

tans who migrated to America in large numbers during the 1630s took the "spirit of religion" and their passion for orthodoxy from the Old Testament and the "spirit of freedom" from the New Testament. Christ, according to Tocqueville, was the first figure in history to teach that all human beings had an "equal right . . . at birth to liberty," a teaching that initiated the gradual spread of democracy throughout the world. Martin Luther's (1483-1546) forceful introduction of the "spirit of freedom" into the ecclesiastical realm fragmented Christianity and ultimately led to the exodus of the Puritans from England to America. It also led, as Tocqueville perceived in the 1830s, to the eventual secularization of American life.

The New England Puritans extended the "spirit of freedom" into the political realm, Tocqueville said, and this enabled them to put the "boldest speculations of humanity" into practice. "According to Tocqueville," Kessler writes, "Puritan political innovations formed the basis for American constitutionalism . . . . The Mayflower Compact and other like covenants established the right of free and equal individuals under God to form a 'civil body poli-

tic' and made consent the *de facto* basis for political authority." Local independence was widely established by 1650 and Puritan governments were highly democratic. "As the doctrine of popular sovereignty gradually spread to most of the English colonies, it shaped American mores, embedding the 'spirit of liberty' deep within the American character."

By the 1830s, Tocqueville observed, that spirit of freedom had overcome the "spirit of religion" within Christianity itself. Orthodoxy became far less important, zealotry gave way to toleration, and the miraculous and otherworldly aspects of Christianity were de-emphasized. Piety became more centered on the self than on God. Tocqueville feared that the new individualism could lead to a "passionate and exaggerated love of self," threatening all forms of virtue. Certain elements of the "spirit of religion," he thought, remained vitally important. Still, he found most Americans of his day "orderly, temperate, moderate, careful, and self-controlled citizens." He considered them, Kessler says, "far more able than their Puritan ancestors to protect the Christian legacy of equal freedom."

## The End Of Toleration

"The Virtues of Toleration" by John Gray, in *National Review* (Oct. 5, 1992), 150 E. 35th St., New York, N.Y. 10016.

Ours is a society that prides itself on its openness and acceptance of differences. It is our misfortune that we have made the older idea of toleration, as defended by Milton and Locke, unfashionable, laments Gray, a Fellow of Jesus College, Oxford.

Toleration was an expression of confidence that the good and the bad could be distinguished—in contrast, Gray notes, to today's conventional wisdom that standards of belief and conduct are entirely subjective. The whole logic of toleration was that it was being practiced with regard to *evils*. "When we tolerate a practice, a belief, or a character trait, we let something be that we judge to be undesirable, false, or at least inferior." The rationale was that human beings are imperfect and that virtue must be acquired by hard effort. It cannot be imposed. "We were enjoined to tolerate the shortcomings of others, even as we struggled with our own."

That venerable outlook goes against the modern grain, Gray observes. The thought that humans are "flawed creatures whose lives will always contain evils" is at odds with the post-

Christian view that "only stupidity and ill will stand between us and universal happiness." And the inherently judgmental nature of toleration makes it offensive to revisionist liberal thinkers such as John Rawls and Ronald Dworkin. They think justice requires "that government . . . practice *neutrality*, not toleration, in regard to rival conceptions of the good life." That, Gray points out, mandates "nothing less than *the legal disestablishment of morality*." Morality is viewed as "a private habit of behavior rather than a common way of life."

But in reality the state must still decide "what is to count as a *bona-fide* way of life" deserving neutral treatment. In practice, Gray says, favored groups such as blacks and women are granted legal privileges, while unfashionable groups, such as smokers and heavy drinkers, are subjected to moralistic intrusions into their personal lives.

Policies that create group rights, Gray maintains, are inevitably arbitrary and unfair. The departures from the old-fashioned ideal of toleration, he warns, "are all too likely to breed more old-fashioned intolerance."