Democracy in America

ALEXIS DE TOCQUEVILLE

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De la démocratie en Amérique

Translated from the French with AI (Claude) and edited



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INTRODUCTION

In 1831 Alexis de Tocqueville, a twenty-five-year-old French magistrate from an old noble family, sailed to the United States with his friend Gustave de Beaumont, officially to study American prisons. For nine months they traveled from New England to New Orleans and out to the frontier. What Tocqueville brought home was a larger question: what happens to a society when the "equality of conditions" he saw everywhere in America becomes the governing fact of its life, as he believed it was bound to become in Europe too?

The first volume (1835) describes how American democracy actually works: the township, the states and the federal Constitution, the courts and juries, parties, the press and associations, and the power of the majority, which he feared could become a new kind of tyranny over minds. It ends with an unflinching account of the fate of the Native nations and of slavery, which he thought the gravest danger to the Union. The second volume (1840) turns from institutions to habits of the heart: how equality shapes religion, ideas, literature, family life, ambition and war, how it breeds the "individualism" that withdraws each person into a small private circle, and how it might end in a mild, all-providing despotism.

This edition gives the French text of 1848, with Tocqueville's foreword written just after the February Revolution, and keeps his own chapter summaries, footnotes and notes. Margin numbers give volume, part and chapter.

Volume 1, Part 1

The 1848 foreword and the Introduction; the land, the Puritan point of departure, the social state of the Anglo-Americans, the sovereignty of the people, the township, the states, the courts and the federal Constitution.

FOREWORD TO THE 1848 EDITION (AVERTISSEMENT)

Writing after the February Revolution of 1848, Tocqueville urges republican France to learn from America's principles.

1.Avert. However great and sudden the events that have just taken place before our eyes in a single moment, the author of the present work has the right to say that they did not take him by surprise. This book was written fifteen years ago under the constant preoccupation of a single thought: the imminent, irresistible, universal advent of Democracy in the world. Let it be reread: on every page one will find a solemn warning reminding men that society is changing its forms, and humanity its condition, and that new destinies are drawing near.[1]

At its head were written these words:

The gradual development of equality is a providential fact. It has the principal characteristics of one: it is universal, it is lasting, it escapes human power every day; all events, like all men, have served its development. Would it be wise to believe that a social movement that comes from so far back could be halted by one generation? Does anyone think that, having destroyed feudalism and vanquished kings,

1 The February Revolution of 1848 overthrew King Louis-Philippe and proclaimed the Second French Republic.

Democracy will retreat before the bourgeois and the rich? Will it stop now that it has become so strong and its adversaries so weak?[2]

The man who wrote these lines in the presence of a monarchy strengthened rather than shaken by the July Revolution, lines that events have made prophetic, may today without fear call public attention to his work once again.[3]

He must likewise be allowed to add that current circumstances give his book a topical interest and a practical usefulness that it did not have when it first appeared.

The monarchy existed then. Today it has been destroyed. The institutions of America, which were merely a subject of curiosity for monarchical France, must be a subject of study for republican France. It is not force alone that establishes a new government; it is good laws. After the fighter, the legislator. The one has destroyed; the other founds. To each his own work. It is no longer a question, it is true, of whether we shall have a monarchy or a republic in France. But it remains for us to learn whether we shall have an agitated republic or a tranquil one, a regular republic or an irregular one, a peaceful republic or a warlike one, a liberal republic or an oppressive one, a republic that threatens the sacred rights of property and the family or a republic that recognizes and consecrates them. This is a terrible problem, whose solution matters not only to France but to the whole civilized world. If we save ourselves, we save at the same time all the peoples around us. If we destroy ourselves, we destroy them all along with us. Depending on whether we have democratic liberty or democratic tyranny, the destiny of the world will be different, and one may say that it depends on us today whether the republic ends up being established everywhere or abolished everywhere.

Now, this problem that we have only just posed, America solved more than sixty years ago. For sixty years the principle of the sovereignty of the people, which we enthroned among us

2 Tocqueville quotes, with slight changes, his own Introduction of 1835.

3 The July Revolution of 1830 replaced Charles X with Louis-Philippe's constitutional "July Monarchy."

only yesterday, has reigned there unchallenged. It is put into practice there in the most direct, the most unlimited, the most absolute way. For sixty years the people that has made it the common source of all its laws has grown unceasingly in population, in territory, in wealth; and mark this well: during that period it has proved to be not only the most prosperous but the most stable of all the peoples of the earth. While all the nations of Europe were ravaged by war or torn by civil strife, the American people alone in the civilized world remained at peace. Almost all of Europe was convulsed by revolutions; America did not even have riots. There the republic was not a disturber but a preserver of all rights; individual property had more guarantees there than in any other country in the world; anarchy remained as unknown there as despotism.

Where else could we find greater hopes and greater lessons! Let us therefore turn our gaze to America, not to copy slavishly the institutions it has given itself, but to understand better those that suit us; less to draw examples from it than instruction; to borrow the principles rather than the details of its laws. The laws of the French Republic can and must, in many cases, differ from those that govern the United States. But the principles on which the American constitutions rest—those principles of order, of the balance of powers, of true liberty, of sincere and profound respect for law—are indispensable to all republics. They must be common to all, and one may say in advance that wherever they are not found, the Republic will soon have ceased to exist.

INTRODUCTION

Equality of conditions has advanced for seven centuries as a providential fact; Europe must learn to guide democracy.

1.Intro. Among the new things that drew my attention during my stay in the United States, none struck me more forcefully than the equality of conditions. I easily discovered the prodigious influence that this primary fact exerts on the course of society.

It gives the public mind a certain direction and the laws a certain turn; it gives new maxims to those who govern, and particular habits to the governed.

I soon recognized that this same fact extends its influence far beyond political mores and the laws, and that it gains no less sway over civil society than over the government. It creates opinions, gives rise to feelings, suggests customs, and modifies whatever it does not produce.[4]

Thus, the more I studied American society, the more I saw in the equality of conditions the generative fact from which each particular fact seemed to derive. I found it constantly before me, as a central point where all my observations converged.

Then I turned my thoughts back to our own hemisphere, and it seemed to me that I could make out there something analogous to the spectacle the New World presented to me. I saw the equality of conditions, which, without having reached its extreme limits there as in the United States, was drawing closer to them every day; and the same democracy that reigned over American societies seemed to me to be advancing rapidly toward power in Europe.

From that moment I conceived the idea of the book that follows.

A great democratic revolution is taking place among us. Everyone sees it, but not everyone judges it in the same way. Some regard it as a new thing and, taking it for an accident, hope they can still stop it. Others judge it irresistible, because it seems to them the most continuous, the oldest, and the most permanent fact known to history.

I go back for a moment to what France was seven hundred years ago. I find it divided among a small number of families who own the land and govern its inhabitants. The right to command then passes down from generation to generation along with inheritances. Men have only one means of acting on one

4 "Mores" (mœurs): for Tocqueville, the habits of the heart and mind of a people—its customs, opinions, and ideas—not only its "morals."

another: force. One finds only one source of power: landed property.

But now the political power of the clergy comes to be founded, and soon to spread. The clergy opens its ranks to all, to the poor and the rich, to commoner and lord. Through the Church, equality begins to penetrate into government, and the man who would have vegetated as a serf in perpetual slavery takes his place as a priest among nobles, and often goes to sit above kings.

As society, over time, becomes more civilized and more stable, the various relations among men become more complicated and more numerous. The need for civil laws is keenly felt. Then the lawyers are born. They emerge from the dim precincts of the courts and the dusty recesses of the clerks' offices, and go to sit in the prince's court beside the feudal barons clad in ermine and iron.[5]

Kings ruin themselves in great enterprises; nobles exhaust themselves in private wars; commoners grow rich in trade. The influence of money begins to be felt in the affairs of state. Commerce is a new source of power opening up, and financiers become a political power that is at once despised and flattered.

Little by little, enlightenment spreads. A taste for literature and the arts is seen to reawaken. Intellect then becomes an element of success; knowledge is a means of government, intelligence a social force; men of letters gain a place in public affairs.

Yet as new roads to power open up, the value of birth is seen to fall. In the eleventh century nobility was beyond price; in the thirteenth it is bought. The first ennoblement takes place in 1270, and equality at last makes its way into government through the aristocracy itself.[6]

Over the seven hundred years just past, it has sometimes happened that the nobles, in order to struggle against royal

5 "Lawyers" renders *légistes*, the jurists trained in law who served the medieval French crown.

6 Letters of nobility, by which the king raised a commoner to noble rank, are traditionally dated to the reign of Philip III of France (1270–1285).

authority or to wrest power from their rivals, gave political power to the people.

More often still, kings have been seen bringing the lower classes of the state into government in order to humble the aristocracy.

In France the kings proved the most active and the most constant of levelers. When they were ambitious and strong, they worked to raise the people to the level of the nobles; and when they were moderate and weak, they allowed the people to place themselves above the kings. Some aided democracy by their talents, others by their vices. Louis XI and Louis XIV took care to level everything beneath the throne, and Louis XV at last went down himself, with his court, into the dust.[7]

As soon as citizens began to hold land otherwise than by feudal tenure, and movable wealth, once it came into being, could in its turn create influence and confer power, no discoveries were made in the arts and no further improvements introduced into commerce and industry without creating as many new elements of equality among men. From that moment on, every process that is discovered, every need that arises, every desire that seeks satisfaction is a step toward universal leveling. The taste for luxury, the love of war, the sway of fashion, the most superficial passions of the human heart as well as the deepest, seem to work in concert to impoverish the rich and enrich the poor.

Once the works of the mind had become sources of strength and wealth, every advance of science, every new piece of knowledge, every fresh idea had to be regarded as a seed of power placed within the people's reach. Poetry, eloquence, memory, the graces of wit, the fires of imagination, depth of thought—all these gifts that heaven distributes at random—profited democracy. And even when they were in the possession of its adversaries, they still served its cause by bringing out the nat-

7 Louis XI (r. 1461–1483) and Louis XIV (r. 1643–1715) broke the independent power of the great nobles; under Louis XV (r. 1715–1774) the prestige of the monarchy declined.

ural greatness of man. Its conquests therefore spread with those of civilization and enlightenment, and literature was an arsenal open to all, where the weak and the poor came every day in search of weapons.

As one runs through the pages of our history, one finds, so to speak, no great event in the last seven hundred years that has not turned to the advantage of equality.

The Crusades and the wars with the English decimate the nobles and divide their lands; the establishment of the communes introduces democratic liberty into the heart of the feudal monarchy; the discovery of firearms makes villein and noble equal on the battlefield; printing offers equal resources to their minds; the postal service comes to leave enlightenment on the threshold of the poor man's hut as at the gates of palaces; Protestantism maintains that all men are equally able to find the way to heaven. America, as it is discovered, opens a thousand new roads to fortune and hands wealth and power to the obscure adventurer.[8]

If, starting from the eleventh century, you examine what happens in France every fifty years, at the end of each of these periods you will not fail to see that a twofold revolution has taken place in the state of society. The noble will have gone down the social ladder, the commoner will have risen on it; the one descends, the other ascends. Each half-century brings them closer, and soon they will touch.

And this is not peculiar to France alone. Wherever we turn our eyes, we see the same revolution going on throughout the Christian world.

Everywhere the various incidents in the lives of peoples have been seen to turn to the advantage of democracy. All men have aided it by their efforts: those who intended to contribute to its success and those who had no thought of serving it; those who fought for it, and even those who declared themselves its

8 The communes here are the self-governing towns of medieval France, which won charters of liberties from their lords; they are not the New England townships discussed later.

enemies. All have been driven pell-mell along the same path, and all have worked together, some in spite of themselves, others without knowing it, blind instruments in the hands of God.

The gradual development of the equality of conditions is therefore a providential fact. It has the principal characteristics of one: it is universal, it is lasting, it escapes human power every day; all events, like all men, serve its development.

Would it be wise to believe that a social movement that comes from so far back can be halted by the efforts of one generation? Does anyone think that, having destroyed feudalism and vanquished kings, democracy will retreat before the bourgeois and the rich? Will it stop now that it has become so strong and its adversaries so weak?

Where, then, are we going? No one can say, for we already lack terms of comparison. Conditions are more equal among Christians today than they have ever been at any time or in any country of the world. Thus the magnitude of what has already been done prevents us from foreseeing what may yet be done.

The entire book that follows was written under the impression of a kind of religious terror, produced in the author's soul by the sight of this irresistible revolution, which has been marching for so many centuries over every obstacle and which can still be seen today advancing amid the ruins it has made.

It is not necessary for God himself to speak for us to discover sure signs of his will. It is enough to examine the habitual course of nature and the continuous tendency of events. I know, without the Creator raising his voice, that the stars follow in space the curves his finger has traced.

If long observation and sincere reflection led the people of our day to recognize that the gradual and progressive development of equality is at once the past and the future of their history, that discovery alone would give this development the sacred character of the will of the sovereign master. To try to halt democracy would then seem like fighting against God himself, and nations would have no choice but to adapt to the social state that Providence imposes on them.

The Christian peoples of our day seem to me to present a frightening spectacle. The movement that carries them along is already too strong to be stopped, yet not so rapid that one must despair of directing it. Their fate is in their hands; but soon it slips from their grasp.

To educate democracy, to revive its beliefs if possible, to purify its mores, to regulate its movements, to replace little by little its inexperience with knowledge of affairs, and its blind instincts with an understanding of its true interests; to adapt its government to times and places; to modify it according to circumstances and men: such is the first of the duties imposed in our day on those who direct society.

A world that is entirely new needs a new political science.

But this is something we hardly think about. Placed in the middle of a rapid river, we keep our eyes obstinately fixed on a few pieces of wreckage still visible on the bank, while the current sweeps us along and drives us backward toward the abyss.

There is no people in Europe among whom the great social revolution I have just described has made more rapid progress than among us; but here it has always advanced haphazardly.

The heads of state have never thought to prepare anything in advance for it; it has come about in spite of them or without their knowledge. The most powerful, most intelligent, and most moral classes of the nation have not sought to take hold of it in order to guide it. Democracy has therefore been abandoned to its wild instincts. It has grown up like those children who, deprived of a father's care, raise themselves in the streets of our cities and know of society only its vices and its miseries. People still seemed unaware of its existence when it suddenly seized power. Everyone then submitted servilely to its slightest desires; it was worshiped as the very image of strength. Later, when it had been weakened by its own excesses, legislators conceived the imprudent plan of destroying it instead of trying to educate and correct it; and, with no wish to teach it how to govern, they thought only of driving it out of government.

The result has been that the democratic revolution has taken place in the material structure of society without the change in laws, ideas, habits, and mores that would have been needed to make that revolution useful. Thus we have democracy, minus what ought to temper its vices and bring out its natural advantages; and while we already see the evils it brings, we are still unaware of the good it can do.

WHAT THE OLD ARISTOCRATIC SOCIETY GAVE

Under kings and nobles, society had stability and dignity; France destroyed it without gaining democracy's benefits.

When royal power, supported by the aristocracy, peacefully governed the peoples of Europe, society, amid its miseries, enjoyed several kinds of happiness that are hard to conceive of and appreciate today.

The power of a few subjects raised insurmountable barriers to the tyranny of the prince; and kings, feeling moreover that in the eyes of the multitude they were invested with an almost divine character, drew from the very respect they inspired the will not to abuse their power.

Though placed at an immense distance from the people, the nobles nonetheless took in the people's lot the kind of benevolent and calm interest that the shepherd gives to his flock; and without seeing the poor man as their equal, they watched over his destiny as over a trust placed in their hands by Providence.

Having never conceived of a social state other than their own, and not imagining that they could ever become equal to their leaders, the people received their benefits and did not dispute their rights. They loved them when they were merciful and just, and submitted without difficulty and without baseness to their harshness, as to inevitable evils sent by the arm of God. Custom and mores, moreover, had set limits to tyranny and founded a kind of right in the very midst of force.

Since the noble had no thought that anyone wished to wrest from him privileges he believed legitimate, and the serf

regarded his inferiority as an effect of the immutable order of nature, one can understand how a kind of mutual goodwill could arise between these two classes so differently treated by fate. In society one then saw inequality and miseries, but souls were not degraded.

It is not the exercise of power or the habit of obedience that depraves men; it is the exercise of a power they consider illegitimate, and obedience to a power they regard as usurped and oppressive.

On one side were wealth, strength, and leisure, and with them the elegances of luxury, the refinements of taste, the pleasures of the mind, and the cult of the arts; on the other, labor, coarseness, and ignorance.

But in the midst of this ignorant and coarse multitude one found energetic passions, generous feelings, deep beliefs, and wild virtues.

The social body, so organized, could have stability, power, and above all glory.

But now ranks are merging; the barriers raised between men are coming down; estates are divided, power is shared, enlightenment spreads, intellects grow equal; the social state becomes democratic, and the rule of democracy is at last peacefully established in institutions and in mores.

I can then conceive of a society in which all, regarding the law as their own work, would love it and submit to it without difficulty; in which, the authority of government being respected as necessary and not as divine, the love felt for the head of state would be not a passion but a reasoned and calm sentiment. With each person having rights and being assured of keeping them, there would arise among all classes a manly confidence and a kind of mutual deference, as far removed from pride as from baseness.

Taught its true interests, the people would understand that to enjoy the benefits of society one must submit to its burdens. The free association of citizens could then replace the individual

power of the nobles, and the state would be sheltered from both tyranny and license.

I understand that in a democratic state constituted in this way, society will not be motionless; but the movements of the social body can be orderly and progressive. If one finds less brilliance there than in an aristocracy, one will find less misery; pleasures will be less extreme and well-being more general; the sciences less exalted and ignorance rarer; feelings less energetic and habits gentler; one will notice more vices and fewer crimes.

In the absence of enthusiasm and ardent belief, enlightenment and experience will sometimes obtain great sacrifices from citizens. Each man, being equally weak, will feel an equal need of his fellows; and knowing that he can obtain their support only on condition of lending them his help, he will readily discover that for him private interest merges with the general interest.

The nation taken as a whole will be less brilliant, less glorious, perhaps less strong; but the majority of citizens will enjoy a more prosperous lot, and the people will be peaceful, not because they despair of being better off, but because they know they are well off.

Even if not everything in such an order of things were good and useful, society would at least have made its own all that is useful and good in it; and men, in giving up forever the social advantages that aristocracy can provide, would have taken from democracy all the goods it can offer them.

But we, in leaving the social state of our forefathers, in throwing their institutions, their ideas, and their mores pell-mell behind us—what have we taken in their place?

The prestige of royal power has vanished without being replaced by the majesty of the laws. Today the people scorn authority, but they fear it, and fear wrings more from them than respect and love once gave.

I see that we have destroyed the individual powers that could struggle separately against tyranny; but I see government alone inheriting all the prerogatives wrested from families, corporate

bodies, or individuals. The strength of a small number of citizens—sometimes oppressive, but often protective—has thus been succeeded by the weakness of all.

The division of fortunes has lessened the distance that separated the poor from the rich; but in drawing closer together they seem to have found new reasons to hate each other, and, casting looks full of terror and envy at one another, they push each other away from power. For neither of them does the idea of rights exist, and to both force appears as the only argument of the present and the sole guarantee of the future.

The poor man has kept most of the prejudices of his fathers without their beliefs, their ignorance without their virtues. He has adopted the doctrine of interest as the rule of his actions without knowing its science, and his selfishness is as devoid of enlightenment as his devotion once was.

Society is tranquil, not because it is conscious of its strength and well-being, but on the contrary because it believes itself weak and infirm; it fears that any effort will kill it. Everyone feels the evil, but no one has the courage and energy needed to seek something better. People have desires, regrets, sorrows, and joys that produce nothing visible or lasting, like the passions of old men, which end only in impotence.

Thus we have abandoned what good the old state of things could offer, without acquiring what useful things the present one might provide. We have destroyed an aristocratic society, and, stopping complacently amid the rubble of the old edifice, we seem to want to settle there forever.

What is happening in the intellectual world is no less deplorable.

Hampered in its progress, or left without support to its unruly passions, democracy in France has overturned everything in its path, shaking what it did not destroy. It has not been seen taking hold of society gradually in order to establish its rule there peacefully; it has never ceased to advance amid the disorder and agitation of combat. Spurred on by the heat of the struggle, pushed beyond the natural limits of his own opinion by the

opinions and excesses of his adversaries, each man loses sight of the very object of his pursuits and speaks a language poorly matched to his true feelings and his secret instincts.

Hence the strange confusion we are forced to witness.

I search my memory in vain: I find nothing that deserves to arouse more sorrow and more pity than what is happening before our eyes. It seems that in our day the natural bond that unites opinions to tastes and acts to beliefs has been broken; the sympathy that has been observed in every age between men's feelings and their ideas seems destroyed, and one would think that all the laws of moral analogy had been abolished.

There are still zealous Christians among us whose religious souls love to feed on the truths of the other life; these, no doubt, will be fired with zeal for human liberty, the source of all moral greatness. Christianity, which has made all men equal before God, will not be loath to see all citizens equal before the law. But through a combination of strange events, religion finds itself for the moment entangled among the powers that democracy is overthrowing, and it often comes to reject the equality it loves and to curse liberty as an enemy, whereas by taking it by the hand it could sanctify its efforts.

Beside these religious men I find others whose gaze is turned toward earth rather than heaven. Partisans of liberty, not only because they see in it the origin of the noblest virtues but above all because they consider it the source of the greatest goods, they sincerely wish to secure its rule and to let men taste its benefits. I would expect these men to hasten to call religion to their aid, for they must know that the reign of liberty cannot be established without that of mores, nor mores founded without beliefs. But they have glimpsed religion in the ranks of their adversaries, and that is enough for them: some attack it, and the others dare not defend it.

Past ages saw base and venal souls extol slavery, while independent minds and generous hearts struggled without hope to save human liberty. But in our day one often meets men who are naturally noble and proud, whose opinions are in direct opposi-

tion to their tastes, and who praise the servility and baseness they have never known in themselves. There are others, on the contrary, who speak of liberty as if they could feel all that is holy and great in it, and who noisily demand on behalf of humanity rights they have always disregarded.

I see virtuous and peaceable men whose pure mores, quiet habits, affluence, and enlightenment naturally place them at the head of the populations around them. Full of sincere love for their country, they are ready to make great sacrifices for it; yet civilization often finds adversaries in them. They confuse its abuses with its benefits, and in their minds the idea of evil is indissolubly bound to that of the new.

Close by I see others who, in the name of progress, striving to reduce man to matter, want to find the useful without concern for the just, science apart from beliefs, and well-being separated from virtue. These men have proclaimed themselves the champions of modern civilization, and they insolently place themselves at its head, usurping a place that is abandoned to them and from which their unworthiness should exclude them.

Where, then, are we?

Religious men fight against freedom, and the friends of freedom attack religions; noble and generous minds extol slavery, while base and servile souls champion independence; honest and enlightened citizens are enemies of all progress, while men without patriotism and without morals make themselves the apostles of civilization and enlightenment!

Have all ages, then, resembled our own? Has man always had before his eyes, as in our day, a world where nothing hangs together; where virtue is without genius, and genius without honor; where love of order is confused with a taste for tyrants, and the holy worship of freedom with contempt for the laws; where conscience casts only a doubtful light on human actions; where nothing any longer seems forbidden or permitted, honorable or shameful, true or false?

Am I to think that the Creator made man only to leave him struggling endlessly amid the intellectual miseries that sur-

round us? I cannot believe it. God is preparing a more settled and calmer future for the societies of Europe. I do not know his designs, but I will not cease to believe in them because I cannot fathom them, and I would rather doubt my own understanding than his justice.

WHY AMERICA, AND THE PLAN OF THE BOOK

America shows the democratic revolution's results without the revolution; Tocqueville explains his aims, sources and method.

There is one country in the world where the great social revolution I am speaking of seems to have nearly reached its natural limits. It came about there in a simple and easy way; or rather, one may say that this country is seeing the results of the democratic revolution now under way among us without having had the revolution itself.

The emigrants who came to settle in America at the beginning of the seventeenth century in some sense freed the principle of democracy from all the other principles it was struggling against within the old societies of Europe, and they transplanted it, alone, to the shores of the New World. There it was able to grow up in freedom and, advancing in step with mores, to develop peacefully in the laws.

It seems to me beyond doubt that sooner or later we will arrive, like the Americans, at an almost complete equality of conditions. I do not conclude from this that we are bound one day to draw from such a social state the same political consequences that the Americans have drawn from it. I am very far from believing that they have found the only form of government democracy can give itself. But it is enough that in both countries the cause that generates laws and mores is the same for us to have an immense interest in knowing what it has produced in each of them.

It is not, then, merely to satisfy a curiosity, legitimate though it is, that I have examined America; I wanted to find lessons there from which we might profit. Anyone who thought I meant

to write a panegyric would be strangely mistaken; whoever reads this book will be quite convinced that such was not my intention. Nor has my aim been to recommend any particular form of government in general, for I am among those who believe that there is almost never any absolute goodness in laws; I have not even claimed to judge whether the social revolution, whose advance seems to me irresistible, was beneficial or disastrous to humanity. I have accepted this revolution as an accomplished fact, or one about to be accomplished, and among the peoples who have seen it take place in their midst I have sought out the one in which it has reached its fullest and most peaceful development, in order to discern its natural consequences clearly and to see, if possible, the means of making it profitable to mankind. I confess that in America I saw more than America; I sought there an image of democracy itself, of its inclinations, its character, its prejudices, its passions. I wanted to know it, if only so as to learn at least what we should hope or fear from it.

In the first part of this work, therefore, I have tried to show the direction that democracy in America, left to its inclinations and abandoned almost without restraint to its instincts, naturally gave to the laws, the course it set for the government, and in general the power it acquired over public affairs. I wanted to know what goods and what evils it produced. I looked into what precautions the Americans had used to guide it and which others they had neglected, and I undertook to distinguish the causes that enable it to govern society.

My aim was to depict, in a second part, the influence that equality of conditions and the government of democracy exert in America on civil society, on habits, ideas, and mores. But I am beginning to feel less eager to carry out this plan. Before I could complete the task I had set myself, my work would have become nearly useless. Another writer is soon to show readers the principal features of the American character and, veiling the seri-

ousness of the portraits lightly, to lend truth charms with which I could not have adorned it[9].

I do not know whether I have succeeded in conveying what I saw in America, but I am sure that I sincerely wished to, and that I never yielded, except unknowingly, to the urge to fit the facts to the ideas instead of subjecting the ideas to the facts.

Whenever a point could be established with the help of written documents, I took care to go to the original texts and to the most authoritative and respected works[10]. I have indicated my sources in the notes, and anyone can check them. Where opinions, political customs, or observations of mores were concerned, I sought to consult the most enlightened men. If the matter happened to be important or doubtful, I was not content with one witness, but made up my mind only on the whole body of testimony.

Here the reader must necessarily take my word for it. I could often have cited, in support of what I assert, the authority of

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9 TOCQUEVILLE'S NOTE. When I published the first edition of this work, M. Gustave de Beaumont, my traveling companion in America, was still at work on his book entitled *Marie, or Slavery in the United States*, which has since appeared. M. de Beaumont's main purpose was to bring out and make known the situation of Black people in the midst of Anglo-American society. His work will cast a vivid new light on the question of slavery, a vital question for the united republics. I may be mistaken, but it seems to me that the book by M. de Beaumont, after keenly interesting those who seek emotions and vivid scenes in it, is bound to win a still more solid and lasting success among readers who want, above all, true insights and profound truths.

TRANSLATOR'S NOTE. Gustave de Beaumont (1802–1866) traveled with Tocqueville in America in 1831–32; his novel *Marie, ou l'Esclavage aux États-Unis* appeared in 1835.

10 TOCQUEVILLE'S NOTE. The legislative and administrative documents were supplied to me with a kindness I shall always remember with gratitude. Among the American public officials who thus assisted my research, I will mention above all Mr. Edward Livingston, then Secretary of State (now minister plenipotentiary in Paris). During my stay at the seat of Congress, Mr. Livingston was good enough to have most of the documents I possess concerning the federal government given to me. Mr. Livingston is one of those rare men whom one comes to love by reading their writings, whom one admires and honors even before knowing them, and to whom one is glad to owe gratitude.

TRANSLATOR'S NOTE. Edward Livingston (1764–1836), American jurist and legal reformer, was Secretary of State from 1831 to 1833 and then minister to France.

names known to him, or at least worthy of being known; but I have refrained from doing so. A stranger often learns important truths at his host's fireside that the host might perhaps keep even from his friends; with a stranger one finds relief from an enforced silence; one does not fear his indiscretion, because he is only passing through. I recorded each of these confidences as soon as I received it, but they will never leave my notebooks. I would rather harm the success of my account than add my name to the list of those travelers who repay the generous hospitality they have received with distress and embarrassment.

I know that, despite my care, nothing will be easier than to criticize this book, if anyone ever thinks of criticizing it.

Those who care to look closely will find, I think, throughout the whole work, a single generating idea that binds all its parts together, so to speak. But the range of subjects I have had to treat is very wide, and anyone who sets out to oppose an isolated fact to the whole body of facts I cite, or a detached idea to the whole body of ideas, will succeed without difficulty. I would therefore ask the favor of being read in the same spirit that guided my work, and that the book be judged by the general impression it leaves, just as I myself reached my conclusions not on the strength of any one reason, but on the weight of reasons taken together.

Nor should it be forgotten that an author who wants to be understood is obliged to push each of his ideas to all its theoretical consequences, and often to the very limits of the false and the impracticable. For if it is sometimes necessary to depart from the rules of logic in action, one cannot do the same in argument; and man finds it almost as hard to be inconsistent in his words as he usually finds it to be consistent in his deeds.

I end by pointing out myself what many readers will consider the chief defect of the work. This book follows in no one's train. In writing it, I meant neither to serve nor to fight any party. I have tried to see not differently from the parties, but further; and while they are busy with tomorrow, I have wanted to think about the future.

CHAPTER 1: THE EXTERIOR CONFIGURATION OF NORTH AMERICA (CONFIGURATION EXTÉRIEURE DE L'AMÉRIQUE DU NORD)

North America's geography, forests and prairies, and the Native peoples who lived there before Europeans arrived.

1.1.1 North America divided into two vast regions, one sloping toward the pole, the other toward the equator—The valley of the Mississippi—Traces of the globe's upheavals found there—The coast of the Atlantic Ocean, on which the English colonies were founded—The differing appearance of South America and North America at the time of their discovery—The forests of North America—The prairies—The wandering tribes of the natives; their appearance, their mores, their languages—Traces of an unknown people

In its outward configuration, North America displays general features that are easy to discern at first glance.

A kind of methodical order presided there over the separation of land and water, of mountains and valleys. A simple and majestic arrangement reveals itself even amid the confusion of objects and the extreme variety of scenes.

Two vast regions divide it almost equally[11].

The first is bounded on the north by the Arctic pole and on the east and west by the two great oceans. It then extends southward, forming a triangle whose irregularly drawn sides finally meet below the Great Lakes of Canada.

The second begins where the first ends and stretches over the whole rest of the continent.

The one slopes gently toward the pole, the other toward the equator.

The lands of the first region descend northward by so imperceptible a slope that one could almost say they form a plateau. Within this immense tableland one finds neither high mountains nor deep valleys.

11 TOCQUEVILLE'S NOTE. See the map placed at the end of the work.

The waters wind across it as if at random; the rivers intertwine, join, part, meet again, lose themselves in a thousand marshes, stray at every moment in a watery labyrinth of their own making, and reach the polar seas only after countless windings. The Great Lakes that bound this first region are not hemmed in by hills or rocks, like most of those of the Old World; their shores are flat and rise only a few feet above the water. Each of them is thus like a vast cup filled to the brim; the slightest changes in the structure of the globe would send their waters rushing toward the pole or toward the tropical sea.

The second region is more varied in relief and better suited to become the permanent dwelling place of man. Two long mountain chains divide it along its whole length: one, called the Alleghenies, follows the coast of the Atlantic Ocean; the other runs parallel to the South Sea.[12]

The space enclosed between the two mountain chains covers 228,843 square leagues[13]. Its area is thus about six times that of France[14].

This vast territory nevertheless forms only a single valley, which descends from the rounded summit of the Alleghenies and rises again, without meeting any obstacle, to the peaks of the Rocky Mountains.

At the bottom of the valley flows an immense river. Toward it one sees the waters coming down from the mountains rush from every side.

The French once called it the Saint Louis River, in memory of their distant homeland; and the Indians, in their grandiloquent language, have named it the Father of Waters, or the Mississippi.

The Mississippi has its source on the boundary between the two great regions I spoke of above, near the top of the plateau that separates them.

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12 The "South Sea" is the old name for the Pacific Ocean.

13 TOCQUEVILLE'S NOTE. 1,341,649 miles. See *Darby's View of the United States*, p. 499. I have converted these miles into leagues of 2,000 toises.

TRANSLATOR'S NOTE. William Darby (1775–1854) was an American geographer. A toise was about 1.95 meters, so a league of 2,000 toises was roughly 3.9 kilometers.

14 TOCQUEVILLE'S NOTE. France has 35,181 square leagues.

Near it rises another river[15] that empties into the polar seas. The Mississippi itself seems for a time uncertain which way to go: several times it turns back on itself, and only after slowing its course in lakes and marshes does it finally make up its mind and slowly trace its way southward.

Sometimes calm at the bottom of the clay bed that nature has carved for it, sometimes swollen by storms, the Mississippi waters more than a thousand leagues along its course[16].

Six hundred leagues[17] above its mouth, the river already has an average depth of 15 feet, and vessels of 300 tons go up it for a distance of nearly two hundred leagues.

Fifty-seven large navigable rivers bring it their waters. Among the tributaries of the Mississippi are a river 1,300 leagues long[18], one of 900[19], one of 600[20], one of 500[21], and four of 200[22], not to mention a countless multitude of streams that rush from every side to lose themselves in it.

The valley that the Mississippi waters seems to have been created for it alone; there it dispenses good and ill as it pleases, and it is like the valley's god. Near the river, nature displays an inexhaustible fertility; the farther one goes from its banks, the more the forces of vegetation are spent, the soil grows thin, and everything languishes or dies. Nowhere have the great convul-

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15 TOCQUEVILLE'S NOTE. The Red River

TRANSLATOR'S NOTE. This is the Red River of the North, which flows into Hudson Bay, not the southern Red River mentioned below.

16 TOCQUEVILLE'S NOTE. 2,500 miles, 1,032 leagues. See Warden, *Description of the United States*, vol. 1, p. 166.

TRANSLATOR'S NOTE. David Bailie Warden (1772–1845), *Description statistique, historique et politique des États-Unis* (1820).

17 TOCQUEVILLE'S NOTE. 1,364 miles, 563 leagues. See *id.*, vol. 1, p. 169.

18 TOCQUEVILLE'S NOTE. The Missouri. See *id.*, vol. 1, p. 132 (1,278 leagues).

19 TOCQUEVILLE'S NOTE. The Arkansas. See *id.*, vol. 1, p. 188 (877 leagues).

20 TOCQUEVILLE'S NOTE. The Red River. See *id.*, vol. 1, p. 190 (598 leagues).

21 TOCQUEVILLE'S NOTE. The Ohio. See *id.*, vol. 1, p. 192 (490 leagues).

22 TOCQUEVILLE'S NOTE. The Illinois, the St. Peter's, the St. Francis, the Moingona. In the measurements above, I have taken as my basis the legal mile (*statute mile*) and the post league of 2,000 toises.

TRANSLATOR'S NOTE. The St. Peter's is today's Minnesota River, and the Moingona is the Des Moines River.

sions of the globe left more evident traces than in the Mississippi Valley. The whole appearance of the country bears witness to the work of the waters. Its barrenness, like its abundance, is their doing. The waves of the primeval ocean piled up enormous layers of topsoil on the valley floor, and they had time to level them. On the right bank of the river one finds immense plains, as smooth as a field over which the plowman has run his roller. As one approaches the mountains, by contrast, the land grows more and more uneven and barren; the ground is, so to speak, pierced in a thousand places, and primeval rocks appear here and there, like the bones of a skeleton after time has consumed the muscles and flesh around them. Granitic sand and irregularly cut stones cover the surface of the earth; a few plants push their shoots through these obstacles with great difficulty; it looks like a fertile field strewn with the rubble of a vast building. Indeed, when one analyzes these stones and this sand, it is easy to notice a perfect resemblance between their substance and that of the barren, broken peaks of the Rocky Mountains. After sweeping the soil down to the valley floor, the waters no doubt ended by carrying off part of the rocks themselves; they rolled them down the nearest slopes, and after grinding them

against one another, they scattered the foot of the mountains with this debris torn from their summits [23].

All things considered, the Mississippi Valley is the most magnificent dwelling God has ever prepared for human habitation, and yet one may say that it is still no more than a vast wilderness.

On the eastern slope of the Alleghenies, between the foot of those mountains and the Atlantic Ocean, stretches a long strip of rock and sand that the sea seems to have left behind as it withdrew. This territory averages only 48 leagues in width[24], but it is 390 leagues long[25]. In this part of the American continent, the soil yields only grudgingly to the farmer's labor. The vegetation is sparse and uniform.

It was on this inhospitable coast that the efforts of human industry were first concentrated. On this arid tongue of land the English colonies were born and grew up that were one day to become the United States of America. It is there, too, that the

23 TOCQUEVILLE'S NOTE. On all the western lands where Europeans have not yet penetrated, see the two expeditions undertaken by Major Long at the expense of Congress.

Mr. Long says in particular, regarding the great American desert, that one must draw a line roughly parallel to the 20th degree of longitude (meridian of Washington (1)), running from the Red River to the Platte River. From this imaginary line to the Rocky Mountains, which bound the Mississippi Valley on the west, stretch immense plains, generally covered with sand that resists cultivation, or strewn with granite stones. They lack water in summer. One meets nothing there but great herds of buffalo and wild horses. One also sees a few bands of Indians, but in small numbers.

(1) The 20th degree of longitude by the meridian of Washington corresponds roughly to the 99th degree by the meridian of Paris.

Major Long heard it said that if one went up beyond the Platte River in the same direction, one would still find the same desert on one's left; but he was unable to verify the accuracy of this report for himself. *Long's expedition*, vol. 2, p. 361.

However much confidence Major Long's account deserves, we must not forget that he merely crossed the country he describes, without making any wide detours away from the line he followed.

TRANSLATOR'S NOTE. Stephen H. Long (1784–1864), an army engineer, led government expeditions to the Great Plains and Rocky Mountains in 1819–20 and to the upper Mississippi in 1823.

24 TOCQUEVILLE'S NOTE. 100 miles.

25 TOCQUEVILLE'S NOTE. About 900 miles.

center of power lies today, while behind it, almost in secret, the true elements are gathering of the great people to whom the future of the continent no doubt belongs.

When the Europeans landed on the shores of the Antilles, and later on the coasts of South America, they thought they had been carried off to the fabled regions the poets had celebrated. The sea sparkled with tropical fire; the extraordinary clearness of its waters revealed to the navigator's eyes, for the first time, the depth of the abyss[26]. Here and there appeared small fragrant islands that seemed to float like baskets of flowers on the calm surface of the ocean. Everything that met the eye in these enchanted places seemed prepared for man's needs or designed for his pleasures. Most of the trees were laden with nourishing fruit, and those least useful to man charmed his eyes with the brilliance and variety of their colors. In a forest of fragrant lemon trees, wild figs, round-leaved myrtles, acacias, and oleanders, all intertwined with flowering vines, a multitude of birds unknown to Europe flashed their crimson and azure wings and mingled the concert of their voices with the harmonies of a nature full of movement and life [27].

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26 TOCQUEVILLE'S NOTE. The waters of the Caribbean Sea are so clear, says Malte-Brun, vol. 3, p. 726, that one can make out corals and fish at a depth of 60 fathoms. The ship seems to glide through the air; a kind of dizziness seizes the traveler whose gaze plunges through the crystalline fluid into underwater gardens where shells and golden fish gleam among tufts of wrack and groves of seaweed.

TRANSLATOR'S NOTE. Conrad Malte-Brun (1775–1826), Danish-born French geographer, author of a multivolume *Précis de la géographie universelle*.

27 TOCQUEVILLE'S NOTE. In its tropical regions, South America produces with incredible profusion those climbing plants known by the general name of lianas. The flora of the Antilles alone includes more than forty different species.

Among the most graceful of these shrubs is the passionflower. This pretty plant, says Descourtiz in his description of the plant kingdom of the Antilles, clings to trees by means of its tendrils and forms on them swaying arches and colonnades, rich and elegant thanks to the beautiful crimson flowers, varied with blue, that adorn them and that delight the sense of smell with the fragrance they give off; vol. 1, p. 265.

The large-podded acacia is a very thick liana that grows rapidly and, running from tree to tree, sometimes covers more than half a league; vol. 3, p. 227.

TRANSLATOR'S NOTE. Michel Étienne Descourtilz (1775–1835), French naturalist, author of a *Flore pittoresque et médicale des Antilles*.

Death lay hidden beneath this brilliant mantle; but no one perceived it then, and besides, there reigned in the air of these climates some indefinable enervating influence that bound man to the present and made him careless of the future.

North America appeared in another guise: everything there was grave, serious, solemn; one would have said it had been created to become the domain of the intellect, as the other was the dwelling of the senses.

A turbulent, misty ocean wrapped its shores; granite rocks or sandy beaches served it as a girdle; the woods that covered its coasts spread a dark and melancholy foliage; almost nothing grew there but the pine, the larch, the live oak, the wild olive, and the laurel.

Once past this first barrier, one entered the shade of the central forest; there the largest trees that grow in either hemisphere stood mingled together. The sycamore, the catalpa, the sugar maple, and the Virginia poplar intertwined their branches with those of the oak, the beech, and the linden.

As in forests under man's dominion, death struck here without respite; but no one undertook to clear away the wreckage it left behind. So it piled up, layer upon layer: time could not reduce it to dust quickly enough to make room for new growth. Yet in the very midst of this wreckage, the work of reproduction went on unceasingly. Climbing plants and grasses of every kind forced their way through the obstacles; they crept along the fallen trees, worked their way into their dust, lifted and broke the withered bark that still covered them, and cleared a path for their young shoots. Thus death in some sense came to the aid of life. The two stood face to face; they seemed to have wished to mingle and blend their works.

These forests concealed a deep darkness; a thousand streams, whose courses human industry had not yet directed, kept them perpetually damp. One scarcely saw a few flowers, a few wild fruits, a few birds there.

The fall of a tree brought down by age, the cataract of a river, the bellowing of the buffalo, and the whistling of the winds alone disturbed the silence of nature.

East of the great river, the woods partly disappeared; in their place stretched boundless prairies. Had nature, in its infinite variety, denied the seed of trees to these fertile lands, or had the forest that once covered them been destroyed long ago by the hand of man? Neither tradition nor scientific research has been able to discover the answer.

THE NATIVE PEOPLES

The Indians' languages, equality, pride and courage; traces of an older vanished people; a continent awaiting settlers.

These immense wildernesses were not, however, entirely devoid of human presence; a few tribes had wandered for centuries beneath the shade of the forest or among the grasslands of the prairie. From the mouth of the St. Lawrence to the delta of the Mississippi, from the Atlantic Ocean to the South Sea, these Indians shared points of resemblance that attested to their common origin. But otherwise they differed from all known races[28]: they were neither white like Europeans, nor yellow like most Asians, nor black like Black people; their skin was reddish, their hair long and glossy, their lips thin, and their cheekbones very prominent. The languages spoken by the native peoples of America differed from one another in their words, but all were

28 TOCQUEVILLE'S NOTE. Some resemblances have since been discovered between the physical build, language, and customs of the Indians of North America and those of the Tungus, the Manchus, the Mongols, the Tatars, and other nomadic tribes of Asia. These peoples live close to the Bering Strait, which allows us to suppose that at some ancient period they may have come to people the empty continent of America. But science has not yet managed to clarify this point. On this question see Malte-Brun, vol. 5; the works of M. de Humboldt; Fischer, *Conjectures on the Origin of the Americans*; Adair, *History of the American Indians*.

TRANSLATOR'S NOTE. Fischer's French title is *Conjectures sur l'origine des Américains*. James Adair (c. 1709–c. 1783) was a trader among the southeastern tribes; Alexander von Humboldt (1769–1859) was the German naturalist and explorer of Spanish America.

subject to the same grammatical rules. These rules departed in several respects from those that until then had seemed to govern the formation of language among human beings.

The language of the Americans seemed the product of new combinations; it revealed on the part of its inventors an intellec-

tual effort of which the Indians of our day seem hardly capable

[29].

The social state of these peoples also differed in several respects from what was seen in the Old World. It was as if they had multiplied freely in the midst of their wildernesses, without contact with races more civilized than their own. So one did not find among them those uncertain and incoherent notions of good and evil, that deep corruption which, in civilized nations that have relapsed into barbarism, is usually mixed with ignorance and coarse mores. The Indian owed nothing to anyone but himself. His virtues, his vices, his prejudices were his own work; he had grown up in the wild independence of his nature.

The coarseness of the common people in civilized countries comes not only from their being ignorant and poor, but from the fact that, being so, they are in daily contact with enlightened and rich men.

The sight of their misfortune and weakness, which every day stands in contrast with the happiness and power of some of their fellows, stirs both anger and fear in their hearts; the feeling of their inferiority and dependence irritates and humiliates them. This inner state of the soul is reproduced in their mores as well as in their language; they are at once insolent and abject.

The truth of this is easily proved by observation. The common people are coarser in aristocratic countries than anywhere else, and coarser in opulent cities than in the countryside.

In such places, where men so strong and so rich are found, the weak and the poor feel almost crushed by their lowliness. Finding no point at which they might regain equality, they despair of themselves entirely and let themselves fall below human dignity.

This unfortunate effect of the contrast of conditions is not found in the wild life: the Indians, while they are all ignorant and poor, are all equal and free.

When the Europeans arrived, the native of North America did not yet know the value of riches and showed himself indifferent to the well-being that civilized man acquires with them. Yet

Finally, the languages of America are extremely regular; it is therefore probable that the peoples who use them have not yet undergone great revolutions, and have not mingled, by force or by choice, with foreign nations; for it is generally the merging of several languages into one that produces grammatical irregularities.

Only recently have the American languages, and in particular the languages of North America, drawn the serious attention of philologists. It was then discovered for the first time that this language of a barbarous people was the product of a system of very complicated ideas and highly learned combinations. It was noticed that these languages were very rich, and that great care had been taken in forming them to spare the delicacy of the ear.

there was nothing coarse to be seen in him, on the contrary, a

The grammatical system of the Americans differs from all others in several respects, but chiefly in this one.

Some European peoples, the Germans among others, have the ability to combine different expressions as needed and thus give certain words a complex meaning. The Indians have extended this same ability in the most surprising way and have managed, so to speak, to fix a very large number of ideas on a single point. This will be easily understood with the help of an example cited by Mr. Duponceau in the *Memoirs of the American Philosophical Society*.

When a Delaware woman is playing with a cat or a puppy, he says, she can sometimes be heard to utter the word *kuligatschi*. This word is composed as follows: *K* is the sign of the second person and means *you* or *your*; *uli*, pronounced *ooli*, is a fragment of the word *wulit*, which means *beautiful*, *pretty*; *gat* is another fragment, of the word *wichtgat*, which means *paw*; finally *schis*, pronounced *sheez*, is a diminutive ending that carries the idea of smallness. Thus, in a single word, the Indian woman has said: Your pretty little paw.

Here is another example that shows how skillfully the Indians of America knew how to compound their words.

In Delaware, a young man is called *pilapé*. This word is formed from *pilsit*, chaste, innocent, and *lénapé*, man: that is, man in his purity and innocence.

This ability to combine words is especially remarkable, in a very strange way, in the formation of verbs. The most complicated action is often rendered by a single verb; nearly every nuance of the idea acts on the verb and modifies it.

Those who would like to examine this subject in more detail—I have only skimmed it very superficially myself—should read:

1. The correspondence of Mr. Duponceau with the Reverend Hecwelder concerning the Indian languages. This correspondence is found in the 1st volume of the *Memoirs of the American Philosophical Society*, published in Philadelphia in 1819 by Abraham Small, pp. 356–464.

2. The grammar of the Delaware or Lenape language by Geiberger, with the preface by Mr. Duponceau that accompanies it. All of this is found in the same collections, vol. 3.

3. A very well-made summary of these works, at the end of volume 6 of the *Encyclopedia Americana*.

TRANSLATOR'S NOTE. Peter Stephen Du Ponceau (1760–1844), French-born American lawyer and philologist. The society's publication appeared in English as its *Transactions*.

TRANSLATOR'S NOTE. Tocqueville gives the pronunciations in French spelling ("ouli," "chise").

TRANSLATOR'S NOTE. John Heckewelder (1743–1823), Moravian missionary among the Delaware.

TRANSLATOR'S NOTE. The author was David Zeisberger (1721–1808), Moravian missionary to the Delaware.

habitual reserve and a kind of aristocratic politeness prevailed in his ways of acting.

Gentle and hospitable in peace, merciless in war—even beyond the known limits of human ferocity—the Indian would risk starving to death to help the stranger who knocked at the door of his cabin in the evening, and he would tear apart with his own hands the quivering limbs of his prisoner. The most famous republics of antiquity had never admired firmer courage, prouder souls, or a more unyielding love of independence than lay hidden at that time in the wild woods of the New World[30]. The Europeans made little impression when they landed on the shores of North America; their presence aroused neither envy nor fear. What hold could they have over such men? The Indian knew how to live without needs, to suffer without complaint, and to die singing[31]. Like all the other members of the great human family, these Indians believed, moreover, in the existence of a better world, and they worshiped, under different names, God the creator of the universe. Their notions about the

30 TOCQUEVILLE'S NOTE. Among the Iroquois, when they were attacked by superior forces, says President Jefferson (*Notes on the State of Virginia*, p. 148), old men have been seen to scorn flight or survival after the destruction of their country, and to brave death like the ancient Romans when Rome was sacked by the Gauls.

Further on, p. 150: "There is no example," he says, "of an Indian who, having fallen into the power of his enemies, begged for his life. On the contrary, one sees the prisoner seek death, so to speak, at the hands of his conquerors, insulting and provoking them in every way.

TRANSLATOR'S NOTE. Tocqueville cites Jefferson's *Notes on the State of Virginia* (1785) in its French translation, *Observations sur la Virginie*, and his page numbers refer to that edition. The Gauls sacked Rome around 390 BC; Livy tells how the elderly senators awaited death seated in their homes.

31 TOCQUEVILLE'S NOTE. See *History of Louisiana*, by Lepage-Dupratz; Charlevoix, *History of New France*; letters of the Rev. Hecwelder, *Transactions of the American Philosophical Society*, vol. 1; Jefferson, *Notes on the State of Virginia*, pp. 135–190. What Jefferson says carries especially great weight because of the writer's personal merit, his particular position, and the positive and exact age in which he wrote.

TRANSLATOR'S NOTE. Antoine-Simon Le Page du Pratz's *Histoire de la Louisiane* (1758) and Pierre-François-Xavier de Charlevoix's *Histoire et description générale de la Nouvelle-France* (1744) are French accounts of North America.

great intellectual truths were generally simple and philosophical [32].

However primitive the people whose character we are sketching here may seem, there can be no doubt that another people,

more civilized and more advanced in all things, had preceded them in the same regions.

An obscure tradition, though one widespread among most of the Indian tribes along the Atlantic coast, tells us that these

same peoples once had their home west of the Mississippi. Along the banks of the Ohio and throughout the central valley, mounds raised by human hands are still found every day. When

32 TOCQUEVILLE'S NOTE. In Charlevoix, vol. I, p. 235, one finds the story of the first war the French of Canada had to wage against the Iroquois, in 1610. Though armed with bows and arrows, the Iroquois put up a desperate resistance to the French and their allies. Charlevoix is not a great painter of scenes, yet in this passage he shows very well the contrast between the mores of the Europeans and those of the Indians, as well as the different ways in which these two races understood honor.

"The French," he says, "seized the beaver skins worn by the Iroquois whom they saw lying on the field. The Hurons, their allies, were scandalized at this sight. The Hurons, for their part, began to practice their usual cruelties on the prisoners, and they devoured one of those who had been killed, which horrified the French. Thus," Charlevoix adds, "these people prided themselves on a disinterestedness they were surprised not to find in our nation, and they did not understand that there was much less wrong in stripping the dead than in feeding on their flesh like wild beasts."

In another passage, vol. 1, p. 230, the same Charlevoix depicts the first torture Champlain witnessed and the return of the Hurons to their village in this way.

"After covering eight leagues," he says, "our allies halted. Taking one of their captives, they reproached him for all the cruelties he had inflicted on warriors of their nation who had fallen into his hands. They declared that he must expect to be treated the same way, adding that if he had courage, he would show it by singing. At once he struck up his war song, and all the others he knew, but in a very sad tone, says Champlain, who had not yet had time to learn that all the music of the Indians has something mournful about it. His torture, accompanied by all the horrors we will speak of later, frightened the French, who tried in vain with all their might to put an end to it. The following night, a Huron dreamed that they were being pursued, and the retreat turned into an outright flight. The Indians did not stop anywhere again until they were beyond all danger.

"As soon as they caught sight of the cabins of their village, they cut long poles, tied to them the scalps that had fallen to their share, and carried them as if in triumph. At this sight the women came running and swam out. When they reached the canoes, they took these blood-soaked scalps from their husbands' hands and tied them around their necks.

"The warriors offered one of these horrible trophies to Champlain. They also presented him with some bows and arrows, the only spoils of the Iroquois they had cared to take, and asked him to show them to the king of France."

Champlain lived alone for an entire winter among these peoples, and not for a moment were his person or his property put at risk.

TRANSLATOR'S NOTE. The Hurons (Wendat), an Iroquoian-speaking people of the Great Lakes region, were allies of the French against the Iroquois.

TRANSLATOR'S NOTE. Samuel de Champlain (c. 1567–1635) was a French explorer who founded Quebec in 1608.

one digs to the center of these monuments, one almost always comes upon, it is said, human bones, strange instruments, weapons, and utensils of every kind made of a metal, or suggesting practices, unknown to the present races.[33]

The Indians of our day can give no information about the history of this unknown people. Those who lived three hundred years ago, when America was discovered, said nothing either from which even a hypothesis could be inferred. Traditions, those perishable and ever-reborn monuments of the primitive world, shed no light. And yet thousands of our fellow men lived there; of that there can be no doubt. When did they come there? What were their origin, their destiny, their history? When and how did they perish? No one could say.

A strange thing! There are peoples who have vanished so completely from the earth that even the memory of their name has been erased. Their languages are lost; their glory has faded like a sound without an echo. Yet I do not know whether there is a single one that has not at least left a tomb in memory of its passing. Thus, of all the works of man, the most lasting is still the one that best records his nothingness and his miseries!

Although the vast country just described was inhabited by numerous native tribes, one may justly say that at the time of its discovery it was still only a wilderness. The Indians occupied it, but they did not possess it. It is through agriculture that man appropriates the soil, and the first inhabitants of North America lived from the products of the hunt. Their implacable prejudices, their untamed passions, their vices, and perhaps still more their wild virtues delivered them up to inevitable destruction. The ruin of these peoples began on the day the Europeans landed on their shores; it has continued ever since; it is being completed in our own day. Providence, in placing them amid the riches of the New World, seemed to have granted them only a brief usufruct; they were there, in a sense, only *in the meantime*. Those coasts so well suited to commerce and industry,

33 These earthworks, built by Indigenous cultures such as the Adena, Hopewell, and Mississippian, were then commonly attributed to a vanished people.

those deep rivers, that inexhaustible valley of the Mississippi, that whole continent then appeared as the still-empty cradle of a great nation.

It was there that civilized men were to try to build society on new foundations. There, applying for the first time theories until then unknown or deemed impracticable, they would present the world with a spectacle for which the history of the past had not prepared it.

CHAPTER 2: ON THE POINT OF DEPARTURE AND ITS IMPORTANCE FOR THE FUTURE OF THE ANGLO-AMERICANS (DU POINT DE DÉPART ET DE SON IMPORTANCE POUR L'AVENIR DES ANGLO-AMÉRICAINS)

A nation's origins explain its later life; the English colonists, Virginia and the South, and New England.

1.1.2 Usefulness of knowing the point of departure of peoples in order to understand their social state and their laws—America the only country where it has been possible to see clearly the point of departure of a great people—In what respects all the men who came to people English America resembled one another—In what respects they differed—Remark applicable to all the Europeans who came to settle on the shores of the New World—Colonization of Virginia—*Id*. of New England—Original character of the first inhabitants of New England—Their arrival —Their first laws—Social contract—Penal code borrowed from the legislation of Moses—Religious ardor—Republican spirit—Intimate union of the spirit of religion and the spirit of liberty

A man is born; his early years pass in obscurity amid the pleasures or the labors of childhood. He grows up; manhood begins; at last the doors of the world open to receive him; he comes into contact with his fellows. It is then that he is studied for the first time, and people think they see forming in him the seeds of the vices and virtues of his maturity.

That, if I am not mistaken, is a great error.

Go back in time. Examine the child even in his mother's arms; see the outside world reflected for the first time in the still-dark

mirror of his intelligence; consider the first examples that strike his eyes; listen to the first words that awaken in him the dormant powers of thought; witness, finally, the first struggles he has to endure. Only then will you understand where the prejudices, habits, and passions that are going to dominate his life come from. The whole man is, so to speak, already there in the swaddling clothes of his cradle.

Something analogous happens with nations. Peoples always bear the marks of their origin. The circumstances that attended their birth and served their development influence the whole rest of their course.

If we could go back to the elements of societies and examine the earliest records of their history, I have no doubt that we could discover there the first cause of the prejudices, habits, and ruling passions—of everything, in short, that makes up what is called national character. We might find there the explanation of customs that today seem contrary to prevailing mores; of laws that seem at odds with recognized principles; of incoherent opinions that crop up here and there in society, like those fragments of broken chains one still sometimes sees hanging from the vaults of an old building, holding nothing up anymore. This would explain the destiny of certain peoples who seem swept along by an unknown force toward a goal of which they themselves are unaware. But until now the facts needed for such a study have been lacking. The spirit of analysis came to nations only as they grew old, and when they finally thought to contemplate their cradle, time had already wrapped it in a cloud, and ignorance and pride had surrounded it with fables behind which the truth lay hidden.

America is the only country where it has been possible to witness the natural and tranquil development of a society, and where the influence exerted by the point of departure on the future of states could be determined precisely.

When the European peoples landed on the shores of the New World, the features of their national character were already firmly fixed; each of them had a distinct physiognomy. And

since they had already reached that degree of civilization which leads men to study themselves, they have handed down to us a faithful picture of their opinions, their mores, and their laws. The men of the fifteenth century are almost as well known to us as those of our own. America thus shows us in broad daylight what the ignorance or barbarism of the earliest ages hid from our view.

Near enough to the time when American societies were founded to know their elements in detail, and far enough from it to be able already to judge what these seeds have produced, the men of our day seem destined to see further into human events than their predecessors. Providence has placed within our reach a torch that our fathers lacked, and has allowed us to discern, in the destiny of nations, first causes that the darkness of the past concealed from them.

When, after attentively studying the history of America, one carefully examines its political and social state, one becomes deeply convinced of this truth: there is not an opinion, not a habit, not a law, I might even say not an event, that the point of departure does not readily explain. Those who read this book will therefore find in the present chapter the seed of what is to follow and the key to almost the whole work.

The emigrants who came at different periods to occupy the territory now covered by the American Union differed from one another in many respects. Their aim was not the same, and they governed themselves according to different principles.

These men nonetheless had features in common, and they all found themselves in a similar situation.

The bond of language is perhaps the strongest and most lasting that can unite men. All the emigrants spoke the same language; they were all children of the same people. They were born in a country that had been shaken for centuries by the struggle of parties, and where the factions had each in turn been obliged to place themselves under the protection of the laws. Their political education had been formed in that harsh school, and more notions of rights and more principles of true liberty

were spread among them than among most of the peoples of Europe. At the time of the first emigrations, township government, that fertile seed of free institutions, had already entered deeply into English habits, and with it the dogma of the sovereignty of the people had made its way into the very heart of the Tudor monarchy.[34]

This was in the midst of the religious quarrels that shook the Christian world. England had thrown herself into this new course with a kind of fury. The character of the inhabitants, which had always been serious and reflective, had become austere and argumentative. Learning had greatly increased in these intellectual struggles, and minds had been more deeply cultivated by them. While people were busy talking religion, mores had become purer. All these general traits of the nation could be found, more or less, in the features of those of its sons who had come to seek a new future on the far shores of the Ocean.

There is, moreover, an observation, to which we will have occasion to return later, that applies not only to the English but also to the French, the Spanish, and all the Europeans who came one after another to settle on the shores of the New World. All the new European colonies contained, if not the development, at least the seed of a complete democracy. Two causes led to this result. One can say that, in general, when they left the mother country, the emigrants had no idea of any superiority whatever of some over others. It is hardly the happy and the powerful who go into exile, and poverty and misfortune are the best guarantees of equality known among men. It did happen, however, on several occasions, that great lords crossed over to America as a result of political or religious quarrels. Laws were made there to establish a hierarchy of ranks, but it was soon noticed that American soil utterly rejected a landed aristocracy. It became clear that nothing less than the constant, self-interested efforts of the owner himself was needed to clear this stubborn land. Once the ground was prepared, its yield turned out to be too

34 "Township" renders Tocqueville's *commune* throughout: the basic unit of local self-government.

small to enrich both a master and a tenant farmer at once. The land therefore broke up naturally into small estates that the owner alone cultivated. Now, it is to the land that aristocracy clings; it is to the soil that it attaches itself and on the soil that it rests. It is not privileges alone that establish it, nor birth that constitutes it; it is landed property passed down by inheritance. A nation may display immense fortunes and great misery; but if those fortunes are not in land, one sees poor and rich within it, but there is not, strictly speaking, an aristocracy.

All the English colonies, then, bore a strong family resemblance to one another at the time of their birth. All of them, from their beginnings, seemed destined to display the development of liberty—not the aristocratic liberty of their mother country, but the middle-class and democratic liberty of which the history of the world had not yet offered a complete model.

Within this general coloring, however, there were very strong shades that must be pointed out.

Within the great Anglo-American family, two main offshoots can be distinguished which, up to now, have grown up without entirely merging—one in the South, the other in the North.

VIRGINIA AND NEW ENGLAND

Virginia began with gold-seekers and slavery; New England with educated Puritans who crossed the ocean for an idea.

Virginia received the first English colony. The emigrants arrived there in 1607. Europe at that time was still singularly preoccupied with the idea that gold and silver mines make the wealth of peoples—a fatal idea that has done more to impoverish the European nations that embraced it, and has destroyed more men in America, than war and all bad laws put together. So it

was gold-seekers who were sent to Virginia[35], penniless and unruly men, whose restless and turbulent spirit troubled the colony's infancy[36] and made its progress uncertain. After them came the tradesmen and the farmers, a more moral and steadier sort of people, but one that scarcely rose in any respect above the level of the lower classes of England[37]. No noble thought, no plan of a higher, spiritual order presided over the founding of the new settlements. Scarcely had the colony been established when slavery was introduced[38]; this was the cardinal fact that was to exert an immense influence on the character, the laws, and the entire future of the South.

Slavery, as we will explain later, dishonors labor; it introduces idleness into society, and with idleness, ignorance and

35 TOCQUEVILLE'S NOTE. The charter granted by the English Crown in 1609 stipulated, among other clauses, that the colonists would pay the Crown one fifth of the yield of the gold and silver mines. See *Life of Washington,* by Marshall, vol. 1, pp. 18–66.

TRANSLATOR'S NOTE. John Marshall, Chief Justice of the United States, wrote *The Life of George Washington* (1804–7); Tocqueville spells the name "Marshalls."

36 TOCQUEVILLE'S NOTE. A large part of the new colonists, says Stith (*History of Virginia*), were dissolute young men of good family whom their parents had shipped off to save them from a disgraceful fate; former servants, fraudulent bankrupts, debauchees, and other people of that kind, better suited to plunder and destroy than to strengthen the settlement, made up the rest. Seditious leaders easily drew this crowd into all sorts of follies and excesses. On the history of Virginia, see the following works:

History of Virginia from the first Settlements in the year 1624 by Smith.

History of Virginia, by William Stith.

History of Virginia from the earliest period, by Beverly, translated into French in 1807.

TRANSLATOR'S NOTE. William Stith (1707–1755), Virginia clergyman, published *The History of the First Discovery and Settlement of Virginia* in 1747.

TRANSLATOR'S NOTE. Captain John Smith (1580–1631), a leader of the Jamestown colony, published his *Generall Historie of Virginia* in 1624.

TRANSLATOR'S NOTE. Robert Beverley (c. 1673–1722), Virginia planter, author of *The History and Present State of Virginia* (1705).

37 TOCQUEVILLE'S NOTE. It was only later that a certain number of wealthy English landowners came to settle in the colony.

38 TOCQUEVILLE'S NOTE. Slavery was introduced around the year 1620 by a Dutch ship that landed twenty Black people on the banks of the James River. See *Charmer*.

TRANSLATOR'S NOTE. Probably George Chalmers, *Political Annals of the Present United Colonies* (1780); the French prints "Charmer."

pride, poverty and luxury. It saps the strength of the intellect and lulls human activity to sleep. The influence of slavery, combined with the English character, explains the mores and the social state of the South.

On this same English background, entirely contrary shades were painted in the North. Here I will be permitted to go into some detail.

It was in the English colonies of the North, better known as the New England states[39], that the two or three main ideas that today form the foundations of the social theory of the United States were combined.

The principles of New England spread first into the neighboring states; then, step by step, they reached the most distant ones, and ended, if I may put it this way, by *permeating* the entire confederation. They now exert their influence beyond its borders over the whole American world. The civilization of New England has been like those fires lit on the heights which, after spreading warmth around them, still tinge the farthest limits of the horizon with their light.

The founding of New England offered a new spectacle; everything about it was singular and original.

Nearly all colonies have had as their first inhabitants either men without education and without means, driven by poverty and misconduct from the country of their birth, or else greedy speculators and industrial entrepreneurs. There are colonies that cannot even claim such an origin: Saint-Domingue was founded by pirates, and in our own day the courts of England are taking it upon themselves to people Australia.[40]

The emigrants who came to settle on the shores of New England all belonged to the well-off classes of the mother country. Their gathering on American soil presented from the outset the

39 TOCQUEVILLE'S NOTE. The New England states are those lying east of the Hudson; today there are six of them: 1. Connecticut; 2. Rhode Island; 3. Massachusetts; 4. Vermont; 5. New Hampshire; 6. Maine.

