gallimard, 1992). In this particular work, Rosanvallon spends little time discussing the Second Empire or the status of the liberal opposition.

Laboulaye also features prominently in the historian Serge Gavronsky’s work on the French liberal opposition and their actions in support of the Union during the American Civil War. See Gavronsky, *The French Liberal Opposition and the American Civil War* (New York: Humanities Press, 1968). Gavronsky’s work highlights the degree to which America represented an experiment in democracy for some of the opposition liberals.
writes of “liberalism in retreat” after 1851, and argues that liberal theory could not withstand pressure from Louis Napoleon’s regime above and working-class demands from below.279 According to Kahan, the “middling” position of liberals between the Empire and the working classes reflected the limits of their juste milieu approach to politics generally, and to the question of citizenship specifically. These limitations emerged in their unwavering praise of the middle classes. In trying to preserve the mean, liberals could not find their place in a public sphere trending toward so-called extremes.280

Sudhir Hazareesingh frames the political failures of the liberal party as a problem of conceptual incoherence. Addressing liberal thought, he cites “recurring tensions” among quintessentially liberal priorities after 1848, and presents Second Empire liberalism as an ideology of intrinsic contradictions that failed to yield a consistent, robust notion of citizenship and its requirements.281 Liberals, he argues, held inherently contradictory political values, especially on matters of citizenship. Though they regularly “waved the banner of local liberty and rights-based citizenship with great fervor” during the 1860s, they also retained a deep suspicion of universal suffrage, and continued to identify the middle classes as the bearers of liberal values.282 In Hazareesingh’s interpretation, these problems cannot be reduced simply to the tension between strategic electoral aims and philosophical first principles. Rather, the problem, he contends, was with the principles themselves, incongruous and yet entrenched across liberal thought.

280 Ibid., 106: “The liberal center had been squeezed out of politics, after being a key player in the political game, whether in the government or in opposition, from 1815 to roughly 1851, 36 years in all.”
282 Ibid., 230.
These contradictions manifested in the contours of the liberal party itself. Hazareesingh presents the image of a party divided, split between Orlèanist elites who wished to carry on the legacy of the July Monarchy and its culture of limited suffrage, and a more democratic faction, represented by those who came to politics after 1848.\textsuperscript{283} From this perspective, Second Empire liberalism is hardly worth studying as anything more than a passing historical ideology and failed political movement, and figures like Laboulaye are simply representatives of an outmoded, even incoherent tradition of thought.\textsuperscript{284}

Yet as I argue in this chapter, Laboulaye’s work represents the possibility of continuity, rather than incoherence, in the liberal tradition. As he sought to revive the lessons of Constant and Tocqueville, he also adapted those lessons for democratic politics, and recognized that the future of the liberal party consisted in a “a programme for modern democracy.”\textsuperscript{285} This melding of liberal past and democratic future is nowhere more evident than in his reflections on citizenship and social class. Laboulaye not only “sincerely accepted” the fact of universal suffrage (and urged his liberal contemporaries to do the same), he located the working classes at the center and as the “life” of the French nation. Rather than seek traditional guarantees of capacity in property ownership and middle-class status, as his predecessors had done (and many of his contemporaries still tried to do), Laboulaye recognized the beginnings of capacity in the associational activities of the working classes after 1848. His thoughts on suffrage and class thus represent the recovery of “evolutionary” political capacity at the heart of Guizotian citizenship, an ideal François Guizot himself disavowed in public life but which he nonetheless extolled in

\textsuperscript{283} Ibid., 185-187.
\textsuperscript{284} Gray argues that neglect of liberal thought in the 1850s and 1860s exemplifies the prejudice of French scholars against the Second Empire and its so-called “tawdry politics.” He notes that only three major figures in the liberal opposition were the subjects of monographs from roughly 1970-2000: Anatole Prévost-Paradol, Emile Ollivier, and Jules Simon. See Gray, 25 and n.32.
\textsuperscript{285} Laboulaye, \textit{Le Parti libéral, son programme et son avenir} (Paris: Charpentier, 1863) 5.
theory. In recognizing the emerging capacity of the working classes and their role in a changed France, Laboulaye acknowledged, in fact accepted, the possibility of an expanding citizenry and a more democratic nation.

This acceptance of democracy, however, required neither the “retreat” nor the abandonment of liberal principles. What Rosanvallon calls “the crucial question” of the nineteenth century – the relationship between liberal principles and democratic politics – could be answered for Laboulaye by reference to education. The goal of the new liberal party, as he presented it in his *Le parti libéral* (1863), was to “enlighten” and instruct universal suffrage, and to provide the foundation in freedom and rationality necessary to direct the masses toward the “best” political ends. Though he retained certain liberal anxieties about mass politics, he recognized that France was inevitably moving in a democratic direction, with the workers at its center. Educating, rather than resisting, this movement would ensure both an ongoing role for the liberal party to preserve the freedom of the individual against the reach of centralized state power.

This is not to suggest, of course, that Laboulaye’s new liberal party succeeded, or even emerged as dominant in the landscape of French politics, nor that his vision of citizenship ultimately prevailed. The goal of this chapter is not to reconstruct or reinterpret the liberal party in French history, or to hunt for some degree of historical success amid practical failure. It is to suggest, rather, that there remains something of theoretical value in Laboulaye’s contributions on citizenship, and that these contributions allow us to reinterpret his thought as neither an instance of liberal surrender nor retreat in response to democratic demands. It also characterizes Laboulaye’s thought as an instance of both continuity and innovation in the liberal tradition. In reclaiming the possibility of evolving capacity, and aiming to educate and direct it, Laboulaye
offered a nuanced, indeed progressive view of liberal citizenship that at once reaches back to Guizotian theoretical foundations, and also looks forward to regime of universal suffrage.

This chapter focuses largely on Laboulaye’s manifesto for the new liberal party, his *Le Parti libéral, son programme et son avenir*, authored in 1863, since it contains his most systematic reflections on individual liberty and universal suffrage, along with his normative vision for what the party might accomplish. I also refer to his lectures and correspondence when they illuminate statements in *Le Parti Libéral*. Before turning to his thoughts on citizenship and suffrage, it is necessary to situate his work among the broader liberal positions regarding the franchise that occurred after 1848, the turning point of Laboulaye’s own life and career. We look first to the suffrage debates of 1850, specifically to liberals’ attempts to bring capacity “back in,” even under a mandate of universal suffrage.

I. “Everything for the Poor, Except the Government”: Liberalism and Suffrage after 1848

*The Second Republic and the suffrage law of 1850*

The circumstances of 1848 had the curious effect of largely solidifying the liberal position on suffrage, if only for a time. Faced with the threat of socialism and the reality of universal suffrage, liberals who previously disagreed about suffrage under the July Monarchy coalesced around a common fear. Pierre Jules Baroche and Charles de Montalembert, among others, warned that the constitution’s system of universal, direct male suffrage was simply a scheme to ensure the triumph of socialism.286 The Constitution of 1848 also inspired Thiers’ famous speech about the “vile multitude,” where he maintained that history would repeat itself: the many would soon relinquish the republic for the bread and circuses promised by a new

Caesar.²⁸⁷ Above all, he cautioned, the incapable multitude must be barred from participating in politics. “Everything for the poor,” he declared, “except the government.”²⁸⁸

Debates surrounding universal suffrage implicated at least two intersecting issues. First, it involved the problem of the urban workers and their involvement in politics (Guizot’s dismissed “third class” and Thiers’ “vile multitude”), a long-standing source of liberal anxiety, now revitalized following the revolts of the Parisian working classes in June 1848. Fear of the workers dominated liberal discourse, and made liberals into “conservatives,” set on resisting universal suffrage and the “progress of socialism” they associated with it.²⁸⁹ Second, the constitution of universal suffrage also enfranchised more conservative, rural voters, and liberals also had to consider the more-favorable voting habits of the rural populations when weighing strategies that would restrict suffrage.²⁹⁰

For most liberals, the challenge was to find new means of guaranteeing capacity, even under a constitution that mandated direct, universal male suffrage and barred explicit property qualifications for the franchise. They also had to balance the need of tempering the urban “vile multitude” with that of preserving the more conservative political perspective of the rural voters. In weighing these options, liberals proposed a three-year residency requirement, proven by continuous payment of direct taxes, or a certificate provided by one’s employer that could confirm residency in a single place for three years.²⁹¹ The consequences of this new law were unmistakable: it avoided impinging on the letter of the constitution while nonetheless

²⁸⁷ Discours parlementaires de M. Thiers, 24 May 1850 (Paris: Calmann Levy). It should be noted that Alexis de Tocqueville was a member of the Committee for the Constitution. For his account of the committee’s proceedings, see Recollections, trans. Alexander Teixiera de Mattos (New York: Macmillan, 1896) Part II, Ch. XI.
²⁸⁸ Thiers, Compte rendu, 24 May 1850.
²⁸⁹ Baroche, 23 May 1850.
²⁹⁰ In light of liberals’ concern with rural voters, the motivation behind suffrage reform seemed to be an attack democracy and socialism, not the Republic per se.
²⁹¹ They framed this requirement in terms of capacité domiciliaire.
undermining its spirit. Under the law, a large number of unemployed or poor voters, many of whom were constantly moving from town to town in search of public relief or to short-term residences within the city in search of work, would be excluded from the franchise.292 The law hit the cities hardest of all, where mobility was high and housing temporary. Approximately sixty percent of voters in Paris were disenfranchised as a result of the 1850 law, essentially the entirety of the “vile multitude” – the Parisian working classes. In the more rural department of Moselle, by contrast, the law excluded only fifteen percent of the male population.293

Although the law did not require explicit property requirements, it retained the ideal of economic capacity, drawing an implicit link between economic participation and the interests of society, an ideal akin to what Guizot called “social interest.” The motivation behind the law calls to mind Guizot’s reflections in the History of Representative Government in Europe on the social character of voting and the connection between participation and place. The relationship between one’s membership in a given community, signaled by economic participation and property ownership, and one’s capacity as citizen re-emerges in the language of liberal support for the 1850 law. Ferdinand Béchard echoed Guizot on this point, and argued that a political contract is “an organized body living a common life, an ensemble of social aggregations, from the family to the state, which express not individual ambitions or passions, but collective interest.”294 Liberals tied the political act of voting to the social experience of living within a community. Those without a permanent home, often and especially the urban poor, lacked the requisite experiences of common life to participate in politics.

292 This image calls to mind Tocqueville’s characterization of a mobile pauper class, lacking consistent membership in a given place and community. See his first Memoir on Pauperism.
293 The results were similar to Paris in the industrial cities of Lille and Nimes, and as high as eighty percent in Roubaix. Rosanvallon (1992) 402.
294 Ferdinand Béchard, Compte rendu, 22 May 1850.
The 1850 law had two notable influences on the suffrage debates. First, it allowed liberals to bring capacity back in, albeit in a new form. The law’s residency requirements revived the ideal of “the social interest” and its connection to individual habits of economic self-sufficiency and personal well-being. Underlying the residency requirement was an important lesson about self-sufficiency. One had to prove capable of keeping a permanent home and maintaining a self-sufficient lifestyle to be considered first a member of a given community, and then a citizen of the nation, a participant in the franchise. Even after the fall of the liberal July regime, in the midst of growing socialist and democratic sentiment and under a constitution that mandated universal male suffrage, liberals succeeded in redirecting suffrage debates toward capacity. In so doing, they also drastically reduced the number of working-class voters.

Nonetheless, this vision of capacity differed in kind from that offered by theorists under the Bourbon and July regimes. Whereas Guizot and the Doctrinaires championed the capacity of the middle class almost exclusively (especially as leaders of the July regime), the 1850 reform avoided explicit praise of the middle class altogether. Perhaps it had to. If liberals wished to maintain capacity as an ideal under increasingly democratic conditions, the language of middle class ascendancy would have to give way to something at least theoretically more inclusive. As Guizot advocated in his earlier writings on European history, the very idea of capacity itself would have to evolve to keep pace with changing economic and social circumstances. Though Guizot himself remained unwilling to acknowledge in practice the very principle he articulated in theory, his contemporaries at least recognized the necessity of compromise. If they wished to survive politically, liberals could not remain preoccupied with keeping all but the bourgeoisie out of politics. Their willingness to concede this point allowed them to retain the language and concept of capacity (if only for a time, as we will see), while avoiding a complete embrace of

295 See Ch. 1.
democratic political right. But this willingness also allowed a far larger group to exercise the franchise than under earlier liberal theories of government. The outcome was still far more democratic than most liberals would have preferred.