40 Saint-Domingue, the French colony that became Haiti, grew out of seventeenth-century buccaneer settlements; Britain was then transporting convicts to Australia.

singular phenomenon of a society in which there were neither great lords nor common people, and, so to speak, neither poor nor rich. In proportion, there was a greater mass of enlightenment spread among these men than within any European nation of our day. All of them, perhaps without a single exception, had received a fairly advanced education, and several of them had made a name for themselves in Europe by their talents and their learning. The other colonies had been founded by adventurers without families; the emigrants of New England brought with them admirable elements of order and morality. They went into the wilderness accompanied by their wives and children. But what distinguished them above all from all the others was the very aim of their undertaking. It was not necessity that forced them to leave their country; they were leaving behind a social position worth regretting and an assured livelihood. Nor were they crossing to the New World to improve their situation or increase their wealth. They were tearing themselves away from the comforts of their homeland to obey a purely intellectual need; in exposing themselves to the inevitable miseries of exile, they wanted to make *an idea* triumph.

The emigrants—or, as they so aptly called themselves, the *Pilgrims*—belonged to that English sect which, owing to the austerity of its principles, had been given the name Puritan. Puritanism was not merely a religious doctrine; at several points it also merged with the most absolute democratic and republican theories. That is where its most dangerous adversaries had come from. Persecuted by the government of the mother country, offended in the strictness of their principles by the daily course of the society in which they lived, the Puritans sought a land so barbarous and so abandoned by the world that one might still be allowed to live there in one's own way and to pray to God in freedom.[41]

A few quotations will convey the spirit of these pious adventurers better than anything we could add ourselves.

41 Tocqueville gives the French *pèlerins* followed by the English word "pilgrims" in parentheses.

Nathaniel Morton, the historian of the early years of New England, opens his subject thus[42]:[43]

"I have always believed," he says, "that it was a sacred duty for us, whose fathers received such numerous and memorable pledges of divine goodness in the founding of this colony, to perpetuate its memory in writing. What we have seen, and what our fathers have told us, we must make known to our children, so that the generations to come may learn to praise the Lord; so that the seed of Abraham his servant, and the children of Jacob his chosen, may always keep in memory the marvelous works of God (*Ps*. CV, 5, 6). "They must know how the Lord brought his vine into the wilderness; how he planted it and drove out the heathen from it; how he prepared a place for it, sank its roots deep, and then let it spread and cover the land far and wide (*Ps*. LXXX, 15, 13); and not only that, but also how he guided his people to his holy tabernacle and established them on the mountain of his inheritance (*Exod*., XV, 13). These things must be known, so that God may receive the honor due to him, and so that some rays of his glory may fall upon the venerable names of the saints who served as his instruments."

It is impossible to read this opening without being filled, in spite of oneself, with a religious and solemn feeling; one seems to breathe in it an air of antiquity and a kind of biblical fragrance.

The conviction that animates the writer elevates his language. To your eyes, as to his, this is no longer a little band of adventurers going off to seek their fortune beyond the seas; it is the seed of a great people that God has come to set down with his own hands on a predestined land.

42 TOCQUEVILLE'S NOTE. *New-England's Memorial*, p. 14; Boston, 1826. See also Hutchinson's *History*, vol. 2, p. 440.

TRANSLATOR'S NOTE. Thomas Hutchinson (1711–1780), royal governor of Massachusetts, wrote *The History of the Colony of Massachusets-Bay*.

43 Nathaniel Morton (1613–1685), secretary of Plymouth Colony, published *New-Englands Memoriall* in 1669.

The author continues, and depicts the departure of the first emigrants in this way[44]:

"So it was," he says, "that they left that town (Delft-Haleft), which had been a place of rest for them; yet they were calm; they knew they were pilgrims and strangers here below. They did not cling to the things of the earth, but lifted their eyes toward heaven, their dear homeland, where God had prepared his holy city for them. At last they reached the port where the ship was waiting for them. A great many friends who could not leave with them had at least wished to follow them that far. The night passed without sleep; it was spent in outpourings of friendship, in pious talk, in expressions full of true Christian tenderness.[45] "The next day they went on board; their friends wished to accompany them there as well. It was then that deep sighs were heard, that tears were seen flowing from every eye, that long embraces and fervent prayers could be heard, which moved even strangers. When the signal for departure was given, they fell to their knees, and their pastor, raising eyes full of tears to heaven, commended them to the mercy of the Lord. At last they took leave of one another and spoke the farewell that, for many of them, was to be the last."

The emigrants numbered about a hundred and fifty, men, women, and children. Their aim was to found a colony on the banks of the Hudson; but after wandering for a long time on the Ocean, they were finally forced to land on the barren coast of New England, at the spot where the town of Plymouth stands today. The rock where the Pilgrims came ashore is still pointed out[46].

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44 TOCQUEVILLE'S NOTE. *New-England's Memorial*, p. 22.

45 Delfshaven, the port near Rotterdam from which the Pilgrims sailed in 1620; the spelling is Tocqueville's.

46 TOCQUEVILLE'S NOTE. This rock has become an object of veneration in the United States. I have seen fragments of it carefully preserved in several towns of the Union. Does this not show very clearly that the power and greatness of man lie entirely in his soul? Here is a stone that the feet of a few poor wretches touch for an instant, and this stone becomes famous; it draws the gaze of a great people; its fragments are venerated, its very dust is shared out far and wide. What has become of the thresholds of so many palaces? Who cares about them?

"But before going any further," says the historian I have already quoted, "let us consider for a moment the present condition of this poor people, and admire the goodness of God who saved them[47].

They had now crossed the vast Ocean and were reaching the end of their voyage, but they saw no friends to receive them, no dwelling to offer them shelter. It was the middle of winter, and those who know our climate know how harsh the winters are and what furious storms then ravage our coasts. In that season it is hard to travel even through familiar places, and harder still to settle on new shores. All around them lay nothing but a hideous and desolate wilderness, full of animals and of Native peoples whose ferocity and numbers they did not know. The earth was frozen; the ground was covered with forests and thickets. The whole had a barbarous look. Behind them they could see only the immense Ocean that separated them from the civilized world. To find a little peace and hope, they could turn their eyes only upward."

THE FIRST LAWS OF NEW ENGLAND

The Mayflower Compact, colonies governing themselves under charters, and Connecticut's penal code drawn from the Bible.

We must not suppose that the piety of the Puritans was merely speculative, or that it held itself aloof from the course of human affairs. Puritanism, as I said above, was almost as much a political theory as a religious doctrine. And so, barely landed on the inhospitable shore that Nathaniel Morton has just described, the

47 TOCQUEVILLE'S NOTE. *New-England's Memorial*, p. 33.

emigrants' first concern is to organize themselves into a society. They immediately draw up an act that reads[48]:

"We, whose names follow, who, for the glory of God, the advancement of the Christian faith, and the honor of our country, have undertaken to plant the first colony on these remote shores, do by these presents agree, by mutual and solemn consent, and before God, to form ourselves into a civil body politic, in order to govern ourselves and to work toward the accomplishment of our designs; and by virtue of this contract we agree to enact laws, acts, and ordinances, and to institute magistrates as need requires, to whom we promise submission and obedience."[49]

This took place in 1620. From that time on, emigration never stopped... The religious and political passions that tore the British Empire apart throughout the reign of Charles I drove new swarms of sectarians to the shores of America every year. In England the center of Puritanism continued to lie in the middle classes, and it was from the middle classes that most of the emigrants came. The population of New England grew rapidly, and while in the mother country the hierarchy of ranks still despotically assigned men their places, the colony increasingly presented the novel spectacle of a society homogeneous in all its parts. Democracy—such as antiquity had never dared to dream of it—sprang fully grown and fully armed from the midst of the old feudal society.

Content to rid itself of the seeds of unrest and the elements of new revolutions, the English government looked on this large emigration without displeasure. It even encouraged it with all its power, and seemed scarcely to concern itself with the fate of

48 TOCQUEVILLE'S NOTE. The emigrants who created the state of Rhode Island in 1638, those who settled at New Haven in 1637, the first inhabitants of Connecticut in 1639, and the founders of Providence in 1640 likewise began by drawing up a social contract, which was submitted to the approval of all concerned. *Pitkin's History*, pp. 42 and 47.

TRANSLATOR'S NOTE. Timothy Pitkin, *A Political and Civil History of the United States of America* (1828).

49 This is the Mayflower Compact, signed aboard ship in November 1620.

those who came to American soil seeking refuge from the harshness of its laws. One would have said that it regarded New England as a region given over to flights of imagination, to be left to the free experiments of innovators.

The English colonies—and this was one of the chief causes of their prosperity—always enjoyed more internal liberty and more political independence than the colonies of other peoples; but nowhere was this principle of liberty more fully applied than in the states of New England.

It was then generally accepted that the lands of the New World belonged to the European nation that had first discovered them.

In this way almost the entire coast of North America became an English possession toward the end of the sixteenth century. The means the British government used to people these new domains were of different kinds. In some cases the king placed a portion of the New World under a governor of his choosing, charged with administering the country in his name and under his direct orders[50]; this is the colonial system adopted in the rest of Europe. At other times he granted to a man or a company the ownership of certain portions of the country[51]. All civil and political powers were then concentrated in the hands of one or several individuals, who, under the inspection and control of the crown, sold the land and governed the inhabitants. Finally, a third system consisted in giving a certain number of emigrants the right to form themselves into a political society under the patronage of the mother country, and to govern themselves in everything not contrary to its laws.

50 TOCQUEVILLE'S NOTE. This was the case of the state of New York.

51 TOCQUEVILLE'S NOTE. Maryland, the Carolinas, Pennsylvania, and New Jersey were in this case. See *Pitkin's History*, vol. 1, pp. 11–31.

This mode of colonization, so favorable to liberty, was put into practice only in New England[52].

As early as 1628[53], a charter of this kind was granted by Charles I to emigrants who came to found the colony of Massachusetts.

But in general, charters were granted to the colonies of New England only long after their existence had become an accomplished fact. Plymouth, Providence, New Haven, the state of Connecticut, and that of Rhode Island[54] were founded without the help, and in a sense without the knowledge, of the mother country. The new inhabitants, without denying the supremacy of the home country, did not go to it to draw the source of their powers; they constituted themselves, and it was only thirty or forty years later, under Charles II, that a royal charter came to make their existence legal.

So it is often hard, in going through the earliest historical and legislative records of New England, to make out the tie that binds the emigrants to the land of their ancestors. At every turn we see them performing acts of sovereignty: they appoint their magistrates, make peace and war, establish police regulations,

52 TOCQUEVILLE'S NOTE. See, in the work entitled *Historical collection of state papers and other authentic documents intended as materials for an history of the United States of America, by Ebeneser Hasard, printed at Philadelphia MDCCXCII*, a very large number of documents, valuable for their content and their authenticity, relating to the earliest period of the colonies—among others, the various charters granted to them by the English crown, as well as the first acts of their governments.

See also the analysis of all these charters made by Mr. Story, a justice of the Supreme Court of the United States, in the introduction to his Commentary on the Constitution of the United States.

All these documents show that the principles of representative government and the outward forms of political liberty were introduced into all the colonies almost from their birth. These principles had been developed further in the North than in the South, but they existed everywhere.

TRANSLATOR'S NOTE. Joseph Story (1779–1845), associate justice of the U.S. Supreme Court, published his *Commentaries on the Constitution of the United States* in 1833.

53 TOCQUEVILLE'S NOTE. See *Pitkin's History*, p. 35, vol. I. See *the History of the colony of Massachusetts, by Hutchinson*, vol. 1, p. 9.

54 TOCQUEVILLE'S NOTE. See *id.*, pp. 42–47.

and give themselves laws as if they were answerable to God alone[55].

Nothing is at once more peculiar and more instructive than the legislation of this period; it is there above all that the key is to be found to the great social riddle that the United States presents to the world today.

Among these records, we shall single out as one of the most characteristic the code of laws that the small state of Connecticut gave itself in 1650[56].

The legislators of Connecticut[57] deal first with the penal laws, and to compose them they conceive the strange idea of drawing on the sacred texts:

"Whoever shall worship any other God than the Lord," they say at the outset, "shall be put to death." There follow ten or twelve provisions of the same kind, borrowed *word for word* from Deuteronomy, Exodus, and Leviticus.

Blasphemy, witchcraft, adultery[58], and rape are punished by death; a son's outrage against his parents is struck with the same penalty. Thus the legislation of a rough and half-civilized people was carried into the heart of a society whose mind was enlightened and whose mores were gentle; and so never was the death penalty more lavishly written into the laws, or applied to fewer of the guilty.

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55 TOCQUEVILLE'S NOTE. In establishing their criminal and civil laws, their procedures, and their courts of justice, the inhabitants of Massachusetts had departed from the practices followed in England: in 1600 the king's name still did not appear at the head of judicial writs. See Hutchinson, vol. 1, p. 452.

56 TOCQUEVILLE'S NOTE. *Code of 1650*, p. 28 (Hartford 1830).

57 TOCQUEVILLE'S NOTE. See also, in Hutchinson's history, vol. 1, pp. 435–456, the analysis of the penal code adopted in 1648 by the colony of Massachusetts; this code is drawn up on principles similar to those of Connecticut's.

58 TOCQUEVILLE'S NOTE. Adultery was likewise punishable by death under the law of Massachusetts, and Hutchinson, vol. 1, p. 441, says that several persons did in fact suffer death for this crime. In this connection he cites a curious anecdote from the year 1663. A married woman had had a love affair with a young man; she was widowed and married him; several years went by. When the public at last came to suspect the intimacy that had once existed between the spouses, they were criminally prosecuted; they were put in prison, and they came very close to being condemned to death, both of them.

LAWS ON MORALS AND THE SABBATH

Puritan laws punished sins and enforced Sunday rest; traces survive in Massachusetts and New York law.

In this body of criminal laws, the legislators are chiefly concerned with maintaining moral order and good morals in society. They therefore constantly intrude into the domain of conscience, and there is scarcely a sin that they do not manage to subject to the magistrate's censure. The reader will have noticed how severely these laws punished adultery and rape. Even simple intercourse between unmarried persons is severely repressed. The judge is left the right to inflict one of three penalties on the guilty: a fine, the whip, or marriage[59]. If the records of the old New Haven courts are to be believed, prosecutions of this kind were not rare. Under the date of May 1, 1660, one finds a judgment imposing a fine and a reprimand on a young woman accused of having spoken a few indiscreet words and of having let herself be kissed[60]. The code of 1650 abounds in preventive measures. Idleness and drunkenness are severely punished in it[61]. Innkeepers may not serve more than a certain quantity of wine to each customer; a fine or the whip punishes a simple lie when it can do harm[62]. Elsewhere the legislator, entirely forgetting the great principles of religious liberty that he himself had demanded in Europe, compels attendance at divine service through fear of fines[63]. He goes so far as to inflict severe penal-

59 TOCQUEVILLE'S NOTE. *Code of 1650*, p. 48.

It seems that judges sometimes imposed these various penalties cumulatively. One sees this in a decision handed down in 1643 (p. 114, *New-Haven antiquities*), which orders that Margaret Bedfort, convicted of having engaged in reprehensible acts, shall be whipped and shall be enjoined to marry Nicholas Jemmings, her accomplice.

60 TOCQUEVILLE'S NOTE. *New-Haven antiquities*, p. 104. See also, in Hutchinson's History, vol. 1, p. 435, several judgments as extraordinary as this one.

61 TOCQUEVILLE'S NOTE. *Id.*, 1650, p. 50, 57.

62 TOCQUEVILLE'S NOTE. *Id.*, p. 64.

63 TOCQUEVILLE'S NOTE. *Id.*

ties[64], and often death, on Christians who wish to worship God in a form other than his own[65]. At times, finally, the zeal for regulation that possesses him leads him to concern himself with matters most unworthy of him. Thus the same code contains a law prohibiting the use of tobacco[66]. We must not lose sight, moreover, of the fact that these bizarre or tyrannical laws were not imposed. They were voted by the free concurrence of all those concerned, and mores were even more austere and more puritanical than the laws. In 1649 a solemn association was

64 TOCQUEVILLE'S NOTE. This was not peculiar to Connecticut. See, among others, the law passed in Massachusetts on September 13, 1644, which condemns Anabaptists to banishment. *Historical collection of state papers*, vol. 1, p. 538. See also the law published on October 14, 1656, against the Quakers: "Whereas," says the law, "there has lately arisen a cursed sect of heretics called Quakers..." There follow provisions that condemn to a very heavy fine any ship captains who bring Quakers into the country. Quakers who manage to get in are to be whipped and shut up in a prison to work there. Those who defend their opinions are first to be fined, then sentenced to prison, and driven out of the province. Same collection, vol. 1, p. 630.

65 TOCQUEVILLE'S NOTE. In the criminal law of Massachusetts, a Catholic priest who sets foot in the colony after having been driven out of it is punished with death.

66 TOCQUEVILLE'S NOTE. *Code of 1650*, p. 96.

formed in Boston with the aim of preventing the worldly luxury

of long hair[67][68].

Such aberrations no doubt shame the human mind. They attest to the inferiority of our nature, which, unable to grasp the true and the just firmly, is most often reduced to choosing between two excesses.

FREE INSTITUTIONS AND THE SPIRIT OF RELIGION

New England's popular government, townships and schools; Winthrop on liberty; how religion and liberty support each other.

This penal legislation was strongly marked by the narrow spirit of sect and by all the religious passions that persecution had inflamed and that were still fermenting deep in people's souls. Alongside it, and in some way bound up with it, stands a body of political laws which, though drawn up two hundred years ago, still seems to run far ahead of the spirit of liberty of our own age.

The general principles on which modern constitutions rest—principles that most Europeans of the seventeenth century scarcely understood, and that were then triumphing only incompletely in Great Britain—are all recognized and established by the laws of New England. The participation of the people in public affairs, the free voting of taxes, the accountability of the agents of power, individual liberty, and trial by jury are established there without discussion and in fact.

There these generative principles receive an application and a development that no nation in Europe has yet dared to give them.

In Connecticut, the electorate consisted from the very beginning of the whole body of citizens, and this is easily under-

67 TOCQUEVILLE'S NOTE. *New-England's Memorial*, 316.

(1) These are officers elected every year, whose functions resemble at once those of the rural constable and those of the judicial police officer in France.

"The tythingmen must stop travelers and inquire into the reason that obliged them to set out on Sunday. Anyone who refuses to answer shall be fined up to 5 pounds sterling.

"If the reason given by the traveler does not seem sufficient to the tythingman, he shall prosecute the said traveler before the justice of the peace of the district." *Law of March* 8, 1792. *General Laws of Massachusetts*, vol. 1, p. 410.

On March 11, 1797, a new law raised the amount of the fines, half of which was to go to the person who prosecuted the offender. *Same collection*, vol. 1, p. 525.

On February 16, 1816, a new law confirmed these same measures. *Same collection*, vol. 2, p. 405.

Similar provisions exist in the laws of the state of New York, revised in 1827 and 1828. (See *Revised statutes*, part 1, chapter 20, p. 675.) They state that on Sunday no one may hunt, fish, gamble, or frequent houses where drink is served. No one may travel, except in case of necessity.

This is not the only trace that the religious spirit and austere mores of the first emigrants have left in the laws.

In the revised statutes of the state of New York, vol. 1, p. 662, one reads the following article:

"Anyone who, within the space of twenty-four hours, wins or loses by gaming or betting the sum of 25 dollars (about 132 francs) shall be deemed guilty of an offense (*misdemeanor*). Upon proof of the fact, he shall be sentenced to a fine equal to at least five times the value of the sum lost or won, and this fine shall be paid into the hands of the overseer of the poor of the township.

"Anyone who loses 25 dollars or more may sue to recover them. If he fails to do so, the overseer of the poor may bring an action against the winner and make him pay, for the benefit of the poor, the sum won and a sum three times as large."

The laws we have just cited are very recent; but who could understand them without going back to the very origins of the colonies? I have no doubt that in our day the penal part of this legislation is only very rarely applied; laws keep their inflexibility when mores have already yielded to the movement of the times. Nevertheless, the observance of Sunday in America is still what strikes the foreigner most vividly.

There is, in particular, one great American city in which, from Saturday evening on, social activity seems suspended. You walk through it at the hour that seems to summon mature age to business and youth to pleasure, and you find yourself in profound solitude. Not only is no one working, but no one seems to be alive. You hear neither the bustle of industry, nor the sounds of merriment, nor even the confused murmur that constantly rises from a great city. Chains are stretched in the vicinity of the churches. The half-closed shutters of the houses only grudgingly let a ray of sunlight into the citizens' dwellings. Only now and then do you glimpse, in the distance, a solitary man slipping noiselessly across the deserted crossroads and along the abandoned streets.

The next day, at daybreak, the rumbling of carriages, the noise of hammers, and the cries of the populace begin to be heard again; the city awakens; a restless crowd rushes toward the centers of commerce and industry; everything around you stirs, bustles, and hurries. A kind of lethargic torpor gives way to feverish activity; one would think that each person had only a single day at his disposal in which to acquire wealth and to enjoy it.

TRANSLATOR'S NOTE. The First French Republic was proclaimed in September 1792 and gave way to Napoleon's Empire in 1804.

stood[69]. Among this nascent people there then reigned an

almost perfect equality of fortunes, and still more of intellects[70].

In Connecticut at that time, all the agents of the executive power were elected, up to and including the governor of the state[71].

Citizens over the age of sixteen were obliged to bear arms there. They formed a national militia that appointed its own officers and had to be ready at all times to march in defense of the country[72].

It is in the laws of Connecticut, as in all those of New England, that we see the birth and growth of that township independence which still today forms, as it were, the principle and the life of American liberty.

In most European nations, political life began in the upper regions of society and was communicated little by little, and always incompletely, to the various parts of the social body.

In America, on the contrary, one may say that the township was organized before the county, the county before the state, and the state before the Union.

In New England, as early as 1650, the township is completely and definitively constituted. Around the township's individuality, interests, passions, duties, and rights come to cluster and attach themselves firmly. Within the township a real political life prevails, active and entirely democratic and republican. The colonies still recognize the supremacy of the mother country; monarchy is the law of the state, but the republic is already fully alive in the township.

The township appoints its magistrates of every kind; it taxes itself; it apportions and levies the tax on itself[73]. In the New England township, the principle of representation is not accepted.

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69 TOCQUEVILLE'S NOTE. Constitution of 1638, p. 17.

70 TOCQUEVILLE'S NOTE. As early as 1641, the general assembly of Rhode Island declared unanimously that the government of the state consisted of a democracy, and that power rested in the body of freemen, who alone had the right to make the laws and to oversee their execution. Code of 1650, p. 70.

71 TOCQUEVILLE'S NOTE. *Pitkin's History*, p. 47.

72 TOCQUEVILLE'S NOTE. Constitution of 1638, p. 12.

73 TOCQUEVILLE'S NOTE. *Code of 1650*, p. 80.

As in Athens, matters touching the interest of all are dealt with in the public square and in the general assembly of citizens.

When one studies attentively the laws promulgated during this first age of the American republics, one is struck by the legislator's understanding of government and by his advanced theories.

He clearly has a loftier and more complete idea of the duties of society toward its members than the European legislators of the day. He imposes on society obligations that it still escaped elsewhere. In the states of New England, from the very beginning, the lot of the poor is provided for[74]. Strict measures are taken for the upkeep of roads, and public officials are appointed to oversee them[75]. The townships keep public registers in which are recorded the results of general deliberations and the deaths, marriages, and births of citizens[76]. Clerks are assigned to keep these registers[77]. Some officers are charged with administering unclaimed estates, others with overseeing the boundaries of landed property; several have as their main function maintaining public tranquility in the township[78].

The law goes into a thousand different details to anticipate and meet a host of social needs, which even today are only dimly perceived in France.

But it is in the provisions on public education that the original character of American civilization reveals itself most fully, from the very beginning.

"Whereas," says the law, "Satan, the enemy of mankind, finds his most powerful weapons in the ignorance of men, and it is important that the enlightenment our fathers brought with them should not remain buried in their graves; whereas the education of children is one of the foremost interests of the state, with the Lord's assistance…[79]" There follow provisions that

74 TOCQUEVILLE'S NOTE. *Id.*, p. 78.
75 TOCQUEVILLE'S NOTE. *Code of 1650*, p. 49.
76 TOCQUEVILLE'S NOTE. See Hutchinson's History, vol. 1, p. 455.
77 TOCQUEVILLE'S NOTE. *Code of 1650*, p. 86.
78 TOCQUEVILLE'S NOTE. *Id.*, p. 40.
79 TOCQUEVILLE'S NOTE. *Id.*, p. 90.

establish schools in every township and oblige the inhabitants, on pain of heavy fines, to tax themselves to support them. Higher schools are founded in the same way in the most populous districts. The municipal magistrates must see to it that parents send their children to school. They have the right to impose fines on those who refuse. If the resistance continues, society then takes the family's place, seizes the child, and strips the fathers of the rights that nature had given them but that they knew so poorly how to use[80]. The reader will no doubt have noticed the preamble to these ordinances: in America, it is religion that leads to enlightenment; it is the observance of divine laws that guides man to freedom.

When, after this quick glance at American society in 1650, one examines the state of Europe, and particularly of the Continent, at about the same time, one is filled with profound astonishment. On the European continent, at the beginning of the seventeenth century, absolute monarchy was triumphing everywhere over the ruins of the oligarchic and feudal liberty of the Middle Ages. In the midst of that brilliant and literary Europe, never perhaps had the idea of rights been more completely disregarded; never had peoples lived less of a political life; never had notions of true liberty occupied minds less. And it was then that these very principles, unknown to the nations of Europe or scorned by them, were being proclaimed in the wilderness of the New World and were becoming the future creed of a great people. The boldest theories of the human mind were being put into practice in this society, so humble in appearance, which no statesman of the time would probably have deigned to notice. Left to its own native originality, man's imagination was improvising there a body of legislation without precedent. In the midst of this obscure democracy, which had not yet produced any generals, philosophers, or great writers, a man could rise before a free people and, to the acclaim of all, give this fine definition of liberty:

"Let us not be mistaken about what we should understand by our independence. There is in fact a kind of corrupt liberty, whose use is common to animals and to man alike, and which consists in doing whatever one pleases. This liberty is the enemy of all authority; it chafes at all rules; with it, we fall below ourselves; it is the enemy of truth and peace; and God has seen fit to rise up against it! But there is a civil and moral liberty that finds its strength in union, and which it is the very mission of authority to protect: it is the liberty to do without fear all that is just and good. This holy liberty we must defend in every danger, and, if need be, risk our lives for it[81]."

I have already said enough to show the character of Anglo-American civilization in its true light. It is the product (and this point of departure must constantly be kept in mind) of two perfectly distinct elements, which elsewhere have often been at war with each other, but which in America have been, as it were, incorporated into one another and marvelously combined. I mean the *spirit of religion* and the *spirit of liberty*.

The founders of New England were at once ardent sectarians and impassioned innovators. Held by the tightest bonds of certain religious beliefs, they were free of all political prejudices.

Hence two different, but not contrary, tendencies, whose traces can easily be found everywhere, in the mores as well as in the laws. Here are men who sacrifice their friends, their family, and their homeland to a religious opinion; one might think them wholly absorbed in the pursuit of the intellectual good they have come to buy at so high a price. Yet we see them seek-

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80 TOCQUEVILLE'S NOTE. *Code of 1650*, p. 83.

81 TOCQUEVILLE'S NOTE. *Mathiew's magnalia Christi americana*, vol. 2, p. 13.

This speech was given by Winthrop. He had been accused of committing arbitrary acts as a magistrate; after delivering the speech of which I have just recalled a fragment, he was acquitted amid applause, and from then on he was always reelected governor of the state. See *Marshall*, vol. 1, p. 166.

TRANSLATOR'S NOTE. Cotton Mather's *Magnalia Christi Americana* (1702), an ecclesiastical history of New England; Tocqueville misspells the author's name.

TRANSLATOR'S NOTE. John Winthrop (1588–1649), first governor of the Massachusetts Bay Colony, gave this speech in 1645.

ing, with almost equal ardor, material wealth and moral satisfactions, heaven in the next world, and well-being and liberty in this one.

In their hands, political principles, laws, and human institutions seem malleable things, which can be shaped and combined at will.

Before them fall the barriers that imprisoned the society into which they were born; the old opinions that had ruled the world for centuries vanish; an almost boundless course, a field without a horizon, opens up. The human mind rushes into it and ranges over it in every direction. But when it reaches the limits of the political world, it stops of its own accord; trembling, it lays aside the use of its most formidable faculties; it renounces doubt; it gives up the need to innovate; it refrains even from lifting the veil of the sanctuary; it bows with respect before truths that it accepts without discussing them.

Thus, in the moral world, everything is classified, coordinated, foreseen, decided in advance. In the political world, everything is in turmoil, contested, uncertain. In the one, passive though voluntary obedience; in the other, independence, contempt for experience, and jealousy of all authority.

Far from harming each other, these two tendencies, so opposed in appearance, advance in harmony and seem to lend each other mutual support.

Religion sees in civil liberty a noble exercise of man's faculties, and in the political world a field left by the Creator to the efforts of the intellect. Free and powerful in its own sphere, content with the place reserved for it, religion knows that its sway is all the better established because it reigns by its own strength alone and rules over hearts without outside support.

Liberty sees in religion the companion of its struggles and its triumphs, the cradle of its infancy, the divine source of its

rights. It regards religion as the safeguard of mores, and mores

as the guarantee of laws and the pledge of its own duration [82].

TOCQUEVILLE'S NOTE ON COLONIAL SOURCES

A survey of the histories and documents on Virginia, Carolina, New England, New York and Pennsylvania.

ENGLISH REMNANTS IN AMERICAN LAW

Some aristocratic English laws, such as those on bail, survive despite clashing with America's democratic spirit.

Reasons for some peculiarities in the laws and customs of the Anglo-Americans

Some remnants of aristocratic institutions in the midst of the most complete democracy—Why?—The need to distinguish carefully between what is of Puritan origin and what is of English origin

The reader must not draw overly general and absolute conclusions from what precedes. The social condition, religion, and mores of the first emigrants doubtless had an immense influence on the destiny of their new homeland. Yet it was not in their power to found a society whose starting point lay in themselves alone; no one can free himself entirely from the past. It happened that, whether deliberately or unknowingly, they mixed with the ideas and customs that were their own other customs and other ideas, which they owed to their upbringing or to the national traditions of their country.

When we wish to know and judge the Anglo-Americans of our day, we must therefore distinguish carefully between what is of Puritan origin and what is of English origin.

In the United States one often comes across laws or customs that stand in contrast with everything around them. These laws seem to have been drafted in a spirit opposed to the prevailing spirit of American legislation; these mores seem at odds with the social state as a whole. If the English colonies had been foun-

Boston in 1792, is rightly esteemed. See in particular chapter 3 of the first volume of Belknap's work. In this chapter the author gives extremely valuable details on the political and religious principles of the Puritans, on the causes of their emigration, and on their laws. It contains this curious quotation from a sermon delivered in 1663: "New England must constantly remember that it was founded for a religious purpose, to raise a people who should enjoy the purest liberty in the purest religion; died in an age of darkness, or if their origins were already lost in purity in matters of doctrine and discipline. Let merchants, then, and all who are busy piling penny upon penny, remember that it was religion and not gain that was the object in founding these colonies. If there is anyone among us who, in reckoning the world and religion, counts the former as 13 and takes the latter as only 12, he is not moved by the feelings of a true son of New England." Readers will find in Belknap more general ideas and more force of thought than the other American historians have so far shown.

I do not know whether this book is in the Royal Library.

Among the middle states that have existed for a long time and deserve our attention, the state of New York and Pennsylvania stand out above all. The best history we have of the state of New York is entitled *History of New-York,* by William Smith, printed in London in 1757. There is a French translation, also printed in London, in 1767, 1 vol., duodecimo. Smith gives us useful details on the wars between the French and the English in America. Of all American historians, he gives the best account of the famous confederation of the Iroquois.

As for Pennsylvania, I can do no better than point to Proud's work entitled *The history of Pennsylvania, from the original institution and settlement of that province, under the first proprietor and governor William Penn, in* 1681 *till after the year* 1742, by Robert Proud, 2 vols., octavo, printed in Philadelphia in 1797.

This book particularly deserves the reader's attention; it contains a wealth of very interesting documents on Penn, the doctrine of the Quakers, and the character, mores, and customs of the first inhabitants of Pennsylvania. It is not, I believe, in the Library.

I need hardly add that among the most important documents relating to Pennsylvania are the works of Penn himself and those of Franklin. These works are known to a great many readers.

I had already consulted most of the books I have just cited during my stay in America. The Royal Library kindly lent me some of them; the others were lent to me by Mr. Varden, former consul general of the United States in Paris and author of an excellent work on America. I do not wish to end this note without asking Mr. Varden to accept here the expression of my gratitude.

TRANSLATOR'S NOTE. The New England Confederation (the "United Colonies of New England") joined Massachusetts Bay, Plymouth, Connecticut and New Haven.

TRANSLATOR'S NOTE. The Bibliothèque Royale in Paris, today the Bibliothèque nationale de France.

TRANSLATOR'S NOTE. Daniel Gookin (1612–1687), author of *Historical Collections of the Indians in New England*.

TRANSLATOR'S NOTE. Lady Arbella Johnson died at Salem in 1630; her husband Isaac Johnson died in Boston about a month later.

TRANSLATOR'S NOTE. The French text is defective here; the original edition says that the reality of witchcraft and apparitions seemed to Mather an indisputable and proven truth.

TRANSLATOR'S NOTE. That is, Harvard College in Cambridge, Massachusetts, founded in 1636.

TRANSLATOR'S NOTE. That is, David Bailie Warden, cited above; Tocqueville misspells his name.

the night of time, the problem would be insoluble.

I will cite a single example to make my meaning clear.

The civil and criminal law of the Americans knows only two means of action: *imprisonment* or *bail*. The first step in any proceeding is to obtain bail from the defendant or, if he refuses, to have him jailed; only then are the validity of the claim or the seriousness of the charges argued.

Such legislation is plainly aimed against the poor and favors only the rich.

The poor man cannot always find bail, even in civil matters, and if he is forced to await justice in prison, his enforced idleness soon reduces him to destitution.

The rich man, on the contrary, always manages to escape imprisonment in civil matters; what is more, if he has committed an offense, he easily evades the punishment that should fall upon him: after posting bail, he disappears. One may therefore say that for him all the penalties the law inflicts come down to fines[83]. What could be more aristocratic than such legislation?

Yet in America it is the poor who make the law, and they usually reserve the greatest advantages of society for themselves.

The explanation of this phenomenon must be sought in England: the laws I am speaking of are English[84]. The Americans have not changed them, although they are repugnant to the whole of their legislation and to the body of their ideas.

The thing a people changes least, after its customs, is its civil law. Civil laws are familiar only to lawyers—that is, to those who have a direct interest in keeping them as they are, good or bad, for the simple reason that they know them. The bulk of the nation hardly knows them; it sees them at work only in particular cases, grasps their tendency only with difficulty, and submits to them without a thought.

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83 TOCQUEVILLE'S NOTE. There are no doubt crimes for which bail is not accepted, but they are very few in number.

84 TOCQUEVILLE'S NOTE. See Blackstone and Delolme, book 1, chap. 10.

TRANSLATOR'S NOTE. William Blackstone's *Commentaries on the Laws of England* (1765–69) and Jean-Louis de Lolme's *The Constitution of England* (1771).

I have cited one example; I could have pointed out many others.

The picture that American society presents is, if I may put it this way, covered with a democratic coat of paint, beneath which the old colors of aristocracy can be seen showing through from time to time.

CHAPTER 3: THE SOCIAL STATE OF THE ANGLO-AMERICANS (ÉTAT SOCIAL DES ANGLO-AMÉRICAINS)

The Anglo-Americans' social state is democratic: inheritance laws broke up great estates, and fortunes and minds grew equal.

1.1.3 The social state is ordinarily the product of a fact, sometimes of laws, most often of these two causes combined; but once it exists, it may itself be considered the first cause of most of the laws, customs, and ideas that govern the conduct of nations. What it does not produce, it modifies.

To know the legislation and mores of a people, then, we must begin by studying its social state.

That the salient feature of the social state of the Anglo-Americans is that it is essentially democratic

The first emigrants to New England—Equal among themselves—Aristocratic laws introduced in the South—The period of the Revolution—Change in the laws of inheritance—Effects produced by this change—Equality carried to its farthest limits in the new states of the West—Equality among minds

Many important remarks could be made about the social state of the Anglo-Americans, but there is one that dominates all the others.

The social state of the Americans is eminently democratic. It has had this character since the birth of the colonies; it has it even more in our day.

I said in the preceding chapter that very great equality reigned among the emigrants who came to settle on the shores of New England. Not even the seed of aristocracy was ever planted in that part of the Union. Only intellectual influences could ever be established there. The people grew accustomed to

revering certain names as emblems of enlightenment and virtue. The voice of a few citizens gained a power over them that might perhaps rightly have been called aristocratic, had it been passed down unchanged from father to son.

This was what happened east of the Hudson; southwest of that river, and down as far as the Floridas, things were different.[85]

In most of the states lying southwest of the Hudson, great English landowners had come to settle. Aristocratic principles, and with them the English laws of inheritance, had been brought in. I have explained the reasons that prevented a powerful aristocracy from ever being established in America. These reasons, while still present southwest of the Hudson, had less force there than east of that river. In the South, a single man could cultivate a large expanse of land with the help of slaves. In that part of the continent, then, one saw rich landowners; but their influence was not exactly aristocratic as the term is understood in Europe, since they possessed no privileges, and cultivation by slaves gave them no tenants and therefore no patronage. Even so, the great landowners south of the Hudson formed an upper class, with ideas and tastes of its own, and generally concentrating political activity within itself. It was a kind of aristocracy little different from the mass of the people, whose passions and interests it readily embraced, arousing neither love nor hatred; in short, feeble and lacking in vitality. It was this class that, in the South, placed itself at the head of the insurrection: the American Revolution owes it its greatest men.

At that time the whole of society was shaken. The people, in whose name the fighting had been done—the people, now become a power—conceived the desire to act for themselves; democratic instincts awoke. In breaking the yoke of the mother country, men acquired a taste for every kind of independence. Individual influences gradually ceased to make themselves felt;

85 East and West Florida, the colonies on the Gulf of Mexico held by Spain and, for a time, by Britain.

habits, like laws, began to move in concert toward the same goal.

But it was the law of inheritance that made equality take its final step.

I am surprised that political writers, ancient and modern, have not attributed a greater influence over the course of human affairs to the laws of inheritance[86]. These laws belong, it is true, to the civil order; but they ought to be placed at the head of all political institutions, for they have an incredible influence on the social state of peoples, of which political laws are merely the expression. They also have a sure and uniform way of working on society; they lay hold, as it were, of generations before they are born. Through them, man is armed with an almost divine power over the future of his fellows. The legislator regulates the inheritance of citizens once, and then rests for centuries. Once he has set his work in motion, he can take his hand away; the machine runs under its own power and steers itself, as if of its own accord, toward a goal marked out in advance. Constructed in a certain way, it brings together, concentrates, and gathers property around some one head, and soon afterward power; it makes aristocracy spring, as it were, from the soil. Guided by other principles and launched on another course, its action is swifter still: it divides, it shares out, it scatters wealth and power. It sometimes happens then that people are alarmed at the speed of its advance; despairing of halting its movement, they try at least to put difficulties and obstacles in its way; they seek to counterbalance its action by opposing efforts. Wasted effort! It grinds up or shatters everything in its path; it rises and

86 TOCQUEVILLE'S NOTE. By the laws of inheritance I mean all laws whose principal purpose is to determine what becomes of property after the owner's death. The law of entail is one of them. It is true that it also has the effect of preventing the owner from disposing of his property before his death; but it imposes on him the obligation to preserve it only so that it may pass intact to his heir. The principal purpose of the law of entail is therefore to determine what becomes of property after the owner's death. The rest is merely the means it employs.

TRANSLATOR'S NOTE. Entail (French *substitution*) is a legal device that binds an estate to pass undivided down a fixed line of heirs, so that no single holder can sell or divide it.

falls back upon the ground ceaselessly, until nothing is left to see but a shifting, impalpable dust, on which democracy takes its seat.

When the law of inheritance permits, and still more when it requires, the equal division of the father's property among all the children, its effects are of two kinds. They must be carefully distinguished, though they tend toward the same end.

Under the law of inheritance, the death of each owner brings about a revolution in property. Not only does property change masters; it changes, so to speak, its nature, for it is constantly broken into smaller portions.

That is the direct and, in a sense, material effect of the law. In countries where legislation establishes equal division, property, and landed fortunes in particular, must therefore have a permanent tendency to shrink. Yet the effects of such legislation would be felt only in the long run if the law were left to its own forces. For so long as the family has no more than two children (and the average family in a country as populous as France is said to number only three), these children, dividing their father's and mother's fortune between them, will be no poorer than either parent was individually.

But the law of equal division does not act only on the fate of property. It acts on the very souls of the owners and calls their passions to its aid. It is its indirect effects that rapidly destroy great fortunes, and above all great estates.

Among peoples whose law of inheritance is founded on the right of primogeniture, landed estates most often pass from generation to generation without being divided. As a result, family spirit becomes, in a sense, embodied in the land. The family represents the land, and the land represents the family. It perpetuates the family's name, its origin, its glory, its power, its virtues. It is an imperishable witness to the past and a precious pledge of the life to come.[87]

When the law of inheritance establishes equal division, it destroys the close bond that existed between family spirit and the

87 Primogeniture is the rule by which the eldest son inherits the whole estate.

preservation of the land. The land ceases to represent the family, for since it cannot fail to be divided after one or two generations, it plainly must keep shrinking and end by disappearing entirely. The sons of a great landowner, if they are few, or if fortune favors them, may well keep the hope of being no less rich than their father, but not of owning the same property he did. Their wealth will necessarily be made up of other elements than his.

Now, the moment you take away from landowners a strong interest—of sentiment, memory, pride, and ambition—in keeping the land, you can be sure that sooner or later they will sell it. For they have a strong financial interest in selling it, since movable capital yields more interest than land and lends itself far more readily to satisfying the passions of the moment.

Once divided, great landed estates are never put back together. For the small owner draws more income from his field[88], in proportion, than the great owner does from his; he therefore sells it at a much higher price. Thus the same economic calculations that led the rich man to sell vast estates will, all the more, keep him from buying small ones to reassemble large ones.

What is called family spirit is often founded on an illusion of individual selfishness. One seeks to perpetuate oneself and, in a sense, to become immortal through one's distant descendants. Where family spirit ends, individual selfishness returns to the reality of its inclinations. Since the family now presents itself to the mind only as something vague, indefinite, and uncertain, each person concentrates on the comforts of the present. People think about settling the next generation in life, and nothing more.

So people do not seek to perpetuate their families, or at least they seek to perpetuate them by means other than landed property.

Thus the law of inheritance not only makes it hard for families to keep the same estates intact; it takes away their desire to

try, and draws them, in a sense, into cooperating with it in their own ruin.

The law of equal division proceeds by two paths: by acting on the thing, it acts on the man; by acting on the man, it reaches the thing.

Either way, it manages to strike deep at landed property and to make families and fortunes alike vanish rapidly[89].

It is surely not for us, Frenchmen of the nineteenth century, daily witnesses of the political and social changes that the law of inheritance brings about, to doubt its power. Every day we see it passing back and forth across our soil, knocking down the walls of our houses and destroying the fences of our fields. But if the law of inheritance has already done much among us, much still remains for it to do. Our memories, our opinions, and our habits put powerful obstacles in its way.

In the United States, its work of destruction is almost finished. That is where its chief results can be studied.

INHERITANCE LAW IN AMERICA

The Revolution abolished English inheritance law; great families vanished, the West grew wholly democratic, and minds equalized.

English legislation on the transmission of property was abolished in almost all the states at the time of the Revolution.

88 TOCQUEVILLE'S NOTE. I do not mean that the small owner farms better, but he farms with more zeal and care, and makes up by labor for what he lacks in skill.

89 TOCQUEVILLE'S NOTE. Since land is the most secure form of property, one now and then comes across rich men willing to make great sacrifices to acquire it, who gladly give up a considerable portion of their income to secure the rest. But these are exceptions. Love of real estate is now usually found only among the poor. The small landowner, who has less education, less imagination, and fewer passions than the great one, is generally preoccupied only with the desire to enlarge his holding, and it often happens that inheritances, marriages, or the chances of trade gradually furnish him the means.

Alongside the tendency that leads men to divide the land, then, there is another that leads them to consolidate it. This tendency, which is enough to keep property from being divided indefinitely, is not strong enough to create great landed fortunes, still less to keep them in the same families.

The law of entail was modified so as to hamper the free circu-

lation of property only imperceptibly [90].

The first generation passed away; the lands began to be divided. The movement grew faster and faster as time went on. Today, when barely sixty years have gone by, the face of society is already unrecognizable. The families of the great landowners have almost all been swallowed up in the common mass. In the state of New York, where there were a great many of them, barely two still stay afloat above the abyss ready to engulf them. The sons of these wealthy citizens are today merchants, lawyers, doctors. Most have sunk into the deepest obscurity. The last trace of hereditary ranks and distinctions has been destroyed; the law of inheritance has run its leveler over everything.

It is not that there are no rich people in the United States, as there are elsewhere. Indeed, I know of no country where love of money takes up a larger place in the human heart, or where a deeper contempt is professed for the theory of permanent equality of property. But wealth circulates there with incredible speed, and experience shows that it is rare to see two generations enjoy its favors.

This picture, however vivid one may think it, still gives only an incomplete idea of what is happening in the new states of the West and Southwest.

At the end of the last century, bold adventurers began to make their way into the valleys of the Mississippi. It was like a new discovery of America. Soon the bulk of the migration headed there, and unknown societies were seen to rise suddenly out of the wilderness. States whose very names had not existed a few years before took their place within the American Union. It is in the West that one can observe democracy carried to its furthest limit. In these states, improvised, as it were, by fortune, the inhabitants arrived only yesterday on the land they occupy. They hardly know one another, and none knows the history of his nearest neighbor. In this part of the American continent, then, the population escapes not only the influence of great names and great wealth, but also that natural aristocracy which

springs from education and virtue. No one there wields the respectable power that men grant to the memory of a whole life

early days of the English settlement in Virginia, when land could be had for little or even nothing, a few far-sighted individuals had acquired large grants, and, wishing to maintain the splendor of their families, they had entailed their property on their descendants. The transmission of these estates from generation to generation, to men bearing the same name, had ended by raising up a distinct class of families who, holding from the law the privilege of perpetuating their wealth, took a good deal of care to keep the people from sharing it with them. The great spent, doing good before their eyes. The new states of the West luxury of their establishments. It was from this order that the king usually chose his councillors of state." (*Jefferson's Memoirs.*)

In the United States, the main provisions of English law on inheritance have been universally rejected.

"The first rule we follow in matters of inheritance," says Mr. Kent, "is this: when a man dies intestate, his property passes to his heirs in the direct line; if there is only one heir or heiress, he or she alone takes the entire estate. If there are several heirs of the same degree, they divide the estate equally among themselves, without distinction of sex."

This rule was first laid down in the state of New York by a statute of February 23, 1786 (see *Revised Statutes*, vol. 3; *Appendix*, p. 48); it has since been adopted in the revised statutes of the same state. It now prevails throughout the United States, with the sole exception that in the state of Vermont the male heir takes a double portion.

Kent's commentaries, vol. 4, p. 370.

Mr. Kent, in the same work, vol. 4, pp. 1–22, gives the history of American legislation on entails. It shows that before the American Revolution, the English laws on entails formed the common law in the colonies. Entails properly so called (*Estates' tail*) were abolished in Virginia as early as 1776 (this abolition took place on Jefferson's motion; see *Jefferson's Memoirs*), and in the state of New York in 1786. The same abolition has since taken place in North Carolina, Kentucky, Tennessee, Georgia, and Missouri. In Vermont and in the states of Indiana, Illinois, South Carolina, and Louisiana, entails have never been in use. The states that thought it right to keep English legislation on entails have modified it so as to strip it of its main aristocratic features. "Our general principles of government," says Mr. Kent, "tend to favor the free circulation of property."

What strikes the French reader who studies American legislation on inheritance most forcibly is that our laws on the same subject are infinitely more democratic still than theirs.

American laws divide the father's property equally, but only when his wishes are not known: "for every man," says the law of the state of New York (*Revised Statutes*, vol. 3; *Appendix*, p. 51), "has full liberty, power, and authority to dispose of his property by will, to bequeath it and divide it in favor of any person whatsoever, provided he does not make his will in favor of a political body or an organized corporation."

French law makes equal or nearly equal division the rule binding the testator.

Most of the American republics still allow entails and merely restrict their effects.

French law does not permit entails in any case.

If the social state of the Americans is still more democratic than ours, then, our laws are more democratic than theirs. This is easier to explain than one might think: in France, democracy is still busy tearing down; in America, it reigns peacefully over ruins.

TRANSLATOR'S NOTE. Tocqueville quotes, in his own French, Jefferson's autobiography as published in his *Memoirs, Correspondence, and Private Papers* (1829).

TRANSLATOR'S NOTE. James Kent (1763–1847), chancellor of New York, author of the *Commentaries on American Law* (1826–30).

already have inhabitants; society does not yet exist there.

But it is not only fortunes that are equal in America; equality extends, to a certain degree, to minds themselves.

I do not think there is any country in the world where, in proportion to the population, there are as few ignorant people and, at the same time, as few learned ones as in America.

Primary education there is within everyone's reach; higher education is within almost no one's.

This is easily understood and is, so to speak, the necessary result of what we have stated above.

Almost all Americans live in comfort; they can therefore easily acquire the first elements of human knowledge.

In America there are few rich people; almost all Americans therefore need to practice a profession. Now, every profession requires an apprenticeship. Americans can therefore devote only the first years of life to the general cultivation of the mind. At fifteen they enter a career, so their education most often ends at the age when ours begins. If it continues beyond that, it is directed only toward some specialized and profitable subject. People study a science as they would take up a trade, and grasp only those of its applications whose present usefulness is recognized.

In America, most of the rich began by being poor; almost all the men of leisure were busy people in their youth. The result is that when one might have a taste for study, one has no time to devote to it; and when one has gained the time to devote to it, one no longer has the taste.

So in America there is no class in which a taste for intellectual pleasures is handed down along with inherited wealth and leisure, and which holds the works of the intellect in honor.

And so the will to devote oneself to such work is lacking, as well as the power.

In America a certain middling level of human knowledge has become established. All minds have drawn close to it, some by rising, others by sinking.

One therefore meets an immense multitude of individuals who have roughly the same number of ideas about religion, history, the sciences, political economy, legislation, and government.

Intellectual inequality comes directly from God, and man cannot prevent it from always reappearing.

But what we have just said at least means that minds, while remaining unequal, as the Creator willed, find equal means at their disposal.

Thus in America today the aristocratic element, always weak from its birth, is, if not destroyed, at least so weakened that it is hard to credit it with any influence at all on the course of affairs.

Time, events, and laws, on the contrary, have made the democratic element there not merely predominant but, so to speak, the only one. No influence of family or of corporate body can be seen there; often one cannot even discover any individual influence of some duration.

America therefore presents, in its social state, the strangest phenomenon. Men there are more equal in fortune and in intelligence—or, in other words, more equally strong—than they are in any country in the world, or have been in any age that history remembers.

POLITICAL CONSEQUENCES OF THE SOCIAL STATE

Equality leads either to the sovereignty of all or to absolute power; the Anglo-Americans chose popular sovereignty.

Political consequences of the social state of the Anglo-Americans

The political consequences of such a social state are easy to deduce.

It is impossible to imagine that equality will not end by penetrating the political world as it has everywhere else. One cannot conceive of men forever unequal among themselves on a single point and equal on all the others; in due time, therefore, they will come to be equal on all.

Now, I know of only two ways to make equality reign in the political world: rights must be given to every citizen, or to no one.

For peoples who have reached the same social state as the Anglo-Americans, then, it is very difficult to see any middle term between the sovereignty of all and the absolute power of one man.

We must not hide from ourselves that the social state I have just described lends itself almost as readily to the one as to the other of these two consequences.

There is in fact a manly and legitimate passion for equality that spurs all men to wish to be strong and esteemed. This passion tends to raise the small to the rank of the great. But there is also in the human heart a depraved taste for equality, which leads the weak to want to drag the strong down to their level, and which brings men to prefer equality in servitude to inequality in freedom. It is not that peoples whose social state is democratic naturally despise freedom; on the contrary, they have an instinctive taste for it. But freedom is not the chief and constant object of their desire; what they love with an everlasting love is equality. They rush toward freedom in quick impulses and sudden efforts, and if they miss the goal they resign themselves; but nothing can satisfy them without equality, and they would sooner perish than lose it.

On the other hand, when citizens are all nearly equal, it becomes hard for them to defend their independence against the encroachments of power. Since none of them is then strong enough to fight alone with any advantage, only the combined strength of all can guarantee freedom. And such a combination is not always to be found.

Peoples can therefore draw two great political consequences from the same social state. These consequences differ enormously from each other, but both spring from the same fact.

The first to face the formidable alternative I have just described, the Anglo-Americans have been fortunate enough to escape absolute power. Circumstances, origin, enlightenment,

and above all mores have enabled them to found and maintain the sovereignty of the people.

CHAPTER 4: ON THE PRINCIPLE OF THE SOVEREIGNTY OF THE PEOPLE IN AMERICA (DU PRINCIPE DE LA SOUVERAINETÉ DU PEUPLE EN AMÉRIQUE)

The sovereignty of the people, nursed in the townships, triumphed in the Revolution and now rules American politics.

1.1.4 It dominates the whole of American society—The application the Americans were already making of this principle before their revolution—The development this revolution gave it—Gradual and irresistible lowering of the property qualification for voting

Whenever one wishes to speak of the political laws of the United States, one must always begin with the dogma of the sovereignty of the people.

The principle of the sovereignty of the people, which always lies more or less at the bottom of almost all human institutions, usually remains buried there. It is obeyed without being acknowledged, or if it is sometimes brought for a moment into broad daylight, people soon hurry to plunge it back into the darkness of the sanctuary.

"The national will" is one of the phrases most widely abused by schemers in every period and despots in every age. Some have seen its expression in the bought votes of a few agents of power; others in the votes of a self-interested or fearful minority; there have even been some who found it fully formulated in the silence of peoples, and who thought that from the *fact* of obedience arose their *right* to command.

In America the principle of the sovereignty of the people is not hidden or barren as it is in some nations; it is recognized by mores and proclaimed by the laws; it spreads freely and reaches its furthest consequences without obstacle.

If there is a single country in the world where one may hope to appreciate the dogma of the sovereignty of the people at its true worth, to study it in its application to the affairs of society,

and to judge its advantages and its dangers, that country is surely America.

I said earlier that from the beginning the principle of the sovereignty of the people had been the generating principle of most of the English colonies in America.

Yet it was far from dominating the government of society then as it does today.

Two obstacles, one external and the other internal, slowed its advance.

It could not openly make its way into the laws, since the colonies were still bound to obey the mother country; it was therefore reduced to hiding in the provincial assemblies and above all in the township. There it spread in secret.

American society at that time was not yet ready to adopt it in all its consequences. Education in New England and wealth south of the Hudson long exercised, as I showed in the previous chapter, a kind of aristocratic influence that tended to concentrate the exercise of social powers in a few hands. It was still far from the case that all public officials were elected and all citizens were voters. The right to vote was everywhere confined within certain limits and made dependent on a property qualification. This qualification was very low in the North and higher in the South.

The American Revolution broke out. The dogma of the sovereignty of the people came out of the township and took possession of the government; all classes committed themselves to its cause; people fought and triumphed in its name; it became the law of laws.

A change almost as rapid took place within society itself. The law of inheritance finished breaking down local influences.

By the time this effect of the laws and of the revolution began to be plain to all, victory had already decided irrevocably in favor of democracy. Power was, in fact, in its hands. It was no longer even possible to struggle against it. The upper classes therefore submitted without a murmur and without a fight to an evil that was now inevitable. What usually happens to falling

powers happened to them: individual selfishness took hold of their members. Since force could no longer be wrested from the hands of the people, and since they did not detest the multitude enough to take pleasure in defying it, they thought only of winning its goodwill at any price.[91] The most democratic laws were thus voted, in eager rivalry, by the very men whose interests they hurt most. In this way the upper classes did not stir up popular passions against themselves, but they themselves hastened the triumph of the new order. And so—a remarkable thing!—the democratic surge proved all the more irresistible in the states where aristocracy had the deepest roots.

The state of Maryland, which had been founded by great lords, was the first to proclaim universal suffrage[92], and it introduced the most democratic forms into its government as a whole.

When a people begins to tamper with the property qualification for voting, one can foresee that sooner or later it will abolish it altogether. This is one of the most invariable rules governing societies. The further the limit of voting rights is pushed back, the more the need is felt to push it back further still; for after each new concession the forces of democracy increase, and its demands grow with its new power. The ambition of those left below the qualification becomes more inflamed in proportion to the great number of those above it. In the end the exception becomes the rule; concessions follow one another without respite, and there is no stopping until universal suffrage has been reached.

In our day the principle of the sovereignty of the people has attained in the United States every practical development the imagination can conceive. It has freed itself of all the fictions that elsewhere have been carefully placed around it; it can be seen taking on every form in turn, as each case requires. Some-

91 The French here reads “ne songea plus à” (no longer thought of); the 1835 edition has “ne songea plus qu’à” (thought only of), which the sense requires.

92 TOCQUEVILLE’S NOTE. Amendments made to the constitution of Maryland in 1801 and 1809.

times the people as a body makes the laws, as in Athens; sometimes deputies created by universal suffrage represent it and act in its name under its almost immediate supervision.

There are countries where a power that is in some sense external to the social body acts upon it and forces it to move along a certain path.

There are others where force is divided, being placed both within society and outside it. Nothing of the kind is seen in the United States; there society acts by itself and upon itself. No power exists except within it; one hardly even meets anyone who dares to conceive, much less express, the idea of seeking power elsewhere. The people take part in making the laws by choosing the legislators, and in applying them by electing the agents of the executive power. One may say that they govern themselves, so slight and restricted is the share left to the administration, so strongly does the administration bear the mark of its popular origin and obey the power from which it springs. The people reign over the American political world as God reigns over the universe. They are the cause and the end of

all things; everything comes from them and everything is absorbed into them [93].

CHAPTER 5: THE NEED TO STUDY WHAT HAPPENS IN THE INDIVIDUAL STATES BEFORE SPEAKING OF THE GOVERNMENT OF THE UNION (NÉCESSITÉ D'ÉTUDIER CE QUI SE PASSE DANS LES ÉTATS PARTICULIERS, AVANT DE PARLER DU GOUVERNEMENT DE L'UNION)

The states must be studied before the Union; Tocqueville begins with New England's townships, counties and administration.

1.1.5 In the following chapter we propose to examine the form taken in America by the government founded on the principle of the sovereignty of the people: what its means of action are, its difficulties, its advantages, and its dangers.

A first difficulty arises: the United States has a complex constitution. One sees there two distinct societies bound together and, if I may put it this way, nested one inside the other; one

93 TOCQUEVILLE'S NOTE. *Summary of voting qualifications in the United States.*

All the states grant the right to vote at twenty-one. In all the states one must have resided for a certain time in the district where one votes. This period ranges from three months to two years.

As for the property qualification: in the state of Massachusetts, to be a voter one must have an income of 3 pounds sterling, or a capital of 60.

In Rhode Island one must own landed property worth 133 dollars (704 francs).

In Connecticut one must have property yielding an income of 17 dollars (about 90 francs). A year of service in the militia also confers the right to vote.

In New Jersey the voter must have property worth 50 pounds sterling.

In South Carolina and Maryland the voter must own 50 acres of land.

In Tennessee he must own property of some kind.

In the states of Mississippi, Ohio, Georgia, Virginia, Pennsylvania, Delaware, and New York, it is enough to pay taxes in order to be a voter; in most of these states, militia service is equivalent to paying the tax.

In Maine and in New Hampshire it is enough not to be on the list of paupers.

Finally, in the states of Missouri, Alabama, Illinois, Louisiana, Indiana, Kentucky, and Vermont, no condition relating to the voter's wealth is required.

North Carolina is, I believe, the only state that imposes different conditions on those who vote for the senate than on those who vote for the house of representatives. The former must own 50 acres of land. To vote for representatives it is enough to pay a tax.

sees two governments completely separate and almost independent: the one ordinary and undefined, which meets the daily needs of society; the other exceptional and circumscribed, which applies only to certain general interests. They are, in a word, twenty-four small sovereign nations, which together make up the great body of the Union.

To examine the Union before studying the state is to set out on a road strewn with obstacles. The form of the federal government in the United States appeared last; it was only a modification of the republic, a summary of the political principles that were spread throughout the whole of society before it and that subsist there independently of it. Besides, as I have just said, the federal government is only an exception; the government of the states is the general rule. A writer who tried to present the whole of such a picture before showing its details would inevitably fall into obscurity or repetition.

The great political principles that govern American society today were born and developed in the *state*; of that there can be no doubt. So it is the state that one must know in order to have the key to all the rest.

The states that make up the American Union today all present the same spectacle as regards the outward appearance of their institutions. Political or administrative life is concentrated there in three centers of action, which might be compared to the various nerve centers that move the human body.

At the first level is the *township*, above it the *county*, and finally the *state*.

THE TOWNSHIP SYSTEM IN AMERICA

Township freedom is rare but vital; in New England voters govern directly through town meetings and selectmen.

The township system in America

Why the author begins his examination of political institutions with the township—The township is found among all peoples—The difficulty of establishing and preserving township

freedom—Its importance—Why the author has chosen the township organization of New England as the main subject of his examination

It is not by chance that I examine the township first.

The township is the only association so thoroughly rooted in nature that wherever men are gathered together, a township forms of its own accord.

The township community therefore exists among all peoples, whatever their customs and their laws. It is man who makes kingdoms and creates republics; the township seems to come directly from the hand of God. But if the township has existed for as long as there have been men, township freedom is a rare and fragile thing. A people can always establish great political assemblies, because there are usually within it a certain number of men in whom enlightenment takes the place, to some extent, of practical experience in affairs. The township is made up of coarse elements that often resist the action of the lawgiver. The difficulty of founding the independence of townships, instead of diminishing as nations become more enlightened, increases with their enlightenment. A highly civilized society can scarcely tolerate the trials of township freedom. It recoils at the sight of its many lapses and despairs of success before reaching the final result of the experiment.

Of all freedoms, that of the townships, which is so hard to establish, is also the most exposed to encroachments by power. Left to themselves, township institutions could hardly hold out against an enterprising and strong government. To defend themselves successfully, they must have reached their full development and become blended with the nation's ideas and habits. Thus, as long as township freedom has not entered into the mores, it is easy to destroy; and it can enter into the mores only after having long existed in the laws.

Township freedom therefore eludes, so to speak, the efforts of man. So it is rarely created; it is born, as it were, of itself. It develops almost in secret within a half-barbarous society. It is the continuous action of laws and mores, circumstances, and

above all time, that succeed in consolidating it. Of all the nations on the continent of Europe, one may say that there is not a single one that knows it.

Yet it is in the township that the strength of free peoples resides. Township institutions are to freedom what primary schools are to knowledge: they put it within the people's reach; they give them a taste of its peaceful use and accustom them to making use of it. Without township institutions a nation can give itself a free government, but it does not have the spirit of freedom. Passing passions, the interests of a moment, the chance of circumstances may give it the outward forms of independence; but despotism, driven back into the interior of the social body, sooner or later reappears on the surface.

To give the reader a clear understanding of the general principles on which the political organization of the township and the county in the United States rests, I thought it useful to take one particular state as a model, to examine in detail what goes on there, and then to cast a quick glance over the rest of the country.

I have chosen one of the states of New England.

The township and the county are not organized in the same way in every part of the Union; it is easy to see, however, that throughout the Union roughly the same principles have governed the formation of both.

Now it seemed to me that in New England these principles had been developed more extensively, and carried to more remote consequences, than anywhere else. There they stand out, so to speak, in sharper relief, and so lend themselves more readily to the observation of a foreigner.

The township institutions of New England form a complete and regular whole. They are old; they are strong by the laws, stronger still by the mores; they exert a prodigious influence on the whole of society.

On all these counts they deserve our attention.

The extent of the township

The New England township (*township* in English) stands midway between the French canton and the French commune. It generally has two to three thousand inhabitants[94]. It is therefore not so large that its inhabitants do not have roughly the same interests; and on the other hand, it is populous enough that one can always be sure of finding within it the elements of good administration.[95]

Township powers in New England

The people, the origin of all powers in the township as elsewhere—There they handle the main affairs themselves—No municipal council—The greater part of township authority concentrated in the hands of the *selectmen*—How the selectmen act—General assembly of the inhabitants of the township (*town meeting*)—List of all township officials—Compulsory and paid offices

In the township, as everywhere else, the people are the source of social powers; but nowhere do they exercise their power more directly. In America the people are a master who has had to be pleased to the utmost limits of the possible.

In New England, the majority acts through representatives when the general affairs of the state must be dealt with. It had to be so. But in the township, where legislative and governmental action is closer to the governed, the rule of representation is not accepted. There is no municipal council. The body of voters, after naming its officers, directs them itself in everything that is not the pure and simple execution of the laws of the state[96].

94 TOCQUEVILLE'S NOTE. In 1830 the number of townships in the state of Massachusetts was 305, and the number of inhabitants 610,014, which gives an average of roughly 2,000 inhabitants per township.

95 In France, the commune is the smallest unit of local government; the canton groups several communes.

96 TOCQUEVILLE'S NOTE. The same rules do not apply to large townships. These generally have a mayor and a municipal body divided into two branches; but this is an exception that must be authorized by law. See the law of February 22, 1822, regulating the powers of the city of Boston, *Laws of Massachusetts*, vol. 2, p. 588. This applies to large cities. It also frequently happens that small towns are placed under a special administration. In 1832 there were 104 townships administered in this way in the state of New York (*William's Register*).

This order of things is so contrary to our ideas, and so opposed to our habits, that some examples must be given here to make it properly understood.

Public offices in the township are extremely numerous and highly divided, as we shall see below. Yet the greater part of administrative powers is concentrated in the hands of a small number of individuals, elected each year, who are called the selectmen[97].

The general laws of the state have imposed a certain number of obligations on the selectmen. They do not need the authorization of those they administer in order to fulfill them, and they cannot evade them without incurring personal liability. The law of the state charges them, for example, with drawing up the electoral lists in their township; if they fail to do so, they are guilty of an offense. But in all matters left to the direction of township power, the selectmen carry out the people's will, just as among us the mayor carries out the decisions of the municipal council. Most often they act on their own private responsibility and merely follow out, in practice, the consequences of principles the majority has previously laid down. But do they want to introduce any change whatever into the established order, do they wish to undertake some new enterprise? Then they must go back to the source of their power. Suppose a school is to be established. The selectmen summon the whole body of voters on a certain day to a place named in advance. There they set out the need that has made itself felt; they explain the means of meeting it, the money that must be spent, the site that ought to be chosen. The assembly, consulted on all these points, adopts the principle, fixes the site, votes the tax, and places the execution of its will in the hands of the selectmen.

The selectmen alone have the right to call the township meeting (*town meeting*), but they can be prompted to do so. If ten

property owners conceive a new project and wish to submit it to the township for its assent, they demand a general meeting of the inhabitants. The selectmen are obliged to comply, and keep only the right to preside over the meeting[98].

These political mores, these social customs, are no doubt very far from our own. I do not intend at this moment to judge them, or to reveal the hidden causes that produce them and give them life; I confine myself to describing them.

The selectmen are elected every year in April or May. At the same time the town meeting chooses a host of other municipal officers[99], each in charge of certain important administrative details. Some, called assessors, are to fix the tax; others, called collectors, are to collect it. An officer called the constable is charged with keeping order, watching over public places, and seeing to the actual enforcement of the laws. Another, called the town clerk, records all the decisions of the meeting and keeps the records of births, marriages, and deaths. A treasurer has custody of the township's funds. Add to these officials an overseer of the poor, whose very difficult duty is to enforce the legislation concerning the needy; school commissioners, who direct public education; and surveyors of highways, who take charge of every detail of the main roads and byways—and you will have the list of the principal agents of township administration. But the division of offices does not stop there. Among the municipal officers[100] one also finds parish commissioners, who are to regu-

97 TOCQUEVILLE'S NOTE. Three are elected in the smallest townships, nine in the largest. See *The Town officer*, p. 186. See also the principal laws of Massachusetts relating to the selectmen:

Law of February 20, 1786, vol. 1, p. 219;—of February 24, 1796, vol. 1, p. 488;—March 7, 1801, vol. 2, p. 45;—June 16, 1795, vol. 1, p. 475—March 12, 1808, vol. 2, p. 186;—February 28, 1787, vol. 1, p. 302;—June 22, 1797, vol. 1, p. 539.

98 TOCQUEVILLE'S NOTE. See *Law of Massachusetts*, vol. 1, p. 150; law of March 22, 1796.

99 TOCQUEVILLE'S NOTE. *Ibid.*

100 TOCQUEVILLE'S NOTE. All these officers actually exist in practice.

For the details of the duties of all these township officers, see the book entitled *Town officer, by Isaac Goodwin; Worcester*, 1827, and the collection of the general laws of Massachusetts in 3 vols., Boston, 1823.

late the expenses of worship, and inspectors of several kinds: some charged with directing the citizens' efforts in case of fire; others with watching over the crops; some with provisionally settling disputes that may arise over fences; others with overseeing the measuring of wood or inspecting weights and measures.

In all there are nineteen principal offices in the township. Every inhabitant is required, on pain of a fine, to accept these various offices; but most of them are also paid, so that poor citizens can devote their time to them without suffering a loss. Moreover, the American system is not to give public officials a fixed salary. In general, each official act has its price, and officials are paid only in proportion to what they have done.

TOWNSHIP EXISTENCE AND TOWNSHIP SPIRIT

Townships are sovereign in their own affairs, and New Englanders love them because they are strong and free.

Township existence

Each person is the best judge of what concerns himself alone —A corollary of the principle of the sovereignty of the people— How the American townships apply these doctrines—The New England township, sovereign in all that concerns itself alone, subject in all else—The township's obligations toward the state— In France, the government lends its agents to the township—In America, the township lends its own to the government

I said earlier that the principle of the sovereignty of the people hovers over the whole political system of the Anglo-Americans. Every page of this book will reveal some new application of this doctrine.

Among nations where the dogma of the sovereignty of the people reigns, each individual forms an equal portion of the sovereign and shares equally in the government of the state.

Each individual is therefore presumed to be as enlightened, as virtuous, and as strong as any of his fellows.

Why, then, does he obey society, and what are the natural limits of this obedience?

He obeys society not because he is inferior to those who direct it, or less capable than another man of governing himself. He obeys society because union with his fellows seems useful to him, and because he knows that this union cannot exist without a regulating power.

In everything that concerns the duties of citizens toward one another, he has therefore become a subject. In everything that concerns himself alone, he has remained master: he is free, and answerable for his actions to God alone. Hence the maxim that the individual is the best as well as the only judge of his own particular interest, and that society has the right to direct his actions only when it feels injured by what he does, or when it needs to call on his help.

This doctrine is universally accepted in the United States. I shall examine elsewhere what general influence it exerts even on the ordinary actions of life; but at present I am speaking of the townships.

The township, taken as a whole and in relation to the central government, is only an individual like any other, to which the theory I have just outlined applies.

Township freedom in the United States therefore flows from the very dogma of the sovereignty of the people. All the American republics have recognized this independence to a greater or lesser degree; but among the peoples of New England, circumstances have particularly favored its development.

In this part of the Union, political life was born within the townships themselves. One could almost say that at its origin each of them was an independent nation. When the kings of England later claimed their share of sovereignty, they confined themselves to taking the central power. They left the township in the state in which they found it. The townships of New England are now subject; but in the beginning they were not, or barely were. So they did not receive their powers. On the contrary, it is they who seem to have surrendered a portion of their

independence in favor of the state: an important distinction, and one the reader should keep in mind.

In general, the townships are subordinate to the state only when an interest is at stake that I will call *social*, that is, one they share with others.

In everything that concerns them alone, the townships have remained independent bodies. Among the inhabitants of New England there is not one, I think, who would grant the state government the right to intervene in the management of purely township interests.

So one sees the townships of New England buying and selling, suing and defending themselves in the courts, and raising or lowering their budgets, without any administrative authority whatever thinking of objecting[101].

As for social duties, the townships are bound to fulfill them. Thus, if the state needs money, the township is not free to grant or refuse its support[102]. If the state wants to open a road, the township has no power to close its territory to it. If a police regulation is required, the township must carry it out. If the state wants to organize education on a uniform plan throughout the country, the township is bound to establish the schools the law requires[103]. When we speak of administration in the United States, we will see how and by whom the townships are compelled to obey in all these different cases. Here I wish only to establish that the obligation exists. This obligation is strict, but in imposing it the state government merely decrees a principle. When it comes to carrying it out, the township generally recovers all its rights as an individual. Thus the tax is indeed voted by the legislature, but it is the township that apportions and collects it. The existence of a school is imposed, but it is the township that builds it, pays for it, and runs it.

101 TOCQUEVILLE'S NOTE. See *Laws of Massachusetts*, law of March 23, 1796, vol. 1, p. 250.

102 TOCQUEVILLE'S NOTE. *Ibid.*, law of February 20, 1786, vol. 1, p. 217.

103 TOCQUEVILLE'S NOTE. See the same collection, laws of June 25, 1789, and March 8, 1827, vol. 1, p. 367, and vol. 3, p. 179.

In France, the state's tax collector levies the commune's taxes; in America, the township's tax collector levies the state's tax.

Thus, among us, the central government lends its agents to the commune; in America, the township lends its officials to the government. This alone shows how far the two societies differ.

On the township spirit in New England

Why the New England township wins the affection of those who live in it—Difficulty of creating a township spirit in Europe—Township rights and duties working together in America to form this spirit—The homeland has a more distinctive face in the United States than elsewhere—How the township spirit shows itself in New England—What happy effects it produces there

In America there are not only township institutions but also a township spirit that sustains them and gives them life.

The New England township combines two advantages that, wherever they are found, keenly arouse people's interest: namely, independence and power. It acts, it is true, within a circle it cannot leave, but within that circle its movements are free. This independence alone would give it real importance, even if its population and size did not assure it.

We must be thoroughly convinced that people's affections generally go only where there is strength. Love of country is not seen to reign for long in a conquered land. The inhabitant of New England is attached to his township not so much because he was born there as because he sees in it a free and strong corporation of which he is a part, and which is worth the trouble of trying to direct.

It often happens in Europe that the rulers themselves regret the absence of a township spirit, for everyone agrees that the township spirit is a great element of order and public tranquility; but they do not know how to produce it. They fear that by making the township strong and independent they would divide social power and expose the state to anarchy. Yet take away the strength and independence of the township, and you will never

find anything there but people who are administered, and no citizens.

Note, moreover, an important fact: the New England township is so constituted that it can serve as a focus for strong affections. At the same time, there is nothing alongside it that powerfully attracts the ambitious passions of the human heart.

The county officials are not elected, and their authority is limited. The state itself has only secondary importance; its existence is obscure and quiet. Few men are willing to move away from the center of their interests and disrupt their lives in order to obtain the right to administer it.

The federal government confers power and glory on those who direct it; but the men who are given the chance to influence its destiny are very few. The presidency is a high office that one rarely attains except at an advanced age. When one reaches the other high federal posts, it is somewhat by chance, and after having become famous in another career. Ambition cannot take these posts as the permanent goal of its efforts. It is in the township, at the center of the ordinary relations of life, that the desire for esteem, the need for real interests, and the taste for power and public attention come to be concentrated. These passions, which so often disturb society, change character when they can be exercised thus near the domestic hearth and, as it were, within the family.

See with what art, in the American township, care has been taken to *scatter* power, if I may put it this way, in order to interest more people in public affairs. Quite apart from the voters who are called from time to time to perform acts of government, how many different offices, how many different magistrates there are, all of whom, within the sphere of their powers, represent the powerful corporation in whose name they act! How many men thus turn township power to their own profit and take an interest in it for their own sake!

The American system, while dividing municipal power among a great number of citizens, is not afraid to multiply township duties as well. In the United States people rightly believe

that love of country is a kind of worship to which people become attached through its observances.

In this way, township life makes itself felt, so to speak, at every moment; it shows itself each day through the fulfillment of a duty or the exercise of a right. This political existence gives society a continual yet peaceful motion, which stirs it without unsettling it.

The Americans are attached to their political community for a reason similar to the one that makes mountain dwellers love their country. With them the homeland has marked and characteristic features; it has a more distinctive face than elsewhere.

The townships of New England generally lead a happy existence. Their government is to their taste as well as of their choosing. Amid the deep peace and material prosperity that prevail in America, the organs of municipal life are few. Managing township interests is easy. Moreover, the people's political education was completed long ago, or rather the people arrived already educated on the soil they occupy. In New England, the division of ranks does not exist even as a memory. So there is no part of the township tempted to oppress another, and injustices, which strike only isolated individuals, are lost in the general contentment. Even if the government has defects—and it is certainly easy to point some out—they do not catch the eye. The government truly emanates from the governed, and it need only work tolerably well for a kind of paternal pride to protect it. Besides, they have nothing to compare it with. England once ruled over the colonies as a whole, but the people always directed township affairs. The sovereignty of the people in the township is thus not only an old state of affairs but an original one.

The inhabitant of New England is attached to his township because it is strong and independent. He takes an interest in it because he helps to direct it. He loves it because he has no reason to complain of his lot there. He places his ambition and his future in it, and takes part in each of the incidents of township life. In this limited sphere within his reach, he tries his hand at governing society. He grows used to the forms without

which liberty advances only by revolutions, and becomes imbued with their spirit. He acquires a taste for order and understands the harmony of powers. Finally, he gathers clear and practical ideas about the nature of his duties as well as the extent of his rights.

THE COUNTY AND ADMINISTRATION IN NEW ENGLAND

Counties are administrative districts; authority is split among many elected officials, so courts must enforce the laws.

On the county in New England

The New England county, analogous to the arrondissement in France—Created for purely administrative purposes—Has no representation—Is administered by unelected officials[104]

The American county closely resembles the French arrondissement. Like the latter, it has been given arbitrary boundaries. It forms a body whose various parts have no necessary ties among themselves, and to which neither affection nor memory nor a shared existence attaches. It is created for purely administrative purposes.

The township was too small in extent to contain the administration of justice. The county therefore forms the first judicial center. Each county has a court of justice[105], a sheriff to carry out the decisions of the courts, and a prison to hold criminals.

There are needs felt in roughly equal measure by all the townships of the county, and it was natural that a central authority should be responsible for meeting them. In Massachusetts, this authority lies in the hands of a certain number of magistrates appointed by the governor of the state with the advice[106] of his council[107].

The county administrators have only limited and exceptional power, which applies only to a very small number of cases spe-

104 The arrondissement is the administrative subdivision of a French department.
105 TOCQUEVILLE'S NOTE. See the law of February 14, 1821, *Laws of Massachusetts*, vol. 1, p. 551.
106 TOCQUEVILLE'S NOTE. See the law of February 20, 1819, *Laws of Massachusetts*, vol. 2, p. 494.

cified in advance. The state and the township suffice for the ordinary course of affairs. These administrators merely prepare the county budget; the legislature votes it[108]. There is no assembly that directly or indirectly represents the county.

The county, therefore, has strictly speaking no political existence.

In most American constitutions one notices a twofold tendency that leads lawmakers to divide the executive power and to concentrate the legislative power. The New England township has within itself a principle of existence of which it is not stripped. In the county, however, this life would have to be created artificially, and no need for it has been felt. All the townships together have only a single representative body: the state, the center of all national powers. Outside township and national action, one may say there are only individual forces.

On administration in New England

In America, administration is not seen—Why—Europeans think they establish liberty by taking away some of the rights of social power; Americans, by dividing its exercise—Almost all administration properly so called confined to the township and divided among township officials—No trace of an administrative hierarchy to be seen, either in the township or above it—Why this is so—How it nevertheless happens that the state is administered uniformly—Who is responsible for making the township and county administrations obey the law—On the introduction of judicial power into administration—Consequence of the principle of election extended to all officials —On the justice of the peace in New England—By whom appointed—Administers the county—Ensures the administration of the townships—Court of Sessions—How it acts—Who brings matters before it—The right of inspection and complaint, scattered like all administrative functions—Informers encouraged by a share of the fines

What most strikes the European traveling through the United States is the absence of what we call government or administra-

107 TOCQUEVILLE'S NOTE. The governor's council is an elected body.

tion. In America, you see written laws, and you see them carried out daily. Everything moves around you, yet nowhere do you discover the mover. The hand that directs the social machine constantly eludes you.

Yet just as all peoples, in order to express their thoughts, must resort to certain grammatical forms that are constitutive of human languages, so all societies, in order to survive, are compelled to submit to a certain amount of authority, without which they fall into anarchy. This authority can be distributed in different ways, but it must always be found somewhere.

There are two ways of diminishing the strength of authority in a nation.

The first is to weaken power at its very source, by depriving society of the right or the ability to defend itself in certain cases. Weakening authority in this way is generally what is called in Europe establishing liberty.

There is a second way of diminishing the action of authority. This one consists not in stripping society of some of its rights, or in paralyzing its efforts, but in dividing the use of its forces among several hands, and in multiplying officials while giving each of them all the power he needs to do what he is meant to carry out. There are peoples whom this division of social powers may still lead to anarchy; in itself, however, it is not anarchic. By dividing authority in this way, one does, it is true, make its action less irresistible and less dangerous, but one does not destroy it.

The revolution in the United States was produced by a mature and considered taste for liberty, not by a vague and indefinite instinct for independence. It did not rest on passions for disorder. On the contrary, it advanced hand in hand with the love of order and legality.

So in the United States no one claimed that a man in a free country had the right to do anything at all. On the contrary, he was given more varied social obligations than elsewhere. No one

108 TOCQUEVILLE'S NOTE. See the law of November 2, 1791, *Laws of Massachusetts*, vol. 1, p. 61.

thought of attacking the power of society in its principle or of disputing its rights; people confined themselves to dividing that power in its exercise. In this way they sought to make authority great and the public official small, so that society would remain well ordered and also stay free.

There is no country in the world where the law speaks so absolute a language as in America, and none where the right to apply it is divided among so many hands.

Administrative power in the United States has nothing central or hierarchical in its makeup, and that is why no one notices it. The power exists, but one does not know where to find its representative.

We saw above that the townships of New England were not under tutelage. They therefore look after their own particular interests themselves.

It is also the municipal magistrates who, most often, are charged with seeing that the general laws of the state are carried out, or with carrying them out themselves[109].

Apart from general laws, the state sometimes issues general police regulations. But ordinarily it is the townships and the township officers who, together with the justices of the peace and according to local needs, regulate the details of social life and promulgate the rules concerning public health, good order, and the morality of the citizens[110].

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109 TOCQUEVILLE'S NOTE. See the *Town officer*, especially under the words *selectmen, assessors, collectors, schools, surveyors of highways*... One example among a thousand: the state forbids traveling on Sunday without good reason. It is the *tythingmen*, township officers, who are specially charged with seeing that the law is enforced.

See the law of March 8, 1792, *Laws of Massachusetts*, vol. 1, p. 410.

The selectmen draw up the voter lists for the election of the governor and send the result of the vote to the secretary of the republic. Law of February 24, 1796, *id.*, vol. 1, p. 488.

TRANSLATOR'S NOTE. Tocqueville's name for the Secretary of the Commonwealth of Massachusetts.

110 TOCQUEVILLE'S NOTE. Example: the *selectmen* authorize the building of sewers and designate the places that may be used as slaughterhouses and where certain kinds of trade that are harmful to the neighborhood may be set up.

See the law of June 7, 1785, vol. 1, p. 193.

Finally, it is the municipal magistrates who, on their own initiative and without needing any outside impulse, provide for the unforeseen needs that societies often face[111].

It follows from what we have just said that in Massachusetts administrative power is almost entirely contained within the township[112]; but there it is divided among many hands.

In the French commune there is, strictly speaking, only one administrative official: the mayor.

We have seen that there are at least nineteen in the New England township.

These nineteen officials do not, in general, depend on one another. The law has carefully drawn a sphere of action around each of these magistrates. Within that sphere they are all-powerful in carrying out the duties of their office, and they answer to no township authority.

If one looks above the township, one can barely make out a trace of an administrative hierarchy. Sometimes county officials overturn a decision made by the townships or by township magistrates[113]; but in general one can say that the county administrators have no right to direct the conduct of the township

111 TOCQUEVILLE'S NOTE. Example: the *selectmen* watch over public health in case of contagious diseases and take the necessary measures together with the justices of the peace. Law of June 22, 1797, vol. 1, p. 539.

112 TOCQUEVILLE'S NOTE. I say *almost*, because there are several matters of township life that are regulated either by the justices of the peace in their individual capacity or by the justices of the peace assembled as a body at the county seat. Example: it is the justices of the peace who grant licenses. See the law of February 28, 1787, vol. 1, p. 297.

113 TOCQUEVILLE'S NOTE. Example: a license is granted only to those who present a certificate of good conduct issued by the selectmen. If the selectmen refuse to issue this certificate, the person can appeal to the justices of the peace assembled in session, and they may grant the license. See the law of March 12, 1808, vol. 2, p. 136. The townships have the right to make these regulations (*by-laws*) and to enforce them with fines at a fixed rate, but these regulations must be approved by the court of sessions. See the law of March 23, 1786, vol. 1, p. 284

administrators[114]. They command them only in matters that concern the county.

In a very small number of cases specified in advance, the township and county magistrates are required to report the results of their work to the officers of the central government[115]. But the central government is not represented by any one man charged with making general police regulations or ordinances for the execution of the laws; with communicating regularly with the county and township administrators; with inspecting their conduct, directing their acts, and punishing their faults.

So there is nowhere a center toward which the rays of administrative power converge.

How, then, do they manage to run society on a more or less uniform plan? How can they make the counties and their administrators, the townships and their officials, obey?

In the states of New England, legislative power extends to more matters than it does among us. The legislator reaches, so to speak, into the very heart of administration; the law goes down to minute details; it prescribes both the principles and the means of applying them. In this way it encloses the secondary bodies and their administrators within a multitude of narrow and strictly defined obligations.

It follows that if all the secondary bodies and all the officials comply with the law, society proceeds uniformly in all its parts. But the question always remains of how the secondary bodies and their officials can be forced to comply with the law.

Generally speaking, one may say that society has only two means at its disposal for compelling officials to obey the laws:

It can entrust one of them with discretionary power to direct all the others and to dismiss them if they disobey;

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114 TOCQUEVILLE'S NOTE. In Massachusetts, the county administrators are often called upon to review the acts of the township administrators; but we will see later that they carry out this review as a judicial power, not as an administrative authority.

115 TOCQUEVILLE'S NOTE. Example: the township school committees are required each year to report on the state of the school to the secretary of the republic. See the law of March 10, 1827, vol. 3, p. 183.

Or it can charge the courts with inflicting judicial penalties on offenders.

One is not always free to choose either of these means.

The right to direct an official presupposes the right to dismiss him if he does not follow the orders passed down to him, or to promote him if he performs all his duties with zeal. Now, an elected magistrate can be neither dismissed nor promoted. It is in the nature of elective offices to be irrevocable until the end of the term. In reality, when all public offices are the product of election, the elected magistrate has nothing to hope for or fear except from the voters. There can therefore be no true hierarchy among officials, since the right to give orders and the right to repress disobedience effectively cannot be united in the same man, and the power to command cannot be joined to the power to reward and punish.

Peoples who introduce election into the secondary workings of their government are therefore necessarily led to make extensive use of judicial penalties as a means of administration.

This is not apparent at first glance. Those who govern regard making offices elective as a first concession, and subjecting the elected magistrate to the rulings of judges as a second. They fear both innovations equally; and since they are pressed harder to make the first than the second, they grant the official election and leave him independent of the judge. Yet each of these two measures is the only counterweight that can be given to the other. Make no mistake: an elective power that is not subject to a judicial power sooner or later escapes all control, or is destroyed. Between the central power and the elected administrative bodies, only the courts can serve as intermediary. They alone can force the elected official to obey without violating the right of the voter.

The extension of judicial power in the political world must therefore keep pace with the extension of elective power. If these two things do not go together, the state ends by falling into anarchy or servitude.

It has always been observed that judicial habits prepare men rather poorly for the exercise of administrative power.

JUSTICES OF THE PEACE AND THE COURT OF SESSIONS

Appointed justices of the peace and the county court of sessions keep townships and officials obedient.

From their forefathers, the English, the Americans took the idea of an institution that bears no resemblance to anything we know on the continent of Europe: that of the justices of the peace.

The justice of the peace stands halfway between the man of the world and the magistrate, between the administrator and the judge. The justice of the peace is an enlightened citizen, but one who is not necessarily versed in the law. He is therefore charged only with keeping order in society, a task that calls for more good sense and uprightness than learning. When he takes part in administration, the justice of the peace brings to it a certain taste for due forms and publicity that makes him a most awkward instrument for despotism; but he does not show himself there a slave to those legal superstitions that make magistrates ill suited to govern.

The Americans adopted the institution of justices of the peace while stripping it of the aristocratic character that marked it in the mother country.

The governor of Massachusetts[116] appoints, in every county, a certain number of justices of the peace, whose term of office is seven years[117].

In addition, from among these justices of the peace he designates three, who in each county form what is called the *court of sessions*.

The justices of the peace take part individually in public administration. Sometimes they are charged, jointly with the

116 TOCQUEVILLE'S NOTE. We will see later what the governor is; I should say right away that the governor represents the executive power of the whole state.
117 TOCQUEVILLE'S NOTE. See the constitution of Massachusetts, chap. II, section i, paragraph *g*; chap. III, paragraph 3.

elected officials, with certain administrative acts[118]; sometimes they form a tribunal before which magistrates bring summary charges against a citizen who refuses to obey, or a citizen denounces the offenses of magistrates. But it is in the court of sessions that the justices of the peace exercise the most important of their administrative functions.

The court of sessions meets twice a year at the county seat. In Massachusetts it is the body charged with keeping the greater number[119] of public officials obedient[120].

It is important to note that in Massachusetts the court of sessions is at once an administrative body in the proper sense and a political tribunal.

We have said that the county has only an administrative existence. It is the court of sessions that itself manages the few interests that concern several townships, or all the townships of the county at once, and that consequently cannot be entrusted to any one of them in particular[121].

Where the county is concerned, then, the duties of the court of sessions are purely administrative; and if it often brings judi-

118 TOCQUEVILLE'S NOTE. One example among many others: a stranger arrives in a township from a country ravaged by a contagious disease. He falls ill. Two justices of the peace, with the advice of the selectmen, may order the county sheriff to move him elsewhere and to keep watch over him. Law of June 22, 1797, vol. 1, p. 540.

In general, the justices of the peace intervene in all the important acts of administrative life and give them a semi-judicial character.

119 TOCQUEVILLE'S NOTE. I say *the greater number* because certain administrative offenses are in fact referred to the ordinary courts. Example: when a township refuses to raise the funds needed for its schools, or to appoint the school committee, it is sentenced to a very heavy fine. It is the court called the *supreme judicial court*, or the court of *common pleas*, that imposes this fine. See the law of March 10, 1827, vol. 3, p. 190. *Id.*: when a township fails to lay in a supply of military munitions. Law of February 21, 1822, vol. 2, p. 570.

120 TOCQUEVILLE'S NOTE. The justices of the peace take part, in their individual capacity, in the government of the townships and counties. The most important acts of township life are generally carried out only with the participation of one of them.

cial forms into its way of proceeding, this is only a means of informing itself[122] and a guarantee it offers to those it administers. But when it must ensure the administration of the townships, it nearly always acts as a judicial body, and only in a few rare cases as an administrative body.

The first difficulty that arises is to make the township itself, an almost independent power, obey the general laws of the state.

We have seen that the townships must appoint each year a certain number of magistrates who, under the name of assessors, apportion the tax. Suppose a township tries to escape the obligation to pay the tax by not appointing the assessors. The court of sessions sentences it to a heavy fine[123]. The fine is levied collectively on all the inhabitants. The sheriff of the county, an officer of the court, carries out the judgment. Thus in the United States, power seems anxious to keep itself carefully out of sight. There, the administrative command is almost always veiled beneath the judicial order. It is all the more powerful for this, since it then has on its side that almost irresistible force which men grant to legal form.

This procedure is easy to follow and readily understood. What is required of the township is, in general, clear and definite. It consists in a simple, not a complex, act, in a principle and

121 TOCQUEVILLE'S NOTE. The matters that concern the county and that the court of sessions handles can be reduced to the following:

1. the building of prisons and courthouses; 2. the draft of the county budget (it is the state legislature that votes it); 3. the apportionment of the taxes thus voted; 4. the issuing of certain licenses; 5. the laying out and repair of county roads.

122 TOCQUEVILLE'S NOTE. Thus, when a road is in question, the court of sessions settles almost all difficulties of execution with the help of a jury.

123 TOCQUEVILLE'S NOTE. See the law of February 20, 1786, vol. 1, p. 117.

not a detailed application[124]. But the difficulty begins when it is a matter of making not the township obey, but the township officials.

All the blameworthy acts that a public official can commit fall, in the end, into one of these categories:

He may do what the law commands without ardor and without zeal.

He may fail to do what the law commands.

Finally, he may do what the law forbids.

A court can reach an official's conduct only in the last two cases. A positive and assessable act is needed to serve as the basis for legal action.

Thus, if the selectmen fail to carry out the formalities required by law for a township election, they can be fined[125].

But when the public official performs his duty without intelligence, when he obeys the requirements of the law without ardor and without zeal, he is entirely beyond the reach of a judicial body.

The court of sessions, even when it is invested with its administrative powers, is powerless in this case to force him to fulfill his obligations in full. Only the fear of dismissal can prevent these quasi-offenses. And the court of sessions is not the source of township powers. It cannot dismiss officials whom it does not appoint.

Besides, to establish that there is negligence and lack of zeal, one would have to keep the subordinate official under continual surveillance. But the court of sessions sits only twice a year. It

124 TOCQUEVILLE'S NOTE. There is an indirect way of making the township obey. The townships are obliged by law to keep their roads in good repair. If they neglect to vote the funds this upkeep requires, the township magistrate in charge of roads is then authorized to raise the necessary money on his own authority. He himself is liable to private individuals for the poor condition of the roads, and can be sued by them before the court of sessions. So one can be sure that he will use against the township the extraordinary right the law gives him. Thus, by threatening the official, the court of sessions forces the township to obey. See the law of March 5, 1787, vol. 2, p. 305.

125 TOCQUEVILLE'S NOTE. Massachusetts law, vol. 2, p. 45.

does not inspect; it judges the blameworthy acts that are reported to it.

Only the arbitrary power to remove public officials can secure from them that kind of enlightened and active obedience which judicial punishment cannot impose on them.

In France, we seek this last guarantee in *administrative hierarchy*; in America, it is sought in *election*.

Thus, to sum up in a few words what I have just set out:

If a New England public official commits a *crime* in the exercise of his duties, the ordinary courts are *always* called on to bring him to justice.

If he commits an *administrative fault*, a purely administrative tribunal is charged with punishing him. And when the matter is serious or urgent, the judge does what the official ought to have done[126].

Finally, the same official may be guilty of one of those elusive offenses that human justice can neither define nor assess. In that case he appears every year before a tribunal without appeal, which can suddenly reduce him to impotence: his power slips away from him with his mandate.

This system certainly contains great advantages in itself. But in its execution it meets a practical difficulty that must be pointed out.

I have already noted that the administrative tribunal called the court of sessions had no right to inspect the township magistrates. To use a legal term, it can act only when a matter has been brought before it. Now, this is the delicate point of the system.

The Americans of New England have not established a public prosecutor attached to the court of sessions[127]. And one can see

126 TOCQUEVILLE'S NOTE. For example: if a township persists in not appointing assessors, the court of sessions appoints them, and the magistrates so chosen are invested with the same powers as elected magistrates. See the law of February 20, 1787, cited above.

127 TOCQUEVILLE'S NOTE. I say *attached to the court of sessions*. There is a magistrate who performs some of the functions of a public prosecutor before the ordinary courts.

that it would have been difficult for them to establish one. Suppose they had confined themselves to placing a prosecuting magistrate in the seat of each county, without giving him agents in the townships. Why would this magistrate have been better informed about what was happening in the county than the members of the court of sessions themselves? If he had been given agents in each township, they would have centralized in his hands the most formidable of powers, that of administering by judicial means. Besides, laws are the offspring of habits, and nothing of the kind existed in English legislation.

So the Americans have divided the right of inspection and complaint, like all the other administrative functions.

The members of the grand jury are required by law to inform the court before which they serve of offenses of every kind that may be committed in their county[128]. There are certain major administrative offenses that the ordinary public prosecutor must pursue on his own initiative[129]. Most often, the obligation to have offenders punished falls on the fiscal officer charged with collecting the proceeds of the fine. Thus the township treasurer is charged with prosecuting most of the administrative offenses committed before his eyes.

But it is above all to private interest that American legislation appeals[130]. This is the great principle that one meets again and again in studying the laws of the United States.

American legislators show little confidence in human honesty, but they assume that man is intelligent. So they most often rely on personal interest for the enforcement of the laws.

128 TOCQUEVILLE'S NOTE. The grand jurors are obliged, for example, to inform the courts of the poor condition of the roads. Massachusetts law, vol. 1, p. 308.
129 TOCQUEVILLE'S NOTE. If, for example, the county treasurer fails to submit his accounts. Massachusetts law, vol. 1, p. 406.
130 TOCQUEVILLE'S NOTE. One example among a thousand: a private individual damages his carriage or injures himself on a badly maintained road. He has the right to claim damages before the court of sessions from the township or the county responsible for the road. Massachusetts law, vol. 1, p. 309.

When an individual is positively and presently harmed by an administrative offense, one can indeed understand that personal interest will ensure a complaint.

But it is easy to foresee what will happen in the case of a legal requirement which, though useful to society, is of no utility presently felt by any individual: everyone will hesitate to come forward as accuser. In this way, and by a kind of tacit agreement, the laws might well fall into disuse.

Driven to this extremity by their system, the Americans are obliged to give informers an interest by allowing them, in certain cases, a share of the fines[131].

A dangerous means, which ensures the enforcement of the laws by degrading mores.

Above the county magistrates there is, strictly speaking, no longer any administrative power, but only a governmental power.

GENERAL IDEAS ON ADMINISTRATION IN THE UNITED STATES

Outside New England the county gains power, but election, lack of hierarchy and judicial sanctions prevail everywhere.

General ideas on administration in the United States

How the states of the Union differ from one another in their system of administration—Township life less active and less

131 TOCQUEVILLE'S NOTE. In case of invasion or insurrection, when the township officers neglect to supply the militia with the necessary equipment and munitions, the township can be fined from 200 to 500 dollars (1,000 to 2,780 francs).

It is easy to see that in such a case it may happen that no one has either the interest or the desire to take on the role of accuser. So the law adds: "All citizens shall have the right to seek the punishment of such offenses, and half of the fine shall belong to the prosecutor." See the law of March 6, 1810, vol. 2, p. 236.

The same provision is found very frequently in the laws of Massachusetts.

Sometimes it is not the private individual whom the law spurs in this way to prosecute public officials. It is the official whom it thus encourages to have the disobedience of private individuals punished. Example: an inhabitant refuses to do the share of work assigned to him on a highway. The surveyor of highways must prosecute him, and if he secures his conviction, half of the fine goes to him. See the laws cited above, vol. 1, p. 308.

complete the farther south one goes—The power of the magistrate then greater, that of the voter smaller—Administration passing from the township to the county—States of New York, Ohio, Pennsylvania—Administrative principles applicable to the whole Union—Election of public officials or irremovability from their offices—Absence of hierarchy—Introduction of judicial means into administration

I announced earlier that, after examining in detail the constitution of the township and the county in New England, I would cast a general glance over the rest of the Union.

There are townships and a township life in every state. But in none of the confederated states does one find a township exactly like that of New England.

The farther south one goes, the more one notices that township life becomes less active. The township has fewer magistrates, rights, and duties. The population does not exercise so direct an influence on affairs. Township meetings are less frequent and extend to fewer matters. The power of the elected magistrate is therefore comparatively greater and that of the voter smaller; the township spirit there is less awake and less powerful[132].

These differences begin to appear in the state of New York. They are already very marked in Pennsylvania. But they become less striking as one moves toward the northwest. Most of the emigrants who go to found the states of the northwest come from New England, and they carry the administrative habits of their native land into their adopted one. The Ohio township closely resembles the Massachusetts township.

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132 TOCQUEVILLE'S NOTE. For details, see *The Revised statutes* of the state of New York, part 1, chap. XI, entitled *Of the powers, duties and privileges of* towns. *On the rights, obligations and privileges of townships*, vol. 1, pp. 336–364.

See, in the collection entitled *Digest of the laws of Pensylvania*, the entries *Assessors, Collectors, Constables, Overseers of the poor, Supervisor of highway*. And, in the collection entitled *Acts of a general nature of the state of Ohio*, the law of February 25, 1834, relating to townships, p. 412. And then the particular provisions relating to the various township officers, such as: *Township's Clerk, Trustees, Overseers of the poor, Fence-Viewers, Appraisers of property, Township's Treasurer, Constables, Supervisor of highways.*

We have seen that in Massachusetts the source of public administration lies in the township. The township is the hearth in which men's interests and affections come together. But this ceases to be so as one goes down toward states where enlightenment is not so universally spread, and where, consequently, the township offers fewer guarantees of wisdom and fewer elements of administration. So the farther one moves from New England, the more township life passes, as it were, to the county. The county becomes the great administrative center and forms the intermediate power between the government and ordinary citizens.

I have said that in Massachusetts the affairs of the county are directed by the court of sessions. The court of sessions is made up of a certain number of magistrates appointed by the governor and his council. The county has no representation, and its budget is voted by the national legislature.[133]

In the large state of New York, on the other hand, in the state of Ohio, and in Pennsylvania, the inhabitants of each county elect a certain number of deputies; together these deputies form a representative assembly of the county[134].

The county assembly has, within certain limits, the right to tax the inhabitants; in this respect it is a true legislature. At the same time, it is this assembly that administers the county, in several cases directs the administration of the townships, and confines their powers within limits much narrower than in Massachusetts.

These are the principal differences presented by the constitution of the township and the county in the various confederated states. If I wished to go down to the details of the means of exe-

133 By "national legislature" Tocqueville means the legislature of the state of Massachusetts.

134 TOCQUEVILLE'S NOTE. See *Revised statutes of the state of New-York*, part I, chap. XI, vol. 1, p. 336. *Id.*, chap. XII; *Id.*, p. 336. *Id.*, *Acts of the state of Ohio*, law of February 25, 1824, relating to county commissioners, p. 262.

See *Digest of the laws Pensylvania*, under the entries *County-rates, and levies*, p. 170.

In the state of New York, each township elects one deputy, and this same deputy takes part both in the administration of the county and in that of the township.

cution, I would have many other dissimilarities still to point out. But my aim is not to give a course in American administrative law.

I have said enough, I think, to make clear on what general principles administration in the United States rests. These principles are applied in different ways; they yield more or fewer consequences depending on the place; but at bottom they are everywhere the same. The laws vary; their features change; one and the same spirit animates them.

The township and the county are not constituted in the same way everywhere. But one can say that the organization of the township and the county in the United States rests everywhere on this same idea: that each person is the best judge of what concerns himself alone, and the best able to provide for his own particular needs. The township and the county are therefore charged with looking after their own special interests. The state governs and does not administer. One meets exceptions to this principle, but not a contrary principle.

The first consequence of this doctrine was to have all the administrators of the township and the county chosen by the inhabitants themselves, or at least to have these magistrates chosen exclusively from among them.

Since administrators are everywhere elected, or at least cannot be removed, the result has been that the rules of hierarchy could nowhere be introduced. There have thus been almost as many independent public officials as there are functions. Administrative power has been scattered among a multitude of hands.

Since administrative hierarchy exists nowhere, and administrators are elected and cannot be removed before the end of their term, it became necessary to bring the courts, to a greater or lesser degree, into administration. Hence the system of fines, by which secondary bodies and their representatives are compelled to obey the laws. This system is found from one end of the Union to the other.

Moreover, the power to punish administrative offenses, or to perform acts of administration when needed, has not been granted to the same judges in all the states.

The Anglo-Americans drew the institution of justices of the peace from a common source, and it is found in all the states. But they have not always made the same use of it.

Everywhere the justices of the peace take part in the administration of townships and counties[135], either by administering directly or by punishing certain administrative offenses. In most states, however, the most serious of these offenses are referred to the ordinary courts.

Thus the election of administrative officials or their security of tenure, the absence of administrative hierarchy, and the introduction of judicial means into the secondary government of society are the principal features by which American administration can be recognized, from Maine to the Floridas.

There are a few states in which traces of administrative centralization are beginning to appear. The state of New York has gone furthest along this path.

In the state of New York, the officials of the central government exercise, in certain cases, a sort of supervision and control

135 TOCQUEVILLE'S NOTE. There are even Southern states where the magistrates of the *county courts* are charged with all the details of administration. See *The Statute of the state of Tennessee* under the articles *Judiciary, Taxes*...

TRANSLATOR'S NOTE. Tocqueville's text reads *county-counts*, a misprint for county courts.

over the conduct of secondary bodies[136]. In certain other cases, they form a kind of court of appeal for deciding matters[137]. In the state of New York, judicial penalties are used less than elsewhere as a means of administration. The right to prosecute administrative offenses is also placed there in fewer hands[138].

The same tendency can be faintly noticed in a few other states[139]. But in general, one can say that the salient feature of

136 TOCQUEVILLE'S NOTE. Example: the direction of public education is centralized in the hands of the government. The legislature appoints the members of the University, called regents, and the governor and lieutenant governor of the state are necessarily among them. (*Revised statutes,* vol. 1, p. 456.) The regents of the University visit the colleges and academies every year and make an annual report to the legislature. Their supervision is by no means illusory, for the following particular reasons. In order to become constituted bodies (corporations) that can buy, sell, and own property, the colleges need a charter, and the legislature grants this charter only on the advice of the regents. Every year the state distributes to the colleges and academies the interest on a special fund created to encourage learning. It is the regents who distribute this money. See ch. xv, Public Education, *Revised statutes,* vol. 1, p. 455.

Every year the commissioners of the public schools are required to send a report on their situation to the superintendent of the republic. *Id.*, p. 488.

A similar report on the number and condition of the poor must be made to him annually. *Id.*, p. 681.

TRANSLATOR'S NOTE. The University of the State of New York, created in 1784, was a supervisory body over the state's colleges and academies rather than a teaching institution.

137 TOCQUEVILLE'S NOTE. When someone believes himself wronged by certain acts issued by the school commissioners (who are township officials), he may appeal to the superintendent of primary schools, whose decision is final. *Revised statutes*, vol. 1, p. 487.

Here and there in the laws of the state of New York one finds provisions similar to those I have just cited as examples. But in general these attempts at centralization are weak and achieve little. The high officials of the state are given the right to supervise and direct the lower agents, but not the right to reward or punish them. The same man is almost never charged with both giving the order and punishing disobedience. He therefore has the right to command, but not the means of making himself obeyed.

In 1830, the superintendent of schools complained in his annual report to the legislature that several school commissioners had not sent him the accounts they owed him, despite his notices. "If this omission recurs," he added, "I shall be reduced to prosecuting them, under the terms of the law, before the competent courts."

public administration in the United States is that it is prodigiously decentralized.

THE STATE: LEGISLATURE AND GOVERNOR

Each state has a two-chamber legislature and an elected governor with a suspensive veto and few administrative powers.

The state

I have spoken of the townships and of administration. It remains for me to speak of the state and of government.

Here I can move quickly without fear of being misunderstood, since what I have to say is already laid out in written constitutions that anyone can easily obtain[140]. These constitutions themselves rest on a simple and rational theory.

Most of the forms they prescribe have been adopted by all constitutional peoples, and so they have become familiar to us.

I therefore need give only a brief account here. Later I shall try to judge what I am about to describe.

Legislative power of the state

Division of the legislative body into two chambers—The senate—The house of representatives—Different powers of these two bodies.

The legislative power of the state is entrusted to two assemblies. The first generally bears the name of senate.

The senate is usually a legislative body, but sometimes it becomes an administrative and judicial body.

It takes part in administration in several ways, depending on the different constitutions[141]. But it ordinarily enters the sphere of executive power by helping to choose public officials.

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138 TOCQUEVILLE'S NOTE. Example: the public prosecutor in each county (*district-attorney*) is charged with pursuing the recovery of all fines above 50 dollars, unless the law has expressly given this right to another magistrate. *Revised statutes*, part 1, ch. x, vol. 1, p. 383.

140 TOCQUEVILLE'S NOTE. See the text of the constitution of New York at the end of the volume.

141 TOCQUEVILLE'S NOTE. In Massachusetts, the senate is invested with no administrative function.

It shares in judicial power by ruling on certain political offenses, and also sometimes by deciding certain civil cases[142].

Its members are always few in number.

The other branch of the legislature, usually called the house of representatives, has no share whatever in administrative power. It takes part in judicial power only by impeaching public officials before the senate.

Almost everywhere, members of the two houses are subject to the same conditions of eligibility. Both are elected in the same manner and by the same citizens.

The only difference between them arises from the fact that senators' terms are generally longer than those of representatives. The latter seldom remain in office more than a year, while the former ordinarily sit for two or three years.

By granting senators the privilege of being chosen for several years, and by renewing them in rotation, the law has taken care to keep within the legislature a core of men accustomed to public business, who could exercise a useful influence on the newcomers.

In dividing the legislative body into two branches, then, the Americans did not mean to create one hereditary assembly and another elective one. They did not aim to make one an aristocratic body and the other a representative of democracy. Nor was their purpose to make the first a support for power while leaving the interests and passions of the people to the second.

To divide legislative strength, thereby slowing the movement of political assemblies, and to create a court of appeal for the revision of laws—these are the only advantages that result from the current two-chamber constitution in the United States.

Time and experience have taught the Americans that, even reduced to these advantages, the division of legislative powers is still a necessity of the first order. Alone among all the united republics, Pennsylvania had at first tried to establish a single assembly. Franklin himself, carried along by the logical con-

142 TOCQUEVILLE'S NOTE. As in the state of New York. See the constitution at the end of the volume.

sequences of the dogma of the sovereignty of the people, had helped bring about this measure. The law soon had to be changed and the two chambers established. The principle of the division of legislative power thus received its final confirmation. From now on, therefore, the necessity of dividing legislative action among several bodies can be regarded as a demonstrated truth.[143] This theory was almost unknown to the republics of antiquity and came into the world almost by chance, like most great truths. Several modern peoples have failed to recognize it. It has at last passed into the political science of our day as an axiom.

The executive power of the state

What the governor is in an American state—What position he occupies with respect to the legislature—What his rights and duties are—His dependence on the people.

The executive power of the state has the governor as its representative.

It is not by chance that I have chosen this word "representative." The governor of the state does indeed represent executive power, but he exercises only some of its rights.

The supreme magistrate, who is called the governor, is placed beside the legislature as a moderator and adviser. He is armed with a suspensive veto that allows him to stop its movements at will, or at least to slow them. He sets out the needs of the country to the legislative body and informs it of the means he judges useful for meeting them. He is the natural executor of its will for all undertakings that concern the entire nation[144]. When the legislature is not in session, he must take every measure needed to protect the state from violent shocks and unforeseen dangers.

143 Pennsylvania's constitution of 1776, drafted by a convention over which Benjamin Franklin presided, created a single-chamber assembly. The constitution of 1790 replaced it with two chambers.

144 TOCQUEVILLE'S NOTE. In practice, it is not always the governor who carries out the undertakings the legislature has conceived. It often happens that the legislature, at the same time as it votes a principle, appoints special agents to oversee its execution.

The governor holds in his hands all the military power of the state. He is the commander of the militias and the head of the armed force.

When the power of opinion that men have agreed to grant to the law is disregarded, the governor advances at the head of the material force of the state. He breaks the resistance and restores the accustomed order.

Beyond this, the governor does not enter into the administration of the townships and counties. At most he takes part in it very indirectly, through the appointment of justices of the peace, whom he cannot afterward remove[145].

The governor is an elected magistrate. Care is even generally taken to elect him for only one or two years, so that he always remains closely dependent on the majority that created him.

TWO KINDS OF CENTRALIZATION

Tocqueville separates governmental from administrative centralization and weighs the costs and benefits of America's extreme decentralization.

The political effects of administrative decentralization in the United States

Distinction to be drawn between governmental centralization and administrative centralization—In the United States, no administrative centralization, but very great governmental centralization—Some unfortunate effects that result in the United States from extreme administrative decentralization—Administrative advantages of this order of things—The force that administers society: less regulated, less enlightened, less skilled, yet far greater than in Europe—Political advantages of the same order of things—In the United States, one's country makes itself felt everywhere—Support that the governed lend to the government—Provincial institutions more necessary as the social state becomes more democratic—Why.

145 TOCQUEVILLE'S NOTE. In several states, justices of the peace are not appointed by the governor.

Centralization is a word constantly repeated nowadays, and as a rule no one tries to pin down its meaning.

There are, however, two very distinct kinds of centralization, and it is important to understand them well.

Certain interests are common to all parts of the nation, such as the making of general laws and the people's relations with foreigners.

Other interests are specific to certain parts of the nation, such as the undertakings of a township.

To concentrate in a single place or in a single hand the power to direct the former is to found what I shall call governmental centralization.

To concentrate in the same way the power to direct the latter is to found what I shall call administrative centralization.

There are points at which these two kinds of centralization merge. But if one takes as a whole the matters that fall more particularly within the domain of each, one easily manages to tell them apart.

It is easy to see that governmental centralization acquires immense force when it is joined to administrative centralization. In this way it accustoms men to set their own will completely and continually aside, and to obey not once and on one point, but in everything and every day. Then it not only subdues them by force but also takes hold of them through their habits. It isolates them, and then it seizes them one by one within the common mass.

These two kinds of centralization lend each other mutual help and attract each other, but I cannot believe that they are inseparable.

Under Louis XIV, France saw the greatest governmental centralization that could be conceived, since the same man made the general laws and had the power to interpret them, represented France abroad, and acted in its name. "I am the state," he said, and he was right.[146]

146 The saying "L'État, c'est moi" is traditionally attributed to Louis XIV (r. 1643–1715), though it is probably apocryphal.

Yet under Louis XIV there was much less administrative centralization than in our day.

In our own time we see a power, England, in which governmental centralization is carried to a very high degree. The state there seems to move like a single man. It raises immense masses at will, and it gathers the whole weight of its power and brings it wherever it wishes.

England, which has done such great things over the past fifty years, has no administrative centralization.

For my part, I cannot imagine how a nation could live, still less prosper, without strong governmental centralization.

But I believe that administrative centralization serves only to sap the strength of the peoples who submit to it, because it constantly tends to weaken their civic spirit. It is true that administrative centralization can gather all of a nation's available forces at a given moment and in a given place, but it hinders the renewal of those forces. It makes the nation triumph on the day of battle and, over time, diminishes its power. It can therefore contribute admirably to the passing greatness of one man, but not to the lasting prosperity of a people.

Let us be careful here: when people say that a state cannot act because it has no centralization, they are almost always speaking, without knowing it, of governmental centralization. The German Empire, we are often told, was never able to make full use of its strength. Granted. But why? Because the nation's force was never centralized there; because the state could never make its general laws obeyed; because the separate parts of that great body always had the right or the means to refuse their help to the holders of common authority, even in matters that concerned all citizens; in other words, because there was no governmental centralization.[147] The same remark applies to the Middle Ages. What caused all the miseries of feudal society was that the power not only to administer but to govern was divided among a thousand hands and split up in a thousand ways. The

147 The Holy Roman Empire, a loose confederation of German states dissolved in 1806.

absence of any governmental centralization then kept the nations of Europe from moving with energy toward any goal.

We have seen that there was no administrative centralization in the United States. One scarcely finds there any trace of a hierarchy. Decentralization has been carried to a degree that no European nation could tolerate, I think, without deep unease, and that has some unfortunate effects even in America. But in the United States governmental centralization exists to the highest degree. It would be easy to prove that national power is more concentrated there than it ever was in any of the old monarchies of Europe. Not only is there in each state just one body that makes the laws; not only is there just one power that can create political life around it; but in general care has been taken not to convene many district or county assemblies, for fear that these assemblies might be tempted to overstep their administrative functions and obstruct the workings of government. In America the legislature of each state faces no power capable of resisting it. Nothing can stop it in its course—neither privileges, nor local immunity, nor personal influence, not even the authority of reason, for it represents the majority, which claims to be the sole voice of reason. Its action, then, has no limits other than its own will. Beside it, and under its hand, stands the representative of the executive power, whose task is to use material force to compel the discontented to obey.

Weakness is found only in certain details of governmental action.

The American republics have no standing army to hold minorities down; but minorities there have never yet been driven to make war, and the need for an army has not yet been felt. The state most often uses township or county officials to act upon citizens. In New England, for example, it is the township assessor who apportions the tax; the township collector levies it; the township treasurer forwards the proceeds to the public treasury; and any complaints that arise are submitted to the ordinary courts. Such a way of collecting taxes is slow and cumbersome; it would constantly hamper the workings of a govern-

ment with large financial needs. In general, one should wish that, for everything essential to its life, the government should have officials of its own, chosen by it and removable by it, and swift procedures. But a central power organized as it is in America will always find it easy to introduce more energetic and more effective means of action as the need arises.

It is not, then, because there is no centralization in the United States that the republics of the New World will perish, as is often said. Far from being insufficiently centralized, the American governments, one may assert, are too centralized; I shall prove this later. The legislative assemblies swallow up some fragment of governmental powers every day; they tend to gather them all into themselves, as the Convention had done. Social power, centralized in this way, constantly changes hands, because it is subordinate to the power of the people. It often lacks wisdom and foresight, because it can do anything. That is where its danger lies.[148] It is thus because of its very strength, and not as a result of its weakness, that it is threatened with destruction one day.

Administrative decentralization produces several different effects in America.

We have seen that the Americans had almost completely separated administration from government. In this they seem to me to have gone beyond the bounds of sound reason, for order, even in secondary matters, is still a national interest[149]

Since the state has no administrative officials of its own, permanently stationed at various points of its territory, to whom it could give a common impulse, it seldom attempts to establish

148 The National Convention, the revolutionary assembly that governed France from 1792 to 1795.

149 TOCQUEVILLE'S NOTE. The authority that represents the state should not, I think, give up the right to inspect local administration, even when it does not administer itself. Suppose, for example, that a government agent permanently stationed in each county could refer to the judicial power the offenses committed in the townships and in the county: would order not be more uniformly maintained, without the independence of localities being compromised? Yet nothing of the kind exists in America. Above the county courts there is nothing; and these courts learn of the administrative offenses they are supposed to punish only, as it were, by chance.

general regulations for public order. Yet the need for such regulations is keenly felt. Europeans often notice their absence. The apparent disorder that reigns on the surface persuades them at first that there is complete anarchy in society; only by examining the substance of things do they realize their mistake.

Certain undertakings concern the whole state and yet cannot be carried out, because there is no national administration to direct them. Left to the care of townships and counties, handed over to elected and temporary agents, they lead to no result or produce nothing lasting.

The partisans of centralization in Europe maintain that governmental power administers localities better than they could administer themselves. This may be true when the central power is enlightened and the localities are without education, when it is active and they are inert, when it is in the habit of acting and they in the habit of obeying. It is even understandable that the more centralization increases, the more this twofold tendency grows, and the more the capacity of the one and the incapacity of the other become conspicuous.

But I deny that this is so when the people are enlightened, alert to their interests, and accustomed to thinking about them, as they are in America.

I am convinced, on the contrary, that in this case the collective force of citizens will always be more powerful than the authority of government in producing social well-being.

I admit that it is hard to point with any certainty to a way of rousing a sleeping people and giving them passions and enlightenment they do not have. Persuading men that they ought to concern themselves with their own affairs is, I am well aware, an arduous undertaking. It would often be less difficult to interest them in the details of court etiquette than in the repair of the town hall.

But I also believe that when the central administration claims to replace entirely the free cooperation of those most directly concerned, it is either mistaken or trying to deceive you.

A central power, however enlightened, however skilled one imagines it to be, cannot by itself take in all the details of the life of a great people. It cannot, because such a task exceeds human strength. When it tries, through its own efforts alone, to create and operate so many different springs, it either settles for a very incomplete result or exhausts itself in useless effort.

It is true that centralization easily succeeds in subjecting men's outward actions to a certain uniformity, which in the end comes to be loved for its own sake, regardless of the things to which it is applied—like those devotees who worship the statue and forget the deity it represents. Centralization has no trouble giving a regular pace to day-to-day business; expertly managing the details of social order; suppressing minor disturbances and petty offenses; keeping society in a *status quo* that is, properly speaking, neither decline nor progress; and maintaining in the social body a kind of administrative drowsiness that administrators are accustomed to call good order and public tranquility[150]. In a word, it excels at preventing, not at doing. When it comes to stirring society deeply or setting it moving at a rapid pace, its strength deserts it. If its measures require even a little cooperation from individuals, one is quite surprised at the weakness of this immense machine; it suddenly finds itself reduced to impotence.

Then centralization sometimes tries, as a last resort, to call citizens to its aid; but it tells them: "You will act as I wish, as much as I wish, and exactly in the direction I wish. You will take charge of these details without aspiring to direct the whole; you will work in the dark, and later you will judge my work by its results." It is not on such terms that the cooperation of the

150 TOCQUEVILLE'S NOTE. China seems to me to offer the most perfect emblem of the kind of social well-being that a highly centralized administration can provide to the peoples who submit to it. Travelers tell us that the Chinese have tranquility without happiness, industry without progress, stability without strength, and material order without public morality. Among them society always runs fairly well, never very well. I imagine that when China is opened to Europeans, they will find there the finest model of administrative centralization that exists in the world.

human will is obtained. The will needs freedom in its movements and responsibility for its acts. Man is so made that he would rather stand still than march without independence toward a goal he does not know.

I will not deny that in the United States people often regret not finding those uniform rules that seem constantly to watch over each of us.

From time to time one comes across striking examples of social carelessness and neglect. Here and there appear glaring blemishes that seem wholly at odds with the surrounding civilization.

Useful undertakings that require constant care and rigorous precision to succeed often end up abandoned; for in America, as elsewhere, the people proceed by momentary efforts and sudden impulses.

The European, accustomed to finding an official constantly at hand who meddles in nearly everything, has difficulty getting used to these various workings of township administration. In general, one may say that the small details of social order that make life pleasant and convenient are neglected in America; but the guarantees essential to man in society exist there as much as anywhere else. Among the Americans, the force that administers the state is far less regulated, less enlightened, less skilled, but a hundred times greater than in Europe. There is no country in the world where men, all things considered, make so much effort to create social well-being. I know of no people that has managed to establish schools so numerous and so effective, places of worship better suited to the religious needs of the inhabitants, or township roads better maintained. One must not, then, look in the United States for uniformity and permanence of plans, meticulous care of details, or perfection of admin-

istrative methods[151]. What one finds there is the image of strength—somewhat wild, it is true, but full of power—and of life, attended by mishaps, but also by movement and effort.

THE POLITICAL ADVANTAGES OF DECENTRALIZATION

Local self-government makes Americans care for their country as their own, unlike passive subjects of centralized European states.

For that matter, I will grant, if you like, that the villages and counties of the United States would be more usefully administered by a central authority placed far from them, and remaining a stranger to them, than by officials drawn from among themselves. I will acknowledge, if you insist, that there would be more security in America, and that social resources would be used more wisely and judiciously, if the administration of the whole country were concentrated in a single hand. The *political* advantages that the Americans derive from the system of

151 TOCQUEVILLE'S NOTE. A talented writer who, in a comparison between the finances of the United States and those of France, proved that wit cannot always make up for knowledge of the facts, rightly reproaches the Americans for the kind of confusion that prevails in their township budgets; and after presenting the model of a French departmental budget, he adds: "Thanks to centralization, the admirable creation of a great man, municipal budgets from one end of the kingdom to the other, those of great cities as well as those of the humblest communes, show no less order and method." That is certainly a result I admire; but I see most of these French communes, whose accounts are kept so perfectly, sunk in deep ignorance of their true interests and given over to an apathy so invincible that society there seems to vegetate rather than live. On the other hand, in those same American townships, whose budgets are not drawn up on methodical, and above all not on uniform, plans, I see an enlightened, active, enterprising population; I behold society there always at work. This spectacle astonishes me; for in my eyes the main aim of good government is to produce the well-being of peoples, and not to establish a certain order in the midst of their misery. I therefore wonder whether it might not be possible to attribute to the same cause the prosperity of the American township and the apparent disorder of its finances, the distress of the French commune and the perfection of its budget. In any case, I distrust a good that I find mixed with so many evils, and I am easily consoled for an evil that is offset by so much good.

TRANSLATOR'S NOTE. The "great man" is Napoleon, who reorganized French local administration in 1800.

decentralization would still make me prefer it to the opposite system.

What does it matter to me, after all, that there is an authority always on its feet, watching to see that my pleasures are undisturbed and flying ahead of my steps to turn aside every danger, without my even needing to think of it, if this authority, while it removes the smallest thorns from my path, is the absolute master of my liberty and my life? What does it matter if it monopolizes movement and existence to such a degree that everything around it must languish when it languishes, sleep when it sleeps, and perish if it dies?

There are nations in Europe where the inhabitant regards himself as a kind of settler, indifferent to the fate of the place he lives in. The greatest changes occur in his country without his taking any part in them. He does not even know exactly what has happened; he suspects it; he has heard the event recounted by chance. More than that, the fortunes of his village, the policing of his street, the fate of his church and its parsonage do not concern him. He thinks that none of these things are in any way his business, and that they belong to a powerful stranger called the government. For his part, he enjoys these goods like someone who has only the use of them, with no sense of ownership and no thought of improving them in any way. This indifference to his own affairs goes so far that if his own safety or that of his children is finally endangered, instead of working to avert the danger, he folds his arms and waits for the whole nation to come to his aid. This man, moreover, though he has so completely sacrificed his free will, likes obedience no more than anyone else. He submits, it is true, to the whims of a clerk; but as soon as force withdraws, he delights in defying the law as one would a defeated enemy. So he is seen forever swinging between servitude and license.

When nations have reached this point, they must change their laws and their mores or perish, for the wellspring of public virtue has, as it were, run dry. One still finds subjects there, but one no longer sees citizens.

I say that such nations are ripe for conquest. If they do not vanish from the world's stage, it is because they are surrounded by nations like them or inferior to them. It is also because there still remains within them a kind of indefinable instinct for their country, some unthinking pride in the name it bears, some vague memory of their past glory. Without being attached to anything in particular, this is enough to give them a conservative impulse when the need arises.

It would be wrong to take comfort in the thought that certain peoples have made prodigious efforts to defend a country in which they lived, so to speak, as strangers. Look closely, and you will see that in such cases religion was almost always their chief motive.

The survival, the glory, or the prosperity of the nation had become sacred dogmas for them, and in defending their country they were also defending that holy city in which they were all citizens.

The Turkish populations have never taken any part in directing the affairs of society. Yet they accomplished immense undertakings for as long as they saw the triumph of the religion of Muhammad in the sultans' conquests. Today religion is fading; despotism alone remains to them: they are falling.

In granting despotism a strength of its own, Montesquieu did it, I think, an honor it did not deserve. Despotism by itself can maintain nothing lasting. When one looks closely, one sees that what long made absolute governments prosper was religion, not fear.[152]

Whatever one does, true power among men will never be found except in the free concurrence of wills. Now, nothing in the world but patriotism or religion can make the whole body of citizens march toward a single goal for any length of time.

It is not within the power of laws to revive beliefs that are dying out; but it is within their power to interest men in the destinies of their country. It is within the power of laws to awaken

152 In *The Spirit of the Laws* (1748), Montesquieu made fear the animating principle of despotic government.

and guide that vague instinct for country that never leaves the human heart. By linking it to everyday thoughts, passions, and habits, laws can make it a considered and lasting feeling. And let no one say that it is too late to try; nations do not grow old in the same way as men. Each generation born within them is like a new people offering itself to the hand of the legislator.

What I admire most in America is not the *administrative* effects of decentralization but its *political* effects. In the United States, the country makes itself felt everywhere. It is an object of concern from the village up to the whole Union. The inhabitant attaches himself to each of his country's interests as if it were his own. He glories in the nation's glory; in its successes he believes he recognizes his own work, and he is uplifted by them; he rejoices in the general prosperity from which he profits. He feels for his country something like what one feels for one's family, and it is once again through a kind of selfishness that he takes an interest in the state.

The European often sees in a public official nothing but force; the American sees right. One can therefore say that in America man never obeys man, but justice or the law.

So the American has formed an opinion of himself that is often exaggerated but almost always salutary. He relies fearlessly on his own strength, which seems to him equal to everything. A private individual conceives the idea of some undertaking. Even if this undertaking bears directly on the well-being of society, it does not occur to him to turn to the public authority for its support. He makes his plan known, offers to carry it out, calls on the strength of other individuals to help his own, and grapples hand to hand with every obstacle. No doubt he often succeeds less well than the state would in his place; but in the long run the overall result of all individual undertakings far surpasses what the government could do.

Because the administrative authority stands beside those it administers, and in a sense represents them, it arouses neither jealousy nor hatred. Because its means of action are limited, everyone feels that he cannot rely on it alone.

So when the administrative power intervenes within the sphere of its functions, it does not find itself left to its own devices as in Europe. No one thinks that the duties of private individuals have ceased because the public's representative happens to act. On the contrary, everyone guides, backs, and supports him.

As the action of individual forces joins that of social forces, they often manage to do what the most concentrated and energetic administration would be unable to accomplish [153].

I could cite many facts in support of what I am saying, but I prefer to take only one, and to choose the one I know best.

In America, the means placed at the authorities' disposal for detecting crimes and pursuing criminals are few.

There is no administrative police; passports are unknown. The judicial police in the United States cannot be compared with ours. The officers of the public prosecutor's office are few, and they do not always have the initiative in prosecutions; the pretrial investigation is rapid and oral. And yet I doubt that in any country crime so rarely escapes punishment.

The reason is that everyone believes it is in his interest to furnish proof of the offense and to seize the offender.

During my stay in the United States, I saw the inhabitants of a county where a serious crime had been committed spontaneously form committees in order to pursue the guilty man and hand him over to the courts.

In Europe, the criminal is an unfortunate who is fighting to save his head from the agents of power; the population are, as it were, spectators at the struggle. In America, he is an enemy of the human race, and he has all humanity against him.

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153 TOCQUEVILLE'S NOTE. The United States has a system of prohibitive tariffs. The small number of customs officers and the great length of the coastline make smuggling very easy; yet there is infinitely less of it there than elsewhere, because everyone works to suppress it.

Since there is no preventive police in the United States, more fires break out there than in Europe; but in general they are put out sooner, because the surrounding population never fails to rush to the scene of danger.

PROVINCIAL LIBERTIES IN A DEMOCRACY

Democracies most need local institutions, yet most easily fall under administrative centralization, as France did after the Revolution.

I believe provincial institutions are useful to all peoples; but none seems to me to have a more real need of them than a people whose social state is democratic.

In an aristocracy, one can always be sure of maintaining a certain order in the midst of liberty.

Since those who govern have much to lose, order is of great concern to them.

One can also say that in an aristocracy the people are sheltered from the excesses of despotism, because there are always organized forces ready to resist the despot.

A democracy without provincial institutions has no guarantee against such evils.

How can a multitude that has not learned to use liberty in small matters be made to bear it in great ones?

How can tyranny be resisted in a country where each individual is weak, and where individuals are united by no common interest?