The Second Empire and the liberal opposition

As Rosanvallon estimates, the 1850 law excluded approximately thirty percent of male voters, who would have initially participated under the Constitution of 1848. Though many liberals feared the law too democratic, it withdrew the right of suffrage from many who had previously exercised it. Despite their willingness to allow some reform, liberals still could not accept universal suffrage on its own terms, and remained caught somewhere between satisfying their own principles and acquiescing to democracy. Because of this “middling” position on the franchise, they found themselves in a precarious political position between 1850 and 1852. They could promise neither the stability of a Napoleon III, nor the equality of universal suffrage. By the time liberals attempted to reform suffrage again in 1851 – to broaden it, in the hope of gaining lower class support – they lacked all credibility in the eyes of the people. Louis Girard

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296 Rosanvallon summarizes the liberal strategy as an attempt to “outwit” universal suffrage by means of a “compromis bâtard.” Le sacre du citoyen (1992) 402.
297 I am indebted to Alan Kahan and Pierre Rosanvallon for their respective discussions of the suffrage debates of 1850, from which much of historical framework for the previous section is drawn. See Kahan (2003) 80-82; Rosanvallon (1992) 398-404.
298 Tocqueville was on the other side of this debate from the conservative majority in the chamber. He expressed his disapproval with the 1850 law to his friend Nassau Senior, and declared that “the only sure result is that it will eliminate three million voters, most of which, if we must maintain the principle of universal suffrage, deserve to be maintained.” Senior, Conversations with Alexis de Tocqueville, OC VI:2, 261.
298 Rosanvallon (1992) 402. It is estimated that the 1850 disenfranchised about thirty percent of the adult male population, or about 3 million people. As we saw above, this number was much higher in the industrial cities.
presents liberals as the “great losers” of the Empire, since they lost their position of dominance in politics and had to accept, even endure, the fact of universal suffrage.\(^{299}\)

This does not mean, however, that liberals played no part in the public life of the Empire. By the 1860s, a number of opposition newspapers were circulating widely in French cities and towns: *Le Siècle* and *Constitutionnel* in Paris, *L’Eclaireur* in Saint-Étienne, others in Nancy, Grenoble, and elsewhere.\(^{300}\) Some liberal statesmen, Laboulaye among them, took appointments as lecturers at the Collège de France, where they used their historical lectures (Laboulaye’s on American history) to present veiled critiques of the regime.\(^{301}\) Though liberals had difficulty mobilizing votes and popular support, their influence in the press and the academy ensured that voices of opposition would not be entirely quieted.

In many ways, these voices represented a plurality of opinions rather than a unified liberal position. Liberals were divided on issues of centralization, economics, and religion, among others. Perhaps the greatest disagreements concerned citizenship and democratic rule. While the events of 1848 forced liberals to reach a temporary, if unsatisfying consensus on suffrage, old disagreements resurfaced under the Empire. Hazareesingh emphasizes the divisions within the liberal party between what he terms the “party of hope,” open, tolerant, trusting, and willing to accept political change, and the “party of fear,” deeply suspicious of human nature and distrustful of mass politics.\(^{302}\) The divide between the two parties falls roughly along generational lines as well, highlighting the difference between “fearful” Orléanist elites, who led the July Monarchy, and those, like Laboulaye, who came to politics during the 1850s and 60s. The question was whether one could actually speak of a united “liberal party”

\(^{301}\) Gray (1994) 64.
\(^{302}\) Hazareesingh (1998) 188.
during the Second Empire, or whether its internal tensions rendered liberalism nothing more than an disparate set of claims, expressed by a party that could define itself only in opposition to Louis Napoleon.\(^{303}\) Moreover, could liberalism, despite these tensions, survive or accommodate itself to democratic demands?

These questions motivated Laboulaye to author *Le Parti libéral, son programme et son avenir* in 1863. In the work’s opening pages, he implicitly acknowledged the disagreements that came to define Second Empire liberalism, but presented a vision of a party that could accommodate and indeed encourage difference. His wished to push discord and disagreement to the margins, while reclaiming the long-standing principles of the liberal tradition. He urged the reader to see the party not as a small sect with a narrow purpose, but as “a universal church where there is room for anyone who believes in liberty and wants to enjoy it.”\(^{304}\) In presenting this image, he undoubtedly wished to appeal to the lower classes and to anyone who had been alienated by the July regime. But with this appeal, he sought also to bring liberalism’s past – its focus on realizing and preserving liberty – into consonance with its more democratic future.

Earlier liberal attempts at reform revealed the difficulty of achieving this aim. But for Laboulaye, this project was not a matter of political survival (as it was for most liberals after 1848) so much as social necessity. The working classes, he recognized, had become a conscious, organized force in society, such that they could not be placated or accommodated, but had to be incorporated into the political life of the nation. On this point, he went further than most of his liberal predecessors in devoting serious attention to democracy, as a system to be acknowledged rather than feared or just accommodated.


\(^{304}\) Laboulaye, *Le Parti libéral, son programme et son avenir* (Paris: Charpentier, 1863) v. Unless otherwise noted, all translations from Laboulaye’s writings are my own.
Nonetheless, Laboulaye retained many of his predecessors’ commitments. He was, after all, a *liberal*, and his concern for preserving civil liberties framed his vision of France’s democratic future and the role of the liberal party in years to come. He introduced his concerns in *Le Parti libéral* in terms of the necessity and purpose of liberty, returning to the principles that animated Constant and other liberals in the early part of the century.

II. Laboulaye and the Liberal Program

*Liberties, individual and political*

Laboulaye authored *Le Parti libéral* in 1863 primarily as a manifesto for the liberal opposition, hoping to overcome divisions within his party by presenting the work as “*notre programme*.”[^305] The book was a huge success and sold over 10,000 copies in five years, with a second edition appearing in 1868 and a first reprint in 1872. Laboulaye wished to capitalize on the party’s small victories in the 1863 election, and aimed to unify the opposition in the wake of its very modest but potentially burgeoning political revival. Above all, he wished to reassert the principles that underlie liberalism, which he argued were both “the principles of 1789” and “the principles recognized by all modern constitutions.”[^306] Far from presenting liberalism as an outdated ideology, he argued for the timelessness of its values, as those which at once reached back to the Revolution and forward to the era of modern constitutionalism. These same values, he claimed, could be seen in the four great modern constitutions: Belgium, Holland, Great Britain, and the United States, all of which he touted as models for France.

For Laboulaye, the unifying principle behind liberalism was quite simple. “What we ask,” he wrote, “is the enjoyment of liberties” that allow “each citizen the care and the conduct of his own life,” for it is upon these individual liberties that the fortune, greatness, and even peace of the entire country depend.\(^\text{307}\) He further specified the character of these liberties and divided them into two categories: individual/social, and political. Individual or social liberties delineate the sphere of personal choice and action left solely to the citizen and the society, to remain untouched and unregulated by the hand of the state. Unless charged with a crime, for example, citizens should live without fear of police power, and when charged, remain innocent until proven guilty by jury trial.\(^\text{308}\) In the realm of belief, as well, the individual was sovereign. Each person was “born to search for the truth on his own,” and thus religion was “an individual matter, a right which belonged to each person.”\(^\text{309}\) The citizen of a modern democracy must remain as much the master of his own home – and his own mind – as the feudal baron was ruler of his castle.

Laboulaye’s chosen examples of individual liberty are telling. Colored by the experiences of the Empire, they reveal liberal fears about the extent of centralized administrative power. Much of _Le Parti libéral_ contains a critique of administrative centralization, a system he found both inefficient and unjust, as it denied local actors and individuals rightful say over matters closest to them. Just as centralization had rendered the Parisian a “stranger” in his own city, without control over the decisions and administration of his daily life (municipal liberties),

\(^{307}\) Ibid., 5, 7.

\(^{308}\) Ibid., 15-19.

\(^{309}\) Much of Laboulaye’s thought on religion appears in his discussion of Benjamin Constant in _Revenue nationale et étrangère, politique, scientifique et littéraire_, Vol. III (Paris: 1861) and in his treatise _La liberté religieuse_ (Paris: Charpentier, 1858). Of what little scholarship exists on Laboulaye, most of it explores his work on religion. As such, I do not engage in a thorough exploration of religion in this chapter, but do highlight some of his arguments for religious freedom where they are important to the discussion of citizenship. See Rosenblatt (2012); Gray (1994).
Laboulaye worried that that same system would eventually reach into the minds and habits of individual persons. By beginning with individual and local liberties, he also appealed to what little unity still existed among his contemporaries. Decentralization and the preservation of civil liberties remained two of the few issues on which all Second Empire liberals were largely in agreement, even if they disagreed about exactly how decentralized a system France should adopt. Similarly, the problem of how best to preserve civil liberties also remained a point of contention. But by emphasizing the ends, rather than the means, Laboulaye hoped to begin from a position of harmony (however modest) over discord.

Accordingly, his discussion of political liberty echoes familiar liberal themes. He advocated for a free press, a freely-elected legislature that could exercise legitimate control over the government, and an independent and sovereign judiciary. But he also departed from liberal thought by naming universal suffrage among liberty’s “essential elements.” A country of “truly free people,” he asserted, must possess “a fairly widespread electoral suffrage for the entire nation, or the vast majority of the nation, to take part in public affairs.” This marked an obvious departure from the overarching liberal position on the franchise, which located the foundations for political liberty in a system of limited suffrage, under which only the “best” and most capable citizens exercised political influence. Laboulaye noted, by contrast, that the great

310 “The expenses on primary instructions, homes, charitable associations, on the national guard, on maintenance of roads and sewers…are these matters that do not concern me? Am I not to be consulted on any of these questions, and to be denied the right to elect my representatives who could vote and control these forms of expenditure? What is a Parisian in Paris? A stranger.” Le parti libéral, 112.
311 Odilon Barrot expressed traditional liberal concerns over administrative centralization in his Centralisation et de ses effets (1861). Jules Simon repeated Tocquevillian arguments against centralization in his La Liberté (1859). After the publication of Le parti liberal, Anatole Prévost-Paradol drew on Laboulaye’s arguments in his own program of “administrative reform for France.” See Prévost-Paradol, La France nouvelle (1868).
312 Le Parti liberal, 129.
“free countries” of Belgium, the United States, and Holland all enshrined the principle of a widespread electoral suffrage,” and were made better and freer for it.\(^{313}\)

His discussion of political liberties was not, however, intended as a defense of universal suffrage. His treatment of both individual and political liberty was meant to serve an even larger purpose, and to address a second audience, beyond those already in the liberal party. Far from entirely dividing the two liberties – individual and political – he argued that political liberty must be grounded in individual freedom. In other words, it must depend on the protection of individual action and belief. Speaking of the different types of liberty, he asserted:

All are necessary; but the hallmark of the new liberal party is to have finally understood that political liberties are nothing by themselves, and that the people tire of them as empty and deceptive conventions, if there are not behind them those individual and social rights that are the fund and the very substance of liberty. It is to have misunderstood this truth that, from 1814 to 1848, two governments, animated by good intentions, have not managed to establish in moeurs the liberty that would have saved them.\(^{314}\)

Liberty ought not be presented entirely in political terms, and it is a mistake to think that political liberties themselves constitute the whole of freedom. It is easy to fall into this error, especially when political liberty manifests as universal suffrage, which ostensibly grants “the people” control of their government. But liberty actually depends on those guarantees that protect the individual, in his personal actions and in his beliefs. This is a lesson that Belgium, America, and Holland have already grasped, and why they have also established constitutional guarantees to preserve the freedom of the individual, alongside those designed to limit and check state power.

On this point, Laboulaye’s claims call to mind the warnings of his intellectual hero Benjamin Constant, who also cautioned against mistaking political liberty for complete freedom.

\(^{313}\) In the case of the United States, in particular, he was neither unaware of nor naïve about the exclusions that persisted, and remained an abolitionist and an advocate for women’s suffrage, both for France and in America.

\(^{314}\) *Le parti libéral*, 12. Emphasis mine.
in modern times. “Individual liberty,” Constant declared, “is the true modern liberty. Political liberty is its guarantee…. But to ask the peoples of our day to sacrifice, like those of the past, the whole of their individual liberty to political liberty, is the surest means of detaching them from the former and, once this result has been achieved, it would be only too easy to deprive them of the latter.”

What Constant feared in the wake of Jacobinism, Laboulaye subsequently presented of as one of the more dangerous features of the Empire and its mandate of universal suffrage.