Those who fear license and those who dread absolute power must therefore equally desire the gradual development of provincial liberties.

I am convinced, moreover, that no nations are more exposed to falling under the yoke of administrative centralization than those whose social state is democratic.

Several causes contribute to this result, among them this one:

The permanent tendency of these nations is to concentrate all governmental power in the hands of the one power that directly represents the people, because beyond the people one sees nothing but equal individuals merged in a common mass.

Now, when a single power is already invested with all the attributes of government, it is very hard for it not to try to reach into the details of administration, and in the long run it seldom

fails to find the opportunity to do so. We have witnessed this among ourselves.

In the French Revolution there were two movements in opposite directions that must not be confused: one favorable to liberty, the other favorable to despotism.

Under the old monarchy, the king alone made the law. Below the sovereign power stood a few half-destroyed remnants of provincial institutions. These provincial institutions were incoherent, badly ordered, often absurd. In the hands of the aristocracy, they had at times been instruments of oppression.

The Revolution declared itself against royalty and against provincial institutions at the same time. It lumped together in a single hatred everything that had come before it: absolute power and whatever could temper its rigors. It was at once republican and centralizing.

This double character of the French Revolution is a fact that the friends of absolute power have seized upon with great care. When you see them defending administrative centralization, do you think they are working on behalf of despotism? Not at all; they are defending one of the great conquests of the Revolution

[154]. In this way one can remain popular while being an enemy of the people's rights—a hidden servant of tyranny and an avowed lover of liberty.

I have visited the two nations that have developed the system of provincial liberties to the highest degree, and I have listened to the voices of the parties that divide those nations.

In America, I found men who secretly aspired to destroy the democratic institutions of their country. In England, I found others who openly attacked the aristocracy. I did not meet a single one who did not regard provincial liberty as a great good.

In both countries I saw the ills of the state blamed on an infinite variety of causes, but never on township liberty.

I heard citizens attribute the greatness or prosperity of their country to a multitude of reasons. But I heard all of them put provincial liberty first and rank it above all other advantages.

Am I to believe that men so naturally divided that they agree neither on religious doctrines nor on political theories should agree on a single fact—the one they are best able to judge, since it happens every day before their eyes—and that this fact should be mistaken?

Only peoples that have few or no provincial institutions deny their usefulness; that is to say, only those who do not know the thing speak ill of it.

CHAPTER 6: ON THE JUDICIAL POWER IN THE UNITED STATES AND ITS EFFECT ON POLITICAL SOCIETY (DU POUVOIR JUDICIAIRE AUX ÉTATS-UNIS ET DE SON ACTION SUR LA SOCIÉTÉ POLITIQUE)

American judges rule only on particular lawsuits, yet their power to set aside unconstitutional laws makes them politically powerful.

1.1.6 The Anglo-Americans have kept all the characteristics that distinguish the judicial power among other peoples—Yet they have made it a great political power—How—In what way the judicial system of the Anglo-Americans differs from all others—Why American judges have the right to declare laws unconstitu-

the French Revolution; the French Revolution perfected it but did not create it. In France, the taste for centralization and the mania for regulation go back to the time when lawyers entered the government, which takes us back to the age of Philip the Fair. Since then, these two things have never stopped growing. Here is what M. de Malesherbes, speaking in the name of the Cour des Aides, said to King Louis XVI in 1775 (1):

tional—How American judges use this right—Precautions taken

(1) See *Memoirs Toward a History of the Public Law of France in Matters of Taxation*, p. 654, printed in Brussels in 1779.

"..... Each body, each community of citizens, still retained the right to administer its own affairs. We do not say that this right forms part of the original constitution of the kingdom, for it goes back much further: it is natural right, it is the right of reason. Yet it has been taken from your subjects, Sire, and we will not be afraid to say that in this respect the administration has fallen into excesses that may be called childish.

Ever since powerful ministers made it a political principle not to allow a national assembly to be convened, one consequence has led to another, until the deliberations of a village's inhabitants are declared null when they are not authorized by an intendant. So if this community has an expense to make, it must obtain the approval of the intendant's subdelegate. It must therefore follow the plan he has adopted, employ the workmen he favors, and pay them as he arbitrarily decides. And if the community has a lawsuit to pursue, it must likewise obtain the intendant's authorization. The case must be pleaded before this first tribunal before it can be brought before the courts. And if the intendant's opinion goes against the inhabitants, or if their adversary has influence with the intendant's office, the community loses the power to defend its rights. These, Sire, are the means by which efforts have been made to stifle all municipal spirit in France and to extinguish, if that were possible, even the feelings of citizens. The entire nation has been, so to speak, *declared incompetent*, and given guardians."

What better could be said today, now that the French Revolution has made what are called its conquests in the matter of centralization?

In 1789 Jefferson wrote from Paris to one of his friends: "There is no country where the mania for over-governing has taken deeper root than in France, or where it does more harm." *Letters to Madison,* August 28, 1789.

The truth is that in France, for several centuries, the central power has always done all it could to extend administrative centralization; in this course it has never had any limits but its own strength.

The central power born of the French Revolution has gone further in this than any of its predecessors, because it has been stronger and more skilled than any of them. Louis XIV subjected the details of communal life to the good pleasure of an intendant; Napoleon subjected them to that of the minister. It is always the same principle, carried to more or less remote consequences.

TRANSLATOR'S NOTE. Philip IV "the Fair" was king of France from 1285 to 1314. Malesherbes (1721–1794) presided over the Cour des Aides, a sovereign court with jurisdiction over taxation, and later defended Louis XVI at his trial.

TRANSLATOR'S NOTE. French title: *Mémoires pour servir à l'histoire du droit public de la France en matière d'impôts*.

TRANSLATOR'S NOTE. The intendant was the king's appointed administrator of a province under the old monarchy, assisted locally by subdelegates. The "national assembly" is the Estates-General, which was not convened between 1614 and 1789.

TRANSLATOR'S NOTE. Tocqueville italicizes *interdit*, the legal term for a person judged incapable of managing his own affairs and placed under a guardian.

TRANSLATOR'S NOTE. Thomas Jefferson was then the American minister to France; the letter was addressed to James Madison.

by the legislator to prevent abuse of this right.

I thought I ought to devote a separate chapter to the judicial power. Its political importance is so great that it seemed to me I would diminish it in the reader's eyes if I spoke of it only in passing.

There have been confederations elsewhere than in America. Republics have been seen on shores other than those of the New World, and the representative system has been adopted in several states of Europe. But I do not think that any nation in the world has yet constituted the judicial power in the same way as the Americans.

What a foreigner finds hardest to understand in the United States is the organization of the judiciary. There is, so to speak, no political event in which he does not hear the authority of the judge invoked. He naturally concludes that in the United States the judge is one of the foremost political powers. When he then examines how the courts are constituted, at first sight he finds in them nothing but judicial functions and judicial habits. In his eyes, the magistrate never seems to enter public affairs except by chance; but that same chance recurs every day.

When the Parlement of Paris issued remonstrances and refused to register an edict, or when it summoned a corrupt official before its bar on its own authority, the political action of the judicial power was plain to see. But nothing of the kind is seen in the United States.[155]

The Americans have kept all the characteristics by which the judicial power is customarily recognized. They have confined it exactly within the circle in which it habitually moves.

The first characteristic of judicial power, among all peoples, is to serve as arbiter. For the courts to have cause to act, there must be a dispute. For there to be a judge, there must be a lawsuit. So long as a law gives rise to no dispute, the judicial power therefore has no occasion to concern itself with it. It exists, but

155 The Parlement of Paris was the chief sovereign court of the old French monarchy. Royal edicts had to be registered by the court, which allowed it to obstruct them through formal protests called remonstrances.

it does not see the law. When a judge, in the course of a lawsuit, attacks a law bearing on that suit, he widens the circle of his powers, but he does not leave it, since he has had, in a sense, to judge the law in order to judge the case. When he pronounces on a law without starting from a lawsuit, he steps entirely outside his sphere and enters that of the legislative power.

The second characteristic of judicial power is to pronounce on particular cases and not on general principles. Suppose a judge, in deciding a particular question, destroys a general principle, because it is certain that every consequence of that principle will be struck down in the same way and the principle becomes barren. He still remains within the natural circle of his action. But if the judge attacks the general principle directly and destroys it without having a particular case in view, he leaves the circle within which all peoples have agreed to confine him. He becomes something more important than a magistrate, perhaps more useful, but he ceases to represent the judicial power.

The third characteristic of judicial power is that it can act only when called upon, or, in legal terms, when a matter has been brought before it. This characteristic is not found as generally as the other two. I believe, however, that despite the exceptions it may be considered essential. By its nature, the judicial power has no action of its own; it must be set in motion before it will move. A crime is reported to it, and it punishes the guilty. It is called on to redress an injustice, and it redresses it. An act is submitted to it, and it interprets it. But it does not go out on its own to pursue criminals, seek out injustice, or examine facts. The judicial power would in some sense do violence to this passive nature if it took the initiative on its own and set itself up as censor of the laws.

The Americans have kept these three distinctive characteristics of the judicial power. The American judge can pronounce only when there is litigation. He never deals with anything but a particular case, and in order to act he must always wait until a matter has been brought before him.

The American judge therefore resembles the magistrates of other nations exactly. Yet he is invested with immense political power.

Where does this come from? He moves within the same circle and uses the same means as other judges; why does he possess a power that they lack?

The cause lies in this single fact: the Americans have granted judges the right to base their decisions on the *constitution* rather than on the *laws*. In other words, they have permitted them not to apply laws that seem to them unconstitutional.

I know that the courts of other countries have sometimes claimed a similar right, but it has never been granted to them. In America it is recognized by all the powers; one meets neither a party nor even a single man who disputes it.

The explanation of this must lie in the very principle of the American constitutions.

In France, the constitution is an unchangeable work, or is supposed to be. No power may change anything in it: such is the accepted theory [156].

In England, Parliament is acknowledged to have the right to modify the constitution. In England, therefore, the constitution

156 TOCQUEVILLE'S NOTE. This unchangeability of the constitution in France is a necessary consequence of our laws.

To speak first of the most important of all laws, the one that regulates the order of succession to the throne: what could be more unchangeable in principle than a political order founded on the natural order of succession from father to son? In 1814, Louis XVIII had this perpetuity of the law of political succession recognized in favor of his family. Those who settled the consequences of the revolution of 1830 followed his example, except that they established the perpetuity of the law for the benefit of another family. In this they imitated Chancellor Maupeou, who, when he set up the new parlement on the ruins of the old, took care to declare in the same ordinance that the new magistrates would be irremovable, as their predecessors had been.

The laws of 1830, like those of 1814, indicate no means of changing the constitution. Yet it is evident that the ordinary means of legislation cannot suffice for that.

From whom does the king hold his powers? From the constitution. The peers? From the constitution. The deputies? From the constitution. How, then, could the king, the peers, and the deputies, by coming together, change anything in a law by virtue of which alone they govern? Outside the constitution they are nothing: on what ground, then, would they stand to change the constitution? One of two things must happen. Either their efforts are powerless against the Charter, which goes on existing in spite of them, and then they go on reigning in its name. Or they succeed in changing the Charter, and then, since the law by which they existed no longer exists, they themselves are nothing. In destroying the Charter, they have destroyed themselves.

This is even more visible in the laws of 1830 than in those of 1814. In 1814, the royal power placed itself, so to speak, outside and above the constitution. In 1830, by its own admission, it is created by the constitution and is absolutely nothing without it.

Thus one part of our constitution is unchangeable because it has been bound to the destiny of a family. The constitution as a whole is equally unchangeable because no legal means of changing it can be seen.

None of this applies to England. Since England has no written constitution, who can say that its constitution is being changed?

TRANSLATOR'S NOTE. René-Nicolas de Maupeou (1714–1792), chancellor to Louis XV, broke the resistance of the parlements in 1771 and replaced them with new courts.

TRANSLATOR'S NOTE. The Charter was the constitution granted by Louis XVIII in 1814 and revised in 1830, when Louis-Philippe of the Orléans family took the throne.

can change constantly, or rather it does not exist. Parliament is a constituent body as well as a legislative body [157].

In America, political theories are simpler and more rational.

An American constitution is not supposed to be unchangeable, as in France. Nor can it be modified by the ordinary powers of society, as in England. It is a work apart. Because it represents the will of the whole people, it binds legislators as well as ordinary citizens. But it can be changed by the will of the people, according to established forms and in cases that have been foreseen.

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157 TOCQUEVILLE'S NOTE. The most respected authors who have written on the English constitution vie with one another in affirming this omnipotence of Parliament.

Delolme says, chap. x, p. 77: *It is a fundamental principle with the English lawyers, that parliament can do every thing; except making a woman a man or a man a woman.*

Blackstone puts it still more categorically than Delolme, if not more forcefully. Here are his words:

"The power and jurisdiction of Parliament, according to Sir Edward Coke (4 Hist. 36), are so extensive and so absolute, over persons as well as matters, that no limits can be set to them... It may truly be said of this court, he adds: *Si antiquitatem spectes, est vetustissima; si dignitatem, est honoratissima; si jurisdictionem, est capacissima*. Its authority, sovereign and uncontrolled, can confirm, extend, restrict, abrogate, repeal, renew, and interpret laws on matters of every kind: ecclesiastical, temporal, civil, military, maritime, and criminal. It is to Parliament that the constitution of this kingdom has entrusted that despotic and absolute power which, in every government, must reside somewhere. Grievances, remedies to be applied, decisions outside the ordinary course of law—all fall within the reach of this extraordinary tribunal. It can regulate or change the succession to the throne, as it did in the reigns of Henry VIII and William III. It can alter the established national religion, as it did on various occasions in the reigns of Henry VIII and his children. It can *change and create anew the constitution of the kingdom* and of parliaments themselves, as it did by the act of union of England and Scotland and by various statutes for triennial and septennial elections. In a word, it can do everything that is not naturally impossible. People have therefore not scrupled to call its power, by a figure of speech perhaps too bold, the *omnipotence* of Parliament."

TRANSLATOR'S NOTE. Jean-Louis de Lolme (1740–1806) was a Genevan writer, author of *The Constitution of England* (1771).

TRANSLATOR'S NOTE. Sir William Blackstone (1723–1780) was the author of the *Commentaries on the Laws of England* (1765–69).

TRANSLATOR'S NOTE. Sir Edward Coke (1552–1634) was an English jurist. The Latin means: "If you consider its antiquity, it is most ancient; if its dignity, most honorable; if its jurisdiction, most extensive."

In America, then, the constitution can vary; but as long as it exists, it is the source of all powers. The predominant force resides in it alone.

It is easy to see how these differences must affect the position and the rights of the judicial body in the three countries I have cited.

If, in France, the courts could disobey the laws on the ground that they found them unconstitutional, the constituent power would really be in their hands. They alone would have the right to interpret a constitution whose terms no one could change. They would thus put themselves in the place of the nation and dominate society, at least as far as the weakness inherent in the judicial power allowed them to.

I know that by refusing judges the right to declare laws unconstitutional, we indirectly give the legislative body the power to change the constitution, since it no longer meets any legal barrier to stop it. But it is still better to give the power to change the people's constitution to men who represent the will of the people imperfectly than to others who represent only themselves.

It would be still more unreasonable to give English judges the right to resist the will of the legislative body. Parliament, which makes the law, also makes the constitution. Consequently, a law can in no case be called unconstitutional when it emanates from the three powers.

Neither of these two arguments applies to America.

In the United States, the constitution rules legislators as well as ordinary citizens. It is therefore the first of the laws and cannot be modified by a law. It is therefore right that the courts should obey the constitution in preference to all the laws. This goes to the very essence of the judicial power: to choose, among legal provisions, those that bind him most strictly is, in a sense, the natural right of the magistrate.

In France, the constitution is likewise the first of the laws, and the judges have an equal right to take it as the basis of their decisions. But in exercising that right they could not fail to

encroach on another right, more sacred than their own: that of the society in whose name they act. Here ordinary reason must yield to reason of state.

In America, where the nation can always bring the magistrates back to obedience by changing its constitution, no such danger is to be feared. On this point, therefore, politics and logic agree, and the people and the judge alike keep their privileges.

JUDICIAL REVIEW THROUGH LAWSUITS

Because courts strike at laws only in particular cases, judicial review checks legislatures without dragging judges into party battles.

When a law that the judge considers contrary to the constitution is invoked before the courts of the United States, he may therefore refuse to apply it. This power is the only one peculiar to the American judge, but great political influence flows from it.

Indeed, very few laws are of a kind to escape judicial scrutiny for long, for there are very few that do not injure some individual interest, and that litigants cannot, or need not, invoke before the courts.

Now, from the day the judge refuses to apply a law in a lawsuit, it instantly loses part of its moral force. Those whom it has injured are then alerted that there is a way to escape the obligation of obeying it: lawsuits multiply, and the law is rendered powerless. Then one of two things happens: the people change their constitution, or the legislature repeals its law.

The Americans have therefore entrusted their courts with immense political power; but by obliging them to attack laws only through judicial means, they have greatly reduced the dangers of that power.

If the judge had been able to attack laws in a theoretical and general way, if he had been able to take the initiative and censure the legislator, he would have made a dramatic entrance onto the political stage; having become the champion or the adversary of a party, he would have called on all the passions that divide the country to join the struggle. But when the judge

attacks a law in an obscure dispute and over a particular application, he partly hides the importance of the attack from the public eye. His ruling aims only to strike at an individual interest; the law is wounded only by chance.

Moreover, a law censured in this way is not destroyed: its moral force is diminished, but its material effect is not suspended. Only little by little, and under the repeated blows of case law, does it finally succumb.

It is easy to see, besides, that by charging private interest with provoking the censure of laws, and by intimately linking the case brought against the law to the case brought against a man, one ensures that legislation will not be lightly attacked. Under this system, it is no longer exposed to the daily assaults of parties. In pointing out the legislator's errors, one is responding to a real need: one starts from a positive and measurable fact, since it must serve as the basis for a lawsuit.

I do not know whether this way in which American courts act, while it is the most favorable to public order, is not also the most favorable to liberty.

If the judge could attack the legislators only head-on, there are times when he would be afraid to do so; there are others when party spirit would drive him to dare it every day. Thus laws would be attacked when the power from which they emanate was weak, and submitted to without a murmur when it was strong; that is to say, laws would often be attacked when it would be most useful to respect them, and respected when it would become easy to oppress in their name.

But the American judge is brought onto the terrain of politics in spite of himself. He judges the law only because he has a case to judge, and he cannot avoid judging the case. The political question he must resolve is bound up with the interest of the litigants, and he could not refuse to decide it without committing a denial of justice. It is by fulfilling the narrow duties imposed on the judicial profession that he performs the act of a citizen. It is true that, in this way, the judicial censure exercised by the courts over legislation cannot extend to all laws without distinc-

tion, for there are some that can never give rise to the kind of clearly formulated dispute called a lawsuit. And even when such a dispute is possible, one can still imagine that no one may be found willing to bring it before the courts.

The Americans have often felt this drawback, but they have left the remedy incomplete, for fear of giving it, in every case, a dangerous effectiveness.

Confined within its limits, the power granted to American courts to rule on the unconstitutionality of laws still forms one of the most powerful barriers ever raised against the tyranny of political assemblies.

OTHER POWERS GRANTED TO AMERICAN JUDGES

Any citizen may sue public officials in ordinary courts, unlike France, where Article 75 shields government agents.

Other powers granted to American judges

In the United States all citizens have the right to accuse public officials before the ordinary courts—How they use this right—Article 75 of the French constitution of the Year VIII—The Americans and the English cannot understand the meaning of this article.[158]

I do not know whether I need say that among a free people like the Americans, all citizens have the right to accuse public officials before the ordinary judges, and that all judges have the right to convict public officials—so natural is the thing.

To allow the courts to punish the agents of executive power when they violate the law is not to grant the courts a special privilege. To forbid them to do so is to take away their natural right.

It did not seem to me that in the United States, by making all public officials answerable to the courts, they had weakened the springs of government.

158 The Constitution of the Year VIII (December 1799) established Napoleon Bonaparte's Consulate; the Year VIII refers to the French Revolutionary calendar.

On the contrary, it seemed to me that by acting in this way the Americans had increased the respect owed to those who govern, since these take far greater care to avoid criticism.

Nor did I observe that many political lawsuits were brought in the United States, and I can easily explain why. A lawsuit, whatever its nature, is always a difficult and costly undertaking. It is easy to accuse a public man in the newspapers, but one does not decide to summon him before a court without serious reasons. To prosecute an official at law, one must therefore have just grounds for complaint; and officials hardly provide such grounds when they fear being prosecuted.

This is not due to the republican form the Americans have adopted, for the same experience can be had every day in England.

These two peoples did not believe they had secured their independence by allowing the principal agents of power to be brought to trial. They thought that liberty was guaranteed far more by small lawsuits, placed every day within reach of the humblest citizens, than by great proceedings that are never resorted to or are used too late.

In the Middle Ages, when it was very difficult to catch criminals, the judges, when they seized a few, often inflicted frightful punishments on these wretches—which did not reduce the number of offenders. It has since been discovered that by making justice at once more certain and milder, one made it at the same time more effective.

The Americans and the English think that arbitrary power and tyranny must be treated like theft: make prosecution easier and the penalty milder.

In the Year VIII of the French Republic, a constitution appeared whose Article 75 read as follows: “Agents of the government, other than the ministers, may be prosecuted for acts relating to their functions only by virtue of a decision of the Council of State; in that case, the prosecution takes place before the ordinary courts.” The constitution of the Year VIII passed

away, but not this article, which outlived it; and it is still invoked every day against the just claims of citizens.

I have often tried to make Americans or Englishmen understand the meaning of this Article 75, and I have always found it very hard to succeed.

What they noticed first was that, since the Council of State in France was a great tribunal fixed at the center of the kingdom, there was a kind of tyranny in sending all complainants before it as a preliminary step.[159]

But when I tried to make them understand that the Council of State was not a judicial body in the ordinary sense of the word, but an administrative body whose members depended on the king—so that the king, after sovereignly ordering one of his servants, called a prefect, to commit an injustice, could sovereignly order another of his servants, called a councilor of state, to prevent the first from being punished; when I showed them the citizen, injured by the prince's order, reduced to asking the prince himself for permission to obtain justice, they refused to believe in such enormities and accused me of lying and of ignorance.

Under the old monarchy, it often happened that the parlement issued a warrant for the arrest of a public official guilty of an offense. Sometimes the royal authority intervened and had the proceedings annulled. Despotism then showed itself openly, and those who obeyed were submitting only to force.[160]

We have thus fallen far back from the point our fathers had reached; for we allow to be done under color of justice, and sanctioned in the name of the law, what violence alone imposed on them.

159 The Council of State (Conseil d'État) was the French government's highest advisory and administrative body, which also judged disputes involving the administration.

160 The parlements were the sovereign law courts of pre-Revolutionary France, not legislative assemblies.

CHAPTER 7: ON POLITICAL JUDGMENT IN THE UNITED STATES (DU JUGEMENT POLITIQUE AUX ÉTATS-UNIS)

American impeachment only removes officials from office, a mild penalty that makes it an everyday weapon of the majority.

1.1.7 What the author means by political judgment—How political judgment is understood in France, in England, and in the United States—In America the political judge deals only with public officials—He pronounces removals from office rather than penalties—Political judgment, a regular means of government—Political judgment as understood in the United States is, despite its mildness, and perhaps because of its mildness, a very powerful weapon in the hands of the majority.

By political judgment I mean the verdict pronounced by a political body temporarily invested with the right to judge.[161]

In absolute governments, it is pointless to give trials extraordinary forms: the prince, in whose name the accused is prosecuted, being master of the courts as of everything else, need seek no guarantee anywhere but in the idea people have of his power; the only fear he can conceive is that even the outward appearances of justice will not be kept up, and that his authority will be dishonored by the attempt to strengthen it.[162]

But in most free countries, where the majority can never act on the courts as an absolute prince would, it has sometimes happened that judicial power has been placed temporarily in the hands of the very representatives of society. People have preferred to merge the powers temporarily in this way rather than violate the necessary principle of the unity of government. England, France, and the United States have introduced political judgment into their laws: it is worth examining what use these three great peoples have made of it.

161 Tocqueville means trials conducted by political bodies—in the United States, impeachment.

162 The printed French is garbled at this point; the translation follows the sense of the standard text.

In England and in France, the chamber of peers forms the high criminal court[163] of the nation. It does not try all political offenses, but it can try them all.

Alongside the chamber of peers there is another political power, invested with the right to accuse. The only difference between the two countries on this point is this: in England, the deputies can accuse whomever they please before the peers, whereas in France they can prosecute in this way only the king's ministers.

Moreover, in both countries the chamber of peers has all the penal laws at its disposal with which to strike offenders.

In the United States, as in Europe, one of the two branches of the legislature is invested with the right to accuse, and the other with the right to judge. The representatives denounce the guilty party; the Senate punishes him.

But cases can be *brought* before the Senate only by the *representatives*, and the representatives can accuse before it only *public officials*. Thus the Senate has a narrower jurisdiction than the French court of peers, and the representatives have a broader right of accusation than our deputies.

But here is the greatest difference between America and Europe: in Europe, political tribunals can apply all the provisions of the Penal Code; in America, once they have stripped a guilty man of the public character with which he was invested and declared him unworthy to hold any political office in the future, their right is exhausted, and the task of the ordinary courts begins.

Suppose that the president of the United States has committed the crime of high treason.

The House of Representatives accuses him, and the senators pronounce his removal from office. He then appears before a jury, which alone can deprive him of liberty or life.

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163 TOCQUEVILLE'S NOTE. In England the court of peers also forms the final level of appeal in certain civil cases. See Blackstone, book III, chap. 4.

TRANSLATOR'S NOTE. William Blackstone (1723–1780), English jurist, author of the *Commentaries on the Laws of England* (1765–1769).

This finally throws a bright light on the subject before us.

In introducing political judgment into their laws, the Europeans wanted to reach great criminals, whatever their birth, their rank, or their power in the state. To achieve this, they temporarily united all the prerogatives of the courts within a great political body.

The legislator was then transformed into a judge; he could establish the crime, classify it, and punish it. In giving him the rights of a judge, the law imposed on him all a judge's obligations, and bound him to observe all the forms of justice.

When a political tribunal, French or English, has a public official under its jurisdiction and pronounces a conviction against him, it thereby removes him from his office and can declare him unworthy to hold any office in the future; but here removal and political disqualification are a consequence of the verdict, not the verdict itself.

In Europe, political judgment is a judicial act rather than an administrative measure.

The opposite is seen in the United States, and it is easy to convince oneself that political judgment there is far more an administrative measure than a judicial act.

It is true that the Senate's verdict is judicial in form: to render it, the senators are obliged to conform to the solemnity and customs of legal procedure. It is also judicial in the grounds on which it rests: the Senate is generally obliged to base its decision on an offense under the ordinary law. But it is administrative in its object.

If the legislator's main aim had really been to arm a political body with great judicial power, he would not have confined its action to the circle of public officials, for the most dangerous enemies of the state may hold no office at all: this is true above all in republics, where one is often all the stronger for exercising no legal power.

If the American legislator had wanted to give society itself the right to prevent great crimes as a judge does, through fear of punishment, he would have placed all the resources of the penal

code at the disposal of the political tribunals. Instead he gave them only an incomplete weapon, one that cannot reach the most dangerous of criminals. For a sentence of political disqualification matters little to someone who wants to overthrow the laws themselves.

The main purpose of political judgment in the United States is therefore to take power away from someone who misuses it, and to prevent that same citizen from holding it in the future. It is, as we see, an administrative act that has been given the solemnity of a court judgment.

In this matter, then, the Americans have created something mixed. They have given administrative removal all the guarantees of political judgment, and they have stripped political judgment of its greatest severities.

Once this point is settled, everything follows. We then discover why the American constitutions subject all civil officials to the jurisdiction of the senate, yet exempt military officers, whose crimes are nonetheless more to be feared. In the civil sphere, the Americans have, so to speak, no officials who can be dismissed at will: some hold their posts for life, and the others derive their rights from a mandate that cannot be revoked. To take power away from them, therefore, they must all be tried. But military officers depend on the head of state, who is himself a civil official. By striking the head of state, one strikes them all with the same blow[164]. Now, if we go on to compare the European and the American systems in the effects that each produces or may produce, we find differences no less striking.

In France and England, political judgment is regarded as an extraordinary weapon, which society should use only to save itself in moments of great peril.

There is no denying that political judgment, as it is understood in Europe, violates the protective principle of the division of powers, and that it constantly threatens people's liberty and their lives.

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164 TOCQUEVILLE'S NOTE. It is not that an officer can be stripped of his rank, but he can be relieved of his command.

Political judgment in the United States infringes the principle of the division of powers only indirectly. It does not threaten the lives of citizens. It does not hang, as in Europe, over every head, since it strikes only those who, by accepting public office, have submitted in advance to its severities.

It is at once less fearsome and less effective.

Accordingly, the legislators of the United States did not regard it as an extreme remedy for the great ills of society, but as an ordinary means of government.

From this point of view, it perhaps exerts more real influence on the social body in America than in Europe. We must not, in fact, be taken in by the apparent mildness of American legislation where political judgments are concerned. It should be noted, first, that in the United States the tribunal that pronounces these judgments is made up of the same elements, and subject to the same influences, as the body charged with bringing the accusation, which gives an almost irresistible impetus to the vindictive passions of parties. If political judges in the United States cannot impose penalties as severe as political judges in Europe, there is accordingly less chance of being acquitted by them. Conviction is less fearsome and more certain.

In establishing political tribunals, the Europeans' main aim was to punish the guilty; the Americans', to *take power away from them*. Political judgment in the United States is in some sense a preventive measure. There is therefore no reason to bind the judge with very precise definitions of crimes.

Nothing is more alarming than the vagueness of American laws when they define political crimes in the strict sense. "The crimes that will warrant the conviction of the president," says the Constitution of the United States (section 4, article I), "are treason, bribery, or other high crimes and misdemeanors." Most state constitutions are more obscure still.[165]

"Public officials," says the constitution of Massachusetts, "shall be convicted for the culpable conduct they have engaged

165 The clause is in fact Article II, Section 4, of the U.S. Constitution.

in and for their maladministration[166]." "All officials who have endangered the state by maladministration, corruption, or other offenses," says the constitution of Virginia, "may be impeached by the House of Delegates." Some constitutions specify no crime at all, so as to leave public officials under an unlimited responsibility[167].

But what makes American laws so formidable in this matter springs, I venture to say, from their very mildness.

We have seen that in Europe the removal of an official and his political disqualification were among the consequences of the penalty, whereas in America they were the penalty itself. The result is this: in Europe, political tribunals are invested with terrible powers that they sometimes do not know how to use, and they sometimes fail to punish for fear of punishing too much. But in America, no one shrinks from a penalty that does not make humanity groan. To condemn a political enemy to death in order to take power away from him is, in everyone's eyes, a horrible murder; to declare one's adversary unworthy of holding that same power, and to take it from him while leaving him his liberty and his life, may seem the honest outcome of the struggle.

Yet this judgment, so easy to pronounce, is no less the height of misfortune for most of those to whom it applies. Great criminals will no doubt defy its empty severities; ordinary men will see in it a sentence that destroys their position, stains their honor, and condemns them to a shameful idleness worse than death.

Political judgment in the United States therefore exerts an influence on the course of society that is all the greater for seeming less fearsome. It does not act directly on the governed, but it makes the majority the complete master of those who govern. It does not give the legislature an immense power that it could exercise only in a day of crisis; it lets it assume a moderate

166 TOCQUEVILLE'S NOTE. Chap. I, sect. 2, §8.

167 TOCQUEVILLE'S NOTE. See the constitutions of Illinois, Maine, Connecticut, and Georgia.

and regular power that it can use every day. If the force is less great, on the other hand it is more convenient to use and easy to abuse.

By preventing political tribunals from imposing judicial penalties, the Americans seem to me, then, to have forestalled the most terrible consequences of legislative tyranny rather than the tyranny itself. And I am not sure whether, all things considered, political judgment as it is understood in the United States is not the most formidable weapon ever placed in the hands of the majority.

When the American republics begin to degenerate, I believe it will be easy to recognize: one will need only to see whether the number of political judgments is increasing [168].

168 TOCQUEVILLE'S NOTE. There is no subject on which the American constitutions agree more closely than on political judgment.

All the constitutions that deal with this subject give the house of representatives the exclusive right to impeach, with the sole exception of the constitution of North Carolina, which grants this same right to grand juries (article 23).

Almost all the constitutions give the senate, or the assembly that takes its place, the exclusive right to try.

The only penalties that political tribunals can impose are removal from office or disqualification from public office in the future. Only the constitution of Virginia allows any kind of penalty to be imposed.

The crimes that can give rise to political judgment are: in the federal Constitution (sect. IV, art. I), and in those of Indiana (art. 3, pp. 23 and 24), New York (art. 5), and Delaware (art. 5), treason, bribery, and other high crimes or misdemeanors;

In the constitutions of Massachusetts (chap. 1, sect. 2), North Carolina (art. 23), and Virginia (p. 252), misconduct and maladministration;

In the constitution of New Hampshire (p. 105), bribery, corrupt practices, and maladministration;

In Vermont (chap. II, art. 24), maladministration;

In South Carolina (art. 5), Kentucky (art. 5), Tennessee (art. 4), Ohio (art. I, §§ 23, 24), Louisiana (art. 5), Mississippi (art. 5), Alabama (art. 6), and Pennsylvania (art. 4), offenses committed in office.

In the states of Illinois, Georgia, Maine, and Connecticut, no crime is specified.

CHAPTER 8: ON THE FEDERAL CONSTITUTION (DE LA CONSTITUTION FÉDÉRALE)

After the weak first confederation, the Americans calmly drafted a new federal Constitution, adopted in 1789.

1.1.8 Up to now I have considered each state as forming a complete whole, and I have shown the various springs that the people set in motion there, as well as the means of action they use. But all these states, which I have treated as independent, are nonetheless obliged in certain cases to obey a higher authority, that of the Union. The time has come to examine the share of sovereignty that has been granted to the Union, and to take a quick look at the federal Constitution[169].

History of the federal Constitution

Origin of the first Union—Its weakness—Congress appeals to the constituent power—The two years that elapse between that moment and the promulgation of the new Constitution.

The thirteen colonies that simultaneously threw off the yoke of England at the end of the last century had, as I have already said, the same religion, the same language, the same mores, and almost the same laws. They were fighting a common enemy. They must therefore have had strong reasons to unite closely with one another and merge into one and the same nation.

But each of them, having always had a separate existence and a government close at hand, had developed its own interests and customs, and was averse to a solid and complete union that would have dissolved its individual importance into a common one. Hence two opposing tendencies: one that drew the Anglo-Americans to unite, the other that drew them to divide.

As long as the war with the mother country lasted, necessity made the principle of union prevail. And although the laws that

169 TOCQUEVILLE'S NOTE. See the text of the federal Constitution at the end of the volume.

constituted this union were defective, the common bond survived in spite of them[170].

But as soon as peace was concluded, the flaws of the legislation stood fully exposed: the state seemed suddenly to dissolve. Each colony, now an independent republic, seized complete sovereignty. The federal government, condemned to weakness by its very constitution and no longer sustained by the sense of public danger, saw its flag left open to the insults of the great peoples of Europe, while it could not find enough resources to stand up to the Indian nations and pay the interest on the debts contracted during the War of Independence. On the verge of collapse, it officially declared its own powerlessness and appealed to the constituent power[171].

If America ever managed, for a few moments, to rise to that lofty height of glory where the proud imagination of its inhabitants would constantly have us see it, it was at that supreme moment, when the national power had, as it were, just abdicated its authority.

That a people should struggle energetically to win its independence is a spectacle every age has been able to provide. Besides, the efforts the Americans made to escape the English yoke have been greatly exaggerated. Separated from their enemies by 1,300 leagues of sea and aided by a powerful ally, the United States owed their victory to their position far more than to the valor of their armies or the patriotism of their citizens.[172]

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170 TOCQUEVILLE'S NOTE. See the articles of the first confederation, formed in 1778. This federal constitution was not adopted by all the states until 1781.

See also the analysis of this constitution in the *Federalist*, from No. 15 through No. 22 inclusive, and Mr. Story in his Commentaries on the Constitution of the United States, pp. 85–115.

TRANSLATOR'S NOTE. The Articles of Confederation, drafted by Congress in 1777 and ratified in 1781.

TRANSLATOR'S NOTE. Joseph Story (1779–1845), justice of the U.S. Supreme Court, published his Commentaries in 1833.

171 TOCQUEVILLE'S NOTE. It was on February 21, 1787, that Congress made this declaration.

172 The powerful ally was France, which entered the war on the American side in 1778.

Who would dare to compare the American war with the wars of the French Revolution, and the efforts of the Americans with ours, when France, assailed by all of Europe, without money, without credit, without allies, hurled a twentieth of its population against its enemies, stifling with one hand the fire that was devouring its vitals and with the other carrying the torch all around it? But what is new in the history of societies is to see a great people, warned by its legislators that the wheels of government are grinding to a halt, turn its gaze upon itself without haste and without fear, sound the depth of the ill, restrain itself for two full years so as to discover the remedy at leisure, and, once that remedy has been pointed out, submit to it voluntarily without its costing humanity a single tear or a drop of blood.

When the inadequacy of the first federal constitution became apparent, the ferment of political passions that the revolution had aroused had partly subsided, and all the great men it had produced were still alive. This was a double piece of good fortune for America. The small assembly[173] that undertook to draft the second constitution contained the finest minds and the noblest characters that had ever appeared in the New World. George Washington presided over it.[174]

This national commission, after long and mature deliberation, at last offered for the people's adoption the body of organic laws that still governs the Union today. All the states adopted it one after another[175]. The new federal government took office in 1789, after two years of interregnum. The American Revolution thus ended at precisely the moment when ours was beginning.

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173 TOCQUEVILLE'S NOTE. It had only 25 members. Washington, Madison, Hamilton, and the two Morrises were among them.

TRANSLATOR'S NOTE. Gouverneur Morris and Robert Morris, both delegates from Pennsylvania.

174 The Constitutional Convention, which met in Philadelphia in 1787.

175 TOCQUEVILLE'S NOTE. It was not the legislators who adopted it. The people elected delegates for this sole purpose. In each of these assemblies the new constitution was the subject of thorough debate.

HOW SOVEREIGNTY WAS DIVIDED

The Union received defined powers over war, peace, money and taxes; everything else was left to the states.

Summary outline of the federal Constitution

Division of powers between federal sovereignty and that of the states—The government of the states remains the general rule—The federal government, the exception.

A first difficulty must have presented itself to the minds of the Americans. The task was to divide sovereignty in such a way that the various states forming the Union would continue to govern themselves in everything that concerned only their internal prosperity, without the nation as a whole, represented by the Union, ceasing to form one body and to provide for all its general needs. It was a complex question, and a hard one to resolve.

It was impossible to fix in advance, exactly and completely, the share of power that was to fall to each of the two governments between which sovereignty was about to be divided. Who could foresee in advance all the details of a people's life?

The duties and rights of the federal government were simple and fairly easy to define, because the Union had been formed to meet a few great general needs. The duties and rights of the state governments, by contrast, were many and complicated, because those governments reached into every detail of social life.

So the prerogatives of the federal government were carefully defined, and it was declared that everything not included in that definition fell within the prerogatives of the state governments.

Thus the government of the states remained the general rule, and the federal government was the exception[176].

But it was foreseen that, in practice, questions might arise about the exact limits of this exceptional government, and that it would have been dangerous to leave their resolution to the ordinary courts that the various states had set up for themselves. So a federal high court[177] was created, a single tribunal, one of whose functions was to maintain between the two rival governments the division of powers as the Constitution had established it[178].

Prerogatives of the federal government

Power granted to the federal government to make peace and war and to levy general taxes—Matters of domestic policy it may

176 TOCQUEVILLE'S NOTE. See the amendment to the federal Constitution; *Federalist*, no. 32; *Story*, p. 711; *Kent's Commentaries*, vol. 1, p. 364.

Note, moreover, that whenever the Constitution has not reserved to Congress the *exclusive* right to regulate certain matters, the states may do so until Congress chooses to take them up. For example, Congress has the right to make a general bankruptcy law; it does not make one, so each state could make one in its own way. This point, however, was settled only after argument before the courts. It rests on case law alone.

TRANSLATOR'S NOTE. Joseph Story's *Commentaries on the Constitution of the United States* (1833) and James Kent's *Commentaries on American Law* (1826–30) were the leading American legal treatises of the day.

177 TOCQUEVILLE'S NOTE. This court acts indirectly, as we shall see below.

deal with—The government of the Union more centralized on some points than the royal government was under the old French monarchy.

In their dealings with one another, peoples are merely individuals. It is above all to appear to advantage before foreigners that a nation needs a single government.

So the Union was granted the exclusive right to make peace and war, to conclude commercial treaties, to raise armies, and to fit out fleets[179].

The need for a national government is not felt so urgently in the management of a society's internal affairs.

There are, however, certain general interests that only a general authority can usefully provide for.

To the Union was left the right to regulate everything bearing on the value of money; it was put in charge of the postal service; it was given the right to open the great lines of communication that were to unite the various parts of the territory[180].

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178 TOCQUEVILLE'S NOTE. This is how the *Federalist*, in no. 45, explains this division of sovereignty between the Union and the individual states: "The powers that the Constitution delegates to the federal government," it says, "are defined and few in number. Those that remain at the disposal of the individual states are, by contrast, indefinite and many in number. The former are exercised chiefly on external objects, such as peace, war, negotiations, commerce. The powers that the individual states reserve to themselves extend to all the objects that follow the ordinary course of affairs and concern the life, liberty, and prosperity of the state."

I shall often have occasion to quote the *Federalist* in this work. While the draft that later became the Constitution of the United States was still before the people, awaiting adoption, three men who were already famous, and who have since become more famous still—John Jay, Hamilton, and Madison—joined together to make clear to the nation the advantages of the plan put before it. To this end they published, in the form of a periodical, a series of articles that together make up a complete treatise. They had given their periodical the name *Federalist*, which has stayed with the work.

The *Federalist* is a fine book which, although specific to America, ought to be familiar to statesmen of every country.

179 TOCQUEVILLE'S NOTE. See the Constitution, sect. VIII; *Federalist*, nos. 41 and 42; *Kent's Commentaries*, vol. 1, p. 207 ff.; *Story*, pp. 358–382; *id.*, pp. 409–426.

180 TOCQUEVILLE'S NOTE. There are several other rights of this kind, such as that of making a general bankruptcy law, or of granting patents for inventions.... It is easy enough to see what made the intervention of the whole Union necessary in these matters.

In general, the government of each state was considered free within its own sphere; yet it could abuse this independence and, by imprudent measures, endanger the security of the whole Union. For these rare cases, defined in advance, the federal government was allowed to intervene in the internal affairs of the states[181]. Thus, while each of the confederated republics was recognized as having the power to modify and change its legislation, it was nonetheless forbidden to make retroactive laws or to create a body of nobles within its borders[182].

Finally, since the federal government had to be able to fulfill the obligations imposed on it, it was given the unlimited right to levy taxes[183].

When one considers the division of powers as the federal Constitution established it—when one examines, on the one hand, the portion of sovereignty that the individual states reserved to themselves and, on the other, the share of power that the Union took—one readily sees that the federal lawgivers had formed very clear and very sound ideas of what I earlier called governmental centralization.

The United States is not only a republic but also a confederation. Yet national authority there is, in some respects, more centralized than it was at the same period in several of the absolute monarchies of Europe. I shall cite only two examples.

France had thirteen sovereign courts, which most often had the right to interpret the law without appeal. It also had certain provinces, called *pays d'États*, which could refuse their cooperation after the sovereign authority charged with representing the nation had ordered a tax to be levied.[184]

The Union has only one court to interpret the law, as it has only one legislature to make it; a tax voted by the nation's rep-

181 TOCQUEVILLE'S NOTE. Even in this case its intervention is indirect. The Union intervenes through its courts, as we shall see later.

182 TOCQUEVILLE'S NOTE. Federal Constitution, sect. X, art. 1.

183 TOCQUEVILLE'S NOTE. Constitution, sects. VIII, IX, and X; *Federalist*, nos. 30–36 inclusive; *id.*, 41, 42, 43, 44; *Kent's Commentaries*, vol. 1, pp. 207 and 381; *Story*, *id.*, pp. 329, 514.

resentatives binds every citizen. On these two essential points, then, the Union is more centralized than the French monarchy was; and yet the Union is merely an assemblage of confederated republics.

In Spain, certain provinces had the power to set up a customs system of their own—a power that, by its very nature, belongs to national sovereignty.

In America, Congress alone has the right to regulate commercial relations among the states. On this point, then, the government of the confederation is more centralized than that of the kingdom of Spain.

It is true that in France and Spain, since royal power was always in a position to carry out by force, when necessary, what the constitution of the kingdom denied it the right to do, the end result was the same. But here I am speaking of theory.

CONGRESS: THE SENATE AND THE HOUSE

The Senate represents the states equally and the House represents population, a compromise between two theories of the Union.

Federal powers

Having enclosed the federal government within a clearly drawn sphere of action, the question was how to make it move within that sphere.

Legislative powers

Division of the legislative body into two branches—Differences in the way the two houses are formed—The principle of the independence of the states prevails in the formation of the Senate—The dogma of national sovereignty, in the composition of the House of Representatives—Strange effects arising from the fact that constitutions are logical only when peoples are young.

184 The sovereign courts were chiefly the *parlements*, the superior law courts of the Old Regime; the *pays d'États* were provinces that kept their own assemblies of Estates, with a say in taxation.

In organizing the powers of the Union, the framers followed on many points the plan already laid down by the constitution of each individual state.

The federal legislative body of the Union was made up of a Senate and a House of Representatives.

A spirit of conciliation led to different rules being followed in forming each of these assemblies.

I pointed out above that when the federal Constitution was being established, two opposing interests found themselves face to face. These two interests had given rise to two opinions.

Some wanted to make the Union a league of independent states, a sort of congress where the representatives of distinct peoples would come to discuss certain points of common interest.

Others wanted to unite all the inhabitants of the former colonies into one and the same people, and to give them a government that, though its sphere was limited, could nonetheless act within that sphere as the sole and only representative of the nation. The practical consequences of these two theories were very different.

Thus, if the task was to organize a league and not a national government, it was for the majority of the states to make the law, and not for the majority of the inhabitants of the Union. For each state, large or small, then kept its character as an independent power and entered the Union on a footing of perfect equality.

If, on the contrary, the inhabitants of the United States were regarded as forming one and the same people, it was natural that the majority of the citizens of the Union alone should make the law.

Clearly the small states could not consent to the application of this doctrine without wholly abdicating their existence in all that concerned federal sovereignty; for from co-regulating powers they would become an insignificant fraction of a great people. The first system would have given them unreasonable power; the second reduced them to nothing.

In this state of affairs there happened what almost always happens when interests are at odds with reasoning: the rules of logic were made to bend. The lawgivers adopted a middle course that forcibly reconciled two systems that were, in theory, irreconcilable.

The principle of the independence of the states prevailed in the formation of the Senate; the dogma of national sovereignty, in the composition of the House of Representatives.

Each state was to send two senators to Congress, and a certain number of representatives in proportion to its population[185].

As a result of this arrangement, the state of New York today has forty representatives in Congress and only two senators, while the state of Delaware has two senators and only one representative. In the Senate, therefore, the state of Delaware is the equal of the state of New York, whereas in the House of Representatives New York has forty times as much influence as Delaware. Thus it can happen that the minority of the nation, controlling the Senate, entirely paralyzes the will of the majority represented by the other house—which is contrary to the spirit of constitutional governments.

All this shows clearly how rare and difficult it is to link all the parts of legislation together in a logical and rational way.

In the long run, time always gives rise to different interests within the same people, and sanctions diverse rights. When it later comes to establishing a general constitution, each of these interests and rights forms, as it were, a natural obstacle that prevents any political principle from following through to all its

185 TOCQUEVILLE'S NOTE. Every ten years, Congress fixes anew the number of deputies each state is to send to the House of Representatives. The total number was 69 in 1789; in 1833 it was 240. (*American Almanac*, 1834, p. 194.)

The Constitution had said that there should be no more than one representative for every 30,000 persons, but it had set no lower limit. Congress did not think it proper to increase the number of representatives in proportion to the growth of the population. By the first law passed on this subject, on April 14, 1792 (see *Laws of the United States*, by Story, vol. 1, p. 235), it was decided that there would be one representative for every 33,000 inhabitants. The latest law, passed in 1832, set the number at one representative for every 48,000 inhabitants. The represented population consists of all free persons and three-fifths of the number of slaves.

consequences. It is therefore only at the birth of societies that laws can be completely logical. When you see a people enjoying this advantage, do not hasten to conclude that it is wise; think rather that it is young.

At the time the federal Constitution was drawn up, there were as yet only two interests among the Anglo-Americans that were squarely opposed to each other: the interest of individuality for the separate states, and the interest of union for the people as a whole; and a compromise had to be reached.

It must be acknowledged, however, that this part of the Constitution has not so far produced the evils that might have been feared.

All the states are young; they lie close to one another; they have homogeneous mores, ideas, and needs; the difference that results from their greater or lesser size is not enough to give them sharply opposed interests. So the small states have never been seen to league together in the Senate against the designs of the large ones. Besides, there is such irresistible force in the legal expression of the will of an entire people that, when the majority speaks through the House of Representatives, the Senate finds itself very weak in its presence.

Moreover, it must not be forgotten that it was not in the power of the American lawgivers to make one single nation of the people to whom they meant to give laws. The aim of the federal Constitution was not to destroy the existence of the states but only to restrict it. Once real power was left to these secondary bodies (and it could not be taken from them), the lawgivers renounced in advance any habitual use of coercion to bend them to the will of the majority. That granted, there was nothing extraordinary in bringing their individual forces into the workings of the federal government. It merely recorded an existing fact: that of an acknowledged power that had to be treated with care, not with violence.

Another difference between the Senate and the House of Representatives

The Senate appointed by the provincial legislators—The representatives, by the people—Two stages of election for the former—Only one for the latter—Length of the different terms—Powers.

The Senate differs from the other chamber not only in the very principle of representation, but also in the mode of election, in the length of its members' terms, and in the range of its powers.

The House of Representatives is chosen by the people; the Senate, by the legislators of each state.

The one is the product of direct election, the other of election in two stages.

The representatives' term lasts only two years; the senators', six.

The House of Representatives has only legislative functions; it takes part in judicial power only by impeaching public officials. The Senate shares in making the laws; it tries the political offenses referred to it by the House of Representatives; and it is, in addition, the great executive council of the nation. Treaties concluded by the president must be ratified by the Senate; and his appointments, to become final, must receive the approval of the same body[186].

THE PRESIDENT

The president is elected and accountable but given a four-year term, a fixed salary and a suspensive veto.

The executive power[187]

Dependence of the president—Elected and accountable—Free within his sphere: the Senate oversees him but does not direct him—The president's salary fixed when he takes office—Suspensive veto.

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186 TOCQUEVILLE'S NOTE. See *Federalist*, nos. 52–56 inclusive. *Story*, pp. 199–314. Constitution, sect. II and III.

187 TOCQUEVILLE'S NOTE. *Federalist*, nos. 67–77 inclusive. Constitution, art. 2. *Story*, p. 315, pp. 515–780. *Kent's Commentaries*, p. 255.

The American legislators had a difficult task to fulfill: they wanted to create an executive power that would depend on the majority and yet be strong enough in itself to act freely within its own sphere.

Preserving the republican form required that the representative of the executive power be subject to the national will.

The president is an elected magistrate. His honor, his property, his liberty, and his life stand as a constant pledge to the people for the proper use he makes of his power. Moreover, in exercising that power he is not completely independent: the Senate oversees him in his dealings with foreign powers and in the distribution of offices, so that he can neither be corrupted nor corrupt others.

The lawgivers of the Union recognized that the executive power could not carry out its task worthily and usefully unless they managed to give it more stability and more strength than it had been granted in the individual states.

The president was elected for four years and could be reelected. With a future before him, he had the courage to work for the public good, and the means to bring it about.

The president was made the sole and only representative of the executive authority of the Union. Care was even taken not to subordinate his will to that of a council—a dangerous device which, while weakening the action of government, diminishes the accountability of those who govern. The Senate has the right to render some of the president's acts fruitless; but it cannot force him to act, nor share the executive power with him.

The legislature's influence over the executive power may be direct; we have just seen that the Americans took care that it should not be. It may also be indirect.

By depriving a public official of his salary, the chambers take away part of his independence; and since they are masters of making the laws, one must fear that they will gradually strip him of the portion of power that the Constitution meant to preserve for him.

This dependence of the executive power is one of the vices inherent in republican constitutions. The Americans could not eliminate the tendency that draws legislative assemblies to seize hold of the government, but they made that tendency less irresistible.

The president's salary is fixed, when he takes office, for the entire length of his term. In addition, the president is armed with a suspensive veto, which allows him to stop in their passage any laws that might destroy the portion of independence the Constitution has left him. Still, the struggle between the president and the legislature can only be unequal, since the legislature, by persisting in its designs, is always able to overcome the resistance put up against it; but the suspensive veto at least forces it to retrace its steps; it obliges it to consider the question anew, and this time it can decide it only by a two-thirds majority of those voting. The veto, moreover, is a kind of appeal to the people. The executive power, which without this safeguard could have been oppressed in secret, then pleads its cause and makes its reasons heard.

But if the legislature persists in its designs, can it not always overcome the resistance put up against it? To this I will answer that in the constitution of every people, whatever its nature, there is a point at which the lawgiver is obliged to rely on the good sense and the virtue of the citizens. This point is nearer and more visible in republics, more remote and more carefully hidden in monarchies; but it is always there somewhere. There is no country where the law can foresee everything, or where institutions should take the place of reason and mores.

PRESIDENT AND CONSTITUTIONAL KING COMPARED

The president has far less power than a French king, by law and because America faces no threats.

How the position of the president in the United States differs from that of a constitutional king in France

The executive power in the United States limited and exceptional, like the sovereignty in whose name it acts—The executive power in France extends to everything, like that sovereignty—The king is one of the authors of the law—The president is only the executor of the law—Other differences arising from the length of the two powers—The president hampered within the sphere of executive power—The king is free within it—Despite these differences, France resembles a republic more than the Union resembles a monarchy—Comparison of the number of public officials who depend on the executive power in the two countries.

The executive power plays so large a role in the destiny of nations that I want to pause here for a moment to make clearer what place it holds among the Americans.

To form a clear and precise idea of the position of the president of the United States, it is useful to compare it with that of the king in one of the constitutional monarchies of Europe.

In this comparison I will pay little attention to the outward signs of power; they mislead the observer's eye more than they guide it.

When a monarchy gradually turns into a republic, the executive power keeps its titles, honors, marks of respect, and even money long after it has lost the reality of power. The English, after cutting off the head of one of their kings and driving another from the throne, still went down on their knees to address the successors of those princes.[188]

On the other hand, when republics fall under the yoke of one man, power continues to present itself as simple, plain, and modest in its manners, as if it were not already raised above everyone. When the emperors disposed despotically of the fortunes and lives of their fellow citizens, they were still addressed simply as Caesar, and they went to dine informally at their friends' houses.[189]

We must therefore leave the surface behind and go deeper.

188 Charles I was beheaded in 1649; James II was driven from the throne in 1688.
189 The Roman emperors; "Caesar" was originally a family name.

In the United States sovereignty is divided between the Union and the states, whereas among us it is single and compact; from this arises the first and greatest difference that I see between the president of the United States and the king in France.

In the United States the executive power is limited and exceptional, like the very sovereignty in whose name it acts; in France it extends to everything, as that sovereignty does.

The Americans have a federal government; we have a national government.

That is a first cause of inferiority, arising from the very nature of things; but it is not the only one. The second in importance is this: sovereignty may, strictly speaking, be defined as the right to make the laws.

The king in France truly constitutes a part of the sovereign, since laws do not exist if he refuses to sanction them; he is, in addition, the executor of the laws.

The president is likewise the executor of the law, but he does not really take part in making it, since by withholding his assent he cannot prevent it from coming into existence. He is therefore no part of the sovereign; he is only its agent.

Not only does the king in France constitute a portion of the sovereign, but he also takes part in forming the legislature, which is its other portion. He does so by appointing the members of one chamber and by ending the term of the other at his pleasure. The president of the United States has no part at all in the composition of the legislative body and cannot dissolve it.[190]

The king shares with the chambers the right to propose laws.

The president has no such initiative.

The king is represented within the chambers by a number of agents who set out his views, uphold his opinions, and make his maxims of government prevail.

The president has no access to Congress; his ministers are excluded from it, as he is himself, and it is only by indirect

190 Under the July Monarchy the king appointed the peers and could dissolve the Chamber of Deputies.

means that he brings his influence and his advice to bear on that great body.

The king of France therefore stands on an equal footing with the legislature, which cannot act without him, just as he cannot act without it.

The president stands beside the legislature as an inferior and dependent power.

In the exercise of executive power properly so called—the point on which his position seems closest to that of the king in France—the president still labors under several very great causes of inferiority.

The king's power in France has, first of all, the advantage of duration over the president's. Now, duration is one of the chief elements of strength. People love and fear only what is going to last a long time.

The president of the United States is a magistrate elected for four years. The king in France is a hereditary ruler.

In exercising executive power, the president of the United States is constantly subject to jealous oversight. He prepares treaties, but he does not make them; he nominates to offices, but he does not appoint to them[191].

The king of France is absolute master within the sphere of executive power.

The president of the United States is accountable for his acts. French law declares that the person of the king of France is inviolable.

Yet above the one as above the other there stands a directing power: that of public opinion. This power is less defined in France than in the United States—less acknowledged, less form-

191 TOCQUEVILLE'S NOTE. The Constitution had left it unclear whether the president was bound to seek the Senate's advice in cases of removal, as in cases of appointment of a federal official. The *Federalist*, in no. 77, seemed to establish that he was; but in 1789 Congress decided, quite rightly, that since the president was accountable, he could not be forced to use agents who did not have his confidence. See *Kent's Commentaries*, vol. I, p. 289.

TRANSLATOR'S NOTE. The French text reads *discussion*, evidently a misprint for *destitution* (removal from office).

ally expressed in the laws—but in fact it exists there. In America it proceeds through elections and judicial decisions; in France, through revolutions. Thus, despite the differences in their constitutions, France and the United States have this in common: public opinion is, in the end, the dominant power in both. The generating principle of the laws is therefore, in truth, the same for the two peoples, although its development is more or less free in each, and the consequences drawn from it are often different. This principle is, by its nature, essentially republican. And so I think that France, with its king, resembles a republic more than the Union, with its president, resembles a monarchy.

In all of the foregoing I have taken care to point out only the main differences. Had I wished to go into detail, the picture would have been more striking still. But I have too much to say not to wish to be brief.

I have observed that the power of the president of the United States is exercised only within the sphere of a restricted sovereignty, whereas that of the king in France acts within the circle of a complete sovereignty.

I could have shown the governmental power of the king in France going even beyond its natural limits, however extensive they may be, and making its way in a thousand ways into the administration of individual interests.

To this source of influence I could have added the one that results from the great number of public officials, nearly all of whom owe their office to the executive authority. Among us this number has surpassed all known bounds; it comes to 138,000[192]. Each of these 138,000 appointments must be regarded as an element of strength. The president does not have an absolute right

192 TOCQUEVILLE'S NOTE. The sums paid by the state to these various officials amount each year to 200,000,000 francs.

to appoint to public offices, and those offices scarcely exceed 12,000[193].

Accidental causes that may increase the influence of the executive power

External security enjoyed by the Union—A wait-and-see policy—An army of 6,000 soldiers—Only a few ships—The president has great prerogatives that he has no occasion to use—In what he does have occasion to carry out, he is weak.

If the executive power is less strong in America than in France, the cause must be attributed to circumstances perhaps even more than to the laws.

It is chiefly in its relations with foreign countries that a nation's executive power finds occasion to display skill and strength.

If the life of the Union were constantly threatened, if its great interests were daily bound up with those of other powerful peoples, the executive power would be seen to grow in public estimation, through what people expected of it and through what it accomplished.

The president of the United States is, it is true, the head of the army, but that army consists of 6,000 soldiers. He commands the fleet, but the fleet numbers only a few ships. He directs the affairs of the Union with foreign peoples, but the United States has no neighbors. Separated from the rest of the world by the ocean, and still too weak to wish to rule the sea, it has no enemies, and its interests only rarely come into contact with those of the other nations of the globe.

This shows clearly that one must not judge the practice of government by its theory.

The president of the United States possesses almost royal prerogatives, which he has no occasion to use, and the rights he

193 TOCQUEVILLE'S NOTE. Every year in the United States an almanac called the *National Calendar* is published; it contains the names of all federal officials. It is the *National calendar* for 1833 that supplied the figure I give here.

It would follow from the above that the king of France has eleven times as many public offices at his disposal as the president of the United States, although the population of France is only one and a half times that of the Union.

can exercise so far are very limited: the laws allow him to be strong; circumstances keep him weak.

On the contrary, it is circumstances, even more than the laws, that give royal authority in France its greatest strength.

In France, the executive power struggles ceaselessly against immense obstacles, and it has immense resources with which to overcome them. It grows with the greatness of the things it carries out and the importance of the events it directs, without changing its constitution in the process.

Even had the laws made it as weak and as limited as that of the Union, its influence would soon become much greater.

Why the president of the United States does not need a majority in the chambers in order to conduct affairs

It is an established axiom in Europe that a constitutional king cannot govern when the opinion of the legislative chambers does not agree with his own.

Several presidents of the United States have lost the support of the majority in the legislative body without being obliged to give up power, and without any great harm resulting to society.

I have heard this fact cited to prove the independence and strength of the executive power in America. A few moments' reflection is enough to see in it, on the contrary, the proof of its powerlessness.

A European king needs to obtain the support of the legislative body to carry out the task the constitution imposes on him, because that task is immense. A constitutional king in Europe is not merely the executor of the law. The care of its execution is so completely entrusted to him that, if the law ran against him, he could paralyze its force. He needs the chambers to make the law; the chambers need him to execute it. They are two powers that cannot live without each other, and the wheels of government stop the moment there is disagreement between them.

In America, the president cannot prevent laws from being made, nor can he escape the obligation to execute them. His zealous and sincere cooperation is no doubt useful, but it is not necessary for the government to run. In everything essential

that he does, he is subject, directly or indirectly, to the legislature; where he is entirely independent of it, he can do almost nothing. It is therefore his weakness, and not his strength, that allows him to live in opposition to the legislative power.

In Europe, there must be agreement between the king and the chambers, because there can be a serious struggle between them. In America, agreement is not required, because a struggle is impossible.

ELECTING THE PRESIDENT

An elected head of state is safe in America only because the executive is weak and the country unthreatened.

On the election of the president

The danger of the elective system increases in proportion to the extent of the executive power's prerogatives—The Americans can adopt this system because they can do without a strong executive power—How circumstances favor the establishment of the elective system—Why the election of the president does not cause the principles of government to vary—Influence that the election of the president exerts on the fate of lesser public officials.[194]

The elective system, applied to the head of the executive power among a great people, presents dangers that experience and historians have amply pointed out.

So I wish to speak of them only in relation to America.

The dangers feared from the elective system are greater or lesser according to the place the executive power occupies and its importance in the state, according to the mode of election, and according to the circumstances in which the electing people find themselves.

When the elective system is applied to the head of state, it is criticized, not without reason, for offering so great a lure to private ambitions and inflaming them so strongly in the pursuit

194 The printed French repeats part of this summary in garbled form; the translation follows its evident sequence.

of power that often, when legal means no longer suffice them, they appeal to force once right fails them.

Clearly, the more prerogatives the executive power has, the greater the lure. And the more the ambition of the contenders is aroused, the more support it also finds in a host of secondary ambitions that hope to share power once their candidate has triumphed.

The dangers of the elective system therefore grow in direct proportion to the influence the executive power exercises over the affairs of the state.

The revolutions of Poland must be attributed not only to the elective system in general, but to the fact that the elected magistrate was the head of a great monarchy.[195]

Before discussing the absolute merit of the elective system, there is therefore always a preliminary question to decide. One must ask whether the geographic position, the laws, the habits, the mores, and the opinions of the people among whom one wishes to introduce it allow a weak and dependent executive power to be established there. For to wish at once that the representative of the state remain armed with vast power and that he be elected is, in my view, to express two contradictory wills. For my part, I know only one way to turn hereditary kingship into an elective power: one must narrow its sphere of action in advance, gradually reduce its prerogatives, and accustom the people little by little to living without its help. But this is something the republicans of Europe hardly concern themselves with. Since many of them hate tyranny only because they are exposed to its severities, the extent of the executive power does not offend them; they attack only its origin, without perceiving the close bond that links these two things. No one has yet been found willing to risk his honor and his life to become president of the United States, because the president has only a temporary, limited, and dependent power. Fortune must put an

195 From 1573 until the partitions of the late 18th century, the kings of Poland-Lithuania were elected by the nobility, and the elections repeatedly brought civil strife and foreign intervention.

immense prize at stake before desperate gamblers will enter the lists. So far, no candidate has been able to stir up ardent sympathies and dangerous popular passions in his favor. The reason is simple: once at the head of the government, he can distribute to his friends neither much power, nor much wealth, nor much glory, and his influence in the state is too weak for factions to see their success or their ruin in his elevation to power.

Hereditary monarchies have one great advantage. Since the private interest of a family is continually and closely bound up with the interest of the state, there is never a single moment when the state is left to itself. I do not know whether affairs are better conducted in these monarchies than elsewhere; but at least there is always someone who attends to them, well or badly, according to his ability.

In elective states, on the contrary, as the election approaches and long before it arrives, the wheels of government go on turning, so to speak, only of their own accord. One can no doubt arrange the laws so that the election takes place all at once and quickly, and the seat of executive power is practically never left vacant. But whatever one does, the void exists in people's minds despite the lawmaker's efforts.

As the election approaches, the head of the executive power thinks only of the coming struggle. He no longer has a future; he can undertake nothing, and he pursues only halfheartedly what someone else may soon complete. "I am so near the moment of my retirement," President Jefferson wrote on January 21, 1809 (six weeks before the election), "that I take part in affairs only by expressing my opinion. It seems to me only fair to leave to my successor the initiative for measures whose execution he will have to carry through and whose responsibility he will have to bear."[196]

For its part, the nation has its eyes turned on a single point; it is occupied only with watching the labor of the birth now in preparation.

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196 Thomas Jefferson (1743–1826) was the third president of the United States, serving from 1801 to 1809.

The larger the place the executive power occupies in the conduct of affairs, and the greater and more necessary its habitual action, the more dangerous such a state of things becomes. Among a people that has acquired the habit of being governed by the executive power, and all the more of being administered by it, election could not fail to produce a deep disturbance.

In the United States, the action of the executive power can slacken with impunity, because that action is weak and limited.

When the head of government is elected, the result is almost always a lack of stability in the state's domestic and foreign policy. This is one of the principal vices of the system.

But this vice is more or less noticeable according to the share of power granted to the elected magistrate. In Rome, the principles of government did not vary, although the consuls were changed every year, because the senate was the directing power, and the senate was a hereditary body. In most of the monarchies of Europe, if the king were elected, the kingdom would change its face with each new choice.

In America, the president exercises a fairly large influence over the affairs of the state, but he does not conduct them; the preponderant power resides in the national representation as a whole. It is therefore the mass of the people that must change, and not just the president, for the maxims of policy to vary. Thus in America the elective system, applied to the head of the executive power, does not harm the steadiness of government to any very noticeable degree.

Moreover, the lack of steadiness is an evil so inherent in the elective system that it still makes itself keenly felt within the president's sphere of action, however limited that sphere may be.

The Americans rightly thought that the head of the executive power, in order to fulfill his mission and bear the full weight of responsibility, should remain as free as possible to choose his own agents and to dismiss them at will; the legislative body oversees the president rather than directing him. It follows that

at each new election the fate of all federal employees hangs, as it were, in suspense.

In the constitutional monarchies of Europe, people complain that the fate of the humble agents of the administration often depends on the fortunes of the ministers. It is far worse in states where the head of government is elected. The reason is simple: in constitutional monarchies, ministers follow one another in rapid succession, but the chief representative of the executive power never changes, and this keeps the spirit of innovation within certain limits. Administrative systems there therefore vary in their details rather than in their principles; one could not abruptly substitute one for another without causing a kind of revolution. In America, this revolution takes place every four years in the name of the law.

As for the individual hardships that are the natural consequence of such legislation, it must be admitted that the insecurity in the fate of public officials does not produce in America the evils one might expect from it elsewhere. In the United States, it is so easy to make an independent living that to take from an official the post he holds is sometimes to deprive him of the comforts of life, but never of the means to sustain it.

I said at the beginning of this chapter that the dangers of the elective method applied to the head of the executive power were greater or lesser according to the circumstances in which the electing people find themselves.

Try as one may to reduce the role of the executive power, there is one thing over which this power exerts great influence, whatever place the laws have given it: foreign policy. A negotiation can hardly be opened and pursued with success except by a single man.

The more precarious and perilous a people's position, and the more the need for continuity and steadiness is felt in the conduct of foreign affairs, the more dangerous it becomes to apply the elective system to the head of state.

The policy of the Americans toward the whole world is simple; one could almost say that no one needs them and that they need no one. Their independence is never threatened.

Among them, the role of the executive power is therefore as restricted by circumstances as by the laws. The president can frequently change his views without the state suffering or perishing.

Whatever prerogatives the executive power may be invested with, one must always regard the time immediately preceding the election, and the time during which it takes place, as a period of national crisis.

The more troubled a country's internal situation and the greater its external perils, the more dangerous this moment of crisis is for it. Among the peoples of Europe there are very few that would not have to fear conquest or anarchy every time they gave themselves a new leader.

In America, society is so constituted that it can sustain itself on its own and without help; external dangers are never pressing there. The election of the president is a cause of agitation, not of ruin.

THE ELECTORAL COLLEGE AND ELECTION FEVER

Special electors choose the president, and each election brings a brief national fever that quickly subsides.

Mode of election

Skill shown by the American lawmakers in choosing the mode of election—Creation of a special electoral body—Separate vote of the special electors—In what case the House of Representatives is called upon to choose the president—What happened in the twelve elections held since the Constitution came into force.

Apart from the dangers inherent in the principle, there are many others that arise from the very forms of the election and that the lawmaker's care can avoid.

When a people gathers in arms in the public square to choose its leader, it exposes itself not only to the dangers presented by the elective system in itself, but also to all the dangers of civil war that arise from such a mode of election.

When the Polish laws made the choice of the king depend on the *veto* of a single man, they invited the murder of that man, or established anarchy in advance.[197]

The more one studies the institutions of the United States, and the more closely one looks at the political and social situation of that country, the more one notices a marvelous harmony between fortune and human effort. America was a new land; yet the people who inhabited it had long practiced liberty elsewhere: two great causes of internal order. Moreover, America had no fear of conquest. Seizing on these favorable circumstances, the American legislators had no difficulty establishing a weak and dependent executive power; having created it so, they could make it elective without danger.

All that remained was to choose the least dangerous of the various systems of election. The rules they laid down on this point admirably complete the guarantees that the country's physical and political constitution already provided.

The problem was to find a mode of election that would express the real will of the people while exciting its passions as little as possible and keeping it in suspense as briefly as possible. It was first agreed that a *simple* majority would decide. But it was still very difficult to obtain that majority without risking delays, and these were what they wished above all to avoid.

It is rare, in fact, to see one man win a majority of the votes on the first ballot in a great nation. The difficulty grows still greater in a republic of confederated states, where local influences are far more developed and more powerful.

To get around this second obstacle, one means presented itself: to delegate the electoral powers of the nation to a body that would represent it.

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197 The Polish *liberum veto* allowed any single member of the Diet to block a decision, and royal elections in principle required unanimity.

This mode of election made a majority more likely, for the fewer the electors, the easier it is for them to agree. It also offered more guarantees that the choice would be a good one.

But should the right of election be entrusted to the legislative body itself, the usual representative of the nation? Or should an electoral college be formed instead, whose sole purpose would be to appoint the president?

The Americans preferred the latter course. They thought that the men sent to make the ordinary laws would represent only imperfectly the wishes of the people regarding the election of its chief magistrate. Moreover, since these men were elected for more than a year, they might represent a will that had already changed. The Americans also judged that if the legislature were charged with electing the head of the executive power, its members would become the target of corrupt maneuvers and the plaything of intrigue long before the election. Special electors, by contrast, would be like jurors: they would remain unknown in the crowd until the day they had to act, and would appear only for a moment to pronounce their verdict.

It was therefore established that each state would appoint a certain number of electors[198], who would in turn elect the president. It had been observed that assemblies charged with choosing the heads of government in elective countries inevitably became hotbeds of passion and intrigue. Such assemblies sometimes seized powers that did not belong to them, and their proceedings, along with the uncertainty that followed, often dragged on long enough to put the state in peril. It was therefore ruled that the electors would all vote on a fixed day, but without having assembled[199].

The two-stage mode of election made a majority likely but did not ensure it, for the electors might differ among themselves just as their constituents might have done.

198 TOCQUEVILLE'S NOTE. As many as it sent members to Congress. The number of electors in the election of 1833 was 288. (*National Calendar*.)

199 TOCQUEVILLE'S NOTE. The electors of each state do meet; but they transmit to the seat of the central government the list of individual votes, not the result of the majority vote.

Should that case arise, one would necessarily be led to take one of three measures: have new electors appointed, consult again those already appointed, or refer the choice to a new authority.

The first two methods were unreliable. They also caused delays and prolonged an agitation that is always dangerous.

The third was therefore settled on. It was agreed that the electors' votes would be sent under seal to the president of the Senate, and that on a fixed day, in the presence of both houses, he would count them. If none of the candidates had won a majority, the House of Representatives would itself immediately proceed to the election; but care was taken to limit its right. The representatives could elect only one of the three candidates who had received the most votes[200].

As one sees, the election is entrusted to the ordinary representatives of the nation only in a rare case that is hard to foresee. Even then they can choose only a citizen already designated by a strong minority of the special electors. This is a happy arrangement: it reconciles the respect owed to the will of the people with speed of execution and with the guarantees of order that the interest of the state demands. Still, having the House of Representatives decide the question in the event of a split did not completely solve every difficulty. The majority might in turn prove doubtful within the House of Representatives, and in that case the Constitution offered no remedy. But by prescribing the candidacies, restricting their number to three, and relying on the choice of a few enlightened men, the Constitution had

200 TOCQUEVILLE'S NOTE. In this situation it is the majority of the states, not the majority of the members, that decides the question, so that New York has no more influence on the deliberation than Rhode Island. Thus the citizens of the Union are first consulted as forming one and the same people; when they cannot agree, the division by state is revived, and each state is given a separate and independent vote.

This is yet another of the oddities in the federal Constitution, which only the clash of opposing interests can explain.

smoothed away all the obstacles[201] over which it could have any power. The others were inherent in the elective system itself.

In the forty-four years that the federal Constitution has existed, the United States has already elected its president twelve times.

Ten of these elections were completed in an instant, by the simultaneous vote of the special electors stationed at different points of the territory.

The House of Representatives has used only twice the exceptional right it holds in the event of a split. The first time was in 1801, at the election of Mr. Jefferson; the second was in 1825, when Mr. Quincy Adams was chosen.[202]

The crisis of the election

The moment of the president's election may be considered a moment of national crisis—Why—The passion of the people—The president's preoccupation—The calm that follows the agitation of the election.

I have described the favorable circumstances in which the United States found itself for adopting the elective system, and I have shown the precautions the legislators took to diminish its dangers. The Americans are accustomed to holding all sorts of elections. Experience has taught them how much agitation they can reach and where they must stop. Because their territory is vast and its inhabitants dispersed, a collision between the different parties is less likely and less perilous there than anywhere else. And so far, the political circumstances in which the nation has found itself at election time have presented no real danger.

Nevertheless, the moment of the election of the president of the United States can still be considered a period of national crisis.

The influence the president exerts on the course of affairs is no doubt weak and indirect, but it extends over the whole

201 TOCQUEVILLE'S NOTE. Jefferson in 1801, however, was chosen only on the thirty-sixth ballot.

TRANSLATOR'S NOTE. The deadlock in the House arose because Thomas Jefferson and Aaron Burr had tied in electoral votes.

nation. The choice of president matters only moderately to each citizen, but it matters to all citizens. Now an interest, however small, takes on great importance the moment it becomes a general interest.

Compared with a European king, the president no doubt has few means of creating partisans for himself. Still, the public offices at his disposal are numerous enough that several thousand voters have a direct or indirect stake in his cause.

Moreover, parties in the United States, as elsewhere, feel the need to rally around a man, so as to reach the understanding of the crowd more easily. In general, therefore, they use the name of the presidential candidate as a symbol; they personify their theories in him. Thus the parties have a great interest in deciding the election in their favor. Their aim is not so much to make their doctrines triumph with the help of the elected president as to show, by his election, that those doctrines have won the majority.

Long before the appointed moment arrives, the election becomes the greatest matter on people's minds, and so to speak the only one. The factions then redouble their ardor. All the artificial passions that imagination can create in a happy and tranquil country stir openly at this moment.

The president, for his part, is absorbed in defending himself. He no longer governs in the interest of the state but in that of his reelection. He prostrates himself before the majority, and often, instead of resisting its passions as his duty requires, he hastens to meet its whims.

As the election approaches, intrigues become more active, and agitation more intense and more widespread. The citizens divide into several camps, each of which takes the name of its candidate. The whole nation falls into a feverish state. The election is then the daily text of the newspapers, the subject of private conversations, the aim of every step, the object of every thought, the sole interest of the present.

It is true that as soon as fortune has spoken, this ardor dissipates and everything grows calm; the river that overflowed for a moment returns peacefully to its bed. But must we not be astonished that the storm could have arisen at all?

REELECTION OF THE PRESIDENT

Allowing reelection makes the president court the majority's whims instead of resisting them.

On the reelection of the president

When the head of the executive power is reeligible, it is the state itself that intrigues and corrupts—The desire to be reelected, which dominates all the thoughts of the president of the United States—A drawback of reelection peculiar to America—The natural vice of democracies is the gradual subjection of all powers to the slightest desires of the majority—The reelection of the president encourages this vice.

Were the legislators of the United States wrong or right to permit the reelection of the president?

At first sight, it seems contrary to reason to prevent the head of the executive power from being reelected. We know how much influence the talents or character of a single man can have on the destiny of a whole people, especially in difficult circumstances and in times of crisis. Laws forbidding citizens to reelect their chief magistrate would deprive them of their best means of making the state prosper or of saving it. Such laws would also lead to an odd result: a man would be excluded from government at the very moment he had finished proving himself capable of governing well.

These reasons are powerful, no doubt; but can we not set against them reasons stronger still?

Intrigue and corruption are natural vices of elective governments. But when the head of state can be reelected, these vices spread without limit and endanger the very existence of the country. When an ordinary candidate seeks to rise through

202 John Quincy Adams (1767–1848), sixth president of the United States.

intrigue, his maneuvers can operate only within a limited sphere. When the head of state himself becomes a candidate, on the contrary, he borrows the force of government for his own use.

In the first case, it is a man with his feeble means; in the second, it is the state itself, with its immense resources, that intrigues and corrupts.

The private citizen who uses culpable maneuvers to reach power can harm public prosperity only indirectly. But if the representative of executive power enters the lists, the care of government becomes a secondary interest for him; his principal interest is his election. Negotiations, like laws, become nothing but electoral calculations to him. Public offices become the reward for services rendered not to the nation but to its head. Even if the action of government were not always contrary to the country's interest, at least it would no longer serve it. Yet it exists for that use alone.

It is impossible to consider the ordinary course of affairs in the United States without noticing that the desire to be reelected dominates the president's thoughts. The whole policy of his administration tends toward this point, and his slightest moves are subordinated to this aim. Above all, as the moment of crisis approaches, individual interest takes the place of the general interest in his mind.

The principle of reelection therefore makes the corrupting influence of elective governments wider and more dangerous. It tends to degrade the political morality of the people and to put cleverness in the place of patriotism.

In America it strikes even more closely at the sources of national existence.

Every government carries within itself a natural vice that seems bound up with the very principle of its life; the genius of the legislator consists in discerning it clearly. A state can triumph over many bad laws, and the harm they do is often exaggerated. But any law whose effect is to develop this seed of death

cannot fail to become fatal in the long run, even though its bad effects are not immediately perceived.

In absolute monarchies, the principle of ruin is the unlimited and unreasonable extension of royal power. A measure that removed the counterweights the constitution had left to that power would therefore be radically bad, even if its effects long seemed imperceptible.

In the same way, in countries where democracy governs and the people constantly draw everything to themselves, laws that make their action ever swifter and more irresistible directly attack the existence of the government.

The greatest merit of the American legislators is to have seen this truth clearly and to have had the courage to put it into practice.

They understood that outside the people there had to be a certain number of powers which, without being completely independent of it, would nonetheless enjoy a fairly large degree of freedom within their own sphere. Obliged to obey the permanent direction of the majority, these powers could still struggle against its whims and refuse its dangerous demands.

To this end they concentrated the whole executive power of the nation in a single hand. They gave the president extensive prerogatives and armed him with the veto, to resist the encroachments of the legislature.

But by introducing the principle of reelection, they partly destroyed their own work. They granted the president great power and then took from him the will to use it.

Ineligible for reelection, the president would not have been independent of the people, for he would not have ceased to be accountable to them. But the people's favor would not have been so necessary to him that he had to bend to their will in everything.

Eligible for reelection (and this is especially true in our day, when political morality is growing lax and great characters are disappearing), the president of the United States is merely a docile instrument in the hands of the majority. He loves what it

loves and hates what it hates. He rushes to anticipate its wishes, forestalls its complaints, and bends to its slightest desires. The lawgivers wanted him to guide it, and he follows it.

Thus, so as not to deprive the state of one man's talents, they made those talents almost useless. And to keep a resource in reserve for extraordinary circumstances, they exposed the country to everyday dangers.

THE FEDERAL COURTS

The Union needed its own courts, headed by a Supreme Court of judges appointed for life.

The federal courts[203]

Political importance of the judicial power in the United States —Difficulty of treating this subject—Usefulness of the judiciary in confederations—What courts could the Union use?—Necessity of establishing federal courts of justice—Organization of the federal judiciary—The Supreme Court—How it differs from all the courts of justice we know.

I have examined the legislative and the executive power of the Union. It remains for me to consider the judicial power.

Here I must share my fears with my readers.

Judicial institutions exercise a great influence on the destiny of the Anglo-Americans. They hold a very important place among political institutions properly so called. From this point of view, they particularly deserve our attention.

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203 TOCQUEVILLE'S NOTE. See chapter VI, entitled *On the judicial power in the United States*. That chapter sets out the general principles of the Americans in matters of justice. See also the federal Constitution, art. III.

See the work entitled *The Federalist*, nos. 78–83 inclusive, and *Constitutional law, being a view of the practice and jurisdiction of the courts of the United States*, by Thomas Sergeant.

See *Story*, pp. 134–162, 489–511, 581, 668. See the organic act of September 24, 1789, in the collection entitled *Laws of the United States*, by Story, vol. I, p. 53.

TRANSLATOR'S NOTE. Thomas Sergeant (1782–1860) was a Pennsylvania lawyer and judge whose treatise on federal jurisdiction appeared in 1822.

TRANSLATOR'S NOTE. The "organic act" of 1789 is the Judiciary Act, which set up the federal court system.

But how can one make the political action of American courts understood without going into some technical details about their constitution and their procedures? And how can one go into details without discouraging the reader's curiosity through the natural dryness of such a subject? How can one remain clear without ceasing to be brief?

I do not flatter myself that I have escaped these various perils. Men of the world will still find me too long; lawyers will think me too brief. But that is a drawback inherent in my subject in general, and in the particular matter I am treating at this moment.

The greatest difficulty was not knowing how to constitute the federal government, but how to make people obey its laws.

Governments, in general, have only two means of overcoming the resistance the governed put up against them: the material force they find in themselves, and the moral force lent to them by the decisions of the courts.

A government that had only war as a means of making its laws obeyed would be very close to ruin. One of two things would probably happen to it. If it were weak and moderate, it would use force only as a last resort and would let a host of partial acts of disobedience pass unnoticed; the state would then fall little by little into anarchy.

If it were bold and powerful, it would resort to violence every day, and it would soon be seen to degenerate into pure military despotism. Its inaction and its activity would be equally fatal to the governed.

The great object of justice is to substitute the idea of right for that of violence, and to place intermediaries between the government and the use of material force.

It is a surprising thing, the power over opinion that men generally grant to the intervention of the courts. This power is so great that it still clings to the judicial form when the substance no longer exists; it gives body to a shadow.

The moral force with which the courts are invested makes the use of material force infinitely rarer, since it takes its place in

most cases. And when material force must finally act, moral force doubles its power by joining it.

A federal government must desire the support of the judiciary more than any other, because by its nature it is weaker, and resistance can more easily be organized against it[204]. If it always had to resort to force, and to do so from the outset, it would not be equal to its task.

To make citizens obey its laws, or to repel attacks made on them, the Union therefore had a particular need of courts.

But what courts was it to use? Each state already had a judicial power organized within it. Should the Union resort to these courts? Should it create a federal judiciary? It is easy to prove that the Union could not adapt to its own use the judicial power established in the states.

It is undoubtedly important to the security of each and to the liberty of all that the judicial power be separate from all the others. But it is no less necessary to national existence that the various powers of the state have the same origin, follow the same principles, and act in the same sphere—in a word, that they be *correlative* and *homogeneous*. No one, I imagine, has ever thought of having offenses committed in France tried by foreign courts in order to be more certain of the judges' impartiality.

The Americans form a single people with respect to their federal government. But in the midst of this people, political bodies have been allowed to survive that depend on the national government on some points and are independent of it on all others, and that have their own particular origin, their own doctrines, and their special means of acting. To entrust the execution of the laws of the Union to the courts set up by these political bodies was to hand the nation over to foreign judges.

What is more, each state is not only a foreigner with respect to the Union; it is also an everyday adversary, since whatever

204 TOCQUEVILLE'S NOTE. It is federal laws that most need courts, and yet it is they that have least admitted them. The reason is that most confederations have been formed by independent states that had no real intention of obeying the central government, and that, while granting it the right to command, carefully reserved to themselves the ability to disobey it.

the sovereignty of the Union loses can only be to the benefit of the sovereignty of the states.

By having the laws of the Union applied by the courts of the individual states, one would therefore have handed the nation over not only to foreign judges but also to partial ones.

Besides, it was not their character alone that made the state courts unfit to serve a national purpose; it was above all their number.

When the federal Constitution was drawn up, there were already thirteen courts of last resort in the United States. Today there are twenty-four. How can one suppose that a state could survive when its fundamental laws can be interpreted and applied in twenty-four different ways at once! Such a system is as contrary to reason as it is to the lessons of experience.

The lawgivers of America therefore agreed to create a federal judicial power to apply the laws of the Union and to decide certain questions of general interest, which were carefully defined in advance.

All the judicial power of the Union was concentrated in a single court, called the Supreme Court of the United States. But to facilitate the dispatch of business, lower courts were attached to it, charged with deciding minor cases without appeal or with ruling in the first instance on more serious disputes. The members of the Supreme Court were not elected by the people or by the legislature; the president of the United States was to choose them after taking the advice of the Senate.

To make them independent of the other powers, they were made irremovable, and it was decided that their salary, once fixed, would be beyond the control of the legislature[205].

It was easy enough to proclaim in principle the establishment of a federal judiciary, but difficulties arose in throngs as soon as it came to fixing its powers.

THE REACH OF FEDERAL JURISDICTION

Federal courts decide their own jurisdiction and hear cases defined by the parties involved or arising under federal law.

How the jurisdiction of the federal courts was fixed

Difficulty of fixing the jurisdiction of the various courts in confederations—The courts of the Union obtained the right to fix their own jurisdiction—Why this rule strikes at the portion of sovereignty the individual states had reserved for themselves—The sovereignty of these states restricted by the laws and by the

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205 TOCQUEVILLE'S NOTE. The Union was divided into districts, and in each of these districts a federal judge was permanently stationed. The court over which this judge presided was called the District Court (*district-court*).

In addition, each of the judges composing the Supreme Court was to travel every year through a certain portion of the territory of the republic, in order to decide certain more important suits on the spot. The court over which this judge presided was called the Circuit Court (*circuit-court*).

Finally, the most serious cases were to come, either directly or on appeal, before the Supreme Court, at whose seat all the circuit judges meet once a year to hold a solemn session.

The jury system was introduced into the federal courts in the same way as in the state courts, and for similar cases.

As can be seen, there is almost no analogy between the Supreme Court of the United States and our Court of Cassation. A case can be brought before the Supreme Court in the first instance, whereas it can reach the Court of Cassation only at the second or third level. It is true that the Supreme Court, like the Court of Cassation, forms a single tribunal charged with establishing uniform case law; but the Supreme Court rules on the facts as well as the law, and pronounces judgment *itself*, without sending the case back to another court—two things the Court of Cassation cannot do.

See the organic act of September 24, 1789, *Laws of the United States*, by Story, vol. I, p. 53.

TRANSLATOR'S NOTE. The Court of Cassation is France's highest court of appeal in civil and criminal matters.

interpretation of the laws—The individual states thus run a danger more apparent than real.

A first question arose. The Constitution of the United States set two distinct sovereignties face to face, represented, in matters of justice, by two different orders of courts; however carefully the jurisdiction of each of these two orders of courts might be established, frequent collisions between them could not be prevented. Now, in such a case, to whom should the right of determining jurisdiction belong?

Among peoples that form one and the same political society, when a question of jurisdiction arises between two courts, it is generally brought before a third, which serves as arbiter.

This is done without difficulty, because among these peoples questions of judicial jurisdiction have no connection with questions of national sovereignty.

But above the highest court of an individual state and the highest court of the United States, it was impossible to establish any tribunal that would be neither the one nor the other.

It was therefore necessary to give one of the two courts the right to judge in its own cause, and to take up or retain cognizance of a case whose jurisdiction was disputed. This privilege could not be granted to the various state courts; that would have meant destroying the sovereignty of the Union in fact after establishing it in law. For the interpretation of the Constitution would soon have given back to the individual states the portion of independence that the terms of the Constitution took away from them.

In creating a federal court, the aim had been to take from the state courts the right to settle questions of national interest, each in its own way, and thus to arrive at a uniform body of case law for the interpretation of the laws of the Union. That aim would not have been achieved if the courts of the individual states, while refraining from judging suits as federal, could have judged them by claiming that they were not federal.

The Supreme Court of the United States was therefore invested with the right to decide all questions of jurisdiction[206].

This was the most dangerous blow dealt to the sovereignty of the states. That sovereignty was thus restricted not only by the laws but also by the interpretation of the laws; by a known limit and by another that was unknown; by a fixed rule and by an arbitrary one. The Constitution, it is true, had set precise limits to federal sovereignty; but every time that sovereignty competes with that of the states, a federal court must decide.

Moreover, the dangers with which this procedure seemed to threaten the sovereignty of the states were not as great in reality as they appeared to be.

We shall see later that in America real strength resides in the provincial governments rather than in the federal government. Federal judges feel the relative weakness of the power in whose name they act, and they are closer to abandoning a right of jurisdiction in cases where the law grants it to them than inclined to claim one illegally.

Different cases of jurisdiction

Subject matter and person, the bases of federal jurisdiction—Suits brought against ambassadors, against the Union, against an individual state—By whom tried—Suits arising from the laws of the Union—Why tried by the federal courts—Suits relating to the nonperformance of contracts tried by the federal judiciary—Consequence of this.

206 TOCQUEVILLE'S NOTE. Moreover, to make these jurisdictional suits less frequent, it was decided that in a very large number of federal suits the courts of the individual states would have the right to rule concurrently with the courts of the Union; but in that case the losing party always had the option of appealing to the Supreme Court of the United States. The supreme court of Virginia disputed the right of the Supreme Court of the United States to hear appeals from its judgments, but in vain. See *Kent's Commentaries*, vol. I, pp. 300, 370 ff. See *Story's comm.*, p. 646, and the organic act of 1789; *Laws of the United States*, vol. I, p. 53.

TRANSLATOR'S NOTE. The dispute was settled in the case of Martin v. Hunter's Lessee (1816), in which the U.S. Supreme Court upheld its appellate authority over state courts.

Having settled the means of fixing federal jurisdiction, the lawgivers of the Union determined the cases of jurisdiction over which it was to be exercised.

It was accepted that there were certain litigants who could be tried only by the federal courts, whatever the subject of the suit might be.

It was then established that there were certain suits which could be decided only by those same courts, whatever the standing of the litigants might be.

The person and the subject matter thus became the two bases of federal jurisdiction.

Ambassadors represent nations friendly to the Union; whatever concerns ambassadors concerns, in a sense, the whole Union. When an ambassador is a party to a suit, the suit becomes a matter that touches the well-being of the nation, and it is natural for a federal court to decide it.

The Union itself may be involved in lawsuits. In that case, it would have been contrary to reason, as well as to the practice of nations, to appeal to the judgment of courts representing a sovereignty other than its own. Only the federal courts can decide such cases.

When two individuals belonging to two different states have a suit between them, they cannot without drawbacks be tried by the courts of either state. It is safer to choose a court that can arouse the suspicions of neither party, and the court that naturally presents itself is that of the Union.

When the two litigants are no longer isolated individuals but states, a political reason of the first order is added to the same reason of fairness. Here the standing of the litigants gives

national importance to every suit; the slightest point in dispute between two states concerns the peace of the entire Union[207].

Often the very nature of the suit had to serve as the rule for jurisdiction. Thus all questions connected with maritime commerce had to be settled by the federal courts[208].

The reason is easy to give: nearly all these questions involve assessments under the law of nations. In this respect they essentially concern the whole Union in its relations with foreigners. Moreover, since the sea is not enclosed within one judicial district rather than another, only the national courts can have any claim to hear suits of maritime origin.

The Constitution has gathered into a single category almost all the suits that, by their nature, must come under the federal courts.

The rule it lays down on this point is simple, yet by itself it encompasses a vast system of ideas and a multitude of facts.

The federal courts, it says, shall try all suits that *arise under the laws of the United States*.

Two examples will make the lawmaker's intention perfectly clear.

The Constitution forbids the states the right to make laws on the circulation of money; despite this prohibition, a state makes such a law. The parties concerned refuse to obey it, on the ground that it is contrary to the Constitution. They must go

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207 TOCQUEVILLE'S NOTE. The Constitution likewise states that suits which may arise between a state and the citizens of another state shall fall within the jurisdiction of the federal courts. The question soon arose whether the Constitution had meant all suits that might arise between a state and the citizens of another state, whichever of them was the *plaintiff*. The Supreme Court decided that it had; but this decision alarmed the individual states, which feared being hauled before the federal courts against their will on every pretext. An amendment was therefore introduced into the Constitution, by virtue of which the judicial power of the Union could not extend to suits *brought* against one of the United States by the citizens of another.

See *Story's Commentaries*, p. 624.

TRANSLATOR'S NOTE. This is the Eleventh Amendment, ratified in 1795 in response to the Supreme Court's decision in Chisholm v. Georgia (1793).

208 TOCQUEVILLE'S NOTE. For example, all acts of piracy.

before a federal court, because the grounds of their challenge are drawn from the laws of the United States.

Congress establishes an import duty. Difficulties arise over the collection of this duty. Once again one must go before the federal courts, because the cause of the suit lies in the interpretation of a law of the United States.

This rule is perfectly consistent with the foundations adopted for the federal Constitution.

The Union, as it was constituted in 1789, has, it is true, only a limited sovereignty, but the intention was that within that circle it should form one single people[209]. Within that circle it is sovereign. Once this point is laid down and accepted, everything else becomes easy; for if you acknowledge that the United States, within the limits set by their Constitution, form only one people, you must grant them the rights that belong to all peoples.

Now, since societies first began, there has been agreement on this point: that every people has the right to have its own courts judge all questions relating to the execution of its own laws. But the reply comes: the Union is in the peculiar position of forming a people only with respect to certain matters; for all others it is nothing. What follows from this? That, at least for all laws relating to those matters, it has the rights one would grant to a complete sovereignty. The real crux of the difficulty is to know what those matters are. Once that point is settled (and we saw above, in discussing jurisdiction, how it was settled), there are, strictly speaking, no further questions; for once it had been established that a suit was federal—that is, that it fell within the share of sovereignty reserved to the Union by the Constitution—it naturally followed that a federal court alone should decide it.

209 TOCQUEVILLE'S NOTE. Some restrictions were indeed placed on this principle by bringing the individual states into the Senate as independent powers, and by having them vote separately in the House of Representatives when it elects the president; but these are exceptions. The opposite principle prevails.

Whenever, therefore, someone wishes to challenge the laws of the United States, or to invoke them in their own defense, it is to the federal courts that they must turn.

Thus the jurisdiction of the courts of the Union expands or contracts as the sovereignty of the Union itself contracts or expands.

We have seen that the chief aim of the legislators of 1789 had been to divide sovereignty into two distinct parts. In one they placed the management of all the general interests of the Union; in the other, the management of all the interests particular to some of its parts.

Their chief concern was to arm the federal government with enough powers to defend itself, within its own sphere, against encroachments by the individual states.

As for the states, the general principle adopted was to leave them free within theirs. The central government can neither direct them nor even inspect their conduct there.

I pointed out in the chapter on the division of powers that this last principle had not always been respected. There are certain laws that an individual state cannot make, even though they appear to concern that state alone.

When a state of the Union passes a law of this kind, citizens who are harmed by its execution may appeal to the federal courts.

Thus the jurisdiction of the federal courts extends not only to all suits that originate in the laws of the Union, but also to all those that arise under laws the individual states have made in violation of the Constitution.

The states are forbidden to enact retroactive laws in criminal matters; a man convicted under a law of this kind may appeal to the federal courts.

The Constitution has likewise forbidden the states to make laws that might destroy or alter rights acquired under a contract (*impairing the obligations of contracts*)[210].

The moment a private individual believes that a law of his state infringes a right of this kind, he may refuse to obey and appeal to the federal courts[211].

This provision seems to me to strike more deeply than anything else at the sovereignty of the states.

The rights granted to the federal government for plainly national purposes are defined and easy to understand. Those that the article I have just cited grants it indirectly are not readily grasped, and their limits are not clearly drawn. There is in fact a multitude of political laws that bear upon the existence of contracts and that could thus provide grounds for encroachment by the central power.

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210 TOCQUEVILLE'S NOTE. It is perfectly clear, says Mr. Story, p. 503, that any law which enlarges, restricts, or in any way whatsoever changes the intention of the parties, as it results from the stipulations contained in a contract, impairs (*impairs*) that contract. In the same place the same author carefully defines what federal case law means by a contract. The definition is very broad. A grant made by the state to a private individual and accepted by him is a contract, and cannot be taken away by the effect of a new law. A charter granted by the state to a company is a contract, and binds the state as much as the grantee. The article of the Constitution we are discussing therefore secures the existence of a large share of *vested rights*, but not of all of them. I may quite lawfully own a property without its having come into my hands by way of a contract. My possession of it is a vested right for me, and this right is not guaranteed by the federal Constitution.

211 TOCQUEVILLE'S NOTE. Here is a remarkable example cited by Mr. Story, p. 508. Dartmouth College, in New Hampshire, had been founded under a charter granted to certain individuals before the American Revolution. By virtue of this charter, its trustees formed a constituted body, or, in the American phrase, a *corporation*. The legislature of New Hampshire saw fit to change the terms of the original charter, and transferred to new trustees all the rights, privileges, and franchises that derived from that charter. The former trustees resisted and appealed to the federal court, which ruled in their favor on the ground that, since the original charter was a genuine contract between the state and the grantees, the new law could not change the provisions of that charter without violating rights acquired under a contract, and consequently violating Article I, Section X, of the Constitution of the United States.

TRANSLATOR'S NOTE. The case is Dartmouth College v. Woodward, decided by the Supreme Court in 1819.

HOW THE FEDERAL COURTS ACT ON THE STATES

Federal courts deal with individuals rather than states, weakening unconstitutional state laws case by case.

How the federal courts proceed

Natural weakness of the judiciary in confederations—Efforts lawmakers must make to bring only isolated individuals, and not states, before the federal courts, as far as possible—How the Americans managed this—Direct action of the federal courts on private individuals—Indirect attack on states that violate the laws of the Union—The judgment of the federal courts does not destroy the provincial law, it saps its strength.

I have described the rights of the federal courts; it is no less important to know how they exercise them.

The irresistible strength of the judiciary, in countries where sovereignty is not divided, comes from the fact that the courts there represent the entire nation in conflict with the single individual whom the judgment has struck. To the idea of right is joined the idea of the force that backs right.

But in countries where sovereignty is divided, this is not always the case. There the judiciary most often finds itself facing not an isolated individual but a fraction of the nation. Its moral power and its material force are diminished accordingly.

In federal states, therefore, the judiciary is naturally weaker and the party subject to it stronger.

The lawmaker in confederations must work ceaselessly to give the courts a place similar to the one they occupy among peoples who have not divided sovereignty; in other words, his most constant efforts must aim at having the federal judiciary represent the nation, and the party before it a particular interest.

A government, of whatever kind, needs to act upon the governed, to compel them to render what they owe it; it needs to act against them, to defend itself from their attacks.

As for the government's direct action on the governed, to compel them to obey the laws, the Constitution of the United States arranged matters (and this was its masterstroke) so that the federal courts, acting in the name of those laws, would only ever deal with individuals. Indeed, since it had been declared that the confederation formed one single people within the circle drawn by the Constitution, it followed that the government created by that Constitution and acting within its limits was invested with all the rights of a national government, the chief of which is to convey its commands directly, without intermediary, to the ordinary citizen. So when the Union ordered a tax to be levied, for example, it did not have to turn to the states to collect it, but to each American citizen, according to his assessment. The federal judiciary, in its turn, charged with ensuring the execution of this law of the Union, had to condemn not the recalcitrant state but the taxpayer. Like the judiciary of other peoples, it found only an individual facing it.

Note that here the Union has chosen its own adversary. It has chosen a weak one; it is only natural that he should give way.

But when the Union, instead of attacking, is itself reduced to defending itself, the difficulty increases. The Constitution recognizes the power of the states to make laws. These laws may violate the rights of the Union. Here one necessarily finds oneself in conflict with the sovereignty of the state that made the law. All that remains is to choose the least dangerous among the means of action. That means was indicated in advance by the general principles I set out earlier[212].

One can see that in the case I have just imagined, the Union could have summoned the state before a federal court, which would have declared the law void; that would have been the most natural course of reasoning. But in that way the federal judiciary would have found itself directly facing a state, which was what people wished, as far as possible, to avoid.

212 TOCQUEVILLE'S NOTE. See the chapter entitled *On the judicial power in America*.

The Americans considered it almost impossible for a new law not to harm some particular interest in its execution.

It is on this particular interest that the authors of the federal Constitution rely to challenge any legislative measure the Union may have cause to complain of. It is to this interest that they offer shelter.

A state sells land to a company; a year later, a new law disposes of the same land differently, and so violates the part of the Constitution that forbids altering rights acquired by contract. When the person who bought under the new law comes forward to take possession, the holder, whose rights derive from the old law, sues him before the courts of the Union and has his title declared void[213]. Thus, in reality, federal justice finds itself at grips with the sovereignty of the state; but it attacks that sovereignty only indirectly, and over a detail of application. It thus strikes the law in its consequences, not in its principle; it does not destroy the law, it saps its strength.[214]

Finally, one last possibility remained:

Each state formed a corporation with a separate existence and separate civil rights; consequently, it could sue or be sued in the courts. A state could, for example, take another state to court.

In this case, the Union was no longer called upon to attack a provincial law, but to judge a suit to which a state was a party. It was a suit like any other; only the standing of the litigants was different. Here the danger pointed out at the beginning of this chapter still exists; but this time it cannot be avoided. It is inherent in the very essence of federal constitutions, whose result will always be to create within the nation private parties so powerful that justice can be exercised against them only with difficulty.

213 TOCQUEVILLE'S NOTE. See *Kent's Commentaries,* vol. 1, p. 387.

214 The case described resembles *Fletcher v. Peck* (1810), in which the Supreme Court held that Georgia's repeal of earlier land grants violated the Constitution's contract clause.

THE POWER OF THE SUPREME COURT

Seven judges who summon sovereign states before them hold the peace and existence of the Union.

The high rank the Supreme Court occupies among the great powers of the state

No people has ever created so great a judicial power as the Americans—Extent of its powers—Its political influence—The peace and the very existence of the Union depend on the wisdom of the seven federal judges.

When, after examining the organization of the Supreme Court in detail, one comes to consider as a whole the powers it has been given, one readily discovers that never has so immense a judicial power been constituted among any people.

The Supreme Court stands higher than any known tribunal, both by the *nature* of its rights and by the *kind* of parties subject to its jurisdiction.

Among all the civilized nations of Europe, the government has always shown great reluctance to let the ordinary courts decide questions in which it was itself concerned. This reluctance is naturally greater the more absolute the government is. As liberty increases, by contrast, the sphere of the courts' powers keeps widening; but none of the European nations has yet thought that every judicial question, whatever its origin, could be left to the judges of the ordinary law.

In America, this theory has been put into practice. The Supreme Court of the United States is the one and only tribunal of the nation.

It is charged with interpreting the laws and the treaties; questions relating to maritime commerce, and in general all those connected with the law of nations, fall within its exclusive jurisdiction. One may even say that its powers are almost entirely political, although its constitution is entirely judicial. Its sole purpose is to have the laws of the Union carried out, and the Union regulates only the relations of the government with the

governed, and of the nation with foreigners; the relations of citizens with one another are almost all governed by the sovereignty of the states.

To this first source of importance must be added another, greater still. Among the nations of Europe, the courts have only private individuals before them; but one may say that the Supreme Court of the United States summons sovereigns to its bar. When the court officer, stepping forward on the steps of the tribunal, pronounces these few words—"The State of New York versus the State of Ohio"—one feels that one is not within the walls of an ordinary court of justice. And when one considers that one of these litigants represents a million men, and the other two million, one is astonished at the responsibility that weighs on the seven judges whose decision is about to gladden or sadden so great a number of their fellow citizens.

In the hands of the seven federal judges rest, at every moment, the peace, the prosperity, the very existence of the Union. Without them, the Constitution is a lifeless work. It is to them that the executive power appeals to resist the encroachments of the legislative body; the legislature, to defend itself against the designs of the executive power; the Union, to make the states obey it; the states, to repel the exaggerated claims of the Union; the public interest against private interest; the spirit of conservation against democratic instability. Their power is immense; but it is a power of opinion. They are all-powerful so long as the people consent to obey the law; they can do nothing once the people scorn it. Now, the power of opinion is the hardest of all to use, because it is impossible to say exactly where its limits lie. It is often as dangerous to stop short of them as to overstep them.

Federal judges, therefore, must not only be good citizens, educated and upright men—qualities necessary in all magistrates; they must also be statesmen. They must know how to discern the spirit of their time, how to confront the obstacles that can be overcome, and how to turn aside from the current when

the tide threatens to sweep away, along with themselves, the sovereignty of the Union and the obedience owed to its laws.

The president may fail without the state suffering, because the president has only a limited power. Congress may err without the Union perishing, because above Congress stands the electorate, which can change its spirit by changing its members.

But if the Supreme Court ever came to be composed of imprudent or corrupt men, the confederation would have to fear anarchy or civil war.

Make no mistake, however: the original cause of the danger lies not in the constitution of the tribunal, but in the very nature of federal governments. We have seen that nowhere is it more necessary to constitute the judicial power strongly than among confederated peoples, because nowhere are the separate entities that may contend against the social body greater, or better able to resist the use of the government's material force.

Now, the more necessary it is for a power to be strong, the more scope and independence it must be given. The more extensive and independent a power is, the more dangerous any abuse of it becomes. The source of the evil, therefore, lies not in the constitution of this power, but in the very constitution of the state that makes such a power necessary.

WHY THE FEDERAL CONSTITUTION IS SUPERIOR

Longer terms, a stronger executive and independent judges make federal government wiser than the state governments.

In what respects the federal Constitution is superior to the constitutions of the states

How the Constitution of the Union can be compared with those of the individual states—The superiority of the Constitution of the Union must be attributed above all to the wisdom of the federal legislators—The legislature of the Union less dependent on the people than those of the states—The executive power freer within its sphere—The judicial power less subject to the

will of the majority—Practical consequences of this—The federal legislators mitigated the dangers inherent in democratic government; the legislators of the states increased those dangers.

The federal Constitution differs essentially from the constitutions of the states in the aim it sets itself, but it comes very close to them in the means of reaching that aim. The object of government is different, but the forms of government are the same. From this particular point of view, they can usefully be compared.

I think the federal Constitution is superior to all the state constitutions. This superiority has several causes.

The current Constitution of the Union was framed only after those of most of the states; it was therefore possible to profit from the experience already gained.

One will be convinced, however, that this cause is only secondary if one considers that, since the establishment of the federal Constitution, the American confederation has grown by eleven new states, and that these have almost always exaggerated rather than mitigated the defects found in the constitutions of their predecessors.

The great cause of the superiority of the federal Constitution lies in the very character of its legislators.

At the time it was framed, the ruin of the confederation seemed imminent; it was, so to speak, before everyone's eyes. In this extremity the people chose, not perhaps the men they liked best, but those they esteemed most.

I have already observed above that the legislators of the Union had almost all been remarkable for their enlightenment, and more remarkable still for their patriotism.

They had all grown up in the midst of a social crisis, during which the spirit of liberty had continually had to struggle against a strong and domineering authority. Once the struggle was over, and while, as usually happens, the inflamed passions of the crowd were still bent on combating dangers that had long ceased to exist, they had stopped. They had cast a calmer and more penetrating gaze over their country; they had seen that a

definitive revolution had been accomplished, and that henceforth the perils threatening the people could arise only from the abuses of liberty. What they thought, they had the courage to say, because they felt in the depths of their hearts a sincere and ardent love for that same liberty; they dared to speak of restricting it, because they were sure they had no wish to destroy it[215].

Most state constitutions give the mandate of the house of representatives a term of only one year, and that of the senate only two. As a result, the members of the legislative body are bound constantly, and as tightly as possible, to the slightest wishes of their constituents.

The legislators of the Union thought that this extreme dependence of the legislature distorted the principal effects of

the representative system, by placing in the people themselves not only the source of powers but the government as well.

They lengthened the term of office to leave the representative greater scope for his own free will.

The federal Constitution, like the various state constitutions, divided the legislative body into two branches.

But in the states, these two parts of the legislature were composed of the same elements and by the same method: election. As a result, the passions and wishes of the majority found expression with equal ease, and found an organ and an instrument just as quickly in one chamber as in the other. This gave a violent and hasty character to the making of laws.

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215 TOCQUEVILLE'S NOTE. At that time the famous Alexander Hamilton, one of the most influential drafters of the Constitution, did not hesitate to publish the following in the *Federalist*, No. 71:

"I know," he said, "that there are people in whose eyes the executive power could recommend itself no better than by bending servilely to the wishes of the people or of the legislature; but such people seem to me to hold very crude notions of the purpose of all government, as well as of the true means of producing public prosperity.

"That the opinions of the people, when reasoned and matured, should direct the conduct of those to whom they entrust their affairs follows from the establishment of a republican constitution; but republican principles do not require that one be carried away by the slightest breeze of popular passion, nor that one hasten to obey every passing impulse the multitude may receive from the artful hand of men who flatter its prejudices in order to betray its interests.

"The people, most commonly, want only to attain the public good—this is true; but they often go astray in seeking it. If someone were to tell them that they always judge soundly the means to be used for producing national prosperity, their good sense would make them despise such flattery; for they have learned from experience that they have sometimes been mistaken. What is astonishing is that they are not mistaken more often, pursued as they always are by the wiles of parasites and sycophants, surrounded by the snares constantly laid for them by so many greedy and needy men, deceived every day by the artifices of those who possess their confidence without deserving it, or who seek more to possess it than to make themselves worthy of it.

"When the true interests of the people run contrary to their wishes, the duty of all those whom they have appointed to guard those interests is to combat the error of which the people are, for the moment, the victim, so as to give them time to come to their senses and view things calmly. And it has happened more than once that a people, saved in this way from the fatal consequences of its own errors, has been glad to raise monuments of its gratitude to the men who had the magnanimous courage to risk displeasing it in order to serve it."

The federal Constitution also had both chambers emerge from the votes of the people; but it varied the qualifications for eligibility and the method of election, so that if, as in certain nations, one of the two branches of the legislature did not represent interests different from those of the other, it would at least represent superior wisdom.

One had to have reached a mature age to be a senator, and the task of electing senators was entrusted to an assembly that was small and had itself already been elected.[216]

Democracies are naturally inclined to concentrate all social force in the hands of the legislative body. Since it is the power that emanates most directly from the people, it is also the one that most shares in their omnipotence.

One therefore observes in it a habitual tendency to gather every kind of authority into its own hands.

This concentration of powers, while it does singular harm to the proper conduct of affairs, lays the foundation for the despotism of the majority.

The legislators of the states have frequently given way to these instincts of democracy; those of the Union have always fought them courageously.

In the states, the executive power is placed in the hands of a magistrate who stands, in appearance, beside the legislature, but who in reality is merely a blind agent and a passive instrument of its will. Where would he draw his strength from? From the length of his term? He is generally appointed for only a year. From his prerogatives? He has, so to speak, none. The legislature can reduce him to impotence by entrusting the execution of its laws to special committees drawn from its own ranks. If it wished, it could in a sense nullify him by cutting off his salary.

The federal Constitution concentrated all the rights of the executive power, together with all its responsibility, in a single man. It gave the president a four-year term. It guaranteed him his salary for the whole of his term of office. It provided him

216 Until the Seventeenth Amendment (1913), United States senators were chosen by the state legislatures.

with a following of dependents and armed him with a suspensive veto. In a word, having carefully marked out the sphere of the executive power, it sought to give that power, within that sphere, as strong and free a position as possible.[217]

Of all the powers in the state constitutions, the judicial power is the one that has remained least dependent on the legislative power.

Yet in every state the legislature has kept the power to set the judges' pay, which necessarily places the judges under its direct influence.

In some states, judges are appointed only for a limited term, which takes away a large part of their strength and their freedom as well.

In others, the legislative and judicial powers are entirely merged. The senate of New York, for example, serves as the state's highest court in certain cases.

The federal Constitution, by contrast, took care to separate the judicial power from all the others. It also made judges independent by declaring that their salaries could not be reduced and that they could not be removed from office.

The practical consequences of these differences are easy to see. To any attentive observer it is obvious that the affairs of the Union are infinitely better managed than the internal affairs of any state.

The federal government is more just and more moderate in its conduct than the governments of the states. There is more wisdom in its views, more durability and skillful planning in its projects, and more ability, consistency, and firmness in carrying out its measures.

A few words suffice to sum up this chapter.

Two principal dangers threaten the existence of democracies:

The complete subjection of the legislative power to the will of the electorate.

217 A suspensive veto delays a measure but can be overridden; the president's veto can be overridden by a two-thirds vote of both houses of Congress.

The concentration in the legislative power of all the other powers of government.

The lawmakers of the states encouraged these dangers to grow. The lawmakers of the Union did what they could to make them less formidable.

A NEW KIND OF FEDERAL GOVERNMENT

Unlike earlier confederations, the Union acts directly on citizens, making it an incomplete national government.

What distinguishes the federal Constitution of the United States of America from all other federal constitutions

The American confederation outwardly resembles all other confederations—Its effects, however, are different—Why this is so—How this confederation departs from all the others—The American government is not a federal government but an incomplete national government.

The United States of America has not given the world its first and only example of a confederation. To say nothing of antiquity, modern Europe has supplied several. Switzerland, the Germanic Empire, and the Republic of the Netherlands have been, or still are, confederations.[218]

When one studies the constitutions of these various countries, one is surprised to find that the powers they confer on the federal government are roughly the same as those the American Constitution grants to the government of the United States. Like the American Constitution, they give the central power the right to make peace and war, to raise men and money, to provide for general needs, and to regulate the common interests of the nation.

Yet among these various peoples the federal government has almost always remained feeble and powerless, while the government of the Union conducts affairs with vigor and ease.

There is more. The first American Union could not survive because its government was so extremely weak. Yet this feeble

government had been given rights as extensive as those of today's federal government. One may even say that in certain respects its privileges were greater.[219]

There must therefore be some new principles in the current Constitution of the United States that are not apparent at first, but whose influence is deeply felt.

This Constitution, which at first sight one is tempted to confuse with the federal constitutions that came before it, in fact rests on an entirely new theory, one that ought to stand as a great discovery in the political science of our day.

In all the confederations that preceded the American confederation of 1789, the peoples who allied themselves for a common purpose agreed to obey the commands of a federal government, but they kept the right to direct and oversee the enforcement of the Union's laws within their own borders.

The American states that united in 1789 agreed not only that the federal government should dictate laws to them, but also that it should enforce those laws itself.

In both cases the right is the same; only the exercise of the right differs. But this single difference produces immense results.

In all the confederations that preceded today's American Union, the federal government turned to the individual governments to provide for its needs. If the prescribed measure displeased one of them, that government could always evade the obligation to obey. If it was strong, it appealed to arms; if it was weak, it tolerated resistance to the laws of the Union, which had become its own, pleaded powerlessness, and fell back on passive resistance.

So one of two things has invariably happened. Either the most powerful of the united peoples took the rights of the federal authority into its own hands and dominated all the others

218 The Germanic Empire is the Holy Roman Empire, dissolved in 1806 and succeeded by the German Confederation of 1815.

219 The first Union was the confederation under the Articles of Confederation (1781–1789).

in its name[220]; or the federal government was left to its own strength, in which case anarchy set in among the confederates and the Union became powerless to act[221].

In America, those whom the Union governs are not states but individual citizens. When it wants to levy a tax, it does not apply to the government of Massachusetts but to each inhabitant of Massachusetts. The former federal governments faced peoples; the government of the Union faces individuals. It does not borrow its strength; it draws it from itself. It has its own administrators, its own courts, its own officers of justice, and its own army.

No doubt the national spirit, the collective passions, and the provincial prejudices of each state still tend strongly to narrow the reach of a federal power so constituted, and to create centers of resistance to its will. Limited in its sovereignty, it cannot be as strong as a power that possesses sovereignty in full. But that is an evil inherent in the federal system.

In America, each state has far fewer occasions and temptations to resist. And if the idea occurs to it, it can carry it out only by openly violating the laws of the Union, interrupting the ordinary course of justice, and raising the standard of revolt. In a word, it must suddenly take an extreme step, something men hesitate a long time before doing.

In the old confederations, the rights granted to the Union were causes of war for it rather than sources of power, since those rights multiplied its demands without increasing its

220 TOCQUEVILLE'S NOTE. This is what was seen among the Greeks under Philip, when that prince took it upon himself to carry out the decree of the Amphictyons. It is what happened in the Republic of the Netherlands, where the province of Holland always laid down the law. The same thing still goes on today in the Germanic body. Austria and Prussia make themselves the agents of the Diet and dominate the whole confederation in its name.

TRANSLATOR'S NOTE. Philip II of Macedon intervened in Greece in the 340s BC as enforcer for the Amphictyonic Council, a league of Greek states centered on Delphi. The Diet was the assembly of the German Confederation.

221 TOCQUEVILLE'S NOTE. This has always been the case with the Swiss confederation. Switzerland would have ceased to exist centuries ago were it not for the jealousies of its neighbors.

means of compelling obedience. Thus the real weakness of federal governments was almost always seen to grow in direct proportion to their nominal power.

This is not so in the American Union. Like most ordinary governments, the federal government can do everything it has been given the right to do.

The human mind invents things more easily than words: hence the use of so many inaccurate terms and inadequate expressions.

Several nations form a permanent league and establish a supreme authority which, though it does not act on individual citizens as a national government could, does act on each of the confederated peoples taken as a body.

This government, so different from all others, is given the name "federal."

Then a form of society is discovered in which several peoples truly merge into one with respect to certain common interests, while remaining separate and merely confederated in all other respects.

Here the central power acts directly on the governed, administering and judging them itself, as national governments do, but it acts in this way only within a limited circle. Clearly this is no longer a federal government; it is an incomplete national government. Thus a form of government has been found that was, strictly speaking, neither national nor federal. But there matters have stopped, and the new word that should express the new thing does not yet exist.

It is because they did not know this new kind of confederation that all unions have ended in civil war, in subjugation, or in inertia. The peoples who made them up all lacked either the enlightenment to see the remedy for their ills or the courage to apply it.

The first American Union had also fallen into the same faults.

But in America the confederated states, before attaining independence, had long been part of the same empire. They had therefore not yet acquired the habit of governing themselves

completely, and national prejudices had not been able to put down deep roots. More enlightened than the rest of the world, they were equal to one another in enlightenment. They felt only faintly the passions that usually set peoples against the extension of federal power, and those passions were opposed by their greatest citizens. As soon as the Americans felt the evil, they faced the remedy with resolve. They amended their laws and saved the country.

THE ADVANTAGES OF THE FEDERAL SYSTEM

Federalism combines the freedom and well-being of small nations with the strength and security of large ones.

On the advantages of the federal system in general, and its particular usefulness for America

Happiness and freedom enjoyed by small nations—Power of large nations—Large empires favor the development of civilization—That strength is often the first element of prosperity for nations—The aim of the federal system is to combine the advantages peoples derive from the largeness and from the smallness of their territory—Advantages the United States draws from this system—The law bends to the needs of the population, and the population does not bend to the requirements of the law—Activity, progress, and the taste for and practice of freedom among the American peoples—The public spirit of the Union is merely the *summing-up* of provincial patriotism —Goods and ideas circulate freely across the territory of the United States—The Union is free and happy like a small nation, respected like a large one.

In small nations, the eye of society reaches everywhere, and the spirit of improvement extends down to the smallest details. Because the people's ambition is greatly tempered by its weakness, its efforts and resources are turned almost entirely toward its internal well-being and are not apt to vanish in the empty smoke of glory. Moreover, since each person's abilities there are generally limited, so are his desires. Modest fortunes make conditions nearly equal, and mores take on a simple and peaceful

character. Thus, all things considered, and allowing for the different degrees of morality and enlightenment, one usually finds more prosperity, population, and tranquility in small nations than in large ones.

When tyranny does take hold within a small nation, it is more oppressive there than anywhere else, because, acting within a narrower circle, it reaches everything within that circle. Unable to seize on some great object, it busies itself with a multitude of small ones; it shows itself at once violent and meddlesome. From the political world, which is properly its domain, it penetrates into private life. After actions, it seeks to dictate tastes; after the state, it wants to govern families. But this rarely happens. Freedom is, in truth, the natural condition of small societies. There, government offers too little bait to ambition, and private resources are too limited, for sovereign power to be easily concentrated in the hands of one man. Should that happen, it is not hard for the governed to unite and, by a common effort, overthrow the tyrant and the tyranny together.

Small nations have therefore always been the cradle of political freedom. Most of them have lost that freedom as they grew, which shows clearly that it depended on the smallness of the people and not on the people itself.

The history of the world offers no example of a large nation that remained a republic for long[222], which has led people to say that the thing is impracticable. For my part, I think it very rash for man to try to set limits to the possible and to pass judgment on the future—man, from whom the real and the present slip away every day, and who is constantly caught off guard in the very things he knows best. What can be said with certainty is that the existence of a large republic will always be infinitely more exposed than that of a small one.

All the passions fatal to republics grow with the extent of their territory, while the virtues that support them do not increase in the same measure.

222 TOCQUEVILLE'S NOTE. I am not speaking here of a confederation of small republics, but of a large consolidated republic.

The ambition of individuals increases with the power of the state, and the strength of parties with the importance of the goal they pursue; but love of country, which must contend with these destructive passions, is no stronger in a vast republic than in a small one. It would even be easy to prove that it is less developed and less powerful there. Great wealth and deep poverty, great capital cities, the depravity of mores, individual selfishness, and the complexity of interests are so many perils that almost always arise from the size of the state. Several of these things do no harm to the existence of a monarchy; some may even contribute to its longevity. Besides, in monarchies the government has a strength of its own; it makes use of the people and does not depend on them. The larger the people, the stronger the prince. But a republican government can set nothing against these dangers except the support of the majority. Now, this element of strength is, relatively speaking, no more powerful in a vast republic than in a small one. Thus, while the means of attack keep growing in number and power, the force of resistance stays the same. One may even say that it diminishes, for the more numerous the people and the more varied their minds and interests, the harder it becomes to form a solid majority.

It has been observed, moreover, that human passions grow more intense not only with the greatness of the goal they seek to reach but also with the multitude of individuals who feel them at the same time. Everyone has felt more stirred amid an agitated crowd that shared his emotion than he would have been had he felt it alone. In a great republic, political passions become irresistible, not only because the object they pursue is immense, but also because millions of men feel them in the same way and at the same moment.

It may therefore be said, in general terms, that nothing is so contrary to the well-being and liberty of men as great empires.

Large states nevertheless have advantages peculiar to them, and these must be acknowledged.

In large states, ordinary men desire power more ardently than they do elsewhere. In the same way, the love of glory is more developed in certain souls, who find in the applause of a great people an object worthy of their efforts and fit to raise them, as it were, above themselves. Thought there receives a quicker and more powerful impulse in every domain. Ideas circulate more freely, and the capitals are like vast intellectual centers where all the rays of the human mind come to shine and combine. This fact explains why great nations advance enlightenment and the general cause of civilization more rapidly than small ones do. It must be added that important discoveries often require a deployment of national strength of which the government of a small people is incapable. In great nations, the government has more general ideas, and it frees itself more completely from the routine of precedent and the selfishness of localities. There is more genius in its conceptions, more boldness in its conduct.

Domestic well-being is more complete and more widespread in small nations, so long as they remain at peace; but a state of war harms them more than it harms great ones. In great nations, the distance of the frontiers sometimes allows the mass of the people to remain far from danger for centuries. For them, war is a cause of discomfort rather than of ruin.

Moreover, in this matter as in many others, one consideration outweighs all the rest: that of necessity.

If there were only small nations and no great ones, humanity would surely be freer and happier; but there is no way to prevent great nations from existing.

This introduces into the world a new element of national prosperity, which is strength. What does it matter that a people presents a picture of ease and liberty if it is exposed every day to being laid waste or conquered? What does it matter that it is a manufacturing and trading nation if another rules the seas and lays down the law in every market? Small nations are often wretched, not because they are small but because they are weak; great ones prosper, not because they are great but

because they are strong. For nations, therefore, strength is often one of the first conditions of happiness and even of existence. Hence, barring special circumstances, small peoples always end up being joined to great ones by force or joining them of their own accord. I know of no condition more deplorable than that of a people that can neither defend itself nor provide for itself.

It was to unite the various advantages that arise from the greatness and the smallness of nations that the federal system was created.

One need only glance at the United States of America to see all the benefits that flow to them from adopting this system.

In great centralized nations, the legislator is obliged to give the laws a uniform character that the diversity of places and mores does not allow. Never informed of particular cases, he can proceed only by general rules. Men are then obliged to bend to the necessities of legislation, since legislation cannot adapt itself to the needs and mores of men. This is a great cause of unrest and misery.

This drawback does not exist in confederations: Congress regulates the principal acts of social life, and all the detail is left to the provincial legislatures.

One can hardly imagine how greatly this division of sovereignty serves the well-being of each of the states that make up the Union. In these small societies, which are not preoccupied with defending or enlarging themselves, all public power and all individual energy are turned toward internal improvements. Because the central government of each state is placed right beside the governed, it is made aware every day of the needs that arise. And so every year new plans are put forward. These are debated in the township meetings or before the state legislature, and then reproduced by the press, and they arouse universal interest and the zeal of the citizens. This need to improve keeps the American republics constantly astir without unsettling them. There the ambition for power gives way to the love of well-being, a more ordinary passion but a less dangerous one. It is a widely held opinion in America that the existence and

duration of republican forms in the New World depend on the existence and duration of the federal system. A large part of the miseries into which the new states of South America are plunged is attributed to the attempt to establish great republics there instead of dividing sovereignty.

It is indisputable, indeed, that in the United States both the taste for republican government and the practice of it were born in the townships and within the provincial assemblies. Take a small nation such as Connecticut. There the great political business is the opening of a canal or the laying out of a road. The state has no army to pay and no war to wage, and it can give those who direct it neither great wealth nor great glory. Nothing more natural, or better suited to the nature of things, can be imagined for such a nation than a republic. Now, it is this same republican spirit, these mores and habits of a free people, which, having arisen and developed in the various states, are then readily applied to the country as a whole. The public spirit of the Union is itself, in a sense, merely a summing-up of provincial patriotism. Every citizen of the United States carries over, so to speak, the interest that his small republic inspires in him into his love of the common homeland. In defending the Union, he defends the growing prosperity of his own district, the right to direct its affairs, and the hope of carrying plans of improvement there that are bound to enrich him personally. Ordinarily, all these things touch men more than the general interests of the country and the glory of the nation.

On the other hand, if the spirit and mores of the inhabitants make them better suited than others to make a great republic prosper, the federal system has made the task much less difficult. The confederation of all the American states does not present the usual drawbacks of large aggregations of men. The Union is a great republic in extent; but in a way it could be likened to a small republic, given how few objects its government deals with. Its acts are important, but they are rare. Since the sovereignty of the Union is hampered and incomplete, the exercise of that sovereignty poses no danger to liberty. Nor does

it arouse the immoderate desires for power and renown that are so fatal to great republics. Since not everything must converge on a common center, one sees there neither vast capitals, nor immense wealth, nor great poverty, nor sudden revolutions. Political passions do not spread in an instant, like a sheet of fire, over the whole surface of the country. Instead, they break against the interests and the individual passions of each state.

Yet within the Union, as within one and the same people, goods and ideas circulate freely. Nothing checks the spirit of enterprise. Its government draws talent and enlightenment to itself. Within the borders of the Union a profound peace reigns, as within a country subject to a single empire. Beyond them, it ranks among the most powerful nations on earth. It offers foreign commerce more than 800 leagues of coastline, and, holding in its hands the keys to a whole world, it makes its flag respected to the farthest ends of the seas.

The Union is free and happy like a small nation, glorious and strong like a great one.

THE INHERENT WEAKNESSES OF FEDERALISM

Federal systems are complex and their central governments weak, so they need an educated people to work.

What keeps the federal system from being within reach of every people, and what enabled the Anglo-Americans to adopt it

Vices inherent in every federal system that the legislator cannot combat—Complexity of every federal system—It requires the governed to use their intelligence every day—Practical knowledge of the Americans in matters of government—Relative weakness of the government of the Union, another vice inherent in the federal system—The Americans have made it less serious but could not destroy it—Sovereignty of the individual states weaker in appearance, stronger in reality than that of the Union —Why—Hence the need for natural causes of union among confederated peoples, independent of the laws—What these causes are among the Anglo-Americans —Maine and Georgia, 400

leagues apart, more naturally united than Normandy and Brittany—That war is the chief hazard for confederations—This proved by the very example of the United States—The Union has no great wars to fear—Why—Dangers the peoples of Europe would run in adopting the federal system of the Americans.[223]

The legislator sometimes succeeds, after a thousand efforts, in exercising an indirect influence over the destiny of nations, and then his genius is celebrated. Yet often other forces impart to society irresistible movements against which he struggles in vain, and which in turn carry him along. These forces are the geographic position of the country, over which he has no power; a social state that arose without his help; mores and ideas whose origin he does not know; and a point of departure of which he is unaware.

The legislator is like a man charting his course on the open sea. He can steer the ship that carries him, but he cannot change its structure, create the winds, or keep the ocean from rising beneath his feet.

I have shown what advantages the Americans derive from the federal system. It remains for me to explain what enabled them to adopt this system; for not every people is granted the enjoyment of its benefits.

The federal system has accidental vices that arise from the laws, and legislators can correct these. It has others that are inherent in the system and cannot be eliminated by the peoples who adopt it. Those peoples must therefore find within themselves the strength needed to bear the natural imperfections of their government.

Among the vices inherent in every federal system, the most visible of all is the complexity of the means it employs. This system necessarily brings two sovereignties face to face. The legislator may succeed in making the movements of these two sovereignties as simple and as even as possible, and he can confine both within clearly drawn spheres of action. But he cannot make them one, nor prevent them from touching at some point.