On the one hand, Laboulaye acknowledged that the exercise of political rights, and the system of universal suffrage, were among the central “elements” of political liberty. On the other, he suggested also that these rights may pose one of the greatest threats to liberty itself. Political rights are liberating, attractive, but at the same time distracting and deceptive. When posited alone, he warned, they are little more than illusory forms that promise and even offer the pretense of complete freedom, while ultimately detracting from its pursuit. Individual and social liberties – the protections of one’s property, household, and religious belief, among others – ought to and even must precede political rights if freedom is to endure. Only these individual liberties can become fixed in moeurs and sustain free ways of life. Only these liberties can hope to support stable, lasting political institutions, while preserving the fundamental liberties of the individual.

In framing the whole of Le Parti libéral in terms of two liberties – individual/social and political – and emphasizing the latter’s dependence upon the former, Laboulaye sought to insert the liberal program directly into conversations regarding universal suffrage. His message was clear: political rights, the defining principle of democratic rule, are in fact nothing without the

315 Constant, “The liberty of the ancients compared with that of the moderns” in Political Writings (1988) 323.
liberties revered and protected by the liberal party. Democracy needs the foundation liberalism can provide; liberty itself cannot endure without it. Like Constant, who warned of the deceptive liberty represented by Jacobinism, Laboulaye similarly cautioned against accepting the illusory liberty of universal suffrage without individual guarantees. And what Constant presented as the sources of usurpation became for Laboulaye signs of the troubling development of despotism. This warning was intended for a new audience, reaching well beyond members of the elite liberal opposition to Napoleon III, an audience he hoped to welcome into the “universal church” of the new liberal party. To those who would embrace the Empire because of its democratic elements, he cautioned that such hard-won freedoms would prove fleeting without the aid of liberal principles.

Such principles, though, were not simply those of the Doctrinaires or the July regime. While he aimed to recover and re-articulate liberalism’s timeless values, he recognized also that those same values required the formation of un nouveau parti libéral that recognized France’s democratic social condition. This recognition was to be the “hallmark” of the new liberal party, that acknowledged the need to protect and enshrine individual liberty in the context of democracy. He aimed to create a new party, freed from the “illusions and disappointments” of the past. He did not think that the preceding liberal regime had done enough to enshrine

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316 Constant, The Spirit of Conquest and Usurpation and Their Relation to European Civilization, in Political Writings (1988) 95: “Despotism banishes all forms of liberty; usurpation needs these forms in order to justify the overturning of what it replaces, but in appropriating them it profanes them. Because the existence of public spirit is a danger for it, while the appearance of one is a necessity, usurpation strikes the people with one hand to stifle their true opinion, and subsequently strikes them with the other to force them to simulate the appropriate opinion.” The exchange of true public spirit and opinion for those deceptive but “appropriate” forms parallels the sacrifice of individual to political liberty.

317 Commenting on the regime of Louis Napoleon, Tocqueville made a similar observation much earlier in 1849: “All who have received a liberal education and who have involved themselves either directly or indirectly in public affairs understand and can clearly see that in the name of the sovereignty of the nation, all public liberties have been destroyed, that the appearance of a popular election has served to establish a despotism which is more absolute than any of those which have appeared in France before.” Letter to George Bancroft, 15 June 1849, OC VII, “Correspondence,” 125-126.
individual guarantees in its laws, the very folly Constant warned of earlier in the century, and thus enabled the rise of a Napoleon III based on the “faux” liberty of universal suffrage.\(^\text{318}\) This new party, he suggested, would be truer to the foundations of liberal thought than previous iterations throughout the century. His own definition of democracy reveals the novelty of this more progressive yet traditional liberalism. It also reveals his stance toward the working classes and their place in the nation.

**Defining democracy and revising “capacity”**

In their September 1865 correspondence, the German-American jurist Francis Lieber (a friend and frequent correspondent of Alexis de Tocqueville) pressed Laboulaye to specify precisely what he meant by democracy and “its hoped for victory in Europe.” Laboulaye’s response is illuminating, not simply for the vision of democracy it outlines, but for what it reveals about social class and specifically, the status of the working classes in French society. Laboulaye wrote in reply:

In France today this word [democracy] is a translation of self-government. It is not the power of the numbers that it means, but their free government. This kind of democracy is making progress in France, especially among urban workers. This is where the life of the nation is at this time. The bourgeois, small merchants, minor property owners, have never recovered from the failure of 1848, but the workers are educating themselves, forming associations, founding public libraries, establishing public classes, and if war of government errors do not interrupt this progress we will soon notice a considerable and happy change in the ideas of the people.\(^\text{319}\)

Laboulaye’s juxtaposition of democracy and self-government was clearly intended as an alternative to centralization. Beyond this, though, he recognized that the force behind self-
government can and must come from the urban workers, the current “life of the nation,” who have fostered and maintained a robust civil society even under the Empire. What seemed the exclusive role of the property-owning middle class prior to 1848 – the tasks of education, association, and self-governance – now lies with the working classes, those who were no more than an afterthought in Guizot’s writings on elections, and who appeared as criminals or, at best, potential revolutionaries in other liberal discussions of capacity.\footnote{\textsuperscript{320}}

The implications of Laboulaye’s words are unmistakable. The recovery of liberty and the promise of self-government in France depend not on the “capable” middle classes, those praised by his fellow liberals throughout the century, but on the activities of the working classes. Of course, one might attribute Laboulaye’s more favorable view of the workers to his position within history. In the aftermath of 1848 and in the waning years of the Empire, he could certainly see what Guizot and the Restoration liberals could not: that the working classes had become a conscious, well-organized force in society.\footnote{\textsuperscript{321}} Any party that hoped to survive politically would have to account for such a force. As we have seen, even the liberals most fearful of a vile multitude recognized as much. But Laboulaye’s recognition goes yet deeper. His liberal contemporaries, after all, seemingly remained as intransigent and unapologetic on the status of the working classes as they had for decades, even when confronted with the unmistakable realities of their own time. And when they did acknowledge the workers, their tone was conciliatory rather than hopeful, and their accommodations minimal and still exclusionary.\footnote{\textsuperscript{322}} As Kahan and Girard both argue, liberal discourse in the years of the Empire

\footnotesize{\textsuperscript{320} To a degree, Laboulaye’s words echo the sentiments articulated by Tocqueville in 1847 and 1848, when he warned of the torpor and stagnation that was beginning to plague the bourgeoisie. \textsuperscript{321} See Chapter 2 on Guizot, who dismissed the workers as human beings of necessity. \textsuperscript{322} For example, Auguste Neffitzer wrote that liberals would have to live with the working classes in politics, but lamented the fact that liberals had not broadened suffrage sufficiently under the July
largely exemplified the party’s “retreat” or “surrender” of their principles in response to working-class pressures for democratic reform. What Laboulaye contributes, by contrast, is a view of the working classes as the guiding force behind French society, as the potential bearers and guardians of liberty. His attitude toward the working class was not simply a reflection of his position in history, nor evidence of his acquiescence to an inevitable but unstable democratic politics. It was instead representative of a sincere hope that liberty and indeed liberal values could be maintained without recourse to a now-outmoded, exclusive appeal to the bourgeoisie.

It was the task of the liberal party, in Laboulaye’s eyes, to cultivate the potential inherent in working class movements. This meant, in part, embracing the fact of universal suffrage, without trying to amend or restrict it via property or residency requirements. “To attack universal suffrage,” he asserted, “to try to reduce it or eliminate it by the false tactic of indirect elections, these are views little worthy of a statesman, and completely foreign to the liberal party.” Such tactics were, of course, among the preferred strategies of his predecessors. But they were indeed foreign to the new liberal party, the “universal church” as Laboulaye conceived it.

Moreover, they were inimical to the very values of liberalism. Like Tocqueville in his journeys to America, Laboulaye saw the beginnings of democracy in the moeurs of the French

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324 Le parti liberal, 134. Liberals were actually divided on the subject of indirect elections, under which the electorate selected representatives to intermediate assemblies, who would then appoint individuals to the national legislature. Guizot and Constant both condemned this system – Guizot for reasons he outlined in his “Élections” essay on the relationship between voters and the direct experiences of local life (see Chapter 2). Tocqueville, who spoke approvingly of the system of elections for the US Senate in the nineteenth century, took a more favorable view of indirect elections generally. Again after 1848, liberals expressed concern about the system of direct elections as that which could support the political triumph of socialism. This was part of their conversation surrounding suffrage restrictions during the 1850 debates. On this topic during the Restoration, see Alan Spitzer, “Restoration Political Theory and the Law of the Double Vote,” Journal of Modern History 55, no. 1 (1983) 54-70.
nation, where the passion for equality – social and political – had already entered the manners, character, and temperament of its people.\textsuperscript{325} The rise of the working classes was but an outgrowth of the broader social trend toward democracy. To deny this change in \textit{moeurs}, to deny the emergence of a egalitarian \textit{état social} and accompanying transformations in class structure, was to ignore the social facts upon which liberty depends. To resist history was to lose the fight for liberty before it even began. In light of these social and historical developments, Laboulaye continued, “the liberal party sincerely accepts universal suffrage as the guarantee of freedom, as the means of government, as an instrument of political education. Far from seeking to weaken it, the liberal party would like to strengthen universal suffrage, by enlightening it.”\textsuperscript{326}

Laboulaye’s aim to enlighten rather than dismiss universal suffrage frames the whole of his program for the liberal party, and its role in Second Empire France and beyond. The question now confronting liberals was not how the rule of the capable middle class could be maintained in spite of democratic demands. Rather, it was how the class of the capable could be enlarged, the people enlightened. Accepting the fact of universal suffrage did not mean simply embracing the uninformed rule of an incapable \textit{demos}. True to his liberal origins, Laboulaye recognized the dangers inherent in a regime of universal suffrage, itself an “almighty force” that could realize either good or evil, stability or revolution, “according to the direction that it receives.” He argued that it was the task of the liberal party to provide that direction, and he attempted to outline the means by which this enlightenment could be accomplished.

Laboulaye’s reimagining of the relationship between liberalism and democracy also ensured that \textit{capacité} – the central feature of nineteenth-century liberal discourse – would not fade entirely from political debate, though it would necessarily undergo transformation. No

\textsuperscript{325} Ibid., 134.
\textsuperscript{326} Ibid.
longer could capacity serve as a limitation on democratic right, as a principle that would precede and confer the right of suffrage. Nor would external signs or Guizotian “facts” of capacity – property ownership, income, residency – serve to distinguish full citizens from those denied the franchise. In this respect, he departed from the tactics of his contemporaries, who held fast to important property and residency qualifications for the franchise, even as they reluctantly recognized the need to broaden it. Even under a regime of universal suffrage, Laboulaye suggested that capacity could be maintained as an object worthy of cultivation, a guarantee that would direct the franchise toward the “best” political outcomes. Without the aim to form “capacity,” undirected universal suffrage would tend more often toward evil than good.

But Laboulaye also notably abandoned the explicit language of capacity in favor of the discourse of “enlightenment” or instruction. Though creating a capable electorate remained the end of his program, it was the process of educating or enlightening that concerned him, not the search for outward, static signs of capacity in property ownership and class membership. Though the ideal of a capable citizenry remained, it could not exist in the precise form with which liberals like Guizot, Thiers, and Bechard had used and expressed it within the Chamber. As we will see, Laboulaye’s focus on “the soul” of the voter, rather than what he owned or to which class he belonged, forced a transformation in language, from explicit, static capacity to gradual enlightenment.

Just as capacity, and the language through which it was expressed, had to transform in response to democratic conditions, so too the purposes and activities of the liberty party would have to alter in light of new political circumstances. Liberals could not hold fast to capacity as a counter-democratic ideal, as they had attempted in vain for decades. They must instead approach it as an evolving, elastic standard that could accommodate itself to social change. Focusing on
enlightenment and education was one means of recognizing and indeed promoting this elasticity. And the project of enlightening was now central to the new liberal party, accepting of democracy but nonetheless wary of leaving it unrestrained and unguided.

Still, this idea of “elastic capacity” was nothing new, even if it had been lost in political practice. It was, we will remember, the theoretical heart of capacity as Guizot presented it in his historical writings and speeches, though his own political career contradicted, and at times undermined his theory. Laboulaye’s mission to “enlighten suffrage” should thus be understood as a project of recovery and reclamation. In recognizing changing social conditions, and the place of the increasingly conscious, self-governing working classes in French society, Laboulaye restored the idea of capacity as that which could and indeed must vary alongside underlying social conditions and changes in class structure. If the working classes were in fact the new life of the nation, liberals must see to it that this newly-conceived demos – working classes included – would possess the requisite capacity, the “enlightenment,” to lead the nation, while safeguarding individual freedoms.  