223 Normandy and Brittany are neighboring provinces in northwestern France.

Whatever one does, then, the federal system rests on a complicated theory, and its application requires the governed to make daily use of the light of their reason.

As a rule, only simple conceptions take hold of the minds of the people. A false idea that is clear and precise will always have more power in the world than a true idea that is complex. Parties are like small nations within a great one. Hence they always hasten to adopt as their symbol a name or a principle that often represents only very incompletely the goal they set themselves and the means they employ, but without which they could neither survive nor act. Governments that rest on a single idea or a single sentiment easy to define are perhaps not the best, but they are surely the strongest and most lasting.

When one examines the Constitution of the United States, the most perfect of all known federal constitutions, one is alarmed, by contrast, at how much diverse knowledge and discernment it presupposes in those it is to govern. The government of the Union rests almost entirely on legal fictions. The Union is an ideal nation that exists, so to speak, only in people's minds, and whose extent and limits the intellect alone can discover.

Even once the general theory is well understood, the difficulties of application remain. They are countless, for the sovereignty of the Union is so entangled with that of the states that their boundaries cannot be made out at first glance. Everything in such a government is conventional and artificial. It can suit only a people long accustomed to directing its own affairs, among whom political science has reached down to the lowest ranks of society. I have never admired the good sense and practical intelligence of the Americans more than in the way they escape the countless difficulties that arise from their federal Constitution. In America I almost never met a man of the people who could not distinguish with surprising ease between the obligations arising from the laws of Congress and those originating in the laws of his own state. Nearly every one of them could also separate the matters placed within the general powers of the Union from those that the local legislature must regulate.

And he could then point out where the jurisdiction of the federal courts begins and where that of the state courts ends.

The Constitution of the United States is like those fine creations of human industry that heap glory and riches on those who invent them but remain sterile in other hands.

That is what Mexico has shown in our own day.

The inhabitants of Mexico, wishing to establish the federal system, took as their model, and copied almost entirely, the federal Constitution of the Anglo-Americans, their neighbors[224]. But in carrying the letter of the law over to their own country, they could not at the same time carry over the spirit that gives it life. So they were constantly getting entangled in the machinery of their dual government. The sovereignty of the states and that of the Union strayed outside the circle the constitution had drawn and encroached on each other every day. Even now, Mexico is constantly being dragged from anarchy to military despotism, and from military despotism back to anarchy.

The second and most harmful of all the vices, one I regard as inherent in the federal system itself, is the relative weakness of the government of the Union.

The principle on which all confederations rest is the division of sovereignty. Legislators make this division barely noticeable; they even hide it from view for a time; but they cannot make it cease to exist. Now, a divided sovereignty will always be weaker than a complete one.

We saw, in the account of the Constitution of the United States, with what skill the Americans, while confining the power of the Union within the narrow circle of federal governments, nevertheless managed to give it the appearance and, to a certain extent, the strength of a national government.

In doing so, the legislators of the Union lessened the natural danger of confederations; but they could not make it disappear entirely.

The American government, it is said, does not address itself to the states: it sends its commands directly down to the cit-

224 TOCQUEVILLE'S NOTE. See the Mexican constitution of 1824.

izens, and bends them one by one under the force of the common will.

But if a federal law violently clashed with the interests and prejudices of a state, must we not fear that every citizen of that state would believe he had a stake in the cause of the man who refuses to obey? All the citizens of the state would thus be injured by the authority of the Union at the same time and in the same way. The federal government would then try in vain to isolate them in order to fight them: they would feel instinctively that they must unite to defend themselves, and they would find a ready-made organization in the portion of sovereignty their state had been left to enjoy. The fiction would then vanish and give way to reality, and one might see the organized power of one part of the territory locked in struggle with the central authority.

I would say as much of federal justice. If, in a particular lawsuit, the courts of the Union violated an important law of a state, the struggle—if not apparent, at least real—would be between the injured state, represented by a citizen, and the Union, represented by its courts[225].

One must have very little experience of the things of this world to imagine that, having left men's passions a means of satisfying themselves, one will always be able to prevent them, with the help of legal fictions, from noticing it and making use of it.

So the American legislators, by making a struggle between the two sovereignties less likely, did not destroy its causes.

225 TOCQUEVILLE'S NOTE. An example: The Constitution has given the Union the right to sell unoccupied lands on its own account. Suppose that Ohio claims this same right for the lands lying within its borders, on the pretext that the Constitution meant only territory not yet subject to any state's jurisdiction, and that Ohio therefore wishes to sell them itself. The legal question would arise, it is true, between purchasers holding their title from the Union and purchasers holding their title from the state, and not between the Union and Ohio. But if the court of the United States ordered that the federal purchaser be put in possession, while the courts of Ohio kept his rival in possession of the property, what then would become of the legal fiction?

One may even go further and say that they could not, in the event of a struggle, ensure that federal power would prevail.

They gave the Union money and soldiers, but the states kept the love and the prejudices of the people.

The sovereignty of the Union is an abstract entity connected with only a small number of external matters. The sovereignty of the states is perceptible to every sense; it is understood without effort; one sees it at work at every moment. The one is new; the other was born with the people itself.

The sovereignty of the Union is a work of art. The sovereignty of the states is natural; it exists by itself, without effort, like the authority of the father of a family.

The sovereignty of the Union touches men only through a few great interests; it represents an immense and distant homeland, a vague and indefinite feeling. The sovereignty of the states envelops each citizen, so to speak, and takes hold of him every day in the details of his life. It is the state's sovereignty that undertakes to guarantee his property, his liberty, his life; at every moment it affects his well-being or his misery. The sovereignty of the states rests on memories, on habits, on local prejudices, on the selfishness of province and family—in a word, on all the things that make the instinctive love of country so powerful in the human heart. How can one doubt its advantages?[226]

Since legislators cannot prevent dangerous collisions from arising between the two sovereignties that the federal system sets face to face, their efforts to turn the confederated peoples away from war must be joined by particular dispositions that incline those peoples toward peace.

It follows that the federal compact cannot last long unless it finds, in the peoples to which it applies, a certain number of conditions of union that make this common life easy for them and ease the task of government.

Thus the federal system, to succeed, needs more than good laws; circumstances must also favor it.

226 The French text here reads "partie" (part), evidently a misprint for "patrie" (homeland), the reading of other editions.

WHAT HOLDS THE UNION TOGETHER

Shared civilization across the states and the lack of powerful neighbors spare the Union a great war.

All the peoples we have seen form confederations had a certain number of common interests, which served as the intellectual bonds of the association.

But besides material interests, man also has ideas and feelings. For a confederation to last long, homogeneity in the civilization of the various peoples composing it is no less necessary than homogeneity in their needs. Between the civilization of the canton of Vaud and that of the canton of Uri, the gap is something like that between the nineteenth century and the fifteenth; and so Switzerland, truth be told, has never had a federal government. The union between these different cantons exists only on the map; and that would soon become apparent if a central authority tried to apply the same laws to the whole territory.[227]

There is one fact that admirably facilitates the existence of the federal government in the United States. The different states have not only roughly the same interests, the same origin, and the same language, but also the same degree of civilization, which almost always makes agreement among them an easy matter. I doubt there is any European nation, however small, that is not less homogeneous in its various parts than the American people, whose territory is as large as half of Europe. From the state of Maine to the state of Georgia is about 400 leagues. Yet there is less difference between the civilization of Maine and that of Georgia than between the civilization of Normandy and that of Brittany. Maine and Georgia, placed at the two ends of a vast empire, therefore naturally find it easier in practice to form a confederation than Normandy and Brittany, which are separated only by a stream.

To these advantages, which the mores and habits of the people offered the American legislators, were added others

arising from the country's geographical position. It is chiefly to the latter that the adoption and maintenance of the federal system must be attributed.

The most important of all the acts that can mark the life of a people is war. In war, a people acts like a single individual toward foreign peoples: it is fighting for its very existence.

As long as it is only a matter of keeping the peace within a country and promoting its prosperity, skill in the government, good sense in the governed, and a certain natural attachment that men almost always feel for their country can easily suffice. But for a nation to be in a position to wage a great war, its citizens must impose many painful sacrifices on themselves. To believe that a great number of men will be capable of submitting of their own accord to such social demands is to know humanity very poorly.

Hence all the peoples that have had to wage great wars have been led, almost in spite of themselves, to increase the strength of their government. Those that could not manage it were conquered. A long war almost always places nations before this sad alternative: defeat delivers them to destruction, and triumph to despotism.

It is therefore generally in war that the weakness of a government reveals itself most visibly and most dangerously; and I have shown that the inherent vice of federal governments is that they are very weak.

In the federal system, not only is there no administrative centralization or anything approaching it, but governmental centralization itself exists only incompletely—always a great cause of weakness when one must defend oneself against peoples among whom it is complete.

In the federal Constitution of the United States, the one of all such constitutions in which the central government is vested with the most real strength, this ill is still keenly felt.

A single example will allow the reader to judge.

227 Vaud was a French-speaking, Protestant, liberal canton; Uri, a German-speaking, Catholic, rural canton in the Alps.

The Constitution gives Congress the right to call the militia of the various states into active service when an insurrection must be suppressed or an invasion repelled; another article says that in this case the president of the United States is the commander in chief of the militia.

During the War of 1812, the president ordered the militias of the North to move toward the frontiers; Connecticut and Massachusetts, whose interests the war harmed, refused to send their contingents.

The Constitution, they said, authorizes the federal government to use the militias in cases of *insurrection* and *invasion*; but at present there is neither insurrection nor invasion. They added that the same Constitution that gave the Union the right to call the militias into active service left the states the right to appoint the officers; it followed, in their view, that even in war no officer of the Union had the right to command the militias except the president in person. Yet here it was a question of serving in an army commanded by someone other than him.

These absurd and destructive doctrines received the sanction not only of the governors and the legislature but also of the courts of justice of those two states; and the federal government was forced to look elsewhere for the troops it lacked[228].

Why is it, then, that the American Union, protected though it is by the relative perfection of its laws, does not dissolve in the midst of a great war? It is because it has no great wars to fear.

Placed at the center of an immense continent, where human industry can spread without limit, the Union is almost as isol-

228 TOCQUEVILLE'S NOTE. *Kent's Commentaries*, vol. I, p. 244. Note that I have chosen the example cited above from a period after the establishment of the present Constitution. Had I wished to go back to the time of the first confederation, I could have pointed to far more conclusive facts. Then a genuine enthusiasm reigned in the nation; the revolution was embodied in an eminently popular man; and yet at that time Congress had, strictly speaking, nothing at its disposal. It was constantly short of men and money; its best-conceived plans failed in execution; and the Union, always on the verge of perishing, was saved far more by the weakness of its enemies than by its own strength.

TRANSLATOR'S NOTE. James Kent's *Commentaries on American Law* (1826–30). The "eminently popular man" is George Washington.

ated from the world as if it were hemmed in on all sides by the ocean.

Canada has only a million inhabitants, and its population is divided into two hostile nations. The harshness of the climate limits the extent of its territory and closes its ports for six months of the year.[229]

Between Canada and the Gulf of Mexico there are still a few half-destroyed Indian tribes, which 6,000 soldiers drive before them.

To the south, the Union touches the Mexican empire at one point; it is probably from there that great wars will one day come. But for a long time yet, Mexico's backward state of civilization, the corruption of its mores, and its poverty will prevent it from taking a high rank among nations. As for the powers of Europe, their distance makes them little to be feared [230].

The great good fortune of the United States, then, is not to have found a federal constitution that allows them to sustain great wars, but to be so situated that they have none to fear.

No one could appreciate the advantages of the federal system more than I do. I see in it one of the most powerful arrangements in favor of human prosperity and liberty. I envy the lot of the nations that have been allowed to adopt it. And yet I refuse

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229 The French-speaking and the English-speaking Canadians.

230 TOCQUEVILLE'S NOTE. It is true that the European powers can wage great maritime wars against the Union; but it is always easier and less dangerous to sustain a maritime war than a continental one. Maritime war requires only one kind of effort. A commercial people willing to give its government the necessary money is always sure to have fleets. Now, it is much easier to disguise sacrifices of money from nations than sacrifices of men and personal effort. Besides, defeats at sea rarely endanger the existence or independence of the people that suffers them.

As for continental wars, it is evident that the peoples of Europe cannot wage dangerous ones against the American Union.

It is very difficult to transport or maintain more than 25,000 soldiers in America, which corresponds to a nation of roughly 2,000,000 men. The greatest European nation fighting the Union in this way is in the same position as a nation of 2,000,000 inhabitants at war with one of 12,000,000. Add to this that the American is within reach of all his resources and the European 1,500 leagues from his, and that the immensity of the territory of the United States would by itself present an insurmountable obstacle to conquest.

to believe that confederated peoples could long struggle, with equal strength, against a nation in which governmental power was centralized.

A people that, faced with the great military monarchies of Europe, chose to divide its sovereignty would seem to me, by that fact alone, to abdicate its power, and perhaps its existence and its name.

Admirable position of the New World, where man as yet has no enemies but himself! To be happy and free, he need only will it.

Volume 1, Part 2

How the people rule: parties, the press, associations, democratic government, the omnipotence and tyranny of the majority, what tempers it, the three races, and the Conclusion.

PREAMBLE TO PART 2

Tocqueville turns from institutions and written laws to the power of the people that moves them.

1.2.0 So far I have examined the institutions, surveyed the written laws, and depicted the current forms of political society in the United States.

But above all the institutions and outside all the forms there resides a sovereign power, that of the people, which destroys or modifies them as it pleases.

It remains for me to show the paths by which this power, master of the laws, proceeds. I must show what its instincts and passions are, and what secret springs drive it, slow it, or direct it in its irresistible course. I must also show what effect its omnipotence produces, and what future is in store for it.

CHAPTER 1: HOW IT CAN STRICTLY BE SAID THAT IN THE UNITED STATES IT IS THE PEOPLE WHO GOVERN (COMMENT ON PEUT DIRE RIGOUREUSEMENT QU'AUX ÉTATS-UNIS C'EST LE PEUPLE QUI GOUVERNE)

The people elect lawmakers and executives and sit on juries, so the majority governs in their name.

1.2.1 In America the people appoint the one who makes the law and the one who executes it; they themselves form the jury that

punishes infractions of the law. The institutions are democratic not only in their principle but also in all their developments. Thus the people elect their representatives *directly* and generally choose them *every year*, so as to keep them more completely dependent on them. It is therefore truly the people who direct. And although the form of government is representative, it is clear that the opinions, the prejudices, the interests, and even the passions of the people can meet no lasting obstacles to keep them from showing themselves in the daily conduct of society.

In the United States, as in all countries where the people reign, it is the majority that governs in the name of the people.

This majority consists chiefly of peaceable citizens who, whether from inclination or from interest, sincerely desire the good of the country. Around them the parties are constantly in motion, seeking to draw them into their ranks and make them a source of support.

CHAPTER 2: ON PARTIES IN THE UNITED STATES (DES PARTIS AUX ÉTATS-UNIS)

Great parties fight over principles, small ones over interests; America's great parties have given way to small ones.

1.2.2 A broad distinction to be made between parties—Parties that stand to one another like rival nations—Parties properly so called—Difference between great and small parties—The times in which they arise—Their various characters—America has had great parties—It no longer has them—Federalists—Republicans—Defeat of the Federalists—Difficulty of creating parties in the United States—What is done to succeed in it—Aristocratic or democratic character found in all parties—General Jackson's struggle against the Bank

I must first draw a broad distinction between parties.

There are countries so vast that the different populations inhabiting them have conflicting interests, although they are united under the same sovereignty, and a permanent opposition arises between them. The various fractions of a single people then form not parties, properly speaking, but distinct nations. If

civil war breaks out, it is a conflict between rival peoples rather than a struggle between factions.

But sometimes citizens differ on points that concern all parts of the country equally, such as the general principles of government. Then we see the birth of what I will call parties in the true sense.

Parties are an evil inherent in free governments; but they do not have the same character and the same instincts at all times.

There are periods when nations feel tormented by ills so great that the idea of a total change in their political constitution comes to mind. There are others when the malaise runs deeper still and the social state itself is imperiled. These are the times of great revolutions and great parties.

Between these ages of disorder and misery there are others in which societies rest and the human race seems to catch its breath. In truth, this too is only an appearance. Time no more halts its march for peoples than for individuals; both advance each day toward a future they do not know, and when we think them stationary, it is because their movements escape us. They are like people walking: they seem motionless to those who run.

However that may be, there are periods when the changes taking place in the political constitution and the social state of peoples are so slow and so imperceptible that men think they have reached a final state. The human mind then believes itself firmly settled on certain foundations and does not look beyond a certain horizon.

These are the times of intrigues and small parties.

What I call great political parties are those attached to principles more than to their consequences, to generalities and not to particular cases, to ideas and not to men. These parties generally have nobler features, more generous passions, more genuine convictions, and a franker and bolder bearing than the others. Private interest always plays the largest part in political passions, but here it hides more skillfully beneath the veil of the public interest. At times it even manages to conceal itself from the very people it animates and sets in motion.

Small parties, by contrast, are generally without political faith. Since they do not feel elevated and sustained by great objects, their character is stamped with a selfishness that shows itself openly in each of their acts. They always work themselves up in cold blood; their language is violent, but their course is timid and uncertain. The means they employ are as wretched as the very end they have in view. Hence, when a time of calm follows a violent revolution, great men seem suddenly to disappear and souls to withdraw into themselves.

Great parties overturn society, small ones agitate it; the great tear it apart, the small deprave it; the first sometimes save it by shaking it, the second always disturb it to no profit.

America has had great parties; today they no longer exist. It has gained much by this in happiness, but not in morality.

When the War of Independence had ended and the foundations of the new government had to be laid, the nation found itself divided between two opinions. These opinions were as old as the world, and they are found in different forms and under various names in all free societies. One wished to restrict popular power, the other to extend it without limit.

Among the Americans, the struggle between these two opinions never took on the violence that has often marked it elsewhere. In America the two parties agreed on the most essential points. Neither, in order to win, had to destroy an old order or overturn an entire social state. Neither, consequently, tied a large number of individual lives to the triumph of its principles. But they touched on immaterial interests of the first order, such as the love of equality and of independence. That was enough to stir up violent passions.

The party that wished to restrict popular power sought above all to apply its doctrines to the Constitution of the Union, which earned it the name *federal*.

The other, which claimed to be the sole true lover of liberty, took the title of Republican.[1]

America is the land of democracy. The Federalists were therefore always in the minority. But they counted in their ranks nearly all the great men whom the War of Independence had brought forth, and their moral power was very wide. Circumstances, moreover, favored them. The collapse of the first confederation made the people fear falling into anarchy, and the Federalists took advantage of this passing mood. For ten or twelve years they directed affairs and were able to apply, not all their principles, but some of them. They could not apply them all, for the opposing current grew too strong day by day for anyone to dare to struggle against it.

In 1801 the Republicans at last took over the government. Thomas Jefferson was elected president; he brought them the support of a celebrated name, great talent, and immense popularity.

The Federalists had only ever held their ground by artificial means and with the help of temporary resources. It was the virtue or the talents of their leaders, together with the good fortune of circumstances, that had carried them to power. When the Republicans came to power in their turn, the opposing party was as if engulfed in a sudden flood. An immense majority declared against it, and it found itself at once in so small a minority that it immediately despaired of itself. From that moment the Republican or democratic party has gone from conquest to conquest and has taken possession of society as a whole.

The Federalists felt defeated and without resources, and saw themselves isolated in the midst of the nation; so they split apart. Some joined the victors; others laid down their banner and changed their name. For quite a number of years now they have entirely ceased to exist as a party.

1 Jefferson's party, later also called the Democratic-Republicans and the ancestor of today's Democratic Party; it is unrelated to the Republican Party founded in 1854.

The Federalists' time in power is, in my opinion, one of the most fortunate events to have accompanied the birth of the great American union. The Federalists were struggling against the irresistible tendency of their age and their country. Whatever the merits or the defects of their theories, they had the fault of being inapplicable in their entirety to the society they wished to govern. What happened under Jefferson would therefore have happened sooner or later. But their government at least gave the new republic time to settle itself. It then allowed the republic to withstand, without harm, the rapid spread of the doctrines they had opposed. Moreover, a great many of their principles eventually found their way into their adversaries' creed; and the federal Constitution, which still endures in our time, is a lasting monument to their patriotism and their wisdom.

Thus in our day no great political parties are to be seen in the United States. One does find parties that threaten the future of the Union; but none exist that seem to attack the current form of government and the general course of society. The parties that threaten the Union rest not on principles but on material interests. In the different provinces of so vast an empire, these interests form rival nations rather than parties. Thus we have recently seen the North support the system of commercial prohibitions, and the South take up arms in favor of free trade. The sole reason is that the North is a manufacturing region and the South an agricultural one, and that the restrictive system works to the profit of the one and to the detriment of the other.[2]

In the absence of great parties, the United States teems with small ones, and public opinion splinters endlessly over questions of detail. One cannot imagine the pains people take there to create parties; it is no easy thing in our time. In the United States there is no religious hatred, because religion is universally respected and no sect is dominant. There is no class

2 The Nullification Crisis of 1832–1833, when South Carolina declared the federal tariffs of 1828 and 1832 void within its borders and raised troops to resist their enforcement.

hatred, because the people are everything and no one yet dares to contend with them. Finally, there are no public miseries to exploit. The material condition of the country offers so immense a field to industry that one need only leave man to himself for him to work wonders. Yet ambition must manage to create parties, for it is hard to overthrow the one who holds power for the sole reason that one wants to take his place. All the skill of politicians therefore lies in composing parties. A politician in the United States first seeks to discern his own interest, and to see what similar interests might group themselves around it. He then sets about discovering whether there might not happen to exist, somewhere in the world, a doctrine or a principle that could suitably be placed at the head of the new association. This would give it the right to appear and to circulate freely. It is rather like the king's privilege that our fathers once printed on the first leaf of their works and bound into the book, although it formed no part of it.[3]

That done, the new power is introduced into the political world.

To a foreigner, nearly all the domestic quarrels of the Americans seem at first incomprehensible or childish. One does not know whether to pity a people that seriously concerns itself with such trifles, or to envy it the good fortune of being able to do so.

But when one comes to study carefully the secret instincts that govern factions in America, one readily discovers that most of them are more or less connected with one or the other of the two great parties. These two parties have divided men ever since there have been free societies. The deeper one penetrates into the inmost thought of these parties, the more one sees that some are working to restrict the use of public power, others to extend it.

I do not say that American parties always have as their overt aim, or even as their hidden aim, to make aristocracy or demo-

3 Under the Old Regime, the king's privilege was the royal license required to publish a book in France; its text was printed at the front of the volume.

cracy prevail in the country. I say that aristocratic or democratic passions are easily found at the bottom of all parties. Although they hide from view there, they form, as it were, the sensitive point and the soul of those parties.

I will cite a recent example. The president attacks the Bank of the United States; the country is stirred and divided; the educated classes generally side with the bank, the people with the president. Do you think the people were able to discern the reasons for their opinion amid the twists and turns of so difficult a question, one on which experienced men hesitate? Not at all. But the bank is a great establishment with an independent existence. The people, who destroy or raise up all powers, can do nothing against it, and this astonishes them.[4] Amid the universal movement of society, this motionless point offends their eyes, and they want to see whether they cannot set it in motion like everything else.

THE REMNANTS OF THE ARISTOCRATIC PARTY

The rich withdraw from politics, praise democracy in public, and despise it in private.

On the remnants of the aristocratic party in the United States

Secret opposition of the rich to democracy—They withdraw into private life—The taste they show within their homes for exclusive pleasures and luxury—Their simplicity in public—Their affected condescension toward the people

Among a people divided in its opinions, it sometimes happens that the balance between parties breaks down and one of them acquires an irresistible preponderance. It breaks through every obstacle, crushes its adversary, and exploits the whole of society to its own advantage. The vanquished, despairing of success, then hide or fall silent. A universal stillness and silence set in. The nation seems united in a single thought. The victorious

4 President Andrew Jackson vetoed the renewal of the Second Bank of the United States' charter in 1832 and withdrew federal deposits from it in 1833.

party rises and says: "I have restored peace to the country; I am owed thanks."

But beneath this apparent unanimity, deep divisions and real opposition still lie hidden.

This is what happened in America. When the democratic party had gained the upper hand, it took exclusive control of affairs. Since then it has never ceased to shape mores and laws to its desires.

Today one can say that in the United States the wealthy classes of society stand almost entirely outside political affairs, and that wealth, far from being a claim to power there, is a real cause of disfavor and an obstacle to attaining it.

So the rich prefer to leave the arena rather than keep up a struggle, often an unequal one, against the poorest of their fellow citizens. Since they cannot hold a rank in public life comparable to the one they occupy in private life, they abandon the first and withdraw into the second. In the midst of the state they form something like a separate society, with tastes and pleasures of its own.

The rich man submits to this state of affairs as to an incurable ill. He even takes great care not to show that it wounds him. So he can be heard praising in public the blessings of republican government and the advantages of democratic forms. For, after hating their enemies, what comes more naturally to people than flattering them?

Do you see that wealthy citizen? Would you not take him for a Jew of the Middle Ages, afraid to let anyone suspect his riches? His dress is plain, his bearing modest. Within the four walls of his home, luxury is worshiped. Into this sanctuary he admits only a few chosen guests, whom he insolently calls his equals. You will not find a nobleman in Europe more exclusive in his pleasures than he is, or more jealous of the slightest advantages that a privileged position secures. But here he is, leaving his house to go and work in a dusty little office he keeps in the heart of the town and of its business, where anyone is free to come and approach him. Halfway there, his shoemaker happens to

pass by, and they stop. The two of them then fall to talking. What can they be saying? These two citizens are discussing the affairs of the state, and they will not part without shaking hands.

Beneath this conventional enthusiasm, and amid these obsequious manners toward the ruling power, it is easy to see in the rich a deep distaste for the democratic institutions of their country. The people are a power they both fear and despise. If the bad government of democracy were one day to bring on a political crisis, if monarchy ever appeared in the United States as something practicable, the truth of what I am saying would soon come to light.

The two great weapons that parties use to succeed are *newspapers* and associations.

CHAPTER 3: ON FREEDOM OF THE PRESS IN THE UNITED STATES (DE LA LIBERTÉ DE LA PRESSE AUX ÉTATS-UNIS)

Press freedom follows from popular sovereignty; scattered among countless small papers, the American press is violent but weak.

1.2.3 Difficulty of restricting freedom of the press—Particular reasons some peoples have for holding on to this freedom—Freedom of the press a necessary consequence of the sovereignty of the people as it is understood in America—Violence of the language of the periodical press in the United States—The periodical press has instincts of its own; the example of the United States proves it—American opinion on the judicial punishment of press offenses—Why the press is less powerful in the United States than in France

Freedom of the press makes its power felt not only on political opinions but on all human opinions. It changes not only laws but mores. In another part of this work I will try to determine how much influence freedom of the press has had on civil society in the United States. I will try to discern the direction it has given to ideas, and the habits it has instilled in the minds and feelings of the Americans. For the moment, I want to exam-

ine only the effects that freedom of the press has produced in the political world.

I confess that I do not feel for freedom of the press that complete and instant love one gives to things that are supremely good by their nature. I love it far more for the evils it prevents than for the good it does.

If someone could show me, between the complete independence and the total enslavement of thought, an intermediate position where I might hope to stand, I might perhaps settle there. But who will discover that intermediate position? You start from the license of the press and march toward order. What do you do? First you subject writers to juries. But juries acquit, and what was only the opinion of a lone individual becomes the opinion of the country. So you have done too much and too little; you must march on. You hand authors over to permanent magistrates. But judges are obliged to hear before they condemn. What one would have been afraid to admit in a book, one proclaims with impunity in a courtroom speech; what one would have said obscurely in one piece of writing is thus repeated in a thousand others. Expression is the outward form and, if I may put it this way, the body of thought, but it is not thought itself. Your courts seize the body, but the soul escapes them and slips subtly through their hands. So you have done too much and too little; you must keep on marching. At last you turn writers over to censors. Very well! We are getting closer. But is the political rostrum not free? So you have still accomplished nothing—no, I am wrong: you have made the evil worse. Do you by any chance take thought for one of those material powers that grow with the number of their agents? Will you count writers like the soldiers of an army? Contrary to all material powers, the power of thought is often increased by the very smallness of the number of those who express it. The word of a powerful man, reaching alone into the passions of a silent assembly, has more power than the confused shouting of a thousand orators. And if one can speak freely in even a single public place, it is as if one were speaking publicly in every village. So

you must destroy freedom of speech as well as freedom of writing. This time you have reached port: everyone is silent. But where have you arrived? You set out from the abuses of liberty, and I find you again beneath the feet of a despot.

You have gone from extreme independence to extreme servitude without finding, over so long a distance, a single place where you could rest.

There are peoples who, apart from the general reasons I have just stated, have particular ones that ought to bind them to freedom of the press.

In certain nations that claim to be free, any agent of power can break the law with impunity, without the country's Constitution giving the oppressed the right to bring a complaint before the courts. Among these peoples the independence of the press must no longer be regarded as one of the guarantees, but as the only remaining guarantee, of the liberty and security of citizens.

So if the men who govern these nations spoke of taking away the independence of the press, the whole people could answer them: Let us prosecute your crimes before the ordinary judges, and then perhaps we will agree not to appeal to the tribunal of opinion.

In a country where the dogma of the sovereignty of the people openly reigns, censorship is not only a danger but also a great absurdity.

When each person is granted a right to govern society, one must surely grant him the capacity to choose among the various opinions that stir his contemporaries, and to weigh the various facts whose knowledge can guide him.

The sovereignty of the people and freedom of the press are therefore two entirely correlative things. Censorship and universal suffrage, on the contrary, are two things that contradict each other and cannot long coexist in the political institutions of a single people. Among the twelve million people who live on the territory of the United States, there is not *a single one* who has yet dared to propose restricting freedom of the press.

The first newspaper that came before my eyes when I arrived in America contained the following article, which I translate faithfully:

"In this whole affair, the language used by Jackson (the President) has been that of a heartless despot, concerned solely with keeping his power. Ambition is his crime, and in it he will find his punishment. Intrigue is his calling, and intrigue will confound his designs and wrest his power from him. He governs by corruption, and his guilty maneuvers will turn to his confusion and his shame. He has shown himself in the political arena to be a gambler without shame or restraint.[5] He has succeeded; but the hour of justice is approaching. Soon he will have to give back what he has won, throw away his loaded dice, and end his days in some retreat where he can rail freely against his own folly; for repentance is not a virtue his heart has ever been given to know."[6]

(*Vincenne's Gazette.*)[7]

Many people in France imagine that the violence of the press among us stems from the instability of our social state, from our political passions, and from the general unease that follows from them. So they keep waiting for a time when society, having regained a settled footing, will see the press grow calm in its turn. For my part, I would readily attribute to the causes just mentioned the extreme ascendancy the press has over us; but I do not think these causes have much influence on its language. The periodical press seems to me to have instincts and passions of its own, independent of the circumstances in which it operates. What is happening in America finishes proving it to me.

America is perhaps, at this moment, the country in the world that holds within it the fewest seeds of revolution. Yet in America the press has the same destructive tastes as in France, and the same violence without the same causes for anger. In America, as in France, it is that extraordinary power, so strangely

5 Andrew Jackson (1767–1845), seventh president of the United States, 1829–1837.
6 The French reads *détrompeur*, apparently a misprint for *dé trompeur*, "loaded die."
7 A newspaper of Vincennes, Indiana.

compounded of good and evil, without which liberty could not live, and with which order can barely be maintained.

What must be said is that the press has much less power in the United States than among us. Yet nothing is rarer in that country than to see a prosecution brought against it. The reason is simple: the Americans, in adopting the dogma of the sovereignty of the people, have applied it sincerely. It did not occur to them to build, out of elements that change every day, constitutions meant to last forever. Attacking the existing laws is therefore not criminal, provided one does not seek to escape them by violence.

They believe, moreover, that the courts are powerless to restrain the press, and that, since the suppleness of human language constantly eludes judicial analysis, offenses of this kind slip away, as it were, from the hand stretched out to seize them. They think that in order to act effectively on the press, one would need to find a court that was not only devoted to the existing order but could also place itself above the public opinion stirring around it—a court that judged behind closed doors, pronounced sentence without giving reasons, and punished intentions even more than words. Whoever had the power to create and maintain such a court would be wasting his time prosecuting freedom of the press; for he would then be the absolute master of society itself, and could rid himself of the writers along with their writings. In matters of the press, then, there is really no middle ground between servitude and license. To reap the priceless goods that freedom of the press secures, one must learn to submit to the unavoidable evils it gives rise to. To want the one while escaping the other is to indulge in one of those illusions with which sick nations usually comfort themselves when, weary of struggle and exhausted by effort, they look for ways to make hostile opinions and opposing principles coexist on the same soil at the same time.

WHY THE AMERICAN PRESS IS WEAK

With no capital, no licenses or bonds, and countless small papers, the press cannot concentrate its force.

The newspapers' lack of power in America stems from several causes, of which the following are the chief:

Freedom of writing, like every other freedom, is the more formidable the newer it is. A people that has never heard affairs of state discussed before it believes the first tribune who comes along. Among the Anglo-Americans, this freedom is as old as the founding of the colonies. Besides, the press, which knows so well how to inflame human passions, cannot create them all by itself. Now in America political life is active, varied, even agitated, but it is rarely disturbed by deep passions. These seldom flare up when material interests are not at stake, and in the United States those interests prosper. To judge the difference on this point between the Anglo-Americans and ourselves, I need only glance at the newspapers of the two peoples. In France, commercial advertisements take up only a very small space, and even the news items are few; the vital part of a newspaper is the part that contains the political debates. In America, three-quarters of the enormous newspaper set before you is filled with advertisements; the rest is most often taken up with political news or mere anecdotes. Only now and then, in some neglected corner, does one glimpse one of those burning debates that among us are the readers' daily fare.

Every power increases the effect of its forces as it centralizes their direction. This is a general law of nature that study reveals to the observer, and that an even surer instinct has always made known to the pettiest despots.

In France, the press combines two distinct kinds of centralization.

Almost all its power is concentrated in a single place and, so to speak, in the same hands, for its organs are very few in number.

Constituted in this way in the midst of a skeptical nation, the power of the press is bound to be almost boundless. It is an enemy with which a government can make truces of greater or lesser length, but in whose presence it finds it hard to live for long.

Neither of the two kinds of centralization I have just described exists in America.

The United States has no capital. Enlightenment, like power, is scattered across every part of that vast country. Instead of radiating from a common center, the rays of human intelligence therefore cross there in every direction. The Americans have placed the general direction of thought nowhere, any more than that of affairs.

This stems from local circumstances that do not depend on human beings; but here is what comes from the laws:

In the United States there are no licenses for printers, and no stamp duty or registration for newspapers; finally, the rule of security deposits is unknown.[8]

As a result, starting a newspaper is a simple and easy undertaking; a few subscribers are enough for the journalist to cover his costs. Accordingly, the number of periodical or semi-periodical publications in the United States is beyond belief. The most enlightened Americans attribute the press's lack of power to this incredible dispersal of its forces. It is an axiom of political science in the United States that the only way to neutralize the effects of newspapers is to multiply their number. I cannot imagine why so obvious a truth has not yet become more widely known among us. That those who want to make revolutions with the help of the press should try to give it only a few powerful organs, I readily understand. But that the official supporters of the established order and the natural defenders of the existing laws should think they weaken the action of the press by concentrating it—this I absolutely cannot conceive. The governments of Europe seem to me to treat the press the way knights of

8 French newspapers of the time had to deposit a substantial bond (*cautionnement*) with the government as security against fines for press offenses.

old used to treat their adversaries: they have learned from their own experience that centralization is a powerful weapon, and they want to supply their enemy with it, no doubt so as to win more glory in resisting him.

In the United States, there is hardly a village without its newspaper. It is easy to see that among so many combatants neither discipline nor unity of action can be established, and so each raises his own banner. Not that all the political newspapers of the Union have lined up either for or against the administration; rather, they attack it and defend it by a hundred different means. The newspapers in the United States therefore cannot create those great currents of opinion that lift or overflow the strongest dikes. This division of the forces of the press produces still other effects no less remarkable. Since starting a newspaper is easy, anyone can take it up; on the other hand, competition means that a newspaper cannot hope for very large profits, which keeps people of great business ability from involving themselves in such ventures. Besides, even if newspapers were a source of wealth, they are so extremely numerous that there would not be enough writers of talent to run them. Journalists in the United States therefore generally occupy a lowly position; their education is only sketchy, and the cast of their ideas is often vulgar. Now, in all things the majority sets the rule; it establishes certain ways of behaving to which everyone afterward conforms. The sum of these common habits is called a spirit: there is the spirit of the bar, the spirit of the court. The spirit of the journalist in France is to discuss the great interests of the state in a manner that is violent but lofty, and often eloquent; if this is not always so, it is because every rule has its exceptions. The spirit of the journalist in America is to appeal crudely, without polish and without art, to the passions of those he addresses; to leave principles aside in order to seize upon men; to follow them into their private lives, and to lay bare their weaknesses and their vices.

Such an abuse of thought is to be deplored. Later I will have occasion to examine what influence newspapers exert on the

taste and the morality of the American people; but, I repeat, at the moment I am concerned only with the political world. There is no denying that the political effects of this license of the press contribute indirectly to the maintenance of public tranquility. One result is that men who already hold a high position in the opinion of their fellow citizens do not dare to write in the newspapers, and so lose the most formidable weapon they could use to stir up popular passions to their own advantage[9]. Above all, the result is that the personal views expressed by journalists carry, so to speak, no weight in the eyes of readers. What readers look for in a newspaper is knowledge of the facts; only by altering or distorting those facts can the journalist gain any influence for his opinion.

Reduced to these resources alone, the press still wields immense power in America. It makes political life circulate through every part of that vast territory. It is the press whose ever-open eye constantly lays bare the hidden springs of politics and forces public men to appear one after another before the tribunal of opinion. It is the press that rallies interests around certain doctrines and formulates the creed of the parties; it is through the press that parties speak to one another without seeing one another, and come to an understanding without being brought into contact. When a large number of the organs of the press manage to move in the same direction, their influence in the long run becomes almost irresistible, and public opinion, struck always on the same side, ends by giving way under their blows.

9 TOCQUEVILLE'S NOTE. They write in the newspapers only in the rare cases when they wish to address the people and speak in their own name: when, for example, slanderous charges have been spread about them and they wish to set the facts straight.

In the United States, each newspaper individually has little power; but the periodical press is still, after the people, the first of powers [10].

OPINIONS UNDER A FREE PRESS

Under a free press, people cling to their opinions out of pride and doubt, so they rarely change them.

That the opinions established under the rule of freedom of the press in the United States are often more tenacious than those formed elsewhere under the rule of censorship

In the United States, democracy constantly brings new men to the conduct of affairs; the government therefore brings little consistency and order to its measures. But the general prin-

10 TOCQUEVILLE'S NOTE. The first American newspaper appeared in April 1704. It was published in Boston. See *Collections of the Massachusetts Historical Society*, vol. 6, p. 66.

It would be wrong to believe that the periodical press has always been entirely free in America; attempts were made there to establish something resembling prior censorship and the posting of bond.

Here is what one finds in the legislative records of Massachusetts, under the date of January 14, 1722.

The committee appointed by the general assembly (the legislative body of the province) to examine the matter of the newspaper entitled *New England courant* "is of the opinion that the tendency of the said paper is to mock religion and bring it into contempt; that the holy authors are treated in it in a profane and irreverent manner; that the conduct of the ministers of the Gospel is maliciously construed in it; that His Majesty's government is insulted in it, and that the peace and tranquility of this province are disturbed by the said paper. Consequently, the committee is of the view that James Francklin, the printer and publisher, be forbidden henceforth to print and publish the said paper or any other writing without first submitting them to the secretary of the province. The justices of the peace of the county of Suffolk shall be charged with obtaining from the said Francklin a bond guaranteeing his good conduct for the year to come."

The committee's proposal was adopted and became law, but it had no effect. The paper evaded the prohibition by putting the name of *Benjamin* Francklin in place of *James* Francklin at the foot of its columns, and public opinion finished the job of disposing of the measure.

TRANSLATOR'S NOTE. The paper was the *Boston News-Letter*, first issued on April 24, 1704.

TRANSLATOR'S NOTE. James Franklin (Tocqueville spells the name "Francklin") was the elder brother of Benjamin Franklin, who was then apprenticed to him.

ciples of government are more stable there than in many other countries, and the main opinions that regulate society prove more lasting. When an idea has taken possession of the mind of the American people, whether it is sound or unreasonable, nothing is harder than to root it out.

The same fact has been observed in England, the country in Europe where for a century one has seen the greatest freedom of thought alongside the most invincible prejudices.

I attribute this effect to the very cause that, at first sight, would seem bound to prevent it: freedom of the press. Peoples among whom this freedom exists cling to their opinions out of pride as much as out of conviction. They love them because they seem right to them, and also because they are of their own choosing; and they hold to them not only as something true, but also as something that belongs to them.

There are several other reasons as well.

A great man said that *ignorance lay at both ends of knowledge*. Perhaps it would have been truer to say that deep convictions are found only at the two ends, and that doubt lies in the middle. Indeed, human intelligence can be considered in three distinct and often successive states.[11]

A man believes firmly because he accepts without examining. He doubts when objections arise. Often he manages to resolve all his doubts, and then he begins to believe again. This time he no longer grasps the truth by chance and in the dark; he sees it face to face and walks straight toward its light[12].

When freedom of the press finds men in the first state, it leaves them for a long while yet with this habit of believing firmly without reflecting; it simply changes, every day, the object of their unreflecting beliefs. Across the whole intellectual horizon, then, the human mind continues to see only one point at a time; but that point keeps shifting. This is the time of sud-

11 The great man is Blaise Pascal, who in his *Pensées* describes knowledge as having two extremities that meet in ignorance.

12 TOCQUEVILLE'S NOTE. Even so, I am not sure that this reflective and self-possessed conviction ever raises a man to the degree of ardor and devotion that dogmatic beliefs inspire.

den revolutions. Woe to the generations that are the first to admit freedom of the press all at once!

Soon, however, the circle of new ideas has been more or less traveled. Experience arrives, and man plunges into universal doubt and distrust.

One can count on the majority of men always stopping in one of these two states: they will believe without knowing why, or they will not know exactly what to believe.

As for that other kind of conviction, reflective and self-possessed, which is born of knowledge and rises out of the very turmoil of doubt, it will only ever be given to the efforts of a very small number of men to attain it.

Now, it has been observed that in ages of religious fervor men sometimes changed their beliefs, whereas in ages of doubt each kept his own obstinately. The same thing happens in politics under the reign of freedom of the press. All social theories having been contested and fought over in turn, those who have settled on one of them keep it, not so much because they are sure it is good as because they are not sure there is a better one.

In such ages, people do not so readily get themselves killed for their opinions; but they do not change them, and one finds there both fewer martyrs and fewer apostates.

Add to this reason another, more powerful still: when opinions are in doubt, men end by attaching themselves solely to instincts and material interests, which by their nature are far more visible, more tangible, and more permanent than opinions.

Which governs better, democracy or aristocracy, is a very difficult question to decide. But it is clear that democracy hampers the one, and that aristocracy oppresses the other.

That is a truth that establishes itself and needs no discussion: you are rich and I am poor.

CHAPTER 4: ON POLITICAL ASSOCIATION IN THE UNITED STATES (DE L'ASSOCIATION POLITIQUE AUX ÉTATS-UNIS)

Americans associate for every purpose; unlimited political association is dangerous but guards against the tyranny of the majority.

1.2.4 Daily use the Anglo-Americans make of the right of association—Three kinds of political associations—How the Americans apply the representative system to associations—Dangers that result for the state—Great convention of 1831 on the tariff—Legislative character of this convention—Why the unlimited exercise of the right of association is not as dangerous in the United States as elsewhere—Why it can be considered necessary there—Usefulness of associations among democratic peoples

America is the country in the world where the most use has been made of association, and where this powerful means of action has been applied to the greatest variety of purposes.

Apart from the permanent associations created by law under the names of townships, cities, and counties, there are a multitude of others that owe their birth and growth solely to individual wills.

The inhabitant of the United States learns from birth that he must rely on himself to struggle against the ills and difficulties of life; he casts only a distrustful and uneasy glance at social authority, and appeals to its power only when he cannot do without it. This begins to show itself as early as school, where children submit, even in their games, to rules they have set themselves, and punish among themselves offenses they themselves have defined. The same spirit is found again in every act of social life. An obstruction arises on the public road, passage is blocked, traffic halted; the neighbors at once form themselves into a deliberative body; out of this improvised assembly will come an executive power that will remedy the trouble before the idea of an authority existing prior to that of the people concerned has occurred to anyone's imagination. If it is a matter of pleasure, people will associate to give the festivity more splendor and order. People unite, finally, to resist enemies that

are wholly intellectual: they fight intemperance in common. In the United States, people associate for purposes of public safety, of commerce and industry, of morality and religion. There is nothing the human will despairs of achieving through the free action of the collective power of individuals.

Later I will have occasion to speak of the effects that association produces in civil life. For the moment I must confine myself to the political world.

Once the right of association is recognized, citizens can make use of it in different ways.

An association may consist simply in the public adherence that a certain number of individuals give to this or that doctrine, and in the commitment they make to work together in a certain way to make it prevail. The right to associate in this way is almost indistinguishable from freedom of writing; yet association already has more power than the press. When an opinion is represented by an association, it is obliged to take a clearer and more precise form. It counts its supporters and commits them to its cause. They themselves learn to know one another, and their ardor grows with their numbers. Association binds together the efforts of divergent minds and drives them vigorously toward a single goal that it clearly designates.

The second degree in the exercise of the right of association is the power to assemble. When a political association is allowed to set up centers of action at certain important points in the country, its activity becomes greater and its influence wider. There men see one another; means of execution are worked out together; opinions unfold with a force and warmth that written thought can never attain.

Finally, there is a last degree in the exercise of the right of association in political matters: the supporters of a single opinion can gather into electoral colleges and appoint delegates to go and represent them in a central assembly. This is, strictly speaking, the representative system applied to a party.

Thus, in the first case, men who profess the same opinion establish a purely intellectual bond among themselves; in the

second, they meet in small assemblies that represent only a fraction of the party; in the third, finally, they form something like a nation apart within the nation, a government within the government. Their delegates, like the delegates of the majority, represent by themselves alone the entire collective strength of their supporters; like those delegates, they arrive with the appearance of a national body and all the moral power that comes with it. It is true that, unlike them, they do not have the right to make the law; but they have the power to attack the law that exists and to formulate in advance the law that ought to exist.

Suppose a people not perfectly accustomed to the use of liberty, or one in which deep political passions are fermenting. Beside the majority that makes the laws, I place a minority that takes charge only of the *preamble* and stops short of the *enacting clauses*; and I cannot help believing that public order is exposed to great hazards.[13]

There is no doubt a long way between proving that one law is better in itself than another and proving that it ought to replace that other. But where the minds of enlightened men still see a great distance, the imagination of the crowd no longer perceives any. Besides, there come times when the nation is divided almost equally between two parties, each of which claims to represent the majority. If, alongside the power that governs, there comes to be established a power whose moral authority is almost as great, can one believe that it will long confine itself to speaking without acting?

Will it always halt before the metaphysical consideration that the purpose of associations is to direct opinions and not to compel them, to advise on the law, not to make it?

The more I consider the independence of the press in its principal effects, the more I become convinced that among the moderns the independence of the press is the capital, and so to speak the constitutive, element of liberty. A people that wishes

13 Tocqueville uses French legal terms: the *considérants* are the stated grounds of a law or judgment, the *dispositif* its operative provisions.

to remain free therefore has the right to demand that it be respected at all costs. But *unlimited* freedom of association in political matters cannot be entirely equated with freedom to write. The one is at once less necessary and more dangerous than the other. A nation can set limits to it without ceasing to be its own master; it must sometimes do so in order to remain so.

In America, the freedom to associate for political purposes is unlimited.

An example will show better than anything I could add just how far it is tolerated.

Readers will recall how greatly the question of the tariff, or of free trade, stirred people's minds in America. The tariff favored or attacked not only opinions but very powerful material interests. The North attributed part of its prosperity to it, the South nearly all its woes. One may say that for a long time the tariff gave rise to the only political passions that have stirred the Union.

In 1831, when the quarrel was at its most bitter, an obscure citizen of Massachusetts had the idea of proposing, through the newspapers, that all the enemies of the tariff send deputies to Philadelphia to consider together the means of restoring freedom to trade. Within a few days, by the power of the printing press, this proposal had circulated from Maine to New Orleans. The enemies of the tariff took it up eagerly. They met on all sides and named deputies. Most of these were well-known men, and some had made themselves famous. South Carolina, which has since been seen taking up arms in the same cause, sent sixty-three delegates for its part.[14] On October 1, 1831, the assembly—which, following American custom, had taken the name of convention—constituted itself in Philadelphia; it numbered more than two hundred members. Its debates were public and from the first day took on a thoroughly legislative character: it discussed the extent of the powers of Congress, the theories of free

14 In the Nullification Crisis of 1832–33, South Carolina declared the federal tariffs void within its borders and raised troops, until a compromise tariff was passed in 1833.

trade, and finally the various provisions of the tariff. After ten days the assembly dispersed, having drawn up an address to the American people. This address set forth, first, that Congress did not have the right to make a tariff, and that the existing tariff was unconstitutional; and second, that it was not in the interest of any people, and in particular of the American people, that trade should not be free.

It must be acknowledged that unlimited freedom to associate in political matters has not so far produced in the United States the fatal results that might perhaps be expected from it elsewhere. The right of association there is an English import, and it has always existed in America. The use of this right has by now become part of habits and mores.

In our time, freedom of association has become a necessary guarantee against the tyranny of the majority. In the United States, once a party has become dominant, all public power passes into its hands; its particular friends fill all the posts and control all the organized forces. Since the most distinguished men of the opposing party cannot cross the barrier that separates them from power, they must be able to establish themselves outside it; the minority must set its whole moral force against the material power that oppresses it. It is therefore one danger set against a danger more to be feared.

The omnipotence of the majority seems to me so great a peril for the American republics that the dangerous means used to limit it still seems to me a good.

Here I will express a thought that will recall what I said elsewhere about township liberties: there are no countries where associations are more necessary, to prevent the despotism of parties or the arbitrary rule of the prince, than those where the social state is democratic. In aristocratic nations, secondary bodies form natural associations that check abuses of power. In countries where no such associations exist, if private individuals cannot artificially and temporarily create something resembling them, I no longer see any barrier to any kind of tyranny,

and a great people can be oppressed with impunity by a handful of factious men or by one man.

The meeting of a great political convention (for there are conventions of all kinds), which may often become a necessary measure, is always, even in America, a serious event, and one that the friends of their country regard only with apprehension.

This was seen very clearly in the convention of 1831, where all the efforts of the distinguished men who belonged to the assembly were directed toward moderating its language and narrowing its aim. It is probable that the convention of 1831 did in fact exert a great influence on the minds of the malcontents and prepared them for the open revolt that took place in 1832 against the commercial laws of the Union.

There is no hiding the fact that unlimited freedom of association in political matters is, of all liberties, the last that a people can bear. If it does not drive a people into anarchy, it keeps it, so to speak, within touching distance of anarchy at every moment. Yet this liberty, dangerous as it is, offers guarantees on one point: in countries where associations are free, secret societies are unknown. In America there are factious men, but no conspirators.

ASSOCIATION IN EUROPE AND AMERICA

Europeans treat associations as armies; Americans use them peacefully to persuade the majority.

On the different ways in which the right of association is understood in Europe and in the United States, and the different use made of it

After the freedom to act alone, the most natural to man is the freedom to combine his efforts with those of his fellows and to act in common. The right of association therefore seems to me almost as inalienable by its nature as individual liberty. The legislator could not seek to destroy it without attacking society itself. Yet if there are peoples among whom the freedom to unite is wholly beneficial and fruitful of prosperity, there are others

too who, by their excesses, pervert it, and turn an element of life into a cause of destruction. It seemed to me that a comparison of the different paths followed by associations in countries where liberty is understood and in those where liberty turns into license would be useful to governments and to parties alike.

Most Europeans still see association as a weapon of war, hastily assembled to be tried out at once on a battlefield.

People do indeed associate for the purpose of speaking, but the impending thought of action preoccupies every mind. An association is an army; there one speaks in order to count heads and rouse spirits, and then one marches on the enemy. In the eyes of those who compose it, legal resources may appear as means, but they are never the only means of success.

That is not at all how the right of association is understood in the United States. In America, the citizens who form the minority associate first to establish their numbers and thereby weaken the moral empire of the majority; the second object of the associates is to set arguments in competition and in this way discover those best suited to make an impression on the majority; for they always hope to draw the majority over to their side, and then to wield power in its name.

Political associations in the United States are therefore peaceful in their aims and lawful in their means; and when they claim to seek victory only through the laws, they are generally telling the truth.

The difference to be noted on this point between the Americans and ourselves stems from several causes.

In Europe there are parties so different from the majority that they can never hope to win its support, and these same parties believe themselves strong enough on their own to fight against it. When a party of this kind forms an association, it does not seek to convince but to fight. In America, men whose opinions place them very far from the majority can do nothing against its power: all the others hope to win it over.

The exercise of the right of association therefore becomes dangerous in proportion as the great parties find it impossible to

become the majority. In a country like the United States, where opinions differ only by shades, the right of association can remain, so to speak, without limits.

What further leads us to see in freedom of association only the right to make war on those who govern is our inexperience in matters of liberty. The first idea that comes to the mind of a party, as to that of a man, when strength comes to it, is the idea of violence: the idea of persuasion arrives only later; it is born of experience.

The English, who are so deeply divided among themselves, rarely abuse the right of association, because they have had longer practice in it.

Among us, moreover, there is so passionate a taste for war that there is no undertaking so senseless, even one that would overturn the state, in which people would not think it glorious to die weapon in hand.

But of all the causes that combine in the United States to moderate the violence of political association, the most powerful is perhaps universal suffrage. In countries where universal suffrage is accepted, the majority is never in doubt, because no party can reasonably set itself up as the representative of those who have not voted. The associations therefore know, and everyone knows, that they do not represent the majority. This follows from the very fact of their existence; for if they represented it, they would change the law themselves instead of demanding its reform.

The moral force of the government they attack is greatly increased as a result; their own is much weakened.

In Europe, there are almost no associations that do not claim or believe that they represent the will of the majority. This claim or belief increases their strength prodigiously and serves wonderfully to legitimize their acts. For what is more excusable than violence to make the oppressed cause of right triumph?

Thus, in the immense complexity of human laws, it sometimes happens that extreme liberty corrects the abuses of

liberty, and that extreme democracy forestalls the dangers of democracy.

In Europe, associations regard themselves in a way as the legislative and executive council of the nation, which itself cannot raise its voice; starting from this idea, they act and command. In America, where in everyone's eyes they represent only a minority within the nation, they speak and petition.

The means that associations use in Europe are in keeping with the aim they set themselves.

Since the principal aim of these associations is to act and not to speak, to fight and not to convince, they are naturally led to give themselves an organization that has nothing civilian about it and to introduce military habits and maxims into their midst: thus we see them centralize the direction of their forces as far as they can, and place the power of all in the hands of a very few.

The members of these associations respond to a watchword like soldiers on campaign; they profess the dogma of passive obedience, or rather, in uniting, they have at a single stroke made the entire sacrifice of their judgment and free will: thus there often reigns within these associations a tyranny more unbearable than the one exercised in society in the name of the government under attack.

This greatly diminishes their moral force. They thereby lose the sacred character that attaches to the struggle of the oppressed against their oppressors. For a man who consents in certain cases to obey a few of his fellows servilely, who hands his will over to them and subjects even his thought to them—how can such a man claim that he wants to be free?

The Americans have also established a government within associations; but it is, if I may put it this way, a civil government. Individual independence has its share there: as in society, all men march at the same time toward the same goal; but each is not obliged to march there by exactly the same paths. No one sacrifices his will and his reason there; rather, each applies his will and his reason to the success of a common enterprise.

CHAPTER 5: ON THE GOVERNMENT OF DEMOCRACY IN AMERICA (DU GOUVERNEMENT DE LA DÉMOCRATIE EN AMÉRIQUE)

Tocqueville examines how democracy governs where it meets no opposition, beginning with universal suffrage.

1.2.5 I know that here I am treading on burning ground. Every word of this chapter is bound to offend, on some points, the various parties that divide my country. I will nonetheless say everything I think.

In Europe we find it hard to judge the true character and the permanent instincts of democracy. This is because in Europe there is a struggle between two opposing principles, and we do not know precisely how much to attribute to the principles themselves and how much to the passions the conflict has aroused.

It is not the same in America. There the people rule without obstacles; they have no dangers to fear and no injuries to avenge.

In America, then, democracy is left to its own inclinations. Its bearing is natural, and all its movements are free. That is where it must be judged. And for whom would this study be more interesting and profitable than for us? An irresistible movement sweeps us along each day, and we are marching blindly—perhaps toward despotism, perhaps toward the republic, but certainly toward a democratic social state.

UNIVERSAL SUFFRAGE AND THE PEOPLE'S CHOICES

Universal suffrage rarely elects the ablest men; envy and haste mislead the people, though two-stage election helps.

On universal suffrage

I said earlier that all the states of the Union had adopted universal suffrage. It is found among populations at different levels of the social scale. I have had occasion to see its effects in various places and among races of men whose language, religion, or

mores make them almost foreign to one another: in Louisiana as in New England, in Georgia as in Canada. I noticed that in America universal suffrage was far from producing all the good and all the evil that people expect of it in Europe, and that its effects were generally different from what is supposed.

On the people's choices, and the instincts of American democracy in making them

The most remarkable men rarely called to direct public affairs in the United States—Causes of this phenomenon—The envy that drives the lower classes in France against the upper classes: not a French feeling, but a democratic one—Why distinguished men in America often keep away from a political career of their own accord

Many people in Europe believe without saying so, or say without believing it, that one of the great advantages of universal suffrage is that it calls men worthy of public trust to direct affairs. The people cannot govern themselves, it is said, but they always sincerely want the good of the state. And their instinct seldom fails to point out to them those who share that desire and are most capable of holding power.

For my part, I must say that what I saw in America gives me no grounds for thinking this is so. On my arrival in the United States, I was struck with surprise to discover how common merit was among the governed, and how rare it was among those who governed them. It is a constant fact that in our day the most remarkable men in the United States are rarely called to public office. One is obliged to recognize that this has become more and more the case as democracy has overstepped all its former limits. It is evident that the breed of American statesmen has shrunk remarkably over the past half century.

Several causes of this phenomenon can be pointed out.

Whatever one does, it is impossible to raise the enlightenment of the people above a certain level. However much one eases access to human knowledge, improves methods of teaching, and makes learning cheap, one will never bring men to edu-

cate themselves and develop their intelligence without devoting time to it.

The greater or lesser ease with which the people can live without working therefore sets the necessary limit to their intellectual progress. This limit lies farther off in some countries and nearer in others. For it not to exist at all, though, the people would have to be free of the material cares of life—that is, they would have to cease to be the people. It is thus as difficult to conceive of a society in which all men are highly enlightened as of a state in which all citizens are rich; these are two correlated difficulties. I readily grant that the mass of citizens very sincerely wants the good of the country. I go even further: it seems to me that the lower classes of society generally mix less calculation of personal interest into this desire than the upper classes do. But what they always lack, to a greater or lesser degree, is the art of judging the means even while sincerely wanting the end. What long study, what varied knowledge it takes to form an accurate idea of the character of a single man! The greatest geniuses go astray in it—and the multitude would succeed! The people never find the time or the means to devote themselves to this work. They must always judge in haste and fasten on whatever stands out most. That is why charlatans of every kind know so well the secret of pleasing them, while their true friends most often fail at it.

Moreover, what democracy lacks in choosing men of merit is not always the capacity, but the desire and the taste.

There is no hiding the fact that democratic institutions develop the feeling of envy in the human heart to a very high degree. This is not so much because they offer everyone the means of becoming equal to others, but because these means constantly fail those who use them. Democratic institutions awaken and flatter the passion for equality without ever being able to satisfy it entirely. Every day this complete equality slips from the people's hands at the very moment they think they have grasped it, and flees, as Pascal says, in an eternal flight. The people grow heated in pursuit of this good, which is all the

more precious for being near enough to be known and far enough not to be tasted.[15] The chance of success stirs them; the uncertainty of success irritates them. They fret, they tire, they grow bitter. Anything that surpasses them in any respect then seems to them an obstacle to their desires, and there is no superiority so legitimate that the sight of it does not weary their eyes.

Many people imagine that the secret instinct which leads our lower classes to keep the upper classes out of the direction of affairs as far as they can is found only in France. This is a mistake. The instinct I speak of is not French; it is democratic. Political circumstances may have given it a particular bitterness, but they did not give birth to it.

In the United States the people bear no hatred for the upper classes of society, but they feel little goodwill toward them and carefully keep them out of power. They do not fear great talents, but they have little taste for them. In general one notices that whatever rises without their support has difficulty winning their favor.

While the natural instincts of democracy lead the people to keep distinguished men from power, an instinct no less strong leads these men to withdraw from a political career. In such a career it is very hard for them to remain completely themselves and to make their way without degrading themselves. Chancellor Kent expresses this thought very candidly.[16] After warmly praising the part of the Constitution that grants the executive power the appointment of judges, the famous author I am speaking of adds: "It is probable, in fact, that the men best fitted to fill these offices would have too much reserve in their manners and too much severity in their principles ever to win a majority of votes in an election based on universal suffrage." (*Kent's Com-*

15 Blaise Pascal (1623–1662) writes in his *Pensées*, in the fragment on the disproportion of man, that all things "flee from us in an eternal flight."

16 James Kent (1763–1847), chancellor of New York and author of the *Commentaries on American Law*.

mentaries, v. I, p. 272.) That is what was printed in America, without contradiction, in the year 1830.

It has been proved to my satisfaction that those who regard universal suffrage as a guarantee of good choices are completely deluding themselves. Universal suffrage has other advantages, but not that one.

On the causes that can partly correct these instincts of democracy

Opposite effects produced by great dangers on peoples as on men—Why America saw so many remarkable men at the head of its affairs fifty years ago—Influence of enlightenment and mores on the people's choices—Example of New England—States of the Southwest—How certain laws influence the people's choices—Two-stage election—Its effects on the composition of the Senate

When great dangers threaten the state, the people are often seen to make a happy choice of the citizens best fitted to save it.

It has been observed that a man in pressing danger rarely remains at his usual level: he rises far above it or falls below it. The same happens to peoples. Extreme dangers, instead of raising a nation, sometimes complete its ruin. They stir up its passions without guiding them, and cloud its intelligence instead of enlightening it. The Jews were still slaughtering one another amid the smoking ruins of the Temple. But it is more common to see extraordinary virtues born, in nations as in men, from the very imminence of danger. Great characters then stand out in relief, like monuments hidden by the darkness of night that suddenly appear outlined in the glow of a fire.[17] Genius no longer disdains to come forward of its own accord, and the people, struck by their own dangers, forget their envious passions for a time. It is not rare, then, to see famous names emerge from the ballot box. I said above that in America the statesmen of our day seem far inferior to those who appeared at the head of affairs fifty years ago. This is due not only to the laws but to circumstances. America was then fighting for the most just of causes,

17 The Temple in Jerusalem was destroyed by the Romans in AD 70, while rival Jewish factions were still fighting among themselves inside the besieged city.

that of a people escaping the yoke of another people. It was a matter of bringing a new nation into the world, and every soul rose to the height of the goal it was striving for. In this general excitement, superior men rushed forward to meet the people, and the people took them in their arms and placed them at their head. But such events are rare; it is by the ordinary course of things that one must judge.

Passing events sometimes manage to counter the passions of democracy. But enlightenment, and above all mores, exert an influence on its inclinations that is no less powerful and more lasting. This can be clearly seen in the United States.

In New England, education and liberty are daughters of morality and religion, and society, already old and long settled, has been able to form maxims and habits for itself. There the people, even as they escape all the superiorities that wealth and birth have ever created among men, have grown used to respecting intellectual and moral superiorities and to submitting to them without displeasure. Thus one sees that democracy in New England makes better choices than anywhere else.

As one goes south, on the contrary, into the states where the social bond is less old and less strong, where education has spread less widely, and where the principles of morality, religion, and liberty have been combined less happily, one sees talents and virtues becoming rarer and rarer among those who govern.

When one finally enters the new states of the Southwest, where the social body, formed only yesterday, is still nothing more than an agglomeration of adventurers or speculators, one is astounded to see into what hands public power has been placed. One wonders by what force, independent of legislation and of men, the state can grow there and society prosper.

There are certain laws whose nature is democratic and which nevertheless succeed in partly correcting these dangerous instincts of democracy.

When you enter the chamber of the House of Representatives in Washington, you are struck by the commonplace look of this

great assembly. The eye often searches its ranks in vain for a famous man. Almost all its members are obscure figures whose names call no image to mind. They are for the most part village lawyers, tradesmen, or even men from the lowest classes. In a country where education is almost universally widespread, it is said that the people's representatives do not always know how to write correctly.

A few steps away is the chamber of the Senate, whose narrow confines hold a large share of America's celebrities. One can scarcely see a single man there who does not call to mind some recent distinction. They are eloquent lawyers, distinguished generals, able magistrates, or well-known statesmen. Every word spoken in this assembly would do honor to the greatest parliamentary debates in Europe.

What accounts for this strange contrast? Why is the elite of the nation found in this chamber rather than in the other? Why does the first assembly bring together so many commonplace elements, while the second seems to have a monopoly on talent and enlightenment? Yet both emanate from the people, both are the product of universal suffrage, and no voice has so far been raised in America to claim that the Senate is hostile to popular interests. Where, then, does so enormous a difference come from? I see only one fact that explains it: the election that produces the House of Representatives is direct, while the one from which the Senate emanates takes place in two stages. The citizens as a whole elect the legislature of each state, and the federal Constitution in turn makes each of these legislatures an electoral body, from which it draws the members of the Senate. The senators therefore express, though indirectly, the result of universal suffrage. For the legislature that names the senators is not an aristocratic or privileged body that derives its electoral right from itself. It depends essentially on the citizens as a whole; it is generally elected by them every year, and they can always direct its choices by filling it with new members. But it is enough for the popular will to pass through this select assembly to be worked over, as it were, and to emerge clothed in nobler

and finer forms.[18] The men elected in this way thus always represent exactly the governing majority of the nation. But they represent only the lofty thoughts current within it and the generous instincts that animate it—not the petty passions that often agitate it or the vices that dishonor it.