Moreover, Laboulaye’s thoughts on the working classes suggested that they in fact already exhibited “signs” of capacity or enlightenment, and he saw evidence of this in worker associations and other activities undertaken by the lower classes. What liberals like Thiers previously viewed as a source of social instability – an organized, growing working class movement – Laboulaye recognized as the mark of an enlarging capable class, and as the expansion of the electorate in response to a changing democratic society. Just as, for Guizot, the

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327 By the “whole people” here, I adopt the dominate discourse of the time and refer only to the entire male population. Laboulaye himself was an advocate of women’s suffrage, and devoted many of his academic lectures to the subject. In 1843, he published a short work on the history of women entitled *Recherches sur la condition civile et politique des femmes depuis les Romains jusqu’à nos jours*, which earned him the respect of Susan B. Anthony and other members of the women’s suffrage movement in the United States.
Revolution of 1789 had entirely overturned old ways of life, so for Laboulaye the events of 1848 introduced a new social condition, with the once-forgotten and then once-feared workers at its center.\textsuperscript{328} Those who remained just outside the boundaries of modern, commercial society as envisioned by Guizot now assumed their place as the “life” of the French nation. In this unfamiliar social terrain, the determinants of political capacity were not limited to economic activities and property ownership, as they were in the decades following the 1789 and under the liberal regimes of the past. Looking to the vitality of worker organizations, Laboulaye saw in these political and social activities the revised signs of capacity for a social world quite new. He saw the workers’ desire for self-government, and their collective hope \textit{and} capacity to engage in the political process. His goal, therefore, was to foster and maintain the nascent capabilities of the workers, within a society recovering from its most recent revolutions.

Far from excluding entire classes of persons from political participation, the liberal party under Laboulaye’s guidance would align itself with the movement of history rather than rail against it. It would educate rather than condemn universal suffrage. This was what the novel social order demanded. The new liberal party was not only attuned to these social necessities, it would support them. If we take seriously Guizot’s theoretical writings, this was a stance grounded in the requirements of history and the demands of a democratic age, now reclaimed by Laboulaye for a new set of circumstances.

Yet Laboulaye’s \textit{restorative} project was also \textit{innovative}. The new liberal party had to remain attentive to changing social conditions and the emergent capacities such changes would

\textsuperscript{328} See Guizot on world-altering events that “take possession of all that exists in society, transform it, and place everything in an entirely new position…that which [man] sees, he has never seen before; what he saw once, no longer exists as he saw it.” \textit{HORG}, 59. Rosanvallon traces the impact of the Revolution on Guizot’s political thought in \textit{Le Moment Guizot} (1986) 16-26. The revolution of 1848 was for Laboulaye what 1789 was for Guizot. Laboulaye wrote, “the February Revolution of 1848 destroyed all my plans and overturned all of my ideas.” Laboulaye, \textit{Questions constitutionelles} (Paris: Charpentier, 1873) 3.
enable. It also, notably, had to foster those capacities from without. It was not enough to search for signs of capacity where they already existed. Liberals, he contended, must actively direct those capacities; they must intervene in the social state in order to enlighten it. Accordingly, guiding universal suffrage was one of the principal tasks of the new liberal program, and outlining a plan of education stood among its first goals.

III. Enlightening Suffrage, Educating for Capacity

The problem of enlightening universal suffrage was central to Laboulaye’s project in Le Parti libéral, and he devoted roughly a quarter of the work to the subjects of universal suffrage and popular education. The framework for this discussion reveals the degree to which his vision of capacity under universal suffrage departed from earlier liberal attempts to limit the franchise to the pre-determined capable classes. Under universal suffrage, it made little sense to search for outward “signs” of capacity (in residency or property), or to impose external, legal precautions on the franchise, as liberals had tried (and failed) to establish after 1848. Since one could not restrict the franchise on the basis of outward signs, the focus should shift to influencing the “soul of the voter,” for it was inner enlightenment that would provide the guarantees once supplied by property and middle-class membership. The human soul, according to Laboulaye, should remain a subject not only for religious thought and moral philosophy, but a matter for political theory as well. Accordingly, popular education – the habituation of mind and soul – stands as the “first of all political questions, to which the fortune of France is attached.”329 The focus now shifted to enlightenment and education, in the hope that individuals could be made responsible citizens.

But precisely which qualities ought to be cultivated remained an open question. What was the aim of popular education, and which lessons remained valuable for the practice of

329 Le parti libéral, 135.
political life? Curiously, the answer to these questions can be found in Laboulaye’s brief but important discussion of the middle classes – their values, their status, and their role in preserving liberty.

**Middle class values**

Like his liberal predecessors, Laboulaye seemingly revered the middle classes, both for their relative “middling” position within society and the values they embodied. Recalling the *juste milieu* of Restoration liberalism, he warned that “extreme poverty is corrupting, extreme wealth is also,” but urged his countrymen to look toward the mean, as “the strength of the city is in the middle classes, who live by the labor of their minds and of their hands. This is why one of the greatest interests of the state is to protect property, and to guarantee its security.”

He praised the freedom that comes with property ownership, contrasting the middle-class property owner with the slave of antiquity, the former independent and virtuous, the latter “incapable of virtue because he had nothing and did not belong to himself.”

At first look, Laboulaye’s claims seem little more than restatements of earlier defenses of the middle classes, as the rightful bearers of both liberal values and the public good itself. He seems to fall into old liberal categories of thought, which placed the bourgeoisie at the heart of France’s post-revolutionary social state. In this respect, Laboulaye’s theory seems as ahistorical and as reactionary as those of his liberal contemporaries, who tried to hold back the coming of democracy by restricting citizenship to the bourgeoisie.

More remarkable, still, is the apparent contrast between his characterization of the middle class as the “city’s strength,” and subsequent praise of universal suffrage as a “guarantee of

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331 Ibid.
freedom,” two ideals that were and would have been diametrically opposed across much of liberal thought.³³² In his study of Second Empire liberalism, Hazareesingh cites this contrast as evidence of the larger, pervasive tension in liberal discourse on the problem of social class. With the erosion of aristocracy, liberals generally proclaimed the transcendence of class conflict in society, and spoke of “the people” collectively and singly, rather than one particular class over another. At the same time, however, they celebrated the bourgeoisie as an orderly, moderating, and often otherworldly force, a necessary rational counterweight to the excesses of the multitude.³³³

Yet I argue that Laboulaye’s discussion of the middle class, far from entirely exemplifying the tension Hazareesingh identifies, highlights his novel attempt to educate universal suffrage, and to direct the nation toward the values of stability, moderation, and independence traditionally characteristic of the middle classes. While the middle classes previously held these values because of their economic standing, Laboulaye recognized that the same standards could not hold under a regime of universal suffrage, changed by the circumstances of 1848. Just as property requirements could no longer distinguish citizen from non-citizen, establishing “guarantees” for the franchise, neither could experiences of ownership alone provide the necessary requirements for political life. The goal was to approximate these experiences for the whole people, and to enlighten universal suffrage by educative means previously unavailable to the working classes. Though the language of class persists, almost inescapably, the central features of political capacity can and ought to be divorced from socioeconomic class. For Laboulaye, the characteristics of moderation, stability, and personal

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³³² Though Laboulaye authored the letter characterizing the working classes as “the life of the nation” two years later (in 1865), similar statements about class and universal suffrage appear throughout Le parti libéral.
independence provided by a middle class ethos could extend beyond the traditional confines of a single social class. As he suggested, a moderate, informed, interested electorate was the source of the city’s strength, an alternative to a petulant people susceptible to seizure “by sudden and violent passions” of the moment.\footnote{334 Le parti libéral, 142.} The example of the middle class gave shape to the idea of an enlightened electorate; it provided a concrete, well-known image of the kind of even-tempered citizenry Laboulaye wished to cultivate. It was a strong and conceivably attainable alternative to the portrait of the “vile multitude.” Middle class values constitute the end, the goal for which popular education ought to aim.

The new liberal party, under Laboulaye’s direction, aimed to universalize such values. Rather than simply question how everyone could be made “capable,” Laboulaye suggested that everyone could become like the middle class – not materially, but in thought and disposition. It was an ethos, a way of life, rather than a social status and economic position that he wished to promote. The people, rightly directed, might assume the virtues and independence typically associated with the commercial classes. They would recognize the necessity of individual freedom, and promote a stable politics that would support it.

Nonetheless, this was not the vision of middle-class universality articulated by Guizot, wherein the bourgeoisie ostensibly bore the interests of the entire nation by virtue of their social standing. Nor was it simply emblematic of recurring tensions within liberal thought more generally. Laboulaye did not seem to be of “two minds,” one bourgeois, the other progressive. With the right direction, the independence of mind and circumstance characteristic of the property-owning middle classes, and necessary for political life, could extend to the whole nation, working classes included. What initially appears a tension in Laboulaye’s thought in fact captures the whole of his project in \textit{Le parti liberal}: to bring the long-standing principles of
liberalism’s past in line with an increasingly democratic present. And moreover, to support
democratic rule with the foundations of a free society that only liberal thought could provide.
Though his attempts were far from perfect, they nonetheless reveal the evolving aspirations of
the liberal party as he designed it, and its ideal and enduring place in a more democratic France.

Education, popular and political: The American model

Still, the experiences of property ownership and commercial participation that proved
educative for the middle classes of earlier decades would no longer suffice to enlighten the
franchise. In other words, the very means that made the middle class could not in fact serve to
extend middle class values. Though Laboulaye championed the importance of private property
for liberty, he recognized that property ownership alone – the hallmark of a middle class regime
– could not remain the distinguishing mark of citizenship. The masses would have to become
capable apart from the educative experiences of economic participation and ownership, which
granted one a stake in shared civic life. It was not property, residency, and commercial activity
that offered the experiences in and of common life necessary for the franchise, but education
itself that could enlighten and direct universal suffrage.

The theme of education, too, was not entirely novel, nor was it foreign to the liberal
project. It was among one of Guizot’s personal interests, and as minister of education from 1832
to 1837, he attempted to create a system of universal primary education in France.335 He placed
great faith in the ability of an energetic government to act as public educator and disseminate
“lights” and knowledge throughout society.336 Like representative government itself, the right
form of public education could foster reason and justice. And his views on education revealed

335 Guizot’s proposal for primary education never received the requisite support to become law.
336 For more on Guizot and lumières, see Chapter 2, p 64 and 65 above.
some hope – at least in theory – that capacity could be developed as a country progressed in civilization.\footnote{Guizot, “Essai sur l’histoire et sur l’état actuel de l’instruction publique en France” (Paris: 1816). Aurelian Craiutu discusses Guizot’s philosophy of education briefly, but perhaps assigns too much weight to Guizot on education as an element of capacity, ignoring the economic determinants that were undoubtedly central to his thought. See Craiutu (2003) 174-176.}

But Guizot never abandoned the focus on economic activity as an element of civilization, and at best, he saw public education as that which would contribute to or enrich the educative experiences of ownership and commercial participation. Whereas Laboulaye encouraged that education could approximate and universalize middle class experience, Guizot believed that such experiences could not be had apart from economic life and social status.

Nor did Laboulaye share Guizot’s faith in a state-led system of public education. He urged the liberal party to support freedom of education, not only because a liberal education (as in one informed by liberal principles) could provide important lessons in the foundations of freedom, but because the alternative – education by the state itself – was utterly objectionable. His views on universal suffrage reveal the extent of these objections. Once introduced into a constitution, he warned that universal suffrage is impressionable: it can “receive its direction from either a government or a party; it can also yield to influences personal and local.”\footnote{Le parti liberal, 135.} To allow the government to direct suffrage, to allow it to channel and aim to unify the popular vote, would be to undermine the very basis of popular rule. It would supplant the diversity of democracy with the supposed “unity” of despotism. Laboulaye feared such an arrangement of undivided, unchecked power. He questioned:

How can we not see that this unity is the opposite of freedom, and moreover, is a chimera? The world lives and advances by the diversity of opinions. To believe that the will of a single power and its agents is better than the general will of society is to impart a contradiction into the modern spirit, and to deny the same
right to democracy. If we do not listen to the people, what good is it to attribute to them an illusory sovereignty? 339

A system of state-directed “popular” sovereignty highlighted Laboulaye’s fears about the deceptive freedom of political rights. Without a foundation in freedom and liberal education, the very tools of democracy would lead to its undoing. Worse still, they would undermine liberty. Laboulaye worried that France was already moving in that direction, under a constitution of universal suffrage and a regime that pushed to unify completely “the nation and the government,” the will of the people and that of the centralized authority. In a thinly-veiled critique of the Empire, he declared further, “Does not it feel as if the government managed to stifle every dissenting voice, that would be the end of French civilization? We would return to the uniformity and decadence of Spain. The country would be dead.” 340

This uniformity, he worried, could be accomplished within a system of “state-imposed” education (his term). To allow the state a monopoly on education (as the Church held historically) was to “sacrifice the whole man,” his “conscience and his reason,” to the quest for some “chimerical uniformity,” wholly defined and imposed by the state itself. 341 Indeed, Laboulaye named “freedom of education” among the individual or social liberties necessary for a free nation and for the support of political liberty. Among his greatest fears was the problem of intellectual centralization – uniformity of thought and opinion – that would result from a centralized, state-directed program for the operation of schools and the lessons therein. Where Guizot saw progress and development from an active, state-led program of education, Laboulaye recognized only uniformity and backwardness. This may have been the obvious effect, of course, of the regime that would direct it: the liberal, representative government Guizot

339 Ibid., 139.
340 Ibid.
341 Ibid., 60.
championed, or the despotism of the Empire Laboulaye resisted. For all of his concerns, Laboulaye nonetheless recognized that “the state can offer education, though it need not impose it,” and advocated a decentralized system of primary education that would grant local authorities the power to exercise control over schools within their jurisdictions. In the realm of higher education, he praised the autonomy of German universities.

Against the startling image of a uniform and “dead” France, he praised the vitality of America. The program of education he had in mind, specifically for France but also for any free nation, was inspired by a country he had never visited but deeply admired. Nearly all of his recommendations for how to enlighten suffrage emerged from his vision of America, both cultural and institutional. Though the French were only now grappling with the system of universal suffrage in the mid-nineteenth century, he claimed that the Americans, “living in a country where democracy is sovereign,” have long seen education as “a matter of life or death” for the republic. It was only sensible, according to Laboulaye, to follow a country so experienced and successful in preserving liberty and democracy.

Laboulaye argued that the Americans had already grasped the end and purpose of education, a theme the French had yet to apprehend fully. Like the French liberals, the Americans were well-aware that liberty can be sustained only by the right kind of citizenry, those who “know how to rule themselves” in their personal and political lives. This description of the self-guiding citizen calls to mind earlier liberal characterizations of the measured, stable middle-

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342 He went so far as to advocate a system of free public education controlled by local school boards, an idea he took from the work of Horace Mann in the United States. See Laboulaye, “De L’Education,” in *Discours Populaires* (Paris: Charpentier, 1869) 82.
343 Laboulaye’s health deterred him from ever making the trip to American. His *Paris en Amerique* (1863) gives a somewhat bizarre fictional account of his drug-induced journey to “Paris,” a small New England town. Despite having never visited the country, Laboulaye was well-versed in American institutions from his own studies and correspondence with Lieber, Edward Everett, William Ellery Channing, and others.
344 *Le Parti libéral*, 151.
class voter, who was not only materially self-sufficient, but more importantly, exhibited an even-temperedness that displayed his capacity for political life. But the Americans have presumably gone further in seeing what liberals in France would or could not. In pursuit of a stable, self-ruling citizenry, they “have everywhere established schools of different degrees that allow the poorest individual to receive solid and varied instruction” in subjects from geometry to geography to physical education. Their innovation, then, was the extension of these lessons to even the poorest persons, who they saw as indispensable and vital to the life of the nation as anyone else – perhaps even moreso. Whereas French liberals earlier in the century, and even under the Second Empire, treated the poorest classes generally as exceptions to a progressive, free, commercial society, the Americans knew that liberty depended on the enlightenment of those same classes.

By focusing on the education of all persons, the Americans have obtained, according to Laboualye, “admirable results.” Educated citizens are the norm, ignorance, “the exception,” and there are few citizens who cannot read and do basic arithmetic. But it is not simply these individual outcomes – or these academic lessons – that are remarkable. More important were the social outcomes that resulted from such lessons. It is easy to speak to Americans, rich or poor, about politics and morality, for they possess a certain “respect for the Constitution and love of

345 Ibid., 152-3.
346 For the purposes of this chapter, I leave aside the question of whether Laboualye’s characterization of American education – its motivations and designs – is in fact accurate. Walter Gray alleges that many of Laboualye’s ideas about America were “naïve,” simply because they were all learned second-hand, since Laboualye could never visit the country. Ultimately, I argue that the accuracy of his claims does not really matter, as the idea of America, rightly or wrongly presented, serves as an ideal for emulation, not a subject of historical study in his thought. For Laboualye, though, getting America “right” remained a subject of concern, and he criticized Tocqueville for presenting an account of American society that was in some respects “not exact.” See Gray (2002) 55 and Laboualye to Lieber, 15 September 1863.
liberty” that in turn supports the American system. In a brief passage that mirrors Tocqueville’s claims about the educative elements of American democracy, Laboulaye claims that through education, the “poor citizen becomes aware of his duties and rights, and expands his faculties to their full advantage.” Though the precise mechanism by which the Americans accomplish this remains unclear (Laboulaye does not elaborate), it is presumably through expanding his intellectual faculties that the individual citizen becomes more capable of recognizing both what is owed him – his fundamental freedoms – and what he owes his fellows – his duties in a democratic society. This brief but important acknowledgement on Laboulaye’s part echoes Tocqueville’s praise of American democracy, as a social state that grants individuals the knowledge of their rights and their place in civic life.

Still, the remainder of Laboulaye’s discussion of education helps to illuminate his brief claim about the political “awareness” that arises from the American experience. For it is not academic lessons, narrowly-conceived, that distinguish America. We must remember that:

Education is not only preparation for life; it opens the mind, it does not fill it. It is therefore not enough to instruct the child, it is necessary that outside of school, every day brings a new lesson, it is necessary that there be a perpetual education for the man, the Christian, the worker, the citizen. Here is the immense service rendered freely to society, by the churches, newspapers, public libraries, and thousands of associations...It is in this way that freedom of association is a political liberty no less than a social liberty; liberty is all the more valuable when it fights unceasingly ignorance and evil passions. It carries light into these wretched hovels, where jealousy and hatred ferment; it stifles the revolutions in their homes.

347 There are times in Laboulaye’s thought when his description of education seems far from entirely “free,” as it seems directed toward enforcing and fostering liberal and constitutional commitments above all others. This is a tension he appears not to recognize, or at least fails to acknowledge. It could be the case that Laboulaye sees the two as mutually reinforcing: a liberal education will naturally induce one to accept liberal principles, and those principles in turn support the idea of free (as opposed to state-led) education.

348 Le Parti libéral, 154.

349 Ibid., 157.
The most formative education arises through the everyday practice of democracy, in the sphere of a robust civil society. Here, via the experiences of associational life, the man, the worker, and the Christian also become the citizen. Formal education “opens the mind,” disposing the individual toward instruction; democratic or social practice provides concrete, experiential lessons in common life for a mind expanded. Such experiences within civil society have far-reaching implications for politics as well. In granting individuals the use of their freedom, those same practices suppress the sentiments that would lead to instability and upheaval, reaffirming the principles of liberty that lie at the heart of the democratic experience.

This image of American civil society – educative and elevating – mirrors Laboulaye’s description of the worker activities in France. As the associational life of America provides lessons in liberty and even stability, the actions undertaken by France’s urban workers constitute “the life of the nation.” It was neither in the centralized rule of the Second Empire nor in the actions of the narrow bourgeoisie that Laboulaye located the strength and vitality of his country. The best guarantee of liberty instead rested with the workers, who truly embraced self-government and all that comes with it, and who have accordingly begun to grasp the right lessons for preserving a stable democracy – even without overt knowledge of what the Americans had already achieved.

Curiously, what began from within the social state had to be fostered from without. The social circumstances that led the workers to exhibit signs of capacity were necessary but, in Laboulaye’s eyes, insufficient to ensure that that capacity was properly directed and supported. As his image of a “dead France” suggested, there was little reason to think that capacity would always lead to stable or indeed “free” outcomes. It was impressionable, subject to outside influence but also reliant on influence for its direction. In this way, his thought represents a
break from the broader liberal tradition. Liberals generally conceived of the social order as a
directing, “first principle” for politics, and presented capacity as the guarantee of a stable
citizenry. Laboulaye similarly “trusted” social circumstance and sought to create a politics that
mirrored it. Nonetheless, he remained skeptical that the social state could remain free and stable
without the guiding hand of the liberal party. This skepticism was perhaps the result of his
context. Because of his experiences under the Second Empire, Laboulaye believed that the
social conditions that fostered capacity could not be trusted to sustain it. Those very conditions
could not be guaranteed to endure under a despotic regime. He saw to what degree a centralized
politics could disfigure the social state and supplant true freedom with a deceptive kind,
masquerading as popular sovereignty. Though social conditions had fostered capacity, those
conditions alone could not support it. Laboulaye intended to enhance the burgeoning capacity he
observed in society, and to counter the despotic influences of the state, by following the
American example in France.

Returning to France: educating the workers

For Laboulaye, America represented far more than an elusive hope. In turning to its
institutions, as Tocqueville had, he wished genuinely that France would adopt the American way
of life in its own borders, and urged that such adoption was both necessary and possible. Even
more earnestly and explicitly than Tocqueville, Laboulaye believed that at least some of the
moeurs supporting American democracy had emerged in France, underlying the nation’s

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350 Laboulaye did not share Tocqueville’s aristocratic leanings and sentiments, allowing him to embrace
democracy more earnestly and completely than Tocqueville. For more on Tocqueville’s persistent
newfound passion and disposition toward equality.\footnote{Rosanvallon names Laboulaye the most ardent member of the “l’école Americaine” in France. On this element of his political thought, Walter Gray’s work on Laboulaye the Americanist remains our best resource. He cites Laboulaye: “Let us not copy the Constitution of the United States, but let us profit from the lessons it contains, and, while remaining French, let us not be embarrassed to follow the example of a Washington.” Laboulaye, Histoire des États-Unis, qtd in Gray (2002) 58.} He also believed that liberal principles could support those \textit{moeurs}, and that the right kind of education could ensure their preservation.

He also acknowledged that, in some cases, the American example would have to be adapted. Drawing on what America offered, he presented distinct ideas for France, in light of his country’s place in history and its particular need to promote capacity among the previously-excluded working classes. It was important to him that, even with the lessons offered by America, “the French could remain French.”\footnote{Ibid.} To this end, he advocated for \textit{popular} education in France, open to all classes, through a system of free public libraries and public lectures. As important as he found formal education, both primary and secondary, he acknowledged that the lower classes would be better served by popular forms of education, especially in the short term. This form of instruction suited what was already emerging spontaneously among the working classes, who had formed associations and societies independently. Civil society provided the conditions for capacity’s emergence. It was from \textit{within} civil society that education would and should foster it.

The movement for subscription libraries was just beginning in France around the time of Laboulaye’s \textit{Le Parti libéral}, and he praised the country’s growing support for the program.\footnote{The Société Franklin, of which Laboulaye was a member, had already undertaken the establishment of a free public library. Moreover, La Société du Travail had advocated for public libraries as part of its program of worker education, and Laboulaye saw no reason why a similar program could not be extended throughout the country. The minister of the interior, M. de Persigny, had also expressed support for the movement. See Gray (2003) 51-53.} He also encouraged the libraries to hold open, public lectures, on subjects as varied as science, history, government, and even the importance of education itself, and regularly delivered public
lectures in addition to his academic duties at the Collège France. A collection of his lectures, many of them directed toward the working classes, were published in *Discours populaires* in 1869. As Walter Gray notes, Laboulaye took great pride in having workers (and women) attend these lectures.354

**Political participation**

Each of Laboulaye’s proposals for popular education revealed his profound faith in the working classes, a faith in both their willingness to learn and desire to improve. Popular education, after all, is of little effect for those unwilling to listen. Given the collective, educational activities in which the workers had already engaged – the establishment of associations, libraries, education programs – and the signs of enlightenment they had already displayed, Laboulaye had reason to believe that those classes would continue to progress in capacity if well-educated, and that their capacity could be channeled to the benefit of the nation. Yet the question was precisely how far this faith extended – specifically, whether the workers could become enlightened through political participation itself. Could engagement in politics, through the act of voting, exercise an educative influence over the working classes? Did Laboulaye identify the potential for improvement and progress with the democratic process? Could politics prove educative, or would the lessons of responsible political practice have to be grasped prior to – or at least apart from – participation?