It is easy to foresee a moment when the American republics will be forced to make wider use of two-stage election in their electoral system, on pain of being wretchedly wrecked on the reefs of democracy.

I will not hesitate to admit it: I see in two-stage election the only means of putting the exercise of political liberty within reach of all classes of the people. Those who hope to make this means the exclusive weapon of one party, and those who fear it, seem to me to fall into the same error.

ELECTIONS, OFFICIALS AND MAGISTRATES

Frequent elections make laws unstable; officials are plain, paid, and given wide discretion by the majority.

The influence American democracy has had on electoral laws

Infrequent elections expose the state to great crises—Frequent elections keep it in feverish agitation—The Americans have chosen the second of these two evils—Changeability of the law—Opinions of Hamilton, Madison, and Jefferson on this subject

When elections come round only at long intervals, the state runs the risk of upheaval at each one.

The parties then make prodigious efforts to seize a fortune that comes within their reach so rarely. And since there is almost no remedy for the candidates who fail, everything is to be feared from their ambition once it is driven to despair. If, on the other hand, the lawful contest is soon to be renewed, the defeated bide their time.

18 Until the Seventeenth Amendment (1913), United States senators were chosen by the state legislatures rather than by popular vote.

When elections follow one another rapidly, their frequency keeps society in feverish motion and holds public affairs in a state of continual changeability.

Thus on one side the state risks unease; on the other, revolution. The first system harms the quality of government; the second threatens its existence.

The Americans have preferred to expose themselves to the first evil rather than the second. In this they were guided by instinct far more than by reasoning, for democracy carries its taste for variety to the point of passion. The result is a remarkable mutability in legislation.

Many Americans regard the instability of their laws as the necessary consequence of a system whose general effects are beneficial. But there is no one in the United States, I believe, who would claim to deny that this instability exists, or who does not regard it as a great evil.

Hamilton, after demonstrating the usefulness of a power that could prevent, or at least delay, the enactment of bad laws, adds: "It may perhaps be answered that the power of preventing bad laws includes the power of preventing good ones. This objection can hardly satisfy those who have been in a position to examine all the evils that flow for us from the inconstancy and mutability of the law. Legislative instability is the greatest blemish that can be pointed to in our institutions." *Form the greatest blemish in the character and genius of our government*. (Federalist, no. 73.)

"The ease with which laws can be changed," says Madison, "and the excess to which legislative power can be carried seem to me the most dangerous diseases to which our government is exposed." (*Federalist*, no. 62.)

Jefferson himself, the greatest democrat yet to emerge from the bosom of American democracy, pointed to the same dangers.

"The instability of our laws is really a very serious inconvenience," he says. "I think we ought to have provided against it by deciding that there should always be an interval of one year between the introduction of a law and the final vote. It would

then be debated and voted on without anyone being able to change a word of it; and if circumstances seemed to call for a speedier decision, the proposal could be adopted not by a simple majority but by a two-thirds majority of each house[19]."

On public officials under the rule of American democracy

Simplicity of American public officials—Absence of official dress—All public officials are paid—Political consequences of this fact—In America there is no public career—What results from this

In the United States, public officials remain indistinguishable in the crowd of citizens; they have neither palaces, nor guards, nor ceremonial dress. This simplicity in those who govern stems not only from a particular turn of the American mind but from the fundamental principles of society.

In the eyes of democracy, government is not a good; it is a necessary evil. Officials must be granted a certain power, for without that power, what use would they be? But the outward trappings of power are by no means indispensable to the conduct of affairs; they needlessly offend the public eye.

Officials themselves are perfectly aware that they have won the right to place themselves above others by their power only on condition that they descend to everyone's level by their manners.

I can imagine nothing plainer in its ways, more accessible to all, more attentive to requests, or more civil in its replies than a public man in the United States.

I like this natural bearing of democratic government. In this inner strength, which attaches to the office more than to the officeholder, to the man more than to the outward signs of power, I see something manly that I admire.

As for the influence that official dress can exercise, I believe the importance it should have in an age like ours is greatly exag-

19 TOCQUEVILLE'S NOTE. Letter to Madison of December 20, 1787, in the translation of M. Conseil.

TRANSLATOR'S NOTE. Louis-Paul Conseil published a French selection of Jefferson's writings and correspondence in 1833.

gerated. I did not notice that in America an official exercising his power was received with any less consideration and respect for being reduced to his merit alone.

On the other hand, I very much doubt that special clothing leads public men to respect themselves when they are not naturally inclined to do so; for I cannot believe that they have more regard for their attire than for their persons.

When I see certain of our judges in France treat the parties roughly or crack jokes at their expense, shrug their shoulders at the arguments of the defense, and smile complacently as the charges are read out, I would like someone to try taking away their robes, to discover whether, finding themselves dressed like ordinary citizens, they might not be recalled to the natural dignity of the human species.

None of the public officials of the United States wears official dress, but all receive a salary.

This follows from democratic principles even more naturally than what precedes. A democracy can surround its magistrates with pomp and cover them in silk and gold without directly attacking the principle of its existence. Such privileges are fleeting; they belong to the post, not to the man. But to establish unpaid offices is to create a class of rich and independent officials; it is to form the nucleus of an aristocracy. Even if the people still keep the right to choose, the exercise of that right is then necessarily limited.

When a democratic republic is seen making salaried offices unpaid, I believe one may conclude that it is heading toward monarchy. And when a monarchy begins to pay for offices that were unpaid, it is a sure sign that it is moving toward either a despotic or a republican state.

The replacement of unpaid offices by salaried ones therefore seems to me, in and of itself, to amount to a genuine revolution.

I regard the complete absence of unpaid offices as one of the most visible signs of the absolute sway that democracy exercises in America. Services rendered to the public, whatever they

may be, are paid for there; and so everyone has not merely the right but the means to render them.

If in democratic states all citizens can obtain posts, not all are tempted to seek them. It is often not the conditions of candidacy but the number and ability of the candidates that limit the voters' choice there.

Among peoples where the principle of election extends to everything, there is, properly speaking, no public career. Men reach office, as it were, only by chance, and they have no assurance of staying in it. This is especially true when elections are annual. As a result, in calm times public office holds little lure for ambition. In the United States, it is people of moderate desires who venture into the twists and turns of politics. Great talents and great passions generally turn away from power in order to pursue wealth; and it often happens that a man takes charge of directing the fortunes of the state only when he feels himself hardly capable of managing his own affairs.

It is to these causes, as much as to democracy's poor choices, that we must attribute the great number of commonplace men who occupy public office. In the United States, I do not know whether the people would choose the superior men who might seek their votes, but it is certain that such men do not seek them.

On the arbitrary power of magistrates[20] under the rule of American democracy

Why the arbitrary power of magistrates is greater under absolute monarchies and in democratic republics than in limited monarchies—Arbitrary power of magistrates in New England

There are two kinds of government under which a great deal of arbitrary power mingles with the actions of magistrates: the absolute government of one man, and the government of democracy.

This same effect arises from rather similar causes.

In despotic states, no one's lot is secure, neither that of public officials nor that of private individuals. The sovereign, always

holding in his hand the life, the fortune, and sometimes the honor of the men he employs, thinks he has nothing to fear from them, and he leaves them great freedom of action because he believes himself certain that they will never abuse it against him.

In despotic states, the sovereign is so enamored of his power that he fears the constraint of his own rules; and he likes to see his agents proceed more or less at random, so as to be sure never to encounter in them any tendency contrary to his wishes.

In democracies, the majority, since it can take power away each year from the hands to which it has entrusted it, likewise has no fear that it will be abused against itself. Free to make its will known to those who govern at any moment, it prefers to leave them to their own efforts rather than bind them to an invariable rule that, by limiting them, would in a sense limit the majority itself.

On close inspection one even finds that under the rule of democracy the arbitrary power of the magistrate must be greater still than in despotic states.

In those states, the sovereign can punish in an instant every fault he perceives; but he cannot flatter himself that he perceives every fault he ought to punish. In democracies, by contrast, the sovereign is all-powerful and at the same time everywhere at once. And so we see that American officials are far freer within the sphere of action the law marks out for them than any official in Europe. Often they are simply shown the goal toward which they must work and left to choose the means.

In New England, for example, the task of drawing up the jury list is left to the *select-men* of each township; the only rule laid down for them is this: they must choose jurors from among citizens who enjoy voting rights and are of good reputation[21].

20 TOCQUEVILLE'S NOTE. I use the word *magistrates* here in its broadest sense: I apply it to all those who are charged with carrying out the laws.

21 TOCQUEVILLE'S NOTE. See the law of February 27, 1813. General Collection of the Laws of Massachusetts, vol. 2, p. 331. It should be said that the jurors are afterward drawn by lot from the lists.

In France, we would think men's lives and liberty in danger if we entrusted the exercise of so formidable a right to any official whatsoever.

In New England, these same magistrates can have the names of drunkards posted in taverns, and can forbid the inhabitants, on pain of a fine, to supply them with wine[22].

Such censorial power would provoke the people to revolt in the most absolute monarchy; here, however, people submit to it without difficulty.[23]

Nowhere has the law left a larger share to arbitrary power than in democratic republics, because there arbitrary power seems nothing to fear. One may even say that the magistrate becomes freer there as the right to vote extends further down and as the term of office grows shorter.

This is why it is so difficult to convert a democratic republic into a monarchy. The magistrate, on ceasing to be elected, usually keeps the rights and retains the habits of the elected magistrate. The result is despotism.

Only in limited monarchies does the law, while marking out a sphere of action around public officials, also take care to guide them within it at every step. The reason for this is easy to state.

In limited monarchies, power is divided between the people and the prince. Both have an interest in the magistrate's position being stable.

The prince does not want to place the fate of officials in the hands of the people, for fear that they will betray his authority; the people, for their part, fear that magistrates placed in abso-

22 TOCQUEVILLE'S NOTE. Law of February 28, 1787. See General Collection of the Laws of Massachusetts, vol. 1, p. 302.

Here is the text:

"The *select-men* of each township shall post in the shops of tavern keepers, innkeepers, and retailers a list of persons reputed to be drunkards or gamblers, and who are in the habit of wasting their time and their fortune in such houses; and the master of any such house who, after this warning, has allowed the said persons to drink and gamble on his premises, or has sold them spirituous liquors, shall be fined."

23 "Censorial" recalls the censors of ancient Rome, who supervised citizens' morals.

lute dependence on the prince will serve to oppress liberty. So officials are made, in a sense, dependent on no one.

The same cause that leads the prince and the people to make the official independent leads them to seek safeguards against abuses of his independence, so that he will not turn it against the authority of the one or the liberty of the other. Both therefore agree on the need to lay down a line of conduct for the public official in advance, and both find it in their interest to impose on him rules from which he cannot possibly depart.

Administrative instability in the United States

In America, the acts of society often leave fewer traces than the doings of a family—Newspapers, the only historical records —How extreme administrative instability harms the art of governing

Since men hold power only for a moment before disappearing into a crowd that itself changes its face every day, the acts of society in America often leave fewer traces than the doings of a single family. Public administration there is, so to speak, oral and traditional. Nothing is written down, or what is written blows away at the slightest wind, like the Sibyl's leaves, and vanishes for good.[24]

The only historical records of the United States are the newspapers. If an issue happens to be missing, the chain of time is as if broken: present and past no longer meet. I have no doubt that fifty years from now it will be harder to gather authentic documents on the details of the social existence of present-day Americans than on the administration of the French in the Middle Ages; and if an invasion of barbarians were to take the United States by surprise, one would have to turn to the history of other nations to learn anything about the people who live there.

Administrative instability began by working its way into people's habits; I might almost say that today everyone has ended up acquiring a taste for it. No one troubles himself about what was done before him. No method is adopted; no collections

24 In Virgil's *Aeneid*, the Sibyl of Cumae writes her prophecies on leaves that the wind scatters.

are put together; no documents are gathered, even when it would be easy to do so. When by chance people have them, they set little store by them. Among my papers I have original documents that public offices gave me in answer to some of my questions. In America, society seems to live from day to day, like an army on campaign. Yet the art of administration is surely a science, and every science, if it is to progress, needs to link together the discoveries of different generations as they succeed one another. One man, in the short span of a life, notices a fact; another conceives an idea; this one invents a means, that one finds a formula. Humanity gathers up these varied fruits of individual experience as it passes, and so forms the sciences. It is very difficult for American administrators to learn anything from one another. So they bring to the conduct of society the enlightenment they find spread throughout it, and not knowledge of their own. Democracy pushed to its furthest limits therefore harms the progress of the art of governing. In this respect, it suits a people whose administrative education is already complete better than a people new to the experience of public affairs.

This, moreover, does not apply only to the science of administration. Democratic government, though founded on so simple and natural an idea, nevertheless always presupposes the existence of a highly civilized and learned society[25]. At first one would think it contemporary with the earliest ages of the world; on looking closely, one easily discovers that it can only have come last.

PUBLIC EXPENDITURE AND SALARIES

When the poor make the law, spending tends to grow; democracy pays minor officials well and leaders poorly.

On public expenditure under the rule of American democracy

In all societies, citizens divide into a certain number of classes—The instinct each of these classes brings to the manage-

ment of the state's finances—Why public expenditure must tend to grow when the people govern—What makes the lavishness of democracy less to be feared in America—Use of public funds under democracy

Is democratic government economical? We must first know what we mean to compare it with.

The question would be easy to answer if one set out to draw a parallel between a democratic republic and an absolute monarchy. One would find that public expenditure is greater in the former than in the latter. But this is true of all free states compared with those that are not free. It is certain that despotism ruins men more by preventing them from producing than by taking from them the fruits of production; it dries up the source of wealth and often respects wealth already acquired. Liberty, by contrast, gives birth to a thousand times more goods than it destroys, and among nations that know it, the people's resources always grow faster than taxes.

What matters to me at the moment is to compare free peoples with one another and, among them, to determine what influence democracy exerts on the finances of the state.

Societies, like organic bodies, follow certain fixed rules in their formation from which they cannot depart. They are composed of certain elements found everywhere and in all times.

It will always be easy to divide every people, in the abstract, into three classes.

The first class will consist of the rich. The second will include those who, without being rich, live in comfort in all things. The third will contain those who have little or no property and who live chiefly on the work provided for them by the first two.

The individuals in these various categories may be more or less numerous, depending on the social state; but you cannot make these categories cease to exist.

Clearly, each of these classes will bring to the handling of the state's finances certain instincts of its own.

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25 TOCQUEVILLE'S NOTE. It goes without saying that I am speaking here of democratic government applied to a people, not to a small tribe.

Suppose that the first class alone makes the laws: it will probably care rather little about saving public money, because a tax that falls on a large fortune takes away only what is superfluous and has little noticeable effect.

Assume, on the contrary, that the middle classes alone make the law. One can count on them not to be lavish with taxes, because nothing is so disastrous as a heavy tax falling on a small fortune.

The government of the middle classes seems to me bound to be, among free governments, I will not say the most enlightened, and certainly not the most generous, but the most economical.

Now suppose that the last class were exclusively charged with making the law: I see every likelihood that public burdens would increase rather than decrease, and this for two reasons.

Since most of those who then vote the law have no taxable property, all the money spent in the interest of society seems able only to benefit them, never to harm them; and those who have a little property easily find ways to assess the tax so that it falls only on the rich and benefits only the poor—something the rich, for their part, could not do when they are masters of the government.

Countries where the poor[26] were exclusively charged with making the law could therefore not hope for great economy in public expenditure: that expenditure will always be considerable, either because taxes cannot reach those who vote them, or because they are assessed so as not to reach them. In other words, democratic government is the only one in which the person who votes a tax can escape the obligation to pay it.

It is no use objecting that the people's self-interest rightly understood lies in sparing the fortunes of the rich, because they would soon feel the effects of the hardship they caused. But is it

26 TOCQUEVILLE'S NOTE. It will be readily understood that the word *poor* has here, as in the rest of the chapter, a relative sense and not an absolute meaning. The poor of America, compared with those of Europe, might often seem rich; yet one is right to call them poor when one contrasts them with those of their fellow citizens who are richer than they are.

not also in the interest of kings to make their subjects happy, and in that of nobles to know when to open their ranks? If remote interest could prevail over the passions and needs of the moment, there would never have been tyrannical sovereigns or an exclusive aristocracy.

I am stopped again with the question: "Who has ever thought of charging the poor alone with making the law?" Who? Those who established universal suffrage. Is it the majority or the minority that makes the law? The majority, no doubt; and if I prove that the poor always make up the majority, shall I not be right to add that in countries where they are called on to vote, the poor alone make the law?

Now, it is certain that until now, among all the nations of the world, the greater number has always consisted of those who had no property, or of those whose property was too small for them to live in comfort without working. Universal suffrage therefore really hands the government of society to the poor.

The harmful influence that popular power can sometimes exert on the finances of the state was plainly seen in certain democratic republics of antiquity, where the public treasury was drained to relieve needy citizens or to give games and spectacles to the people.

It is true that the representative system was almost unknown in antiquity. In our day, popular passions find their way into public affairs with more difficulty; yet one can count on it that in the long run the representative will always end up conforming to the spirit of his constituents and making their inclinations prevail as well as their interests.

The lavishness of democracy is, moreover, less to be feared in proportion as the people become property owners, because then, on the one hand, the people have less need of the money of the rich, and, on the other, they find it harder not to strike at themselves when they establish a tax. In this respect, universal suffrage would be less dangerous in France than in England, where nearly all taxable property is concentrated in a few

hands. America, where the great majority of citizens own property, is in a more favorable situation than France.

There are still other causes that can raise the total of public expenditure in democracies.

When aristocracy governs, the men who conduct the affairs of state are, by their very position, beyond all want. Content with their lot, they ask society above all for power and glory; and, placed above the obscure crowd of citizens, they do not always see clearly how the general well-being must contribute to their own greatness. It is not that they look upon the sufferings of the poor man without pity; but they cannot feel his miseries as if they shared them. So long as the people seem resigned to their lot, they consider themselves satisfied and expect nothing more from government. Aristocracy thinks more of preserving than of improving.

When, on the contrary, public power is in the hands of the people, the sovereign looks everywhere for something better, because it feels ill at ease.

The spirit of improvement then extends to a thousand different objects; it descends into endless details, and above all it applies itself to kinds of improvement that can be had only by paying for them, for the aim is to better the condition of the poor man, who cannot help himself.

There is, moreover, in democratic societies an agitation without any precise aim; a kind of permanent fever prevails there that turns into innovation of every sort, and innovations are almost always costly.

In monarchies and aristocracies, the ambitious flatter the sovereign's natural taste for fame and power, and in this way often drive him into great expenditures.

In democracies, where the sovereign is needy, one can hardly win its goodwill except by increasing its well-being—which can almost never be done except with money.

Moreover, when the people themselves begin to reflect on their position, a host of needs arise in them that they had not felt at first, and that can be satisfied only by drawing on the

resources of the state. That is why, in general, public burdens seem to grow with civilization, and taxes are seen to rise as enlightenment spreads.

There is, finally, one last cause that often makes democratic government more expensive than any other. Sometimes democracy wants to economize in its expenditures, but it cannot manage to, because it lacks the art of being thrifty.

Since it frequently changes its views, and still more frequently its agents, its undertakings are often badly managed or left unfinished. In the first case, the state spends out of proportion to the size of the goal it means to reach; in the second, it spends to no purpose.

On the instincts of American democracy in fixing the salaries of public officials

In democracies, those who establish large salaries have no chance of profiting from them—Tendency of American democracy to raise the salaries of lower-ranking officials and to lower those of the principal ones—Why this is so—Comparative table of the salaries of public officials in the United States and in France

There is one great reason that generally leads democracies to economize on the salaries of public officials.

In democracies, those who set salaries are so very numerous that they have very little chance of ever drawing them.

In aristocracies, on the contrary, those who establish large salaries almost always have a vague hope of profiting from them. These are capital they create for themselves, or at the very least resources they are preparing for their children.

It must be admitted, however, that democracy is very parsimonious only toward its principal agents.

In America, lower-ranking officials are paid more than elsewhere, but high officials are paid much less.

These contrary effects are produced by the same cause. In both cases the people set the pay of public officials; they think of their own needs, and this comparison guides them. Since they themselves live in great comfort, it seems natural to them that

those they employ should share it[27]. But when they come to settle the lot of the great officers of state, their rule fails them, and they proceed merely at random.

The poor man has no clear idea of the needs the upper classes of society may feel. What would seem a modest sum to a rich man seems a prodigious one to him, who is content with the necessities; and he reckons that the governor of the state, provided with his two thousand écus, must still count himself fortunate and be an object of envy[28].[29]

If you try to make him understand that the representative of a great nation must appear with a certain splendor in the eyes of foreigners, he will understand you at once; but when he thinks of his simple home and the modest fruits of his hard labor, and considers all that he himself could accomplish with the very salary you judge insufficient, he will be surprised and almost frightened at the sight of so much wealth.

Add to this that the lower-ranking official is almost on the same level as the people, while the other stands above them. The first can therefore still arouse their interest, but the other begins to arouse their envy.

27 TOCQUEVILLE'S NOTE. The comfort in which lower-ranking officials live in the United States is also due to another cause, one unrelated to the general instincts of democracy: every kind of private career is highly profitable, and the state would find no lower-ranking officials if it did not agree to pay them well. It is therefore in the position of a commercial enterprise obliged, whatever its taste for economy, to sustain a costly competition.

28 TOCQUEVILLE'S NOTE. The state of Ohio, which has a million inhabitants, gives its governor a salary of only 1,200 dollars, or 6,504 francs.

29 The écu was an old French silver coin, commonly reckoned at three francs.

This is very plainly seen in the United States, where salaries seem, in a way, to decrease as the power of public officials grows[30].

Under the rule of aristocracy, by contrast, high officials receive very large emoluments, while minor ones often have barely enough to live on. The reason for this is easy to find in causes similar to those we pointed out above.

If democracy cannot conceive of the pleasures of the rich, or envies them, aristocracy for its part does not understand the miseries of the poor—or rather, it does not know them. The poor man is not, properly speaking, the fellow of the rich man; he is a being of another species. Aristocracy therefore cares rather little about the lot of its lower agents. It raises their salaries only when they refuse to serve it at too low a price.

It is democracy's stinginess toward its chief officials that has led people to credit it with a strong bent for economy that it does not have.

It is true that democracy gives those who govern it barely enough to live decently, but it spends enormous sums to relieve

30 TOCQUEVILLE'S NOTE. To make this truth visible, it is enough to look at the salaries of a few of the agents of the federal government. I have thought it right to set beside them the salary attached in France to similar positions, so that the comparison may complete the reader's understanding.

UNITED STATES; MINISTRY OF FINANCE (treasury department); fr.; The usher (messenger): 3,734; The lowest-paid clerk: 5,420; The highest-paid clerk: 8,672; The secretary general (chief clerk): 10,840; The minister (secretary of State): 32,520; The head of the government (the president): 135,000; FRANCE; MINISTRY OF FINANCE; Usher to the minister: 1,500; The lowest-paid clerk: 1,000 to 1,800; The highest-paid clerk: 3,200 to 3,600; The secretary general: 20,000; The minister: 80,000; The head of the government (the king): 12,000,000

I may have been wrong to take France as my point of comparison. In France, where democratic instincts penetrate further into the government every day, one already sees a strong tendency leading the Chambers to raise small salaries and, above all, to lower large ones. Thus the minister of finance, who in 1834 receives 80,000 fr., used to receive 160,000 under the Empire; the directors general of finance, who receive 20,000, then received 50,000.

the needs or ease the pleasures of the people[31]. That is a better use of tax revenue, not a saving.

In general, democracy gives little to the governors and much to the governed. The opposite is seen in aristocracies, where the state's money benefits chiefly the class that runs affairs.

Difficulty of discerning the causes that incline the American government toward economy

Whoever seeks in the facts the real influence that laws exert on the fate of humanity is liable to great mistakes, for there is nothing so hard to assess as a fact.

One people is naturally lighthearted and enthusiastic; another, reflective and calculating. This stems from its very physical constitution, or from remote causes of which I know nothing.

There are peoples who love display, noise, and merriment, and who do not regret a million gone up in smoke. There are others who prize only solitary pleasures and seem ashamed to appear contented.

In certain countries great value is set on the beauty of buildings. In certain others no value is placed on works of art, and whatever brings in nothing is despised. There are, finally, some where fame is loved, and others where money comes before everything.

Quite apart from the laws, all these causes have a very powerful influence on the management of the state's finances.

If the Americans have never happened to spend the people's money on public festivities, it is not only because among them the people vote the taxes; it is because the people do not like to make merry.

If they reject ornament in their architecture and prize only material and practical advantages, it is not only because they

form a democratic nation; it is also because they are a commercial people.

The habits of private life have carried over into public life; and among them one must carefully distinguish the economies that depend on institutions from those that flow from habits and mores.

COMPARING AMERICAN AND FRENCH EXPENDITURE

Without reliable figures no comparison with France is possible, but American democratic government is not cheap.

Can the public expenditures of the United States be compared with those of France?

Two points to establish in order to assess the extent of public burdens: national wealth and taxation—The wealth and burdens of France not exactly known—Why one cannot hope to know the wealth and burdens of the Union—The author's research to learn the amount of taxes in Pennsylvania—General signs by which the extent of a people's burdens can be recognized—Result of this inquiry for the Union

Much effort has been spent lately comparing the public expenditures of the United States with our own. All these studies have come to nothing, and a few words will suffice, I think, to prove that they were bound to.

To be able to assess the extent of public burdens in a nation, two operations are necessary: one must first learn what the wealth of that nation is, and then what portion of that wealth it devotes to the expenditures of the state. Anyone who sought the amount of taxes without showing the extent of the resources that must meet them would be engaged in fruitless work; for

31 TOCQUEVILLE'S NOTE. See, among other things, in American budgets, what it costs to support the indigent and to provide free education.

In 1831 the state of New York spent 1,290,000 francs on the support of the indigent. And the sum devoted to public education is estimated at no less than 5,420,000 francs. (Williams, *New York Annual Register*, 1832, pp. 205 and 243.)

In 1830 the state of New York had only 1,900,000 inhabitants, which is not double the population of the department of the Nord.

what is worth knowing is not the expenditure, but the ratio of expenditure to income.

The same tax that a rich taxpayer bears easily will finish reducing a poor one to destitution.

The wealth of nations is made up of several elements: real estate forms the first, movable property the second.

It is difficult to know the extent of the arable land a nation possesses and its natural or acquired value. It is harder still to estimate all the movable property at a people's disposal. By their diversity and their number, such goods escape almost every effort of analysis.

So we see that the longest-civilized nations of Europe, even those in which administration is centralized, have not yet established the state of their wealth with any precision.

In America no one has even conceived the idea of trying. And how could one hope to succeed in this new country, where society has not yet settled into a calm and definitive footing; where the national government does not have at its disposal, as ours does, a multitude of agents whose efforts it can command and direct simultaneously; where, finally, statistics are not cultivated, because there is no one there who has the means of gathering documents or the time to go through them?

Thus the basic elements of our calculations cannot be obtained. We do not know the comparative wealth of France and the Union. The wealth of the one is not yet known, and the means of establishing that of the other do not exist.

But I am willing, for a moment, to set aside this necessary term of the comparison; I give up knowing the ratio of taxation to income, and confine myself to trying to establish what the taxation is.

The reader will see that by narrowing the circle of my inquiry I have not made my task any easier.

I have no doubt that the central administration of France, aided by all the officials at its disposal, could discover exactly the amount of direct and indirect taxes that weigh on the citizens. But this work, which no private individual can undertake,

the French government itself has not yet completed—or at least it has not made the results known. We know what the burdens of the state are; the total of departmental expenditures is known to us; we do not know what goes on in the communes. No one, therefore, can say at present what the sum of public expenditures in France amounts to.

If I now return to America, I see the difficulties growing more numerous and more insurmountable. The Union tells me exactly what its burdens amount to; I can obtain the separate budgets of the twenty-four states of which it is made up; but who will tell me what the citizens spend on the administration of the county and the township[32]?

The federal authority cannot go so far as to compel the provincial governments to enlighten us on this point; and even if those governments themselves were willing to lend us their help all at once, I doubt that they would be able to satisfy us. Apart

32 TOCQUEVILLE'S NOTE. The Americans, as one sees, have four kinds of budgets: the Union has its own; the states, the counties, and the townships likewise have theirs. During my stay in America I made extensive inquiries to learn the amount of public expenditure in the townships and counties of the principal states of the Union. I was easily able to obtain the budgets of the largest townships, but it proved impossible to get those of the small ones. I can therefore form no exact idea of township expenditures. As for county expenditures, I have some documents which, though incomplete, may perhaps deserve the reader's interest. Thanks to the kindness of Mr. Richards, former mayor of Philadelphia, I have the budgets of thirteen counties of Pennsylvania for the year 1830. They are those of Lebanon, Centre, Franklin, Fayette, Montgomery, Luzerne, Dauphin, Butler, Allegheny, Columbia, Northumberland, Northampton, and Philadelphia. In 1830 they had 495,207 inhabitants. A glance at a map of Pennsylvania will show that these thirteen counties are scattered in every direction and subject to all the general causes that can affect the condition of the country, so that it would be impossible to say why they should not give an exact idea of the financial condition of the counties of Pennsylvania. Now, in the year 1830 these same counties spent 1,800,221 francs, which comes to 3 fr. 64 cent. per inhabitant. I have calculated that each of these same inhabitants, during the year 1830, contributed 12 fr. 70 cent. to the needs of the federal Union and 3 fr. 80 cent. to those of Pennsylvania; from which it follows that in the year 1830 these same citizens gave society, to meet all public expenditures (except township expenditures), the sum of 20 fr. 14 cent. This result is doubly incomplete, as one sees, since it applies only to a single year and to only part of the public burdens; but it has the merit of being certain.

TRANSLATOR'S NOTE. Benjamin W. Richards (1797–1851) was mayor of Philadelphia in 1829–1830.

from the natural difficulty of the undertaking, the political organization of the country would still stand in the way of their success. The magistrates of the township and the county are not appointed by the administrators of the state and do not depend on them. It is therefore reasonable to believe that if the state wished to obtain the information we need, it would meet great obstacles in the negligence of the lower officials it would be obliged to employ[33].

Besides, there is no point in asking what the Americans might do in this matter, since it is certain that, so far, they have done nothing.

33 TOCQUEVILLE'S NOTE. Those who have tried to draw a parallel between American expenditures and ours clearly sensed that it was impossible to compare the total public expenditures of France with the total public expenditures of the Union; but they tried to compare separate portions of these expenditures with one another. It is easy to prove that this second method is no less faulty than the first.

With what, for example, shall I compare our national budget? With the budget of the Union? But the Union concerns itself with far fewer matters than our central government, and its burdens must naturally be much smaller. Shall I set our departmental budgets against the budgets of the individual states that make up the Union? But in general the individual states look after more important and more numerous interests than the administration of our departments; their expenditures are therefore naturally greater. As for the county budgets, nothing in our financial system resembles them. Shall we fold the expenditures they contain into the budget of the state or into that of the townships? Local expenditures exist in both countries, but they are not always comparable. In America the township takes on several tasks that in France the commune leaves to the department or to the state. Besides, what is to be understood by township expenditures in America? The organization of the township differs from state to state. Shall we take as our standard what happens in New England or in Georgia, in Pennsylvania or in the state of Illinois?

It is easy to see a kind of resemblance between certain budgets of the two countries; but since the elements that make them up always differ more or less, no serious comparison can be drawn between them.

There is not, therefore, a single man in America or in Europe today who can tell us what each citizen of the Union pays every year to meet the burdens of society[34].

Let us conclude that it is as hard to compare the public expenditures of the Americans with ours in any useful way as it is to compare the wealth of the Union with that of France. I would add that it would even be dangerous to try. When statistics are not founded on rigorously accurate calculations, they mislead instead of guide. The mind is easily taken in by the false air of exactness that statistics keep even in their errors, and it rests untroubled on mistakes that are presented to it in the mathematical forms of truth.

Let us therefore set the figures aside and try to find our proofs elsewhere.

Does a country present the appearance of material prosperity? After paying the state, does the poor man still have

34 TOCQUEVILLE'S NOTE. Even if one managed to learn the precise sum that each French or American citizen pays into the public treasury, one would still have only part of the truth.

Governments ask taxpayers not only for money but also for personal efforts that can be valued in money. The state raises an army; apart from the pay that the whole nation undertakes to provide, the soldier must also give his time, which is worth more or less according to the use he could make of it if he remained free. I would say the same of militia service. The man who belongs to the militia devotes precious time, for a while, to public security, and really gives the state what he himself fails to earn. I have cited these examples; I could have cited many others. The government of France and that of America both levy taxes of this kind; these taxes weigh on the citizens; but who can assess their amount exactly in the two countries?

That is not the last difficulty that stops you when you try to compare the public expenditures of the Union with ours. In France the state takes on certain obligations that it does not assume in America, and vice versa. The French government pays the clergy; the American government leaves that to the faithful. In America the state takes charge of the poor; in France it leaves them to public charity. We give all our officials a fixed salary; the Americans allow theirs to collect certain fees. In France labor in kind is required only on a small number of roads; in the United States, on almost all of them. Our roads are open to travelers, who may use them without paying anything; in the United States one comes across many toll roads. All these differences in the way the taxpayer comes to discharge the burdens of society make the comparison between the two countries very difficult; for there are certain expenditures that citizens would not make, or that would be smaller, if the state did not undertake to act in their name.

resources there, and the rich man a surplus? Do both seem satisfied with their lot, and do they seek every day to improve it further, so that capital never lacks for industry and industry in turn never lacks for capital? Such are the signs to which, in the absence of positive documents, one may turn in order to know whether the public burdens weighing on a people are proportionate to its wealth.

An observer who relied on this evidence would no doubt judge that the American of the United States gives a smaller share of his income to the state than the Frenchman does.

But how could one imagine it being otherwise?

Part of the French debt is the result of two invasions; the Union has none to fear. Our position obliges us to keep a large army permanently under arms; the isolation of the Union allows it to have only 6,000 soldiers. We maintain nearly 300 ships; the Americans have only 52[35]. How could an inhabitant of the Union pay as much to the state as an inhabitant of France?[36]

There is thus no parallel to be drawn between the finances of countries so differently placed.

It is by examining what happens within the Union, and not by comparing the Union with France, that we can judge whether American democracy is truly economical.

I cast my eyes over each of the various republics that make up the confederation, and I find that their governments often lack perseverance in their designs and do not keep continuous watch over the men they employ. From this I naturally draw the conclusion that they must often spend the taxpayers' money uselessly, or devote more of it than is necessary to their undertakings.

I see that, true to its popular origin, this government makes prodigious efforts to satisfy the needs of the lower classes of

35 TOCQUEVILLE'S NOTE. See the detailed budgets of the Ministry of the Navy in France and, for America, the *National calendar* of 1833, p. 228.

TRANSLATOR'S NOTE. The *American National Calendar* was an annual almanac of government information published in Washington by Peter Force.

36 The Allied invasions of France in 1814 and 1815, after Napoleon's defeats.

society, to open the paths of power to them, and to spread well-being and enlightenment among them. It supports the poor, distributes millions to the schools each year, pays for every service, and remunerates its humblest agents generously. Though such a way of governing seems to me useful and reasonable, I am bound to acknowledge that it is costly.

I see the poor man directing public affairs and disposing of the nation's resources; and I cannot believe that, profiting as he does from the state's expenditures, he does not often draw the state into new ones.

I therefore conclude, without resorting to incomplete figures and without attempting risky comparisons, that the democratic government of the Americans is not, as is sometimes claimed, a cheap government; and I do not hesitate to predict that, if great difficulties should one day assail the peoples of the United States, taxes there would be seen to rise as high as in most of the aristocracies or monarchies of Europe.

CORRUPTION AND THE LIMITS OF EFFORT

Democratic leaders are often corrupt themselves, and democracies struggle to sustain long efforts in war.

On corruption and the vices of those who govern in democracy, and on the effects that result for public morality

In aristocracies, those who govern sometimes seek to corrupt —In democracies, they often show themselves to be corrupt—In the former, their vices attack the morality of the people directly —In the latter, they exert an indirect influence on it that is more formidable still

Aristocracy and democracy each reproach the other with making corruption easy; a distinction must be drawn.

In aristocratic governments, the men who come to public affairs are rich men who desire only power. In democracies, statesmen are poor and have their fortunes to make.

It follows that in aristocratic states those who govern are not very open to corruption and have only a very moderate taste for money, whereas the opposite is true among democratic peoples.

But in aristocracies, since those who wish to reach the head of affairs have great wealth at their disposal, and since the number of those who can put them there is often confined within certain limits, the government finds itself, as it were, up for auction. In democracies, by contrast, those who seek power are almost never rich, and the number of those who take part in conferring it is very large. Perhaps there are no fewer men for sale in democracies, but there are almost no buyers; and besides, one would have to buy too many people at once to reach one's goal.

Among the men who have held power in France over the past forty years, several have been accused of making their fortunes at the expense of the state and its allies—a reproach rarely leveled at the public men of the old monarchy. But in France it is almost unheard of for an elector's vote to be bought with money, whereas this is done notoriously and openly in England.

I never heard it said that in the United States anyone used his wealth to win over the governed; but I often saw the integrity of public officials called into question. Still more often I heard their successes attributed to base intrigues or to culpable maneuvers.

If, then, the men who direct aristocracies sometimes seek to corrupt, the leaders of democracies show themselves to be corrupt. In the one, the morality of the people is attacked directly; in the other, an indirect action is exerted on the public conscience that is even more to be feared.

Among democratic peoples, those at the head of the state, being almost always exposed to damaging suspicions, in a sense lend the backing of government to the crimes of which they are accused. They thus set dangerous examples for virtue that is still struggling, and they furnish flattering comparisons for vice that hides itself.

It would be vain to say that dishonest passions are found in every rank; that they often ascend the throne by right of birth;

that one may thus find utterly contemptible men at the head of aristocratic nations as well as in the midst of democracies.

This answer does not satisfy me. In the corruption of those who come to power by chance there is something coarse and vulgar that makes it contagious for the crowd; in the depravity of great lords, on the contrary, there reigns a certain aristocratic refinement, an air of grandeur, that often keeps it from spreading.

The people will never penetrate the dark labyrinth of the courtly mind; they will always have trouble detecting the baseness that hides beneath elegant manners, refined tastes, and graceful speech. But to rob the public treasury, or to sell the favors of the state for money—the first wretch who comes along understands that, and can flatter himself that he will do as much in his turn.

What is to be feared, moreover, is not so much the sight of immorality among the great as that of immorality leading to greatness. In democracy, ordinary citizens see a man who has risen from their ranks attain wealth and power within a few years; this spectacle excites their surprise and their envy; they try to discover how the man who was their equal yesterday is today invested with the right to direct them. To attribute his rise to his talents or his virtues is uncomfortable, for it means admitting that they themselves are less virtuous and less able than he. So they place its chief cause in some of his vices, and they are often right to do so. Thus there comes about a strange and odious mingling of the ideas of baseness and power, of unworthiness and success, of advantage and dishonor.

What efforts democracy is capable of

The Union has fought for its existence only once—Enthusiasm at the beginning of the war—Cooling at the end—Difficulty of establishing conscription or maritime registration in America—Why a democratic people is less capable than another of great sustained efforts

I warn the reader that I am speaking here of a government that follows the real will of the people, and not of a government that merely commands in the people's name.

Nothing is so irresistible as a tyrannical power that commands in the name of the people, because, being invested with the moral power that belongs to the will of the greatest number, it acts at the same time with the decisiveness, speed, and tenacity of a single man.

It is rather hard to say what degree of effort a democratic government is capable of in a time of national crisis.

Until now no great democratic republic has ever been seen. It would be an insult to republics to give that name to the oligarchy that ruled France in 1793. The United States alone presents this new spectacle.[37]

Now, in the half-century since the Union was formed, its existence has been called into question only once, during the War of Independence. At the beginning of that long war there were extraordinary displays of enthusiasm for the service of the country[38]. But as the struggle dragged on, individual selfishness was seen to reappear: money no longer came into the public treasury; men no longer presented themselves to the army; the people still wanted independence, but they shrank from the means of obtaining it. "In vain we have multiplied taxes and tried new methods of collecting them," says Hamilton in the Federalist (no. 12); "public expectation has always been disappointed, and the treasuries of the states have remained empty. The democratic forms of administration, which are inherent in the democratic nature of our government, combining with the

37 The revolutionary government of the Terror, dominated by the Jacobins and the Committee of Public Safety.

38 TOCQUEVILLE'S NOTE. One of the most remarkable, in my opinion, was the resolution by which the Americans temporarily gave up drinking tea. Those who know that men are generally more attached to their habits than to their lives will no doubt be astonished at this great and obscure sacrifice obtained from an entire people.

TRANSLATOR'S NOTE. The colonial boycotts of British tea in the years leading up to the Revolution, of which the Boston Tea Party (1773) was the most famous episode.

scarcity of specie produced by the languishing state of our trade, have so far made useless every effort that could be attempted to raise considerable sums. The various legislatures have at last understood the folly of such attempts."

Since that time, the United States has not had to wage a single serious war.

To judge what sacrifices democracies can impose on themselves, we must therefore wait for the time when the American nation is obliged to place half the income from its property in the hands of its government, as England has done, or must throw a twentieth of its population onto the battlefields at once, as France has done.

In America, conscription is unknown; men are enlisted there for pay. Forced recruitment is so contrary to the ideas, and so foreign to the habits, of the people of the United States that I doubt anyone would ever dare to introduce it into the laws. What is called conscription in France is certainly the heaviest of our taxes; but without conscription, how could we sustain a great continental war?

The Americans have not adopted the British practice of impressment. They have nothing resembling our maritime registration. The navy, like the merchant marine, is manned by voluntary enlistment.[39]

Now, it is not easy to conceive how a people could sustain a great naval war without resorting to one of the two means mentioned above. That is why the Union, which has already fought gloriously at sea, has nevertheless never had large fleets, and why manning its few ships has always cost it a great deal.

I have heard American statesmen admit that the Union will have difficulty keeping its rank on the seas if it does not resort to impressment or maritime registration; but the difficulty is to make the people, who govern, put up with impressment or maritime registration.

It is beyond dispute that free peoples generally display infinitely greater energy in times of danger than those who are not

free, but I am inclined to believe that this is true above all of free peoples in whom the aristocratic element predominates. Democracy seems to me far better suited to directing a peaceful society, or to making a sudden and vigorous effort when necessary, than to braving for a long time the great storms of the political life of peoples. The reason is simple: men expose themselves to dangers and privations out of enthusiasm, but they remain exposed to them for long only out of reflection. Even in what is called instinctive courage there is more calculation than one might think; and although, in general, the passions alone prompt the first efforts, it is with a view to the result that those efforts are continued. One risks part of what is dear in order to save the rest.

Now, it is this clear perception of the future, founded on enlightenment and experience, that democracy must often lack. The people feel far more than they reason; and if their current hardships are great, it is to be feared that they will forget the greater hardships that may await them in case of defeat.

There is yet another cause that must make the efforts of a democratic government less lasting than those of an aristocracy.

Not only do the people see less clearly than the upper classes what they may hope or fear from the future, but they also suffer far more than those classes from the hardships of the present. The noble who risks his person runs as many chances of glory as of danger. By handing over the greater part of his income to the state, he deprives himself for a time of some of the pleasures of wealth; but for the poor man, death holds no glamour, and the tax that inconveniences the rich man often strikes at the very sources of his life.

This relative weakness of democratic republics in times of crisis is perhaps the greatest obstacle to the founding of such a republic in Europe. For a democratic republic to survive without difficulty in one European nation, it would have to be established at the same time in all the others.

39 The French "inscription maritime," dating from Colbert in the seventeenth century, registered all seafaring men and made them liable to service in the navy.

I believe that democratic government must, in the long run, increase the real strength of society; but it cannot gather at once, at one point and at a given time, as much strength as an aristocratic government or an absolute monarchy. If a democratic country remained under republican government for a century, we may believe that at the end of that century it would be richer, more populous and more prosperous than the despotic states around it; but during that century it would several times have run the risk of being conquered by them.

DEMOCRACY'S POWER OVER ITSELF

The American people resist useful restraints but can afford to make mistakes they later repair.

On the power that American democracy generally exercises over itself

That the American people consent only in the long run, and sometimes refuse, to do what is useful to their well-being—The Americans' ability to make mistakes that can be repaired

This difficulty that democracy has in overcoming the passions and silencing the needs of the moment for the sake of the future can be seen in the United States in the smallest things.

The people, surrounded by flatterers, find it hard to master themselves. Whenever one wants them to accept some privation or constraint, even for an end their reason approves, they almost always begin by refusing. The obedience that Americans give to the laws is rightly praised. It should be added that in America legislation is made by the people and for the people. In the United States, therefore, the law appears favorable to those who everywhere else have the greatest interest in breaking it. So it is fair to believe that a burdensome law whose present usefulness the majority did not feel would not be passed, or would not be obeyed.

In the United States there is no legislation on fraudulent bankruptcy. Is it because there are no bankruptcies? No; on the contrary, it is because there are many. In the mind of the major-

ity, the fear of being prosecuted as a bankrupt outweighs the fear of being ruined by bankruptcies; and there arises in the public conscience a kind of culpable tolerance for an offense that each person individually condemns.

In the new states of the Southwest, citizens almost always take justice into their own hands, and murders occur again and again. This is because the habits of the people are too rough, and enlightenment too little spread in these wildernesses, for anyone to feel the usefulness of giving force to the law there: people still prefer duels to lawsuits.[40]

Someone in Philadelphia once told me that almost all crimes in America were caused by the abuse of hard liquor, which the lower classes could consume at will because it was sold to them so cheaply. "Why is it," I asked, "that you do not put a duty on spirits?" "Our legislators have often thought of it," he replied, "but the undertaking is difficult. People fear a revolt; and besides, the members who voted for such a law would be quite sure not to be reelected." "So then," I said, "among you the drinkers are in the majority, and temperance is unpopular."

When such things are pointed out to statesmen, they merely reply: Let time do its work; the experience of the evil will enlighten the people and show them their needs. This is often true: if democracy is more likely than a king or a body of nobles to go wrong, it is also more likely to return to the truth once the light reaches it, because there are generally within it no interests contrary to that of the greatest number and fighting against reason. But democracy can obtain the truth only from experience, and many peoples could not wait for the results of their errors without perishing.

The great privilege of the Americans, then, is not only to be more enlightened than others, but to have the ability to make mistakes that can be repaired.

40 The "new states of the Southwest" were the then-frontier states such as Tennessee, Alabama, Mississippi and Louisiana.

Add that, to profit easily from the experience of the past, a democracy must already have reached a certain degree of civilization and enlightenment.

There are peoples whose early education was so faulty, and whose character presents so strange a mixture of passions, ignorance and mistaken notions about everything, that they cannot discern on their own the cause of their miseries; they succumb to evils they do not understand.

I have traveled through vast regions once inhabited by powerful Indian nations that no longer exist; I have lived among tribes already maimed, which every day see their numbers dwindle and the splendor of their wild glory fade; I have heard these Indians themselves foresee the final fate reserved for their race. Yet there is no European who does not see what would have to be done to save these unfortunate peoples from an inevitable destruction. But they do not see it; they feel the evils that pile up on their heads year after year, and they will perish to the last man rejecting the remedy. Force would have to be used to compel them to live.

People are astonished to see the new nations of South America in turmoil for a quarter of a century amid revolutions that break out again and again, and every day they expect to see them return to what is called their *natural state*. But who can affirm that revolutions are not, in our time, the most natural state of the Spanish of South America? In that country, society is struggling at the bottom of an abyss from which its own efforts cannot lift it.

The people who inhabit this beautiful half of a hemisphere seem stubbornly bent on tearing out their own vitals; nothing can turn them from it. Exhaustion makes them sink for a moment into rest, and rest soon returns them to fresh frenzies. When I consider them in this alternating state of miseries and crimes, I am tempted to believe that for them despotism would be a blessing.

But those two words can never be joined in my mind.

FOREIGN AFFAIRS

Following Washington and Jefferson, America stays out of Europe's quarrels; democracy is weakest in foreign policy.

On the way American democracy conducts the foreign affairs of the state

The direction given to the foreign policy of the United States by Washington and Jefferson—Almost all the natural defects of democracy make themselves felt in the conduct of foreign affairs, while its good qualities are scarcely felt there

We have seen that the federal Constitution placed the permanent direction of the nation's foreign interests in the hands of the president and the Senate[41], which puts the general policy of the Union, to a certain extent, beyond the direct and daily influence of the people. So it cannot be said in an absolute sense that in America it is democracy that conducts the foreign affairs of the state.

Two men gave American policy a direction that is still followed today; the first is Washington, and Jefferson is the second.

Washington said, in that admirable letter addressed to his fellow citizens, which forms as it were the political testament of that great man:[42]

"To extend our commercial relations with foreign peoples, and to establish as few political ties as possible between them and us—such must be the rule of our policy. We must fulfill faithfully the engagements already contracted, but we must take care not to form others.

"Europe has a number of interests of its own that have no bearing, or only a very indirect bearing, on ours; it must therefore often be engaged in quarrels that are naturally foreign to us.

41 TOCQUEVILLE'S NOTE. "The president," says the Constitution, Art. II, Sect. 2, § 2, "shall make treaties with the advice and consent of the Senate." The reader should not lose sight of the fact that senators serve for six years and that, being chosen by the legislators of each state, they are the product of a two-stage election.
42 The Farewell Address of 1796; Tocqueville quotes it in his own French paraphrase, rendered here from his text.

To bind ourselves by artificial ties to the vicissitudes of its politics, to enter into the various combinations of its friendships and hatreds, and to take part in the struggles that result from them, would be to act imprudently.

"Our isolation and our distance from it invite us to adopt a contrary course and allow us to follow it. If we continue to form a single nation, governed by a strong government, the time is not far off when we shall have nothing to fear from anyone. Then we shall be able to take a stance that makes our neutrality respected; the warring nations, sensing that they can gain nothing at our expense, will be wary of provoking us without cause; and we shall be in a position to choose peace or war, taking no other guides for our actions than our interest and justice.

"Why should we give up the advantages we can draw from so favorable a situation? Why should we leave ground that is our own to go and settle on ground that is foreign to us? Why, finally, by binding our destiny to that of any part of Europe, should we expose our peace and our prosperity to the ambition, the rivalries, the interests or the whims of the peoples who live there?

"Our true policy is to contract no permanent alliance with any foreign nation—at least insofar as we are still free not to do so, for I am far from wishing that existing engagements be broken. Honesty is always the best policy; it is a maxim I hold to be equally applicable to the affairs of nations and to those of individuals. I think, therefore, that the engagements we have already contracted must be carried out to their full extent; but I believe it useless and imprudent to contract others. Let us always place ourselves so as to make our position respected, and temporary alliances will be enough to let us meet every danger."

Earlier, Washington had stated this fine and just idea: "The nation that gives itself up to habitual feelings of love or hatred toward another becomes in a sense a slave. It is the slave of its hatred or of its love."

Washington's political conduct was always guided by these maxims. He succeeded in keeping his country at peace when the whole rest of the world was at war, and he established as a point

of doctrine that the self-interest rightly understood of the Americans was never to take sides in the internal quarrels of Europe.

Jefferson went further still, and introduced into the policy of the Union this other maxim: "That the Americans should never ask for privileges from foreign nations, so as not to be obliged to grant any themselves."

These two principles, whose obvious soundness easily put them within reach of the crowd, have greatly simplified the foreign policy of the United States.

The Union, since it does not meddle in the affairs of Europe, has virtually no foreign interests to dispute, for it does not yet have powerful neighbors in America. Placed by its situation as much as by its will outside the passions of the Old World, it has no more need to guard against them than to embrace them. As for those of the New World, the future still hides them.

The Union is free of prior engagements; it therefore profits from the experience of the old peoples of Europe without being obliged, as they are, to make the most of the past and adapt it to the present; nor is it forced, as they are, to accept an immense inheritance bequeathed to it by its forefathers—a mixture of glory and misery, of national friendships and hatreds. The foreign policy of the United States is eminently one of waiting; it consists far more in abstaining than in acting.

It is therefore very hard to know, for the present, what skill American democracy will develop in conducting the foreign affairs of the state. On this point its adversaries and its friends alike must suspend judgment.

For my part, I will not hesitate to say it: it is in the direction of a society's foreign interests that democratic governments seem to me decidedly inferior to others. Experience, mores and education almost always end by creating in a democracy that sort of practical, everyday wisdom and that knowledge of the small events of life which is called common sense. Common sense is enough for the ordinary course of society; and among a people whose education is complete, democratic liberty applied to the internal affairs of the state produces more good than the errors

of democratic government could bring about harm. But it is not always so in the relations between one people and another.

Foreign policy requires the use of almost none of the qualities proper to democracy, and demands, on the contrary, the development of almost all those it lacks. Democracy favors the growth of the state's internal resources; it spreads comfort, develops public spirit, and strengthens respect for the law among the various classes of society—all things that have only an indirect influence on the position of one people relative to another. But democracy can only with difficulty coordinate the details of a great undertaking, settle on a plan and then pursue it stubbornly through obstacles. It is ill suited to concerting measures in secret and waiting patiently for their result. These are qualities that belong more particularly to a single man or to an aristocracy. Now, it is precisely these qualities that in the long run enable a people, like an individual, to prevail.

If, on the contrary, you consider the natural defects of aristocracy, you will find that the effect they can produce is scarcely felt at all in the conduct of the state's foreign affairs. The cardinal vice with which aristocracy is reproached is that it works only for itself and not for the mass. In foreign policy, it is very rare for the aristocracy to have an interest distinct from that of the people.

The inclination that leads democracy to obey feelings rather than reasoning in politics, and to abandon a long-matured plan for the satisfaction of a passing passion, was plainly seen in America when the French Revolution broke out. The simplest light of reason was enough then, as it is today, to make Americans understand that their interest lay in no way in entering the struggle that was about to bathe Europe in blood, and from which the United States could suffer no harm.

Yet the people's sympathy for France declared itself with such violence that nothing less than Washington's inflexible character and the immense popularity he enjoyed was needed to prevent a declaration of war against England. Even so, the efforts this great man's austere reason made to resist the generous but

thoughtless passions of his fellow citizens nearly cost him the only reward he had ever reserved for himself: the love of his country. The majority came out against his policy; now the whole people approves it[43].[44]

Had the Constitution and public favor not given Washington the direction of the state's foreign affairs, it is certain that the nation would then have done precisely what it now condemns.

Almost all the peoples that have acted powerfully on the world, those that have conceived, pursued, and carried out great designs, from the Romans to the English, were directed by an aristocracy—and why should that surprise us?

Nothing in the world is more fixed in its views than an aristocracy. The mass of the people can be led astray by its ignorance or its passions; a king's mind can be caught off guard and made to waver in its plans; and besides, a king is not immortal. But an aristocratic body is too numerous to be won over, and not numerous enough to yield easily to the intoxication of thoughtless passions. An aristocratic body is a firm and enlightened man who never dies.

43 TOCQUEVILLE'S NOTE. See the fifth volume of Marshall's *Life of Washington*. "In a government constituted as that of the United States is," he says on page 314, "the chief magistrate, however firm he may be, cannot long hold a dike against the torrent of popular opinion; and the opinion then prevailing seemed to lead to war. Indeed, in the session of Congress held at that time, it was very often apparent that Washington had lost the majority in the House of Representatives." Outside Congress, the language used against him was extremely violent: at one political meeting, people did not shrink from comparing him indirectly to the traitor Arnold (page 265). "Those who belonged to the opposition party," Marshall says again (page 355), "claimed that the supporters of the administration made up an aristocratic faction subservient to England, which, wishing to establish monarchy, was consequently hostile to France; a faction whose members formed a sort of nobility, whose titles were shares in the Bank, and which so feared any measure that might affect the funds that it was indifferent to affronts that the nation's honor and interest alike required it to repel."

TRANSLATOR'S NOTE. John Marshall, Chief Justice of the United States, published *The Life of George Washington* in five volumes (1804–1807). Benedict Arnold was the American general who went over to the British in 1780.

TRANSLATOR'S NOTE. The Bank is the Bank of the United States, chartered in 1791 on Alexander Hamilton's initiative.

44 The allusion is to Washington's Neutrality Proclamation of 1793, issued when war broke out between revolutionary France and Britain.

CHAPTER 6: THE REAL ADVANTAGES AMERICAN SOCIETY DERIVES FROM THE GOVERNMENT OF DEMOCRACY (QUELS SONT LES AVANTAGES RÉELS QUE LA SOCIÉTÉ AMÉRICAINE RETIRE DU GOUVERNEMENT DE LA DÉMOCRATIE)

Despite faulty laws and mediocre officials, democracy serves the greatest number and spreads energy through society.

1.2.6 Before beginning this chapter, I feel the need to remind the reader of what I have already pointed out several times in the course of this book.

The political constitution of the United States seems to me one of the forms that democracy can give to its government; but I do not regard American institutions as the only ones, or as the best ones, that a democratic people should adopt.

In setting out the benefits the Americans derive from the government of democracy, I am therefore far from claiming, or thinking, that such advantages can be obtained only by means of the same laws.

On the general tendency of laws under the rule of American democracy, and on the instinct of those who apply them

The vices of democracy seen at once—Its advantages perceived only over time—American democracy often unskillful, but the general tendency of its laws beneficial—Public officials under American democracy have no permanent interests differing from those of the greatest number—What results from this

The vices and weaknesses of the government of democracy are easy to see; they can be demonstrated by obvious facts, whereas its salutary influence works imperceptibly and, so to speak, out of sight. Its defects strike us at first glance, but its qualities are discovered only over time.

The laws of American democracy are often defective or incomplete; they sometimes violate acquired rights or sanction dangerous ones; even if they were good, their frequency would still be a great evil. All this can be seen at first sight.

How is it, then, that the American republics endure and prosper?

In laws, one must carefully distinguish the goal they pursue from the way they move toward that goal; their absolute goodness from a goodness that is merely relative.

Suppose that the legislator's aim is to favor the interests of the few at the expense of those of the many, and that his provisions are designed to achieve the result he intends in the shortest possible time and with the least possible effort. The law will be well made, its purpose bad; it will be dangerous in proportion to its very efficiency.

The laws of democracy generally tend toward the good of the greatest number, for they emanate from the majority of all the citizens, which may be mistaken but cannot have an interest contrary to itself.

Those of aristocracy, on the contrary, tend to monopolize wealth and power in the hands of the few, because aristocracy, by its nature, always forms a minority.

One can therefore say, in general terms, that the aim of democracy in its legislation is more useful to humanity than the aim of aristocracy in its own.

But there its advantages end.

Aristocracy is infinitely more skilled in the legislator's science than democracy could ever be. Master of itself, it is not subject to passing impulses; it has long-range designs that it knows how to let ripen until a favorable opportunity arises. Aristocracy proceeds with expertise; it knows the art of making the collective force of all its laws converge at the same time on a single point.

Not so with democracy: its laws are almost always defective or ill-timed.

The means of democracy are therefore more imperfect than those of aristocracy: often it works against itself without meaning to; but its goal is more useful.

Imagine a society that nature, or its constitution, has organized so that it can withstand the passing effects of bad laws, and that can await without perishing the result of the *general tendency* of its laws, and you will understand that the government of

democracy, despite its defects, is still the best suited of all to make that society prosper.

That is precisely what happens in the United States. I repeat here what I have already said elsewhere: the great privilege of the Americans is to be able to make mistakes that can be repaired.

I will say something similar about public officials.

It is easy to see that American democracy often errs in choosing the men to whom it entrusts power; but it is not so easy to say why the state prospers in their hands.

Note first that if, in a democratic state, those who govern are less honest or less capable, the governed are more enlightened and more attentive.

The people in democracies, constantly occupied as they are with their affairs and jealous of their rights, keep their representatives from straying from a certain general line that their interest marks out for them.

Note too that if the democratic magistrate makes worse use of power than another would, he generally holds it for a shorter time.

But there is a reason more general than that, and more satisfying.

It no doubt matters to the good of nations that those who govern have virtues or talents; but what perhaps matters to them even more is that those who govern not have interests contrary to the mass of the governed; for in that case virtues could become almost useless, and talents disastrous.

I said that it mattered that those who govern have no interests contrary to, or different from, those of the mass of the governed; I did not say that it mattered that they have interests like those of *all* the governed, for I do not know that such a thing has ever yet been found.

No political form has yet been discovered that would equally favor the development and prosperity of all the classes of which society is composed. These classes have continued to form, as it were, so many distinct nations within the same nation, and

experience has shown that it is almost as dangerous to leave the fate of the others entirely to any one of them as to make one people the arbiter of another people's destiny. When the rich alone govern, the interest of the poor is always in peril; and when the poor make the law, that of the rich runs great risks. What, then, is the advantage of democracy? The real advantage of democracy is not, as some have said, to favor the prosperity of all, but only to serve the well-being of the greatest number.

Those charged in the United States with directing public affairs are often inferior in ability and in morality to the men whom aristocracy would bring to power; but their interest merges and becomes one with that of the majority of their fellow citizens. They may therefore commit frequent breaches of trust and serious errors, but they will never systematically follow a tendency hostile to that majority; and they could never give the government an exclusive and dangerous bent.

Moreover, a magistrate's bad administration under democracy is an isolated fact whose influence lasts only for the short span of that administration. Corruption and incapacity are not common interests that can bind men together permanently.

A corrupt or incapable magistrate will not combine his efforts with another magistrate simply because the latter is as incapable and corrupt as he is, and these two men will never work together to make corruption and incapacity flourish among their remote descendants. On the contrary, the ambition and maneuvers of the one will serve to unmask the other. In democracies, a magistrate's vices are generally entirely his own.

But public men under the government of aristocracy have a class interest which, though it sometimes merges with that of the majority, often remains distinct from it. This interest forms a common and lasting bond among them; it invites them to unite and combine their efforts toward a goal that is not always the happiness of the greatest number. It binds not only those who govern to one another; it also unites them with a considerable portion of the governed, for many citizens, without holding any office, belong to the aristocracy.

The aristocratic magistrate therefore finds constant support in society at the same time as he finds it in the government.

This common object, which in aristocracies unites magistrates with the interest of part of their contemporaries, also identifies them with, and so to speak subjects them to, the interest of future generations. They work for the future as well as for the present. The aristocratic magistrate is thus driven toward one and the same point all at once—by the passions of the governed, by his own, and, I might almost say, by the passions of his posterity.

Why should we be surprised if he does not resist? And so in aristocracies one often sees the spirit of class carry along even those it does not corrupt, leading them, without their knowing it, to adapt society little by little to their own use and to prepare it for their descendants.

I do not know whether there has ever been an aristocracy as liberal as that of England, or one that has supplied the government of the country, without interruption, with men so worthy and so enlightened.

Yet it is easy to see that in English legislation the good of the poor has ended up often sacrificed to that of the rich, and the rights of the greatest number to the privileges of a few. And so England today contains within itself every extreme of fortune, and one encounters there miseries that almost equal its power and its glory.

In the United States, where public officials have no class interest to advance, the general and continuous course of government is beneficial, though those who govern are often unskillful and sometimes contemptible.

There is, then, at the bottom of democratic institutions a hidden tendency that often makes men contribute to the general prosperity despite their vices or their errors, whereas in aristocratic institutions one sometimes discovers a secret inclination that, in spite of talents and virtues, draws men to contribute to the miseries of their fellows. Thus it can happen that in aristocratic governments public men do evil without wishing to, and

that in democracies they produce good without ever intending it.

PUBLIC SPIRIT

Instinctive patriotism fades; Americans love their country because they take part in governing it.

On public spirit in the United States

Instinctive love of country—Reflective patriotism—Their different characters—That peoples must strive with all their strength toward the second when the first disappears—Efforts the Americans have made to achieve it—The interest of the individual intimately bound to that of the country

There is a love of country that springs chiefly from that unreflective, disinterested, and indefinable feeling which binds a man's heart to the place where he was born. This instinctive love merges with a taste for old customs, with respect for ancestors and the memory of the past; those who feel it cherish their country as one loves one's father's house. They love the tranquility they enjoy there; they cling to the peaceful habits they have formed there; they are attached to the memories it holds for them, and even find a certain sweetness in living there in obedience. Often this love of country is further heightened by religious zeal, and then it can be seen to work wonders. It is itself a kind of religion; it does not reason, it believes, it feels, it acts. There have been peoples who in some way personified their country and glimpsed it in the prince. They therefore transferred to him part of the feelings of which patriotism is made; they took pride in his triumphs and were proud of his power. There was a time, under the old monarchy, when the French felt a kind of joy in knowing themselves delivered over without recourse to the arbitrary will of the monarch, and said with pride: "We live under the most powerful king in the world."

Like all unreflective passions, this love of country prompts great momentary efforts rather than sustained ones. After sav-

ing the state in a time of crisis, it often lets it waste away in the midst of peace.

When peoples are still simple in their mores and firm in their belief, when society rests gently on an old order of things whose legitimacy is not contested, this instinctive love of country holds sway.

There is another love of country, more rational than that one: less generous, less ardent perhaps, but more fruitful and more lasting. This one is born of enlightenment. It develops with the help of laws, it grows with the exercise of rights, and in the end it more or less merges with personal interest. A man understands the influence that the well-being of the country has on his own. He knows that the law allows him to help bring about this well-being, and he takes an interest in his country's prosperity, first as something useful to him, and then as his own work.

But there sometimes comes a moment in the life of peoples when old customs have changed, mores have been destroyed, beliefs shaken, and the prestige of memories has vanished, and when, nevertheless, enlightenment has remained incomplete and political rights are poorly secured or restricted. Men then see their country only in a faint and doubtful light. They no longer locate it in the soil, which has become lifeless earth in their eyes. Nor do they locate it in the usages of their forefathers, which they have been taught to regard as a yoke, or in religion, which they doubt. Nor is it in the laws, which they do not make, or in the legislator, whom they fear and despise. So they see it nowhere, neither in its own features nor in any other guise, and they withdraw into a narrow and unenlightened selfishness. These men escape prejudices without recognizing the authority of reason. They have neither the instinctive patriotism of monarchy nor the reflective patriotism of the republic. Instead they have come to a halt between the two, amid confusion and misery.