Laboulaye remained curiously silent on this particular question. The themes that occupied Tocqueville and even John Stuart Mill about the potential psychological and social benefits of political participation are notably absent from Laboulaye’s account of education.355

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355 This is especially true of Mill in *Considerations on Representative Government* (1861).
This is perhaps because he had already accepted the reality of universal suffrage, and sought to enlighten rather than resist it. Recall that his concern was neither to oppose nor champion universal suffrage, but to accept it, all the while channeling it toward good over evil, liberty over tyranny. Even if participation did have educative effects, it would still need to be enhanced by universal education, of the type Laboulaye already endorsed.\footnote{Note that Laboulaye does not anywhere deny that the exercise of suffrage itself could provide certain lessons. I only comment that he does not explicitly address this question. There were other liberals in France around the same time who believed that universal suffrage could prove, if not enlightening, at least “self-regulating,” and thus justified universal suffrage as more palatable. See the Manifesto of the Ligue de la Decentralisation: “it is by giving universal suffrage the opportunity to exercise itself freely and often that it will come to regulate itself.” (Paris: 1870) 4. It remains important to note, though, that these arguments remained in the minority in France.}

He did acknowledge the similarities between the associational life characteristic of civil society and the political act of voting. Both liberty of association and universal suffrage were among the guarantees of “political liberty,” that could at once restrain the passions for revolution and support political liberty of the right kind.\footnote{See \textit{Le parti}, 129.} Throughout his writings, though, he remained deeply skeptical about the political outcomes of an undirected, uneducated constitution of universal suffrage, believing it easily co-opted and turned toward the goal of so-called national “unity,” an end that in reality amounted to little more than despotism. His very definition of universal suffrage speaks to this anxiety:

Universal suffrage is an all-mighty force, therefore a force which, according to the direction that it takes or that it receives, can do with the same energy either evil or good. The popular vote may support a government, as it can overturn it; it can save the country, as it can lose it. Once you introduce into the constitution a force of this nature, you have instruct it, because it is intelligent; you must moralize it, preach to it, because it is sovereign.

He seemingly retained little hope that such an all-mighty force would prove self-correcting or self-enlightening, without the foundation of “enlightenment” or instruction.
Though endowed with an inherent “energy,” there was little guarantee that the uninformed masses would channel that energy into the right political outcomes, or that their whims would naturally tend toward stability over revolution. This conclusion might strike us as strange, even contradictory, given Laboulaye’s “sincere” acceptance of universal suffrage as an element of the political order and even a tenet of the liberal party. But his aim was “to accept and strengthen” the franchise, to educate what was an otherwise a force naturally without direction and without purpose. It was not merely to accept the movement of history as such, or to stand idly by as it took its course. The events of 1848 that transformed and influenced the whole of Laboulaye’s career also motivated his skepticism of democracy, a social state he was willing to accept rather than resist, but one he saw necessary to enlighten for the good of the nation. Without the direction provided by free and popular education, there could be no lasting faith in the capacity of the people to maintain a stable society or a lasting politics. Even if the workers had begun to make some progress in this direction, their interests were too easily turned, and the centralized state too powerful, to guarantee sustained progress without fostering an educated populace.

In this respect, Laboulaye shared liberal anxieties about the temperament of mass politics. But those same anxieties that drove Guizot and the Orléanist elites to reject political democracy as “the greatest of ills” would now be channeled to support a schema of popular and formal education for the entire nation. Open to the social changes wrought by both violent revolution and subtle evolution, Laboulaye at once accepted the constitution of universal suffrage and the social condition of democracy. As this chapter has revealed, that acceptance did not entail a complete abandonment of the liberal project, nor of the priorities of stability and individual freedom that sustained liberal thought throughout the century. Though evolving social conditions now situated workers at the heart of the French nation, there nonetheless remained
sufficient space – and need – for human agency to direct the emerging democracy. This “space” was precisely what made the new liberal party so valuable to Laboulaye, and so worthy of unified support even amid the ideological divisions that characterized liberalism after 1848. It was the hope that democracy could be turned toward the cause of liberty that animated his acceptance of universal suffrage, and his declaration that liberal principles, far from being antiquated expressions of a middle-class ideology, could continue to support lasting, free institutions.

IV. Conclusion: Laboulaye in the Liberal Landscape

Despite his prominent role in the opposition politics of the Empire, Laboulaye has been largely lost in the landscape of liberal history, and his thought eclipsed by the divisions and electoral failures of his own party. When he is mentioned, it is in the context of liberalism’s so-called retreat in response to political democracy. His thought is taken to be part of liberalism’s “adaptation to exigency,” its reluctant surrender to “the inevitable”: the rise of universal suffrage and the entrance of the working classes into politics. Like his contemporaries, Thiers, Bechard, and Rémusat among them, he supposedly represents acquiescence, the loss of a truly “liberal” tradition and the existence of an ideology that remained only a shell of its former self.

As I have argued, however, such generalizations obscure the novelty and nuance of Laboulaye’s contributions to the French liberal tradition. His goal, as we have seen, was to create a new liberal party, faithful to the principles articulated by Constant and Tocqueville, but alive to the changing needs of French society after 1848. His vision for the liberal party was quite progressive, as he was open to accepting – not just accommodating – political democracy and the status of the working classes. It was at the same time traditional, grounded in the

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foundations of individual and social liberty praised by nearly all liberals since the Revolution, Constant and Tocqueville chief among them.

Perhaps no single issue better captures these two complementary facets of his thought than that of citizenship. In addition to reclaiming the principles that underlie liberal thought, he also revived the ideal of evolving capacity in Guizot’s theoretical writings, and with it, a vision of the citizen that varies with changing economic and social conditions. He placed the workers at the center of a new society, utterly transformed by the events of 1848, and recognized that the previous economic determinants of citizen capacity – property and residency chief among them – could not delimit standards for political inclusion. The new liberal party would have to remain faithful to the promise of Guizot’s vision, and would have to alter its ideal of “the capable,” and its search for the signs of capacity in light of new social circumstances.

The aims of the party, too, would have to advance alongside the progress of history. Its task was not to resist the emergence of a new capable class, but to foster it actively, and specifically, to ensure that an “enlightened” and instructed citizenry would prevail over an ignorant one. Enlightenment, however, was not entirely synonymous with the economic activities or the standing of a single class. It was instead an ideal that could be extended through the right kind of education, directed at fostering freedom in the human soul and thus making moderate, engaged citizens out of atomized individuals. His concerns remained fundamentally liberal, but they were now adapted and transformed to meet the demands of a changed social order, shaken by the events of 1848. This was what a liberalism faithful to the theoretical promise of Guizot – though not to his political legacy – would have to accomplish.
The party of hope and the party of despair

Laboulaye thus navigated the century’s crucial question – the confrontation between liberalism and democracy – by calling upon liberal principles to educate democratic processes. His work, an instance of both continuity and innovation, represents the hope that these two visions could be unified to realize the end of a freer, more stable France. If Laboulaye represented such a hope, and also embodied the “faction of hope” in the liberal party itself, other liberals exemplified the face of retreat at best, and what Hazareesingh calls “the party of despair” at worst. Perhaps because of an unwillingness to embrace the many lessons Laboulaye wished to impart, liberals still found it difficult to succeed in electoral politics. At least in part, their failure was due to the sheer difficulty of their task: trying to preserve liberal ends in illiberal times, under the despotism of the Empire. But liberals also failed to live according to their own standards. They remained unable to “embrace” democracy sincerely, as Laboulaye urged; as such, their contributions to politics remained scattered and ill-defined. Without a distinct place in electoral politics or public life, they faced what Alan Kahan has dubbed a “crisis of self-confidence,” leading one of Thiers’ supporters to question seriously in the waning years of the Empire, “who are the liberals?,” and to receive no satisfactory answer.359

Laboulaye’s perspective illuminates the source of this crisis of confidence. The problem with many French liberals is that they wished to conserve as static that which was intended from its theoretical beginning to be elastic: the concept of capacity and the boundaries of a capable citizenry. In this respect, they betrayed the very roots of the concept as Guizot (in many ways, their common “teacher and guide”) first articulated it. And unmoored from this, their first principle of citizenship, all that remained was an ideology of “exigencies” and necessities.

359 See Kahan (2003) 114. Kahan attributes these words to Henri Hebette.
Furthermore, they also seemed to lose sight of the first principles upon which a liberal theory of citizenship ought to – and was designed to – depend. In favoring a static concept of capacity, defined by middle-class membership and economic requirements alone, they lost the ideals of “the social interest” and the relationship between one’s place as a member of the polity – self-sufficient, independent, productive, and rational – and one’s standing as a citizen and participant in political life. In liberal theory, the economic determinants of capacity were never intended as ends in themselves, but served as “signs” of both inner capacity and social belonging, values that would serve the life of the nation. Yet liberals ultimately reduced the social to the economic, and in so doing, lost sight of both. The ideals that once made a liberal vision of citizenship, despite its flaws, so compelling and so necessary for the preservation of liberty had seemingly been sacrificed in pursuit of electoral success, and utterly abandoned when those pursuits amounted only to failure.

Despite this, however, we ought not lose sight of what I have called the promise of liberal theory. Such a promise received first expression in Guizot’s works on philosophical history, re-emerged through the language of right in Tocqueville’s examination of pauperism and social exclusion, and then stood, reclaimed, at the center of Laboulaye’s design for a new liberal party. Nonetheless, the question remains whether this theoretical promise, when disentangled from the failed practices that came to obscure it (if it can be so disentangled), might speak beyond the unique circumstances of post-revolutionary France. Is the discourse of capacity simply outdated, and altogether unfit for discussions of contemporary politics? What, if anything, remains valuable for us in liberal thought on citizenship? In the final chapter, we revisit these questions as enduring, normative concerns surrounding the problems of political inclusion and exclusion.
Chapter 5

The Limits and Promises of Liberal Citizenship

The image of French liberalism that emerges from this project is, in part, one of tensions and limitations. This narrative is by now quite familiar. While liberals did succeed in advocating for civil liberties (their attention to freedom of the press, assembly, religion, and association remained an enduring part of political discourse), there can be little doubt about their failures to remake the French citizenry in their own image. By the end of the Second Empire into the Third Republic, they could do little to impede the progress of political democracy, or to preserve the ideal of “the capable” that would restrict citizenship to the so-called rational and industrious.

But this project also highlights a forgotten, even obscured dimension of this tradition: the richness and promise of its theories of citizenship, specifically the concept of an evolutionary, flexible idea of capacité that lies at its foundation. This is a concept utterly overlooked in surveys of nineteenth century political thought, with the potential of liberal theory hidden behind the failures of the liberal political party. What emerges is not simply a tradition marked by ideological and political failure, but a more nuanced account of the tensions between theory and

360 Aurelian Craiutu notes that many principles of French liberalism (specifically, those that endured) were also those of European liberalism more generally in the nineteenth century: opposition to absolute power, freedom of thought, liberty of the press, trial by jury. Craiutu (2003) 282. In light of this caveat (the preservation of civil liberties), the liberal tradition in France was not necessarily a complete failure, though to liberals it would have certainly seemed that way. Their ideal of capacity remained the intellectual and political heart of their ideology throughout the century, and they saw an inextricable link between the civil liberties they championed and their view of a capable citizenry, who alone could safeguard those liberties.

361 This view, however, is not without its challengers. Pierre Rosanvallon argues that the liberal tradition had a notable influence on the formation of the Third Republic, whose pères fondateurs retained a deep suspicion of universal suffrage and manifested a “democratic elitism.” Even if such suspicions remained, I argue, they certainly did not impact politics to the degree that most liberals would have deemed successful. See Rosanvallon, La Démocratie inachévée (Paris: Gallimard, 2000) 235-41
practice in the construction of citizenship, or to put the contrast more starkly, between timeless questions surrounding the requirements and expectations for citizenship and the immediate demands of political practice. These tensions, as we have seen, manifested in various ways throughout the century. Alexis de Tocqueville, one of the French liberals arguably most open to democracy and certain of its inevitability, expressed ongoing reservations about extending the franchise to the lower classes, even as he turned his attention to the social problems of material exclusion and division. By the time Édouard Laboulaye declared those same classes the “life” of the nation after 1848, liberals generally stood unwavering in their categorical opposition to political democracy, and remained unwilling to recognize the changed society that opened before them.

Yet the original concept of citizen capacity would have demanded such recognition on the part of liberals. For François Guizot, the tradition’s “teacher and guide” on the discourse of capacity and the question of citizenship, capacity was a fluid, progressive ideal, dependent upon underlying social and economic conditions that were themselves ever-changing and progressive. Viewed through the lens of philosophical history, his vision of the capable classes was elastic, and subject to variations in the social state. By Guizot’s own admission, liberals had to remain attentive to these variations, in order to create a politics in conformity with the demands of the underlying social and economic orders. Anything less would provide historically and sociologically naïve, and therefore unfit for the circumstances of the nation at any given time. An ideology that failed to recognize the historical elasticity of capacity was no better than

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In this respect, I disagree with Jeremy Jennings and Pierre Rosanvallon that liberals “were asking the wrong questions from the beginning,” and thus engaged in a project doomed to failure. For liberals, the problem was that the very questions with which they began – who was a member of the French nation, and thus should be a citizen of it – were abandoned in favor of two related alternatives: the pursuit of electoral aims, and the desire to preserve the rule of the middle classes regardless of social change.
aristocratic claims to sovereignty, which Guizot challenged, as they were based on a mistaken, fixed notion of privilege.

The same historical argument that justified the rule of the commercial classes in the early part of the nineteenth century would also render those justifications contingent and temporary. Tocqueville acknowledged as much in the waning days of the July regime, when he criticized the bourgeois claim to political power on the basis of property alone – a fixed, antiquated material standard inappropriate for the demands of a changing nation. Seeing the workers at the center of French society after 1848, Laboulaye also recognized the evolving dimensions and signs of capacity, and called on the liberal party to modify its aims in response to this altered social state. Though the original discourse of capacity did not mandate a swift embrace of political democracy, it did require that liberals remain flexible in defining the category of “the capable,” allowing for an expanded citizenry in light of changing social and economic conditions.

Such responses, however, were the exception rather than the norm within liberal practice. Laboulaye’s call to accept and educate rather than resist suffrage fell largely on deaf ears in the 1860s, as most liberals remained willing only to “accommodate” some democratic demands within their larger schema of preserving the dominant middle classes. Though recommendations like Laboulaye’s in *Le Parti libéral* were in fact more faithful to the original Guizotian theory of elastic, evolving political capacity, they were not the views that came to dominate or define liberalism. Rather, as we saw at the conclusion of Chapter 4, liberalism in the latter part of the nineteenth century was largely an ideology of intransigence that seemed outdated and unfit for a

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363 Recall that Tocqueville did in fact see property ownership as important for incorporating the lower classes into social life, granting them the requisite view of the future and of their stake within the broader social order. He did not, however, see property ownership as the rightful or exclusive claim on political power, and argued that the bourgeois July regime reduced politics to a “joint-stock company” that weakened political life itself. See Tocqueville, “The Middle Class and the People” (1847) and Chapter 2 above.
democratizing France. Ironically, Guizot the politician and public figure was among the most guilty of this intransigence. We might frame this story as evidence of yet another tension: between the France that actually unfolded through the nineteenth century, and the one liberals wished to preserve. The greatest failures perpetuated by liberals occurred when they sought justifications for political exclusion apart from the social order, or when they attempted to stand astride the historical developments that were central to the liberal project and its theories of the capable citizen. By the beginning of the Third Republic, it seemed that history had left liberalism behind.

We might also continue to question precisely why and how liberal practice departed so radically from its theoretical beginnings. In light of this problem, this concluding chapter seeks to accomplish two aims. First, to interrogate the perspective of the French liberals and the concept of capacity, specifically the idea of economic capacity, as presented originally by Guizot and developed throughout this project. I complicate my own account of promising theory and limited practice by questioning whether the liberal view of capacity was itself either so vague and indeterminate, or so exacting, as to remain exclusionary and inflexible. In this way, I explore one possible objection to my argument: that a sociological, evolutionary idea of capacity – as opposed to a static, absolute one – is more prone to exclusionary outcomes. Cast in this light, the intransigence of liberal practice appears an inevitability, rather than a betrayal of its principles. ³⁶⁴ And more specifically, the concept of economic membership remains fundamentally and inescapably exclusionary, a principle directed toward simply limiting citizenship and restricting the category of the capable.

³⁶⁴ This objection is a version of Marx’s overarching critique of political rights in On the Jewish Question. The same arguments Marx levels against rights – most notably, their inherent exclusivity – could be applied even more strongly to the discourse of capacity, as that which served as but another exclusive limitation on the rights Marx already found limiting and alienating.
To examine these questions, I situate the liberal discourse of capacité alongside various conceptions of citizenship and its requirements in the history of political thought. I argue that while French liberal capacité is more robust, and its threshold for citizenship more demanding than other standards for inclusion in the history of political thought, it also provides theoretical resources for approaching citizenship as more progressive and more inclusionary.

Second, and alongside these questions, I consider whether this reclaimed idea of capacity – its language and its substance – has anything left to offer us. Is there a place for the language of “capacity” in liberal democratic discourse surrounding the extension of citizenship? More specifically, does the liberal ideal of economic membership – and the attendant qualities of industriousness, productivity, and commercial participation – provide us any guidance for considering broader, ongoing questions of inclusion and exclusion? I conclude that, for all of its limitations, the ideal of economic capacity actually provides us with an important resource for thinking about citizenship. It suggests a relationship between the activities and practices that constitute informal membership – social standing at the level of the community – and the legal status of citizenship.

I. Capacity and the Reality of Exclusion

When Guizot declared that capacity, “by the very nature of things, possesses no universal or permanent character,” and insisted that it remain subject to “legal suspicion,” he left its definition – along with that of citizenship itself – open to variation. Looking to history, this project has revealed two of the possible trajectories of capacity: the dominant, paradoxically “Guizotian” one, that restricted citizenship to the middle classes on the basis of property

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365 Guizot, HORG, 332 and 62.
requirements and class membership, and Laboulaye’s attempt to rediscover the social “life of the nation,” and to create a politics in conformity with it. If Laboulaye’s approach represents “the best” of capacity – its inclusionary, more democratic trajectory – most of the nineteenth-century liberal tradition embodies “the worst” – the exclusionary possibilities within Guizot’s own theory of sociological, flexible capacity.

These divergent histories prompt us to consider whether the French liberal vision of a historical, flexible “capable class” is in fact more prone to exclusionary outcomes than to inclusive, possibly democratic ones, and if so, whether the limits of nineteenth-century liberal practice were in fact the natural and inevitable consequences of its theory. But these histories also force us to revisit and interrogate the very concept of capacity. Though French liberals appealed to a unique sociological ideal of capacité, they were not certainly alone in considering the qualities and capabilities necessary for political citizenship. As we saw in the opening chapter, these themes were as central to Aristotle’s investigation of the Athenian polis as to the inquiries of Hobbes and Locke centuries later. In the following sections, I examine the idea of capacity more generally, and situate the French liberal vision of capacité alongside other views regarding the expectations and criteria for allocating citizenship.

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366 This dissertation also presented a third option: Tocqueville’s choice to cast off the discourse of capacity entirely. As we will see throughout this chapter, though Tocqueville did not rely on or endorse the language of capacity, he nonetheless acknowledged the existence of implied economic thresholds for inclusion in practice. His work on pauperism reveals as much.
The concept of capacity

By its very nature, the concept of citizen capacity is exclusive. It marks the boundary between those entitled to the rights, privileges, and protections of membership in the political community, and those left outside of it. Through the language of capacity, citizenship is predicated upon certain valued qualities, characteristic, and activities on the part of individuals, and those qualities distinguish insider from outsider, capable from incapable. Capacity is a way of articulating shared expectations for political life, and of creating a citizenry that embodies the values and aims of the community it composes. For all of its exclusivity, however, the idea of capacity reflects the fundamental character of citizenship, as a category that is itself bounded and exclusive, and divides member from non-member.

There are, of course, different ways of formulating these expectations, many of which surface from the history of political thought. These expectations define precisely how – and on what basis – a political community defines and allocates citizenship, and justifies the divisions between insider and outsider. Thomas Hobbes addressed the political undesirability of the unlawful, who willingly exclude themselves from political society by transgressing the laws of the commonwealth. In his focus on security and stability, Hobbes offered a minimalist conception of the expectations and requirements for civil life, that would presumably exclude only criminals and agitators who violated the terms of the compact. On the opposite end of the spectrum, we might locate two “thicker” conceptions of citizen capacity – one ancient and “republican,” the other modern and liberal. In his Politics, Aristotle characterized political life

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367 Or, at least, “not yet capable.”
368 Linda Bosniak frames citizenship as inherently “divided,” as it is “commonly invoked to convey a state of democratic belonging or inclusion” but “also a conception of a community that is exclusive.” Linda Bosniak, The Citizen and the Alien: Dilemmas of Contemporary Membership (Princeton: Princeton University Press, 2006).
as an exacting and demanding vocation, and restricted political participation to the leisured classes, who possessed the requisite time, personal freedom, and intellectual ability for ongoing political engagement. In the nineteenth century, John Stuart Mill offered no less “thick” a view of citizen capacity, though he framed the requirements for citizenship largely in terms of “civilization,” limiting the benefits of political liberty to persons and societies capable of benefiting from free thought and discussion.

From within the history of political thought, these differing visions of communal expectations and individual qualities yield varying portraits of the citizen: as a lawful member of the body politic; as one with an equal share in ruling and being ruled; and as the rational, well-educated individual. But the French liberal view of the citizen and his requisite capacity was ultimately different in kind. Hobbes, Aristotle, and Mill were each concerned, to varying degrees, with the qualities and activities of individuals, with law-abidingness, leisure, and rationality. While French liberals addressed each of these individual qualities as guarantees of capacity, their complete vision of the capable depended on a particular view of the necessary relationship between individuals and the social state. Liberals were occupied by those capacities and activities that would elevate the individual beyond narrow self-interest, to create ties between persons that enabled each to apprehend broader, communal interests. Their ideal of economic capacity was central to this end, and they urged that both property ownership and commercial participation would grant individuals a vision of the future and a stake in society –

370 Aristotle, Politics, especially Books VII and VIII.
371 Mill, On Liberty in CW, XVIII: 224. As we saw in the Introduction, Mill notably disqualified non-taxpayers and those on parish relief from the right of suffrage, approaching a vision of economic capacity. Nonetheless, his central limitations on liberty concern the narratives of civilization and progress that underlying his utilitarian liberalism.
372 Mill’s endorsement of plural voting brings the expectations of rationality and education more fully into view. See Considerations in CW, XVIII: 323.
two characteristics they framed as indispensable for political participation. The capable citizen was at once rational, self-sufficient, and productive, but more importantly, he was aware of his place in society and his consequent role in maintaining and fostering the public good.

Economic qualities – ownership and market participation among them – served as “signs” of these social dispositions. Those who lacked such qualities entirely (of which paupers constitute the most extreme and obvious case) could claim neither membership in the community nor the corresponding right to political participation.

This vision of economic and, accordingly, social capacity is far more demanding than the Hobbesian account of law-abidingness under contractual politics. It requires that individuals take an active part in their societies through economic participation, not simply that they remain obedient to the laws that govern them. It is also tied to the individual qualities of rationality and independence both Aristotle and Mill envisioned (though to varying degrees and in different respects) as necessary for political life. In some ways, the French liberal theory of citizen capacity assumes a far “thicker” image of the citizen than that provided by either the Hobbesian, Millian, or even Aristotelian accounts. Under capacité, the citizen emerges as rational,

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373 See Chapter 1. The relationship between property ownership and the public good was central for Constant and Guizot. The latter went beyond property alone in articulating the economic determinants of citizenship, recognizing the value of commercial participation in fostering social ties. Tocqueville also argued in favor of the psychological and social experiences of ownership in his works on pauperism, and advocated extending property rights to enable such experiences for the lower classes. 374 Tocqueville commented on this phenomenon of exclusion in his first Memoir on Pauperism. 375 Looking to the case of paupers, political theorists in the nineteenth century – liberals and non-liberals alike – actually collapsed concerns for sociality into those of criminality. Paupers, members of entire classes that remained beyond the boundaries of modern society, were often conceived of as lawbreakers and even revolutionaries, and their material condition reduced them to the status of criminals. This language was observable across various tracts and treatises on pauperism and the social question. See Chevalier (1958) and Chapter 2. 376 The liberal account of capacité certainly shares something with the robustness of the Aristotelian account. But in recognizing “the social” as a variable apart from and still intertwined with the political, the former differs fundamentally from the latter in the kind of expectations it places upon citizens. While Aristotle recognized leisure as a necessary pre-condition for politics, French liberals saw that economic engagement itself provided political lessons. For a discussion of Guizot and Aristotle, see Chapter 1.
independent, self-sufficient, but also economically and socially engaged. Above all, individuals must prove themselves productive and contributing members of the social and economic orders before becoming citizens of the political one. In formulating their ideal of capacité, French liberals were concerned with individual dispositions and characteristics, but more importantly, with translating those dispositions into certain activities that constitute membership in the community.

Given this robust ideal of capacité and the image of the citizen that follows, the exclusionary practices of French liberals appear altogether unsurprising. Even at its theoretical “best,” economic capacity is an exacting standard for political inclusion. It implicates both qualities and activities, individual capabilities and social dispositions, all of which were articulated via standards of ownership and economic engagement. The robustness of this theory undoubtedly contributed to a number of ongoing exclusions in practice. It reduced the wage-laborer to a human being bound by necessity, and the pauper to an asocial, ever-dependent outsider. At the same time, this ideal also allowed for needed flexibility in framing and articulating those economic standards. Conceptualized initially as property ownership by Constant, French liberals throughout the century revised what it meant precisely to contribute economically. Their own theory demanded it. As we saw in Chapter 2, Guizot himself amended the idea of economic activity to include the commercial enterprises of the century’s middle classes, “men who affirm by industry or any work, either by their own capital or rented capital, so as to enrich themselves by this work.” Laboulaye further modified the ideal of economic capacity later in the century, when he recognized its emergent signs among industrial

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377 The distinction and yet interdependence of membership and citizenship captures the analogous distinction and interdependence of capacité and political right.
378 Recall that Guizot himself subjected capacité to ongoing, “legal suspicion.”
workers and wage laborers, who were generally excluded from liberal characterizations of “the capable.” While the robustness of capacity enabled a range of exclusions – effectively raising the standards for political citizenship – it was this same theoretical richness that allowed for more inclusionary, more democratic possibilities, while retaining the individual and social benefits conferred by economic activity. It was this theory that forced liberals to revisit and refine their notions of the capable citizenry.

Of course, for every theory of capacity and corresponding ideal of the citizen, there is a “dark side,” an “other,” and to this French liberal thought is no exception. In many ways, the study of this tradition offers a clear view of its “darker side,” and of the multitude of “others” – industrial workers, wage laborers, paupers – who remained outside of a nation bounded and constituted by the liberal discourse of capacity. This is undoubtedly the view of the tradition that has endured historically, as a story of limitations, failures, and exclusions. But for all of the limits of French liberalism (and as we have seen, there are many), its overarching theory of capacity points us to a fundamental, empirical reality of political life: the phenomenon of membership at the level of society, and the informal but formative relationship between the individual and the community to which he belongs.

II. Membership: Economic, Social, and Political

Social standing

This particular understanding of membership requires further discussion. While much of the debate surrounding inclusion in the nineteenth century addressed the legal status of those seeking representation, along with the issue of suffrage explicitly, French liberals attached these

380 Consider, for example, the slave of Aristotle’s Politics, and the “backward societies” of Mill’s On Liberty.
questions to prior notions of membership at the level of society and the market, two spheres they saw as inextricably linked in the modern world. They tied the political act of voting, the fundamental expression of legal inclusion, to long-standing habits of membership. Through economic engagement, the “capable” individual took a share in the events and everyday practices of his community, and those habits of shared life extended into the political act of voting. Politics was intended as a reflection of the social, and the citizen as a mirror of the shared practices and habits that comprised it.

A more contemporary example captures the foundational economic and social dimensions of membership as liberals understood and articulated them. Writing of the varied and troubling history of civic exclusion within the American republic, Judith Shklar observed:

> Modern citizenship is not confined to political activities and concerns…It is in the marketplace, in production and commerce, in the world of work in all its forms, and in voluntary associations that the citizen finds his social place, his standing, the approbation of his fellows, and possibly some of his self-respect.

Shklar’s insight partly illuminates the vision of membership central to French liberal theories of capacity, in terms of the relationship between the social and the economic. The individual acquires social standing through his participation in the marketplace, and thereby earns the recognition of his fellows. His *standing* in both society and the market – just as significant, perhaps moreso, as his legal status as citizen – marks him as member of a political community. French liberals recognized that it was at the level of “the social” where citizens formed the associations and habits that defined them as “insiders,” and where they developed an understanding of the common good alongside that of their social place.

381 See Guizot’s tendency to equate a “democratic” social state with a “commercial” one.
383 See, for example, Guizot’s endorsement of local elections, as those tied to the habits and expectations of a particular place, in his “Élections” essay.
Ironically, the exclusion of paupers and wage laborers in the nineteenth century brings this ideal of membership into sharper relief. As members of the lowest classes, the material dependency of paupers placed them outside of communities predicated, if only implicitly, on minimal self-sufficiency at the very least, and on still more robust expectations of productivity and contribution. Tocqueville was well-aware of these implied, shared expectations, having observed the tendency of local parishes in England to turn away those who simply might appear to require public relief. Yet the very economic expectations that justified the exclusion of dependent persons also highlighted an important element of what it means to belong as a member of society. The exclusionary practices surrounding the social question disclose the very standards of economic capacity that underlie the extension of communal membership. In drawing attention to what is “other,” they point also to what is shared, expected, and thus what constitutes “community” itself.

The educative experiences of inclusion

In examining these expectations, French liberals also presented a more robust justification for economic membership, beyond even the theme of social recognition at which Shklar gestured and which the problem of pauperism revealed. Economic participation not only granted one a defined place or standing in civil society; according to liberals, it also offered an educative experience in the demands of shared life. For Constant, Guizot, and Tocqueville

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384 See Tocqueville, Memoir on Pauperism, 18.
385 Michael Walzer argues that holding a kind of “admissions policy” for citizenship creates “the shape of the community that acts in the world, exercises sovereignty, and so on.” For Walzer, these policies mark and reinforce the moral boundaries of community. Spheres of Justice, Chapter 2.
386 In the American case, Shklar remarked that it was actually the history of exclusions – slavery and the problem of servitude – that revealed to her the ways citizens think about and approach their own experiences of citizenship. See Shklar, American Citizenship, 1-3. In both her example, and the case of the French thinkers I have engaged with throughout this project, it was curiously the practices of and justifications for exclusion that disclosed exactly what it meant to be included and capable.
alike, there was undoubtedly something vital to be learned through economic activity. All three thinkers argued that property ownership could grant the individual both a personal vision of the future and a common stake in the social order, pushing his thought beyond the satisfaction of immediate needs toward more enduring, long-term aims. By giving the citizen something to call his own, property ownership furthered his interest in preserving the institutions that would safeguard both his possessions and his livelihood. In this way, ownership had the potential to create both good liberals and good citizens. The future-oriented, rational, interested property owner was precisely the kind of “capable” citizen liberals valued: one who could defend the end of well-ordered liberty against the forces of potentially intemperate, irrational democratic politics. In the eyes of liberals, these allegedly high thresholds for inclusion were political necessities, vital to maintain both the liberty of individuals and the integrity of communities.

Liberals also argued that economic engagement could elevate the individual to grasp the common good – what Guizot ambiguously called “the social interest.” Through certain kinds of work (as we saw in Chapter 2, however, wage labor excluded) and commercial engagement, persons could apprehend a good beyond on their own, that they would in turn strive to protect and guarantee. This argument mirrored the claims surrounding property ownership, since commercial participation allowed the individual to align his own self-interest with that of society, and ultimately to identify the interdependence of the personal and the political.

387 Tocqueville, though, acknowledged the limits of what could be gained through commercial activity. Laboulaye certainly did not disagree with his predecessors, as his brief praise of the middle class attests. But he also thought that the educative experiences of economic engagement could be approximated and extended through programs of popular education. In other words, the individual qualities that arise from economic engagement – moderation, independence, and a shared vision of the public good – could be apprehended apart from economic activity.

388 In this respect, the liberal claim in favor of commercial engagement goes beyond Albert Hirschman’s traditional justifications for capitalism as the triumph of the “innocuous” and yet one-dimensional interests over the dangerous and destructive passions. While French liberals like Guizot did not seek anything akin to Aristotelian virtue for the individual, they also did not frame commercial interests
ideally capable citizen was engaged in the market, but he was far from the mere detached and self-interested image of *homo economicus*; he was, rather, devoted to pursuit of the “social interest,” brought into view by the labor of his hands and the work of his mind.

**III. Liberalism, Citizenship, and Community: Lessons for Democratic Politics**

To speak of such robust community in the context of a liberal tradition might strike us as strange, even misguided. It pushes us beyond the language of consent and the device of contractual politics. This was, nonetheless, precisely the intent behind French *capacité*: to frame politics as a reflection of the social state that underlies and ought to shape it. And in so doing, it draws our attention to the contours of that social state, principally to the shared expectations, habits, rules, and interests that unite persons at the level of “the social.”

There can be little doubt, as we have seen, that *capacité* also situates many persons and classes outside of “the social” so conceived, far more than would a minimalist Hobbesian politics. The higher the threshold for citizenship, beyond the political minimum of criminality, the more expansive the category of the “outsider.” Nonetheless, the question becomes whether *capacité* captures something about the nature of community utterly missed by the contractual, Hobbesian account of political life – and whether that something ought to be reflected in the requirements for citizenship. We have so far pointed to what French liberals might add to our understanding of community: that it is – and should be – far more than contract. Citizenship, too, is far more than suffrage, however important its exercise. For in defining the citizen, we cannot and ought not rely on the minimal expectations that a contractual view of politics would

entirely in terms of self-love or personal advantage. They endorsed the elevation of personal interest to apprehend the common good or “the social interest.” In some ways, Tocqueville seems an exception to this liberal line of thought, as he criticized a bourgeois regime and remained (at best) ambivalent regarding commercial society. See Albert O. Hirschman, *The Passions and the Interests: Political Arguments for Capitalism Before its Triumph* (Princeton: Princeton University Press, 1977).
endorse. We must look instead to what is required of the citizen as a member of the social order – law abiding, yes, but also rational, and even more importantly, recognized as one who belongs. For French liberals, these shared conceptions of membership ought to constitute the requirements for capable citizenship.

This is not to say, of course, that these conceptions are beyond scrutiny. This entire project has in fact subjected them to such, by seeking their theoretical justifications across the liberal tradition. But it does suggest that the expectations surrounding inclusion, and the demands we place upon one another as members of political society, are often thicker and more exacting than our allegedly minimalist, traditionally liberal commitments might lead us to believe. Nor are these conceptions so easily dismissed. They remain an entrenched part of politics, even under democracies. Elizabeth Cohen attributes the contemporary empirical phenomena of partial exclusions and semi-citizenships to the character of democracy. By its very nature, she argues:

…a demos must discriminate. It must develop a rule stating who is and who is not included in that demos and then turn over enforcement of that rule to the state. Democratic rules about who receives the rights of citizenship refer to the situated ethics produced by a people, traditions, and belief systems that compose a society.

What Cohen calls the situated “rules” of democratic life – products of tradition and belief – would have been for French liberals the moeurs that direct the social and shape the political.

389 In contrasting the perspective of the French liberals with the contractarian view of politics, I have suggested at least one possible way that our view of liberalism (and of politics generally) might be enhanced by engagement with this “second liberal tradition.”

390 I disagree with Alan Kahan, who concludes at the end of an entire book about capacity that it is nothing but a dead language in public life, though one that endures in the private realms in the form of merit-based claims to employment and success. See Kahan (2003) 189-201. Though capacity as a term is rarely invoked explicitly, the standards for shared life it was intended to express remain an embedded part of contemporary politics.

The normative conclusions are very similar, for both the liberals under discussion and for us. Only by attending to those shared, often implied commitments or norms of inclusion can we begin to examine what citizenship means, on what terms we allocate it, and even how it might be expanded. In seeking the standards by which to define the citizen, we cannot rely entirely on detached, moral standards. Citizenship is, after all, a political phenomenon, tied to the social elements of what a community shares, and what its members expect of themselves and of one another. The overarching question French liberals have left for us – the question of who we are, the question that capacité was intended to answer – remains as pressing for contemporary, democratic politics as for the circumstances of the nineteenth century. Though we rarely frame contemporary issues of immigration and exclusion through the language of individual political capacity, we nonetheless continue to expect certain qualities and behaviors from those we call or would hope to call fellow citizens.

If we are committed to reducing the category of the “other” in political life, we must nonetheless weigh our moral concerns alongside the demands of community as such. We must examine not only the ethical commitments that ought to undergird liberal democratic societies, but also those that already do. In some cases, as this project has revealed, our existing commitments may push us toward exclusionary outcomes. Nonetheless, these outcomes – the darker aspects of community – should prompt us to re-examine those same social rules, and to interrogate exactly what it is we claim to and wish to share. In other cases, we might recognize the troubling distance between the empirical realities of membership – our instincts about who belongs – and the legal standards by which we extend the rights and privileges of citizenship to those who seek them. This perspective enables us to recognize a basic, if difficult truth about
political life. In attending to the primary question of who is included and on what basis, there are few, if any, preordained answers.


---. *Histoire parlementaire* (1863) CXVI, session 15 February 1842.


---. Laboulaye to Francis Lieber. 25 September 1865. Lieber Papers.


---.“Inaugural Lecture to the College de France.” In *Democracy Past and Future*, 2006.