What is to be done in such a state? Go back. But peoples no more return to the feelings of their youth than men return to the

innocent tastes of their childhood. They may miss them, but they cannot revive them. We must therefore move forward, and hasten to unite individual interest with the interest of the country in the eyes of the people, for disinterested love of country is vanishing, never to return.

I am certainly far from claiming that, to reach this result, the exercise of political rights must suddenly be granted to all men. But I say that the most powerful means of interesting men in the fate of their country, and perhaps the only one we have left, is to make them take part in its government. In our day, civic spirit seems to me inseparable from the exercise of political rights. I think that from now on, the number of citizens in Europe will rise or fall in proportion to the extension of those rights.

In the United States, the inhabitants arrived only yesterday on the soil they occupy. They brought with them neither usages nor memories, and they meet there for the first time as strangers. In a word, the instinct of country can scarcely exist there. How is it, then, that each person takes an interest in the affairs of his township, his district, and the whole state as if they were his own? It is because each person, in his own sphere, takes an active part in the government of society.

The man of the people in the United States has understood the influence that general prosperity exerts on his happiness—an idea so simple, and yet so little known to the people. Moreover, he has grown used to regarding that prosperity as his own work. He therefore sees the public fortune as his own, and he works for the good of the state not only out of duty or pride but, I would almost venture to say, out of greed.

One need not study the institutions and the history of the Americans to know the truth of what precedes; their mores tell you plainly enough. Because the American takes part in everything done in his country, he believes he has a stake in defending everything about it that is criticized. For it is then not only his country that is under attack, but he himself. And so one sees his national pride resort to every artifice and stoop to all the childishness of individual vanity.

Nothing is more irksome in everyday life than this irritable patriotism of the Americans. A foreigner would gladly agree to praise a great deal in their country; but he would like to be allowed to find fault with something, and that is what he is absolutely refused.

America is thus a land of freedom where, so as not to offend anyone, the foreigner must not speak freely of private individuals or of the state, of the governed or of those who govern, of public undertakings or of private ones. In short, he must speak freely of nothing he finds there, except perhaps the climate and the soil—and even then one finds Americans ready to defend both, as if they had helped to make them.

In our day one must know how to make up one's mind, and dare to choose between the patriotism of all and the government of the few. For one cannot combine the social strength and activity that the first provides with the guarantees of tranquility that the second sometimes affords.

RIGHTS AND RESPECT FOR LAW

Exercising rights teaches respect for them, and Americans obey laws they have made themselves.

On the idea of rights in the United States

No great peoples without the idea of rights—How to give the people the idea of rights—Respect for rights in the United States —Its source

After the general idea of virtue, I know of none more beautiful than the idea of rights—or rather, these two ideas merge. The idea of rights is nothing other than the idea of virtue introduced into the political world.

It is with the idea of rights that men have defined what license and tyranny are. Enlightened by it, each person has been able to show himself independent without arrogance and submissive without servility. The man who yields to violence bends and debases himself. But when he submits to the right to command that he grants to his fellow man, he rises, in a sense,

above the very one who commands him. There are no great men without virtue; without respect for rights there is no great people. One could almost say there is no society, for what is a gathering of rational and intelligent beings whose only bond is force?

I ask myself what means there is, in our day, of instilling the idea of rights in men, and of making it, so to speak, palpable to their senses. I see only one: to give them all the peaceful exercise of certain rights. One sees this clearly in children, who are men in everything except strength and experience. When the child begins to move about among external objects, instinct leads him to put to his own use everything that comes to hand. He has no idea of the property of others, not even of its existence. But as he learns the value of things, and discovers that he in turn may be stripped of them, he becomes more cautious. In the end he respects in his fellows what he wants others to respect in him.

What happens to the child with his toys happens later to the man with all the objects that belong to him. Why is it that in America, the democratic country par excellence, no one voices the complaints against property in general that so often ring out in Europe? Need it be said? It is because in America there are no proletarians. Everyone, having some possession of his own to defend, recognizes the right of property in principle.

It is the same in the political world. In America the man of the people has formed a lofty idea of political rights, because he has political rights. He does not attack the rights of others, so that his own will not be violated. And whereas in Europe this same man refuses to recognize even sovereign authority, the American submits without complaint to the power of the least of his magistrates.

This truth appears even in the smallest details of the life of peoples. In France there are few pleasures reserved exclusively for the upper classes of society. The poor man is admitted almost everywhere the rich man can go, and so one sees him behave with propriety and respect everything that serves pleas-

ures he shares. In England, wealth has the privilege of joy as well as the monopoly of power. There people complain that when the poor man manages to slip furtively into a place meant for the pleasures of the rich, he likes to do pointless damage there. Why be surprised? Care has been taken that he should have nothing to lose.

Democratic government brings the idea of political rights down to the least of the citizens, just as the division of property puts the idea of the right of property in general within reach of all men. That, in my eyes, is one of its greatest merits.

I am not saying it is an easy thing to teach all men to use political rights. I am only saying that, when it can be done, the effects that result are great.

And I add that if there is any age in which such an undertaking ought to be attempted, that age is ours.

Do you not see that religions are weakening and that the divine notion of rights is disappearing? Do you not notice that mores are changing, and that the moral notion of rights is fading along with them?

Do you not see on every side beliefs giving way to reasoning, and feelings to calculation? Personal interest presents itself as the only fixed point in the human heart. If, amid this universal upheaval, you do not manage to link the idea of rights to that interest, what will you have left to govern the world, except fear?

So when I am told that the laws are weak and the governed turbulent, that passions are strong and virtue powerless, and that in this situation one must not think of increasing the rights of democracy, I reply that it is because of these very things that I believe one must think of it. In truth, I think governments have even more at stake in it than society does, for governments perish, and society cannot die. But I do not want to make undue use of the example of America.

In America, the people were invested with political rights at a time when it was difficult for them to misuse those rights, because the citizens were few in number and simple in their

mores. As they grew, the Americans did not, so to speak, increase the powers of democracy; rather, they extended its domain.

There can be no doubt that the moment when political rights are granted to a people who have until then been deprived of them is a moment of crisis—a crisis often necessary, but always dangerous.

The child kills when he does not know the value of life; he takes away other people's property before he knows that his own can be taken from him. At the moment political rights are granted to him, the man of the people finds himself in the same position toward those rights as the child toward all of nature. This is the occasion to apply to him that famous saying: *Homo puer robustus*.[45]

This truth can be seen even in America. The states where citizens have enjoyed their rights the longest are those where they still know best how to use them.

It cannot be said too often: nothing is more fertile in marvels than the art of being free, but nothing is harder than the apprenticeship of liberty. The same is not true of despotism. Despotism often presents itself as the remedy for all past sufferings. It is the support of just rights, the protector of the oppressed, and the founder of order. Peoples fall asleep in the lap of the momentary prosperity it brings about, and when they wake up, they are wretched. Liberty, by contrast, is usually born amid storms. It establishes itself painfully in the midst of civil discord, and only when it has already grown old can its benefits be known.

On respect for the law in the United States

The Americans' respect for the law—The paternal love they feel for it—The personal interest each person finds in increasing the power of the law

It is not always possible to call the whole people, either directly or indirectly, to the making of the law. But it cannot be denied that, when this is practicable, the law gains great author-

45 "Man is a sturdy child": an echo of Thomas Hobbes, who wrote in the preface to *De Cive* (1642) that the wicked man is like a sturdy child.

ity from it. This popular origin often harms the quality and wisdom of legislation, but it contributes remarkably to its power.

There is a prodigious force in the expression of the will of an entire people. When it comes out into broad daylight, even the imagination of those who would like to fight it is, as it were, overwhelmed.

Parties know this truth well.

And so one sees them dispute the majority wherever they can. When they lack it among those who voted, they place it among those who abstained. And when it escapes them there too, they find it again among those who had no right to vote.

In the United States, apart from slaves, servants, and paupers supported by the townships, everyone is a voter, and in that capacity everyone contributes indirectly to the law. Those who want to attack the laws are therefore reduced to doing one of two things openly: they must either change the opinion of the nation or trample its will underfoot.

Add to this first reason another, more direct and more powerful: in the United States everyone has a kind of personal interest in everyone obeying the laws. For the man who is not part of the majority today may be in its ranks tomorrow, and the respect he now professes for the will of the legislator he will soon have occasion to demand for his own. However vexing the law may be, the inhabitant of the United States therefore submits to it without difficulty, not only as the work of the greater number but also as his own. He regards it as a contract to which he had been a party.

So in the United States one does not see a large and ever-turbulent crowd that regards the law as a natural enemy and looks on it only with fear and suspicion. On the contrary, it is impossible not to notice that all classes show great confidence in the legislation that governs the country, and feel a kind of paternal love for it.

I am wrong to say all classes. In America, where the European scale of powers is turned upside down, the rich find themselves in a position like that of the poor in Europe; it is they who often

distrust the law. I have said it elsewhere: the real advantage of democratic government is not to guarantee the interests of all, as has sometimes been claimed, but only to protect those of the greatest number. In the United States, where the poor man governs, the rich always have reason to fear that he will abuse his power against them.

This frame of mind among the rich may produce a muted discontent, but society is not violently disturbed by it. The same reason that keeps the rich man from trusting the legislator keeps him from defying the legislator's commands. He does not make the law because he is rich, and he does not dare to break it because of his wealth. Among civilized nations, as a rule, only those who have nothing to lose revolt. Thus, if the laws of democracy are not always respectable, they are almost always respected. Those who generally break the laws cannot fail to obey laws they have made and from which they profit. And the citizens who might have an interest in breaking them are inclined by character and position to submit to whatever the legislator wills. Moreover, the people in America obey the law not only because it is their own work, but also because they can change it if by chance it harms them. They submit to it first as to an evil they have imposed on themselves, and then as to a passing evil.

POLITICAL ACTIVITY

Constant political agitation spreads into civil life, giving society a restless energy that is democracy's real advantage.

Activity that prevails in every part of the body politic in the United States; its influence on society

It is harder to conceive of the political activity that prevails in the United States than of the liberty or equality found there—The great movement that constantly agitates the legislatures is only an episode, an extension of this universal movement—Difficulty the American has in attending only to his own affairs—Political agitation spreads into civil society—Industrial activity

of the Americans arising in part from this cause—Indirect advantages society derives from the government of democracy

When you pass from a free country into one that is not free, you are struck by a most extraordinary sight. In the first, everything is activity and movement; in the second, everything seems calm and still. In the one, there is talk only of improvement and progress. In the other, you would think that society had acquired every good and now wanted only to rest and enjoy it. Yet the country that goes to so much trouble to be happy is generally richer and more prosperous than the one that seems so satisfied with its lot. And when you consider the two, it is hard to understand how so many new needs make themselves felt every day in the first, while so few seem to be felt in the second.

This remark applies to free countries that have kept the monarchical form and to those where aristocracy dominates. It applies far more to democratic republics. There it is no longer one portion of the people that undertakes to improve the state of society; the whole people takes this task upon itself. The aim is to provide for the needs and comforts not just of one class, but of all classes at once.

It is not impossible to conceive of the immense liberty the Americans enjoy, and one can also form some idea of their extreme equality. But what cannot be understood without having already witnessed it is the political activity that prevails in the United States.

No sooner have you set foot on American soil than you find yourself in the midst of a kind of tumult. A confused clamor rises on every side; a thousand voices reach your ear at once, each expressing some social need. Around you everything is in motion. Here, the people of a neighborhood have gathered to settle whether a church should be built. There, they are busy choosing a representative. Farther on, the delegates of a district are hurrying to town to see about certain local improvements. Elsewhere, the farmers of a village are leaving their furrows to go and discuss the plan for a road or a school. Citizens assemble

for the sole purpose of declaring that they disapprove of the government's course, while others meet to proclaim that the men in office are the fathers of their country. Here are still others who regard drunkenness as the chief source of the state's ills, and who come to pledge solemnly to set an example of temperance[46].

The great political movement that constantly agitates the American legislatures is the only one noticed from outside. Yet it is only an episode and a sort of extension of this universal movement, which begins in the lowest ranks of the people and then spreads, step by step, to all classes of citizens. No one could work harder at being happy.

It is hard to say what place the concerns of politics occupy in a man's life in the United States. To take part in the government of society and to talk about it is the greatest business, and so to speak the only pleasure, that an American knows. This can be seen even in the smallest habits of his life. Women themselves often go to public meetings, and by listening to political speeches they find relief from the tedium of housekeeping. For them, clubs to some extent take the place of the theater. An American does not know how to converse, but he debates; he does not discourse, he lectures. He always speaks to you as though addressing a meeting; and if by chance he grows heated, he will say "Gentlemen" to the person he is talking with.

In some countries, the inhabitant accepts the political rights the law grants him only with a kind of reluctance. Spending his time on common interests seems to him like being robbed of it, and he likes to shut himself up within a narrow selfishness whose exact boundary is four ditches topped by a hedge.

By contrast, if the American were ever reduced to attending only to his own affairs, half his existence would be taken from

46 TOCQUEVILLE'S NOTE. Temperance societies are associations whose members pledge to abstain from strong liquor. At the time of my visit to the United States, the temperance societies already had more than 270,000 members. In the state of Pennsylvania alone, they had reduced the consumption of strong liquor by 500,000 gallons a year.

him. He would feel something like an immense void in his days, and he would become unbelievably unhappy[47].

I am convinced that if despotism ever succeeds in establishing itself in America, it will find it even harder to overcome the habits that liberty has fostered than to overcome the love of liberty itself.

This ever-renewed agitation, which the government of democracy has introduced into the political world, then passes into civil society. All things considered, I am not sure this is not the greatest advantage of democratic government. I praise it far more for what it causes to be done than for what it does.

It is beyond dispute that the people often manage public affairs very badly. But the people cannot take part in public affairs without widening the circle of their ideas and leaving their ordinary routine of thought. The man of the people who is called to the government of society acquires a certain self-esteem. Since he is then a power, highly enlightened minds place themselves at the service of his own. People constantly appeal to him to win his support, and by trying to deceive him in a thousand different ways, they enlighten him. In politics he takes part in undertakings he did not conceive, but which give him a general taste for undertakings. Every day new improvements to be made to common property are pointed out to him, and he feels a desire to improve his own property. He is perhaps neither more virtuous nor happier than those who came before him, but he is more enlightened and more active. I do not doubt that democratic institutions, together with the physical nature of the country, are the cause of the prodigious surge of industry seen in the United States. They are not its direct cause, as so many people say, but its indirect cause. It is not the laws that give rise to it, but the people learn to produce it by making the law.

47 TOCQUEVILLE'S NOTE. The same fact was already observed in Rome under the first Caesars. Montesquieu remarks somewhere that nothing equaled the despair of certain Roman citizens who, after the agitations of a political life, suddenly returned to the calm of private life.

The enemies of democracy claim that one man does what he undertakes better than the government of all, and it seems to me they are right. Assuming equal enlightenment on both sides, the government of one man brings more consistency to its undertakings than the multitude does. It shows more perseverance, more sense of the whole, more perfection in detail, and sounder judgment in the choice of men. Those who deny these things have never seen a democratic republic, or have judged from only a few examples. Even when local circumstances and the dispositions of the people allow democracy to endure, it does not present the spectacle of administrative regularity and methodical order in government; that is true. Democratic liberty does not carry out each of its undertakings as perfectly as intelligent despotism does. It often abandons them before reaping their fruit, or ventures on dangerous ones. But in the long run it produces more than despotism; it does each thing less well, but it does more things. Under its sway, what is great is not chiefly what the public administration accomplishes, but what is accomplished without it and outside it. Democracy does not give the people the most skillful government, but it does what the most skillful government is often powerless to create. It spreads throughout the social body a restless activity, a superabundant force, an energy that never exist without it. If circumstances are at all favorable, these can bring forth wonders. Therein lie its true advantages.

In this age, when the destinies of the Christian world seem to hang in the balance, some hasten to attack democracy as a hostile power while it is still growing. Others already worship it as a new god emerging from nothingness. But both know only imperfectly the object of their hatred or their desire; they fight in the dark and strike only at random.

What do you ask of society and its government? We must be clear about this.

Do you wish to give the human mind a certain loftiness, a generous way of viewing the things of this world? Do you wish to inspire in men a kind of contempt for material goods? Do you

want to give rise to deep convictions or sustain them, and to prepare the way for great acts of devotion?

Is your aim to refine mores, elevate manners, and make the arts shine? Do you want poetry, acclaim, glory?

Do you intend to organize a people so that it acts powerfully on all others? Do you destine it to attempt great enterprises and, whatever the outcome of its efforts, to leave an immense mark on history?

If, in your view, that is the principal object men in society should set themselves, do not choose the government of democracy; it would not be sure to lead you to your goal.

But perhaps it seems useful to you to turn man's intellectual and moral activity toward the necessities of material life, and to employ it in producing well-being. Perhaps reason seems to you more beneficial to men than genius. Perhaps your object is to create peaceful habits, not heroic virtues. Perhaps you would rather see vices than crimes, and prefer to find fewer great deeds on condition of meeting with fewer outrages; perhaps, instead of acting within a brilliant society, it is enough for you to live in the midst of a prosperous one. Perhaps, finally, you believe that the principal object of a government is not to give the whole body of the nation as much strength or as much glory as possible, but to procure for each of the individuals who compose it the greatest well-being and to spare each of them the most misery. If so, equalize conditions and constitute the government of democracy.

But perhaps it is no longer time to make a choice, and a force superior to man is already drawing you toward one of the two governments without consulting your wishes. If so, seek at least to draw from it all the good it can do. And, knowing its good instincts as well as its evil tendencies, strive to restrain the effects of the latter and to develop the former.

CHAPTER 7: ON THE OMNIPOTENCE OF THE MAJORITY IN THE UNITED STATES AND ITS EFFECTS (DE L'OMNIPOTENCE DE LA MAJORITÉ AUX ÉTATS-UNIS ET DE SES EFFETS)

The majority's moral and legal power is nearly absolute in America, and nothing restrains it.

1.2.7 Natural strength of the majority in democracies—Most American constitutions have artificially increased this natural strength—How—Binding mandates—Moral empire of the majority—Belief in its infallibility—Respect for its rights—What increases it in the United States[48]

It is of the very essence of democratic governments that the dominion of the majority be absolute, for in democracies there is nothing outside the majority that can resist it.

Most American constitutions have further sought to increase this natural strength of the majority artificially[49].

Of all political powers, the legislature is the one that most readily obeys the majority. The Americans wanted the members of the legislature to be chosen *directly* by the people, and for a *very short term*. In this way they would be obliged to submit not only to the general views of their constituents, but also to their daily passions.

They took the members of both houses from the same classes and chose them in the same way. As a result, the movements of the legislative body are almost as rapid as those of a single assembly, and no less irresistible.

Having constituted the legislature in this way, they concentrated almost the whole of government within it.

While the law increased the strength of the powers that were naturally strong, it weakened more and more those that were

48 Binding mandates ("mandats impératifs") are instructions by which voters bind their representatives to vote in a particular way.

naturally weak. It granted the representatives of executive power neither stability nor independence. By subjecting them completely to the whims of the legislature, it took from them the little influence that the nature of democratic government would have allowed them to exercise.

In several states it handed the judicial power over to election by the majority. In all of them it made the judiciary's very existence depend, in a sense, on the legislative power, by leaving to the representatives the right to set the judges' salaries each year.

Custom has gone further still than the laws.

A custom is spreading more and more in the United States that will end by making the guarantees of representative government worthless. Very often the voters, in electing a representative, lay out a plan of conduct for him and impose on him a number of positive obligations from which he may in no way depart. Apart from the uproar, it is as if the majority itself were deliberating in the public square.

Several particular circumstances further tend to make the power of the majority in America not only predominant but irresistible.

The moral empire of the majority rests in part on the idea that there is more enlightenment and wisdom in many men gathered together than in one alone, and in the number of legislators than in their selection. It is the theory of equality applied to intellects. This doctrine attacks human pride in its last refuge, so the minority accepts it reluctantly and grows used to it only over time. Like all powers, and perhaps more than any of them, the power of the majority therefore needs to endure in order to seem legitimate. When it is first establishing itself, it makes itself obeyed by constraint. Only after people have lived under its laws for a long time do they begin to respect it.

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49 TOCQUEVILLE'S NOTE. We saw, in examining the federal Constitution, that the legislators of the Union had made efforts in the opposite direction. The result of those efforts was to make the federal government more independent within its sphere than the governments of the states. But the federal government concerns itself with little besides foreign affairs; it is the state governments that really direct American society.

The idea that the majority, by virtue of its enlightenment, has the right to govern society was brought to the soil of the United States by its first inhabitants. This idea, which would by itself be enough to create a free people, has now passed into the mores, and it can be found even in the smallest habits of life.

Under the old monarchy, the French held it as settled that the king could never err. When he happened to do wrong, they thought the fault lay with his advisers. This made obedience wonderfully easy: one could grumble against the law without ceasing to love and respect the lawgiver. The Americans hold the same opinion of the majority.

The moral empire of the majority also rests on the principle that the interests of the greater number must be preferred to those of the few. Now, it is easy to see that the respect professed for this right of the greater number naturally rises or falls with the state of parties. When a nation is divided among several great irreconcilable interests, the privilege of the majority is often disregarded, because submitting to it becomes too painful.

Suppose there existed in America a class of citizens whom the legislator was working to strip of certain exclusive advantages held for centuries, and wished to bring down from an elevated position into the ranks of the multitude. In that case the minority would probably not submit easily to its laws.

But since the United States was peopled by men who were equal among themselves, there is as yet no natural and permanent conflict between the interests of its various inhabitants.

There are social states in which the members of the minority cannot hope to win the majority over to their side, because to do so they would have to abandon the very object of the struggle they are waging against it. An aristocracy, for example, cannot become a majority while keeping its exclusive privileges, and it cannot let its privileges slip away without ceasing to be an aristocracy.

In the United States, political questions cannot be posed in so general and absolute a way. All parties are ready to acknowledge

the rights of the majority, because all of them hope one day to exercise those rights to their own advantage.

In the United States, then, the majority has immense power in fact and a power of opinion almost as great. Once it has formed on a question, there are, so to speak, no obstacles that can—I will not say halt—but even slow its advance and leave it time to hear the complaints of those it crushes as it passes.

The consequences of this state of affairs are pernicious and dangerous for the future.

How the omnipotence of the majority increases, in America, the legislative and administrative instability that is natural to democracies

How the Americans increase the legislative instability natural to democracy by changing the legislators every year and arming them with almost unlimited power—The same effect on the administration—In America, an infinitely greater but less continuous force is brought to social improvements than in Europe

I have spoken earlier of the vices natural to democratic government. There is not one of them that does not grow along with the power of the majority.

And, to begin with the most obvious of them all:

Legislative instability is an evil inherent in democratic government, because it is in the nature of democracies to bring new men to power. But this evil is greater or lesser according to the power and the means of action granted to the legislator.

In America, the authority that makes the laws is entrusted with sovereign power. It can give itself over swiftly and irresistibly to each of its desires, and every year it is given new representatives. In other words, the Americans have adopted precisely the combination that most favors democratic instability and that allows democracy to apply its changing wishes to the most important matters.

Thus America is, in our day, the country in the world where laws last the shortest time. Almost all the American constitutions have been amended within the last thirty years. There is

therefore no American state that has not, during that period, modified the principle of its laws.

As for the laws themselves, a glance at the archives of the various states of the Union is enough to show that in America the legislator's activity never slackens. It is not that American democracy is by nature more unstable than any other. It has simply been given the means to follow, in making laws, the natural instability of its inclinations[50].

The omnipotence of the majority, and the swift and absolute way in which its wishes are carried out in the United States, do more than make the law unstable. They have the same influence on the execution of the law and on the action of public administration.

Since the majority is the only power that it matters to please, people join eagerly in the works it undertakes; but the moment its attention turns elsewhere, all efforts cease. In the free states of Europe, by contrast, administrative power has an independent existence and a secure position, so the legislator's wishes continue to be carried out even while he is occupied with other matters.

In America, people bring far more zeal and energy to certain improvements than is done elsewhere.

In Europe, an infinitely smaller but more continuous social force is applied to these same things.

Several years ago, some religious men set out to improve the condition of the prisons. The public was stirred by their call, and the regeneration of criminals became a popular cause.[51]

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50 TOCQUEVILLE'S NOTE. The legislative acts promulgated in the state of Massachusetts alone, from 1780 to the present day, already fill three thick volumes. It should also be noted that the collection I am speaking of was revised in 1823, and that many laws that were old or had become pointless were removed from it. Yet the state of Massachusetts, which is no more populous than one of our departments, may be regarded as the most stable in the whole Union, and the one that brings the most consistency and wisdom to its undertakings.

TRANSLATOR'S NOTE. Departments are the administrative divisions into which France has been divided since 1790.

51 Tocqueville first came to America in 1831 with Gustave de Beaumont on an official mission to study its penitentiaries.

New prisons then went up. For the first time, the idea of reforming the offender entered a prison cell along with the idea of punishment. But the happy revolution that the public had joined so ardently, and that the simultaneous efforts of citizens made irresistible, could not be accomplished in a moment.

Alongside the new penitentiaries, whose development the majority's wish was hastening, the old prisons still remained and continued to hold a great number of offenders. These seemed to grow more unhealthy and more corrupting as the new ones grew more reformatory and more wholesome. This double effect is easily understood. The majority, absorbed by the idea of founding the new institution, had forgotten the one that already existed. Then, as everyone turned their eyes away from the object that no longer drew the master's gaze, supervision ceased. The salutary bonds of discipline were seen first to slacken and then, soon after, to break. And next to the prison, a lasting monument to the gentleness and enlightenment of our time, stood a dungeon that recalled the barbarism of the Middle Ages.

TYRANNY OF THE MAJORITY

Justice limits every majority; in America nothing checks the majority's power, so there is no guarantee against tyranny.

Tyranny of the majority

How the principle of the sovereignty of the people should be understood—Impossibility of conceiving a mixed government—Sovereign power must reside somewhere—Precautions that should be taken to moderate its action—These precautions have not been taken in the United States—What results from this

I regard as impious and detestable the maxim that, in matters of government, the majority of a people has the right to do anything. And yet I place the origin of all powers in the will of the majority. Am I contradicting myself?

There is a general law that has been made, or at least adopted, not merely by the majority of this or that people, but by the majority of all men. That law is justice.

Justice, then, marks the limit of every people's right.

A nation is like a jury charged with representing universal society and applying justice, which is that society's law. Should the jury, which represents society, have more power than the very society whose laws it applies?

So when I refuse to obey an unjust law, I by no means deny the majority the right to command. I merely appeal from the sovereignty of the people to the sovereignty of humankind.

Some people have not been afraid to say that a people, in matters that concerned only itself, could not go entirely beyond the bounds of justice and reason. On this view, there was no need to fear giving all power to the majority that represents it. But that is the language of a slave.

What, then, is a majority taken collectively, if not an individual who has opinions, and most often interests, contrary to those of another individual called the minority? Now, if you admit that a man invested with omnipotence can abuse it against his adversaries, why do you not admit the same of a majority? Have men changed their character by uniting? Have they become more patient in the face of obstacles by becoming stronger[52]? For my part, I cannot believe it. The power to do anything, which I refuse to any single one of my fellows, I will never grant to several.

Not that I believe that, to preserve liberty, several principles can be mixed in a single government so as truly to set them against one another.

What is called mixed government has always seemed to me a fantasy. Strictly speaking, there is no mixed government (in the

52 TOCQUEVILLE'S NOTE. No one would care to maintain that a people cannot abuse its strength against another people. Now, parties are like so many small nations within a large one; they stand toward one another as foreigners do.

If it is agreed that one nation can be tyrannical toward another nation, how can it be denied that one party can be tyrannical toward another party?

sense usually given to the term), because in every society one eventually discovers a principle of action that dominates all the others.

The England of the last century, which has been cited above all as an example of this kind of government, was an essentially aristocratic state, although it contained great elements of democracy. Its laws and mores were so arranged that the aristocracy was always bound, in the long run, to predominate there and to direct public affairs as it pleased.

The error arose because people, constantly seeing the interests of the great at odds with those of the people, thought only of the struggle, instead of attending to its outcome, which was the important point. When a society actually comes to have a mixed government—that is, one equally divided between opposing principles—it falls into revolution or dissolves.

I therefore think that a social power superior to all others must always be placed somewhere. But I believe liberty is in danger when that power meets no obstacle that can check its course and give it time to moderate itself.

Omnipotence seems to me a bad and dangerous thing in itself. Its exercise seems to me beyond the strength of any man, whoever he may be. Only God, I think, can be all-powerful without danger, because his wisdom and his justice are always equal to his power. There is therefore no authority on earth so worthy of respect in itself, or invested with so sacred a right, that I would let it act without control and rule without obstacles. So when I see the right and the means to do anything granted to any power whatever—whether it is called people or king, democracy or aristocracy, whether it is exercised in a monarchy or a republic—I say: there lies the seed of tyranny, and I seek to go and live under other laws.

What I most object to in democratic government, as it has been organized in the United States, is not its weakness, as many people in Europe claim, but on the contrary its irresistible strength. And what I find most repugnant in America is not the

extreme liberty that reigns there; it is how little guarantee one finds there against tyranny.

When a man or a party suffers an injustice in the United States, to whom do you expect him to turn? To public opinion? Public opinion is what forms the majority. To the legislative body? It represents the majority and obeys it blindly. To the executive power? It is appointed by the majority and serves as its passive instrument. To the forces of order? They are nothing other than the majority under arms. To the jury? The jury is the majority vested with the right to pronounce judgments; in certain states, even the judges are elected by the majority. However unjust or unreasonable the measure that strikes you, you must therefore submit to it[53].

53 TOCQUEVILLE'S NOTE. During the War of 1812, Baltimore saw a striking example of the excesses that the despotism of the majority can bring about. At that time the war was very popular in Baltimore. A newspaper that strongly opposed it aroused the inhabitants' indignation by taking this stand. The people assembled, smashed the presses, and attacked the journalists' houses. An attempt was made to call out the militia, but it did not answer the call. To save the unfortunate men threatened by public fury, the authorities decided to take them to prison, like criminals. This precaution was useless. During the night the people assembled again; since the magistrates had failed to call out the militia, the prison was broken into, one of the journalists was killed on the spot, and the others were left for dead. The guilty parties were brought before a jury and acquitted.

I once said to an inhabitant of Pennsylvania: "Please explain to me how, in a state founded by Quakers and renowned for its tolerance, freed Black people are not allowed to exercise the rights of citizens. They pay taxes; is it not just that they should vote?" "Do not insult us," he replied, "by believing that our legislators would have committed so gross an act of injustice and intolerance." "So in your state Black people have the right to vote?" "Without any doubt." "Then how is it that at the electoral meeting this morning I did not see a single one in the gathering?" "That is not the fault of the law," the American told me. "Black people do, it is true, have the right to present themselves at elections, but they voluntarily abstain from appearing." "That is very modest of them." "Oh, it is not that they refuse to go; they are afraid of being mistreated there. With us, it sometimes happens that the law lacks force when the majority does not support it. Now, the majority is imbued with the strongest prejudices against Black people, and the magistrates do not feel strong enough to guarantee them the rights the legislator has granted them." "What! So the majority, which has the privilege of making the law, also wants the privilege of disobeying it?"

TRANSLATOR'S NOTE. The newspaper was the Federalist *Federal Republican*; in the riots of July 1812 the Revolutionary War veteran James Lingan was killed and Henry "Light-Horse Harry" Lee was badly injured.

Suppose, on the contrary, a legislative body composed in such a way that it represents the majority without necessarily being the slave of its passions; an executive power with a strength of its own; and a judicial power independent of the other two powers. You will still have a democratic government, but there will be almost no chance left for tyranny.

I do not say that tyranny is often used in America at the present time. I say that no guarantee against it is to be found there, and that the causes of the government's mildness must be sought in circumstances and mores rather than in the laws.

Effects of the omnipotence of the majority on the arbitrary power of American public officials

Freedom that American law leaves to officials within the circle it has drawn—Their power

Arbitrary power must be carefully distinguished from tyranny. Tyranny can be exercised by means of the law itself, and then it is not arbitrary; arbitrary power can be exercised in the interest of the governed, and then it is not tyrannical.

Tyranny ordinarily makes use of arbitrary power, but if need be it knows how to do without it.

In the United States, the omnipotence of the majority, while it favors the legal despotism of the legislator, also favors the arbitrary power of the magistrate. Since the majority is absolute master both of making the law and of overseeing its execution, and has equal control over governors and governed, it regards public officials as its passive agents and willingly relies on them to carry out its designs. It therefore does not go into the details of their duties in advance and hardly takes the trouble to define their rights. It treats them as a master might treat his servants if, seeing them always act under his eyes, he could direct or correct their conduct at every moment.

In general, the law leaves American officials much freer than ours within the circle it draws around them. Sometimes the majority even allows them to step outside it. Secure in the opinion of the greatest number and strengthened by its support, they then dare to do things that still astonish a European, accus-

tomed though he is to the spectacle of arbitrary power. Thus, in the very midst of liberty, habits are formed that may one day prove fatal to it.

THE MAJORITY'S POWER OVER THOUGHT

The majority draws a circle around thought, leaving little independence of mind or freedom of discussion.

On the power the majority exercises over thought in America

In the United States, when the majority has irrevocably settled on a question, discussion ceases—Why—Moral power the majority exercises over thought—Democratic republics dematerialize despotism

When one comes to examine how thought is exercised in the United States, one sees very clearly how far the power of the majority surpasses all the powers we know in Europe.

Thought is an invisible and almost intangible power that makes sport of all tyrannies. In our day, the most absolute sovereigns of Europe cannot prevent certain thoughts hostile to their authority from circulating quietly in their states and even within their courts. It is not so in America. As long as the majority is in doubt, people talk; but as soon as it has irrevocably pronounced, everyone falls silent, and friends and enemies alike then seem to harness themselves together to its chariot. The reason is simple: there is no monarch so absolute that he can gather all the forces of society into his hand and overcome resistance as a majority vested with the right to make the laws and to execute them can.

Moreover, a king has only a material power, which acts on actions and cannot reach wills; but the majority is vested with a force at once material and moral, which acts on the will as much as on actions, and which prevents at the same time both the deed and the desire to do it.

I know of no country where, in general, there reigns less independence of mind and less genuine freedom of discussion than in America.

There is no religious or political theory that cannot be preached freely in the constitutional states of Europe, or that does not make its way into the others; for there is no country in Europe so subject to a single power that a man who wishes to speak the truth there cannot find support capable of reassuring him against the consequences of his independence. If he has the misfortune to live under an absolute government, he often has the people on his side; if he lives in a free country, he can, if need be, take shelter behind royal authority. The aristocratic part of society supports him in democratic countries, and the democracy in the others. But within a democracy organized like that of the United States, one meets only a single power, a single source of strength and success, and nothing outside it.

In America the majority draws a formidable circle around thought. Within those limits the writer is free; but woe to him if he dares to step outside them. It is not that he need fear an auto-da-fé, but he is exposed to vexations of every kind and to persecution every day. A political career is closed to him: he has offended the only power that can open it. Everything is denied him, even glory.[54] Before publishing his opinions, he believed he had supporters; now that he has revealed himself to all, it seems to him that he has none left. For those who blame him speak out loudly, while those who think as he does, without having his courage, keep silent and draw away. He yields; at last he bends under the daily strain and falls back into silence, as if he felt remorse for having told the truth.

Chains and executioners—these are the crude instruments that tyranny once used; but in our day civilization has perfected even despotism itself, which seemed to have nothing left to learn.

Princes had, so to speak, materialized violence; the democratic republics of our day have made it just as intellectual as the human will it seeks to constrain. Under the absolute government of one man, despotism, to reach the soul, struck crudely at

54 An auto-da-fé was the public ceremony at which the Inquisition pronounced sentence on heretics, often followed by their burning.

the body; and the soul, escaping its blows, rose gloriously above it. But in democratic republics tyranny does not proceed in this way: it leaves the body alone and goes straight for the soul. There the master no longer says: You will think as I do, or you will die. He says: You are free not to think as I do; your life, your property, everything remains yours; but from this day on you are a stranger among us. You will keep your privileges as a citizen, but they will become useless to you; for if you seek election from your fellow citizens, they will not grant it to you, and if you ask only for their esteem, they will still pretend to refuse it. You will remain among men, but you will lose your rights to humanity. When you approach your fellow men, they will shun you as an impure being; and even those who believe in your innocence will abandon you, for they in turn would be shunned. Go in peace; I leave you your life, but I leave it to you worse than death.

Absolute monarchies had brought despotism into dishonor; let us beware lest democratic republics rehabilitate it, and lest, by making it heavier for a few, they strip it, in the eyes of the greatest number, of its odious aspect and its degrading character.

Among the proudest nations of the Old World, works have been published that were meant to portray faithfully the vices and follies of their contemporaries. La Bruyère was living in the palace of Louis XIV when he wrote his chapter on the great, and Molière criticized the court in plays he had performed before the courtiers. But the power that dominates in the United States will not be made sport of in this way. The slightest reproach wounds it, the least stinging truth alarms it; and everything must be praised, from the forms of its language to its most solid virtues. No writer, however renowned, can escape this obligation to burn incense to his fellow citizens.[55] The majority thus lives in perpetual adoration of itself; only foreigners or experience can bring certain truths to the ears of Americans.

55 Jean de La Bruyère (1645–1696) wrote *Les Caractères* (*The Characters*), which includes the chapter "Of the Great," a satire of the nobility.

If America has not yet had great writers, we need look no further for the reasons: there is no literary genius without freedom of mind, and there is no freedom of mind in America.

The Inquisition was never able to prevent books contrary to the religion of the greatest number from circulating in Spain. The dominion of the majority does better in the United States: it has removed even the thought of publishing them. One meets unbelievers in America, but unbelief finds, so to speak, no voice there.

There are governments that strive to protect morals by condemning the authors of licentious books. In the United States no one is condemned for works of that kind; but no one is tempted to write them. This is not because all citizens have pure morals, but because the majority is regular in its own.

Here the use of power is doubtless good; that is why I am speaking only of power in itself. This irresistible power is a continuous fact, and its good use is only an accident.

THE COURTIER SPIRIT

The majority's dominance breeds flattery and stunts great characters; its omnipotence is the republics' greatest danger.

Effects of the tyranny of the majority on the national character of the Americans; on the courtier spirit in the United States

The effects of the tyranny of the majority are so far felt more on mores than on the conduct of society—They halt the development of great characters—Democratic republics organized like those of the United States put the courtier spirit within reach of the many—Proofs of this spirit in the United States—Why there is more patriotism in the people than in those who govern in its name

The influence of what has just been described is still felt only faintly in political society; but its harmful effects can already be seen on the national character of the Americans. I think it is chiefly to the ever-growing action of the despotism of the majority in the United States that we must attribute the small number

of remarkable men who appear there today on the political stage.

When the American Revolution broke out, such men appeared in throngs; public opinion then guided wills and did not tyrannize them. The famous men of that era, freely joining in the movement of minds, had a greatness all their own: they shed their luster on the nation and did not borrow it from the nation.

In absolute governments, the great who stand near the throne flatter the master's passions and bend willingly to his whims. But the mass of the nation does not lend itself to servitude; it often submits to it out of weakness, habit, or ignorance, and sometimes out of love of royalty or of the king. Peoples have been seen to take a kind of pleasure and pride in sacrificing their will to the prince's, and so to preserve a sort of independence of soul in the very midst of obedience. Among such peoples one finds far less degradation than wretchedness. There is, moreover, a great difference between doing what one does not approve and pretending to approve what one does: the first is the mark of a weak man, but the second belongs only to the habits of a lackey.

In free countries, where everyone is more or less called upon to give his opinion on affairs of state; in democratic republics, where public life is constantly intermingled with private life, where the sovereign can be approached from every side, and where one need only raise one's voice to reach his ear, one meets many more people seeking to speculate on his weaknesses and to live at the expense of his passions than in absolute monarchies. It is not that men there are naturally worse than elsewhere, but the temptation is stronger and presents itself to more people at once. The result is a far more general debasement of souls.

Democratic republics put the spirit of the court within reach of the many and make it penetrate all classes at once. That is one of the chief reproaches that can be made against them.

This is especially true in democratic states organized like the American republics. There the majority holds so absolute and so irresistible a sway that anyone who wishes to stray from the path it has marked out must in some sense renounce his rights as a citizen, and, so to speak, his very standing as a man.

Among the immense crowd pressing into political careers in the United States, I saw very few men who showed that manly candor, that virile independence of thought, which often distinguished the Americans in earlier times, and which, wherever it is found, is as it were the salient trait of great characters. At first glance one would say that in America all minds have been formed on the same model, so exactly do they follow the same paths. It is true that the foreigner sometimes meets Americans who depart from the rigor of the formulas. Such men may deplore the defects of the laws, the fickleness of democracy, and its lack of enlightenment. They often even go so far as to point out the faults that mar the national character, and they suggest means that might be taken to correct them. But no one except you listens to them; and you, to whom they confide these secret thoughts, are only a foreigner, and you are passing through. They readily give you truths that are of no use to you, and once they step down into the public square, they speak another language.

If these lines ever reach America, I am sure of two things: first, that readers will all raise their voices to condemn me; second, that many of them will acquit me in the depths of their conscience.

I heard talk of the fatherland in the United States. I found true patriotism among the people; I often looked for it in vain among those who lead them. This is easily understood by analogy: despotism depraves the one who submits to it far more than the one who imposes it. In absolute monarchies the king often has great virtues; but the courtiers are always base.

It is true that courtiers in America do not say “Sire” and “Your Majesty”—a great and capital difference. But they speak constantly of their master’s natural enlightenment. They do not set

as a prize question which of the prince's virtues most deserves admiration, for they assure him that he possesses all the virtues without having acquired them, and, so to speak, without wishing to. They do not give him their wives and daughters so that he may deign to raise them to the rank of his mistresses; but in sacrificing their opinions to him, they prostitute themselves.

Moralists and philosophers in America are not obliged to wrap their opinions in the veils of allegory. But before venturing a disagreeable truth, they say: "We know that we are speaking to a people too far above human weaknesses not to remain always master of itself. We would not use such language if we were not addressing men whose virtues and enlightenment make them alone, among all others, worthy of remaining free."

How could the flatterers of Louis XIV have done better?

For my part, I believe that under every government, whatever its form, baseness will attach itself to force, and flattery to power. And I know of only one way to keep men from degrading themselves: grant no one, along with omnipotence, the sovereign power to debase them.

That the greatest danger to the American republics comes from the omnipotence of the majority

It is through the misuse of their power, and not through powerlessness, that democratic republics are liable to perish—The government of the American republics more centralized and more energetic than that of the monarchies of Europe—Danger that results from this—Opinion of Madison and Jefferson on this subject

Governments usually perish from powerlessness or from tyranny. In the first case, power slips away from them; in the second, it is torn from them.

Many people, seeing democratic states fall into anarchy, have thought that government in such states was naturally weak and powerless. The truth is that once war has been kindled there between parties, the government loses its hold on society. But I do not think it is in the nature of a democratic power to lack strength and resources. On the contrary, I believe that it is

almost always the abuse of its strength and the misuse of its resources that bring about its ruin. Anarchy almost always arises from its tyranny or its incompetence, but not from its powerlessness.

We must not confuse stability with strength, or the greatness of a thing with its duration. In democratic republics, the power that directs[56] society is not stable, for it often changes hands and objects. But wherever it turns, its force is almost irresistible.

The government of the American republics seems to me as centralized as that of the absolute monarchies of Europe, and more energetic. So I do not think it will perish from weakness[57].

If liberty is ever lost in America, the blame will lie with the omnipotence of the majority, which will have driven minorities to despair and forced them to appeal to physical force. Then there will be anarchy, but it will come as a consequence of despotism.

President James Madison expressed the same thoughts. (See the *Federalist*, no. 51.)

"It is of great importance in republics," he says, "not only to defend society against the oppression of those who govern it, but also to protect one part of society against the injustice of the other. Justice is the end toward which every government must tend; it is the end men set themselves when they unite. Peoples have always striven toward this end, and always will, until they have either succeeded in reaching it or lost their liberty.

"If there existed a society in which the most powerful party could easily unite its forces and oppress the weaker, one could consider that anarchy reigns in such a society just as in the state of nature, where the weakest individual has no guarantee against the violence of the strongest. And just as, in the state of

56 TOCQUEVILLE'S NOTE. Power may be centralized in an assembly; then it is strong, but not stable. It may be centralized in one man; then it is less strong, but more stable.

57 TOCQUEVILLE'S NOTE. I hardly need to warn the reader, I think, that here, as throughout the rest of the chapter, I am speaking not of the federal government but of the individual governments of each state, which the majority directs despotically.

nature, the drawbacks of an uncertain and precarious lot lead the strongest to submit to a government that protects the weak as well as themselves, so under an anarchic government the same motives will gradually lead the most powerful parties to desire a government that can protect all parties equally, the strong and the weak alike. "If the state of Rhode Island were separated from the Confederacy and left to a popular government, exercised with sovereign authority within narrow limits, there can be no doubt that the tyranny of majorities would make the exercise of rights there so uncertain that people would end up calling for a power wholly independent of the people. The very factions that had made it necessary would hasten to appeal to it."

Jefferson also said: "The executive power in our government is not the only object of my concern, and perhaps not even the principal one. The tyranny of the legislators is at present, and will be for many years to come, the most formidable danger. That of the executive power will come in its turn, but at a more distant period[58]."

On this subject I prefer to quote Jefferson over anyone else, because I consider him the most powerful apostle democracy has ever had.

CHAPTER 8: ON WHAT TEMPERS THE TYRANNY OF THE MAJORITY IN THE UNITED STATES (DE CE QUI TEMPÈRE AUX ÉTATS-UNIS LA TYRANNIE DE LA MAJORITÉ)

The absence of administrative centralization limits the majority's reach, since local officials carry out its will.

1.2.8 Absence of administrative centralization

The national majority has no idea of doing everything—It is obliged to use the magistrates of the township and the counties to carry out its sovereign will

I have previously distinguished two kinds of centralization; I called one governmental and the other administrative.

58 TOCQUEVILLE'S NOTE. Letter from Jefferson to Madison, March 15, 1789.

Only the first exists in America; the second is almost unknown there.

Suppose the power that directs American societies had both these means of government at its disposal, and joined to the right to command everything the ability and the habit of carrying out everything itself. Suppose that, after establishing the general principles of government, it entered into the details of their application, and that, after regulating the great interests of the country, it could descend to the very boundary of individual interests. Then liberty would soon be banished from the New World.

But in the United States the majority, which often has the tastes and instincts of a despot, still lacks the most perfected instruments of tyranny.

In none of the American republics has the central government ever concerned itself with more than a small number of matters important enough to draw its attention. It has not undertaken to regulate the secondary affairs of society. Nothing indicates that it has even conceived the desire to do so. The majority, in becoming more and more absolute, has not increased the powers of the central authority; it has only made that authority all-powerful within its own sphere. Thus despotism can weigh very heavily at one point, but it cannot extend to all.

Moreover, however carried away by its passions the national majority may be, however ardent in its projects, it cannot make all citizens everywhere bend to its desires in the same way and at the same moment. When the central government that represents it has issued a sovereign command, it must rely, for the execution of that command, on agents who often do not depend on it and whom it cannot direct at every moment. Municipal bodies and county administrations thus form so many hidden reefs that slow or divide the tide of the popular will. Even if the law were oppressive, liberty would still find shelter in the way the law was carried out; and the majority could not descend into the details and, if I may say so, the puerilities of administrative

tyranny. It does not even imagine that it could do so, for it is not fully aware of its own power. It knows as yet only its natural strength, and it does not know how far art might extend its limits.

This deserves reflection. Suppose a democratic republic like that of the United States were ever founded in a country where the power of a single man had already established administrative centralization and made it part of the habits as well as the laws. I do not hesitate to say that in such a republic despotism would become more intolerable than in any of the absolute monarchies of Europe. One would have to go to Asia to find anything to compare with it.

THE LEGAL SPIRIT

Lawyers' habits of order make them an aristocratic counterweight to democracy, strongest in England and America.

On the legal spirit in the United States, and how it serves as a counterweight to democracy[59]

Usefulness of inquiring into the natural instincts of the legal spirit—Lawyers called to play a great role in the society that is struggling to be born—How the kind of work to which lawyers devote themselves gives an aristocratic turn to their ideas—Accidental causes that can hinder the development of these ideas—Ease with which the aristocracy unites with lawyers—Use a despot could make of lawyers. How lawyers form the only aristocratic element by nature able to combine with the natural elements of democracy—Particular causes that tend to give an aristocratic turn to the mind of the English and American lawyer — The American aristocracy is at the bar and on the bench—Influence exercised by lawyers on American society—How their spirit penetrates the legislatures and the administration, and ends by giving the people themselves something of the instincts of magistrates

59 Tocqueville's *légistes* covers all men trained in the law—judges, advocates, jurists—not only practicing attorneys.

When one visits the Americans and studies their laws, one sees that the authority they have given to lawyers, and the influence they have allowed them to acquire in government, today form the most powerful barrier against the excesses of democracy. This effect seems to me to stem from a general cause that is worth investigating, for it may recur elsewhere.

Lawyers have been involved in every movement of political society in Europe for five hundred years. Sometimes they have served as instruments of the political powers; sometimes they have used the political powers as their instruments. In the Middle Ages, lawyers did wonders in helping to extend the dominion of kings; since then, they have worked powerfully to restrict that same power. In England they have been seen to unite closely with the aristocracy; in France they have shown themselves its most dangerous enemies. Do lawyers, then, yield only to sudden and momentary impulses? Or do they obey, more or less according to circumstances, instincts that are natural to them and that always recur? I should like to clarify this point; for perhaps lawyers are called to play the leading role in the political society that is struggling to be born.

Men who have made a special study of the laws have drawn from this work habits of order, a certain taste for forms, and a kind of instinctive love for the orderly sequence of ideas. These naturally make them strongly opposed to the revolutionary spirit and to the unreflecting passions of democracy.

The special knowledge that lawyers acquire in studying the law assures them a separate rank in society; they form a kind of privileged class among the intellects. The practice of their profession reminds them of this superiority every day. They are masters of a necessary science, knowledge of which is not widespread. They serve as arbiters among citizens, and the habit of steering the blind passions of litigants toward their goal gives them a certain contempt for the judgment of the crowd. Add to this that they naturally form *a body*. It is not that they reach an understanding among themselves and move in concert toward

the same point. But common studies and a shared method bind their minds to one another, as interest might unite their wills.

Hidden in the depths of lawyers' souls, then, one finds some of the tastes and habits of aristocracy. Like the aristocracy, they have an instinctive bent for order and a natural love of forms; like it, they feel a great distaste for the actions of the multitude and secretly despise government by the people.

I do not mean that these natural inclinations of lawyers are strong enough to bind them irresistibly. What prevails among lawyers, as among all men, is private interest, and above all the interest of the moment.

There are societies in which men of law cannot take a rank in the political world comparable to the one they hold in private life; one can be sure that, in a society organized in this way, lawyers will be very active agents of revolution. But we must ask whether the cause that then drives them to destroy or to change arises, in them, from a permanent disposition or from an accident. It is true that lawyers contributed remarkably to the overthrow of the French monarchy in 1789. It remains to be seen whether they acted as they did because they had studied the laws, or because they could have no part in making them.

Five hundred years ago the English aristocracy put itself at the head of the people and spoke in its name; today it upholds the throne and makes itself the champion of royal authority. Yet the aristocracy has instincts and inclinations all its own.

We must also take great care not to mistake isolated members of the body for the body itself.

In all free governments, whatever their form, lawyers will be found in the front ranks of every party. The same remark applies to the aristocracy as well. Almost all the democratic movements that have shaken the world have been led by nobles.

An elite body can never satisfy all the ambitions it contains; it always holds more talents and passions than posts, and one is sure to find in it a great many men who, unable to rise fast enough by making use of the body's privileges, seek to do so by attacking those privileges.

I do not claim, then, that a time must come when *all* lawyers will show themselves friends of order and enemies of change, nor that most of them must do so at *all* times.

What I say is that in a society where lawyers hold, uncontested, the high position that naturally belongs to them, their spirit will be eminently conservative and will show itself antidemocratic.

When the aristocracy closes its ranks to lawyers, it finds in them enemies all the more dangerous because, though below it in wealth and power, they are independent of it through their work and feel themselves its equals in enlightenment.

But whenever the nobles have been willing to let lawyers share some of their privileges, these two classes have found it very easy to unite and have discovered themselves, so to speak, to be members of the same family.

I am likewise inclined to believe that a king will always find it easy to make lawyers the most useful instruments of his power.

There is infinitely more natural affinity between men of law and the executive power than between them and the people, although lawyers have often helped to overthrow the former; just as there is more natural affinity between the nobles and the king than between the nobles and the people, although the upper classes of society have often been seen joining with the others to fight against royal power.

What lawyers love above all things is a life of order, and the greatest guarantee of order is authority. Nor should we forget that, if they prize liberty, they generally place legality far above it; they fear tyranny less than arbitrariness, and provided the legislator himself undertakes to take away men's independence, they are more or less content.

I think, therefore, that a prince who, faced with an encroaching democracy, sought to break down the judicial power in his dominions and to diminish the political influence of lawyers there would be making a great mistake. He would let go of the substance of authority to grasp at its shadow.

I have no doubt that he would find it more profitable to bring lawyers into the government. Having entrusted them with a despotism that wore the form of violence, he might perhaps find it again in their hands wearing the features of justice and law.

Democratic government is favorable to the political power of lawyers. When the rich man, the noble, and the prince are excluded from government, lawyers arrive there, so to speak, by right; for they are then the only enlightened and capable men whom the people can choose from outside their own ranks.

If lawyers are naturally drawn toward the aristocracy and the prince by their tastes, they are therefore naturally drawn toward the people by their interest.

Thus lawyers like democratic government without sharing its inclinations or imitating its weaknesses—a twofold reason for being powerful through it and over it.

In a democracy the people do not distrust lawyers, because they know that it is in the lawyers' interest to serve their cause; they listen to them without anger, because they do not suspect them of ulterior motives. Indeed, lawyers have no wish to overthrow the government that democracy has given itself, but they constantly strive to steer it in a direction that is not its own and by means that are foreign to it. The lawyer belongs to the people by his interest and his birth, and to the aristocracy by his habits and his tastes; he is something like the natural link between the two, the ring that joins them.

The body of lawyers is the only aristocratic element that can mix effortlessly with the natural elements of democracy and combine with them in a happy and lasting way. I am not unaware of the defects inherent in the legal spirit; yet without this mixture of the legal spirit with the democratic spirit, I doubt that democracy could govern society for long, and I cannot believe that in our day a republic could hope to preserve its existence if the influence of lawyers in its affairs did not grow in proportion to the power of the people.

This aristocratic character that I perceive in the legal spirit is even more pronounced in the United States and in England than

in any other country. This is due not only to the study of the laws that English and American lawyers undertake, but to the very nature of the legislation and to the position these interpreters hold among those two peoples.

The English and the Americans have kept the law of precedent; that is to say, they continue to draw from the legal opinions and decisions of their fathers the opinions they should hold in matters of law and the decisions they should render.

In an English or American lawyer, therefore, a taste and respect for what is old is almost always joined to a love of what is regular and lawful.

This has yet another influence on the cast of mind of lawyers, and consequently on the course of society.

The English or American lawyer looks for what has been done, the French lawyer for what must have been intended; the one wants rulings, the other reasons.

When you listen to an English or American lawyer, you are surprised to hear him cite the opinion of others so often and speak so little of his own, whereas among us the reverse happens.

There is no case so small that a French advocate will agree to handle it without bringing in a system of ideas of his own, and he will argue the very first principles of the laws, all so that it may please the court to move the boundary stone of the disputed inheritance back by a toise.[60]

This sort of abnegation by which the English and American lawyer renounces his own judgment and defers to that of his fathers, this kind of servitude in which he is obliged to keep his thought, must give the legal spirit more timid habits and lead it to acquire more stationary inclinations in England and America than in France.

Our written laws are often hard to understand, but anyone can read them; there is nothing, by contrast, more obscure to ordinary people or less within their reach than a legislation founded on precedents. This need for the lawyer in England and

60 The toise was an old French measure of length, a little under two meters.

the United States, this high idea people form of his learning, separates him more and more from the people and completes the work of placing him in a class apart. The French lawyer is merely a scholar; but the English or American man of law somewhat resembles the priests of Egypt: like them, he is the sole interpreter of an occult science.

The position that men of law occupy in England and America has no less an influence on their habits and opinions. The English aristocracy, which has taken care to draw into its bosom everything that bore some natural affinity to it, has granted lawyers a very large share of esteem and power. In English society lawyers are not in the first rank, but they are content with the rank they hold. They form something like the younger branch of the English aristocracy, and they love and respect their elders without sharing all their privileges. English lawyers thus combine with the aristocratic interests of their profession the aristocratic ideas and tastes of the society in which they live.

So it is above all in England that one can see in high relief the type of lawyer I am trying to portray: the English lawyer values the laws not so much because they are good as because they are old; and if he finds himself compelled to modify them on some point, to adapt them to the changes that time works upon societies, he resorts to the most incredible subtleties in order to persuade himself that, in adding something to the work of his fathers, he is only developing their thought and completing their labors. Do not hope to make him admit that he is an innovator; he will go as far as absurdity rather than confess himself guilty of so great a crime. It was in England that this legalistic spirit was born—a spirit that seems indifferent to the substance of things and attends only to the letter, and that would sooner depart from reason and humanity than from the law.

English law is like an ancient tree onto which lawyers have constantly grafted the most foreign shoots, in the hope that, though they bear different fruit, they will at least blend their foliage with the venerable trunk that supports them.

LAWYERS IN AMERICA

In America lawyers form the true aristocracy, and their spirit spreads through courts, legislatures and the people.

In America there are no nobles or men of letters, and the people distrust the rich. Lawyers therefore form the highest political class and the most intellectual part of society. They could thus only lose by innovating: this adds a conservative interest to their natural taste for order.

If I were asked where I place the American aristocracy, I would answer without hesitation that it is not among the rich, who have no common bond to bring them together. The American aristocracy is at the bar and on the bench.

The more one reflects on what happens in the United States, the more one becomes convinced that the body of lawyers forms in that country the most powerful and, so to speak, the only counterweight to democracy.

It is in the United States that one easily discovers how well suited the legal spirit is, by its qualities and, I will even say, by its defects, to neutralize the vices inherent in popular government.

When the American people lets itself be intoxicated by its passions, or gives itself up to the pull of its ideas, the lawyers make it feel an almost invisible brake that moderates and halts it. To its democratic instincts they secretly oppose their aristocratic inclinations; to its love of novelty, their superstitious respect for what is old; to the immensity of its designs, their narrow views; to its contempt for rules, their taste for forms; and to its ardor, their habit of proceeding slowly.

The courts are the most visible organs through which the body of lawyers acts upon democracy.

The judge is a lawyer who, apart from the taste for order and rules he acquired in studying the laws, also draws a love of stability from the permanence of his tenure. His legal knowledge had already secured him a high position among his fellows; his

political power completes his elevation to a rank apart and gives him the instincts of the privileged classes.

Armed with the right to declare laws unconstitutional, the American magistrate constantly enters into political affairs[61]. He cannot force the people to make laws, but at least he constrains them not to be unfaithful to their own laws and to remain consistent with themselves.

I am not unaware that there exists in the United States a secret tendency leading the people to reduce the judicial power; in most of the individual state constitutions, the government, at the request of the two houses, can remove judges from their seats. Some constitutions have the members of the courts *elected* and subject them to frequent reelection. I venture to predict that these innovations will sooner or later have disastrous results, and that it will one day be seen that, by thus diminishing the independence of magistrates, one has attacked not only the judicial power but the democratic republic itself.

It should not be thought, moreover, that in the United States the legal spirit is confined solely within the walls of the courts; it extends far beyond them.

Lawyers, being the only enlightened class the people do not distrust, are naturally called upon to fill most public posts. They fill the legislatures and head the administrations; they thus exercise great influence over the making of the law and over its execution. Lawyers are nonetheless obliged to yield to the current of public opinion that carries them along; but it is easy to find signs of what they would do if they were free. The Americans, who have innovated so much in their political laws, have introduced only slight changes, and with great difficulty, into their civil laws, although several of those laws are strongly at odds with their social state. This is because in matters of civil law the

61 TOCQUEVILLE'S NOTE. See in the first volume what I say about the judicial power.

TRANSLATOR'S NOTE. Tocqueville refers to his chapter on the judicial power in the United States (1.1.6).

majority is always obliged to defer to the lawyers; and American lawyers, left to their own judgment, do not innovate.

It is a very strange thing for a Frenchman to hear the complaints raised in the United States against the stationary spirit of lawyers and their prejudices in favor of what is established.

The influence of the legal spirit extends even further than the precise limits I have just traced.

There is hardly a political question in the United States that does not sooner or later turn into a judicial question. Hence the parties, in their daily polemics, are obliged to borrow the ideas and language of the courts. Since most public men, moreover, are or have been lawyers, they carry into the conduct of affairs the habits and turn of mind that are peculiar to them. The jury completes the work of making all classes familiar with them. Judicial language thus becomes, in a sense, the common language. The legal spirit, born inside the schools and the courts, therefore spreads little by little beyond their walls. It seeps, so to speak, into the whole of society; it descends to the lowest ranks; and the entire people ends by acquiring some of the habits and tastes of the magistrate.

In the United States, lawyers form a power that is little feared and barely noticed. It has no banner of its own, bends flexibly to the demands of the time, and lets itself be carried without resistance by every movement of the social body. Yet it envelops the whole of society, penetrates each of the classes that compose it, works on it in secret, acts on it constantly without its knowledge, and ends by shaping it to its own desires.

THE JURY AS A POLITICAL INSTITUTION

The jury is a form of popular sovereignty that places the real direction of society in the people's hands.

On the jury in the United States considered as a political institution

The jury, being one mode of the sovereignty of the people, must be brought into harmony with the other laws that establish

this sovereignty—Composition of the jury in the United States—Effects produced by the jury on the national character. The education it gives the people—How it tends to establish the influence of magistrates and to spread the legal spirit

Since my subject has naturally led me to speak of justice in the United States, I will not leave this matter without dealing with the jury.

Two things must be distinguished in the jury: a judicial institution and a political institution.

If the question were how far the jury, and above all the civil jury, serves the good administration of justice, I would admit that its usefulness could be disputed.

The institution of the jury arose in a society that was not very advanced, where hardly anything but simple questions of fact was brought before the courts. It is no easy task to adapt it to the needs of a highly civilized people, once the relations among men have multiplied remarkably and taken on a learned and intellectual character[62].

My main purpose at the moment is to consider the political side of the jury; any other course would take me away from my subject. As for the jury considered as a judicial instrument, I will say only a few words. When the English adopted the institu-

62 TOCQUEVILLE'S NOTE. It would in itself be a useful and interesting undertaking to consider the jury as a judicial institution, to assess the effects it produces in the United States, and to investigate how the Americans have made use of it. The examination of that question alone could furnish the subject of an entire book, and of a book of interest to France. One would investigate, for example, what part of the American institutions relating to the jury could be introduced among us, and by what stages. The American state that would shed the most light on this subject would be Louisiana. Louisiana contains a mixed population of French and English. The two legal systems stand side by side there, like the two peoples, and are gradually merging with each other. The most useful books to consult would be the two-volume collection of the laws of Louisiana entitled *Digest of the Laws of Louisiana*; and perhaps even more, a course on civil procedure written in both languages and entitled *Treatise on the Rules of Civil Actions*, printed in 1830 in New Orleans by Buisson. This work has a special advantage: it gives the French a reliable and authoritative explanation of English legal terms. The language of the law forms a language apart, as it were, among all peoples, and among the English more than any other.

TRANSLATOR'S NOTE. French titles: *Digeste des lois de la Louisiane* and *Traité sur les règles des actions civiles*.

tion of the jury, they were a half-barbarous people. They have since become one of the most enlightened nations on earth, and their attachment to the jury seems to have grown with their enlightenment. They have gone beyond their own territory and spread across the whole world. Some have formed colonies, others independent states; the body of the nation has kept a king; several groups of emigrants have founded powerful republics; but everywhere the English have equally championed the institution of the jury[63]. They have established it everywhere, or hastened to reestablish it. A judicial institution that thus wins the approval of a great people over a long succession of centuries, and is zealously reproduced in every period of civilization, in every climate, and under every form of government, cannot be contrary to the spirit of justice[64].

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63 TOCQUEVILLE'S NOTE. All English and American lawyers are unanimous on this point. Mr. Story, a justice of the Supreme Court of the United States, returns once again in his *Treatise on the Federal Constitution* to the excellence of the jury in civil cases. "*The inestimable privilege of a trial by jury in civil cases*," he says, "*a privilege scarcely inferior to that in criminal cases, which is conceded by all persons to be essential to political and civil liberty*." (Story, book III, chap. XXXVIII.)

TRANSLATOR'S NOTE. Joseph Story (1779–1845), whose *Commentaries on the Constitution of the United States* appeared in 1833.

64 TOCQUEVILLE'S NOTE. If one wished to establish the usefulness of the jury as a judicial institution, there would be many other arguments to offer, among them these:

As you bring jurors into cases, you can reduce the number of judges without harm, which is a great advantage. When judges are very numerous, death makes a gap in the judicial hierarchy every day and opens new places in it for those who survive. The magistrates' ambition is thus kept continually on the alert, and it naturally makes them dependent on the majority or on the man who appoints to vacant posts. One then advances in the courts the way one earns promotions in an army. This state of affairs is entirely contrary to the good administration of justice and to the intentions of the legislator. Judges are meant to be irremovable so that they may remain free; but what does it matter that no one can take their independence from them, if they sacrifice it of their own accord?

When judges are very numerous, many incompetent ones are bound to be found among them, for a great magistrate is no ordinary man. Now, I am not sure that a half-informed court is not the worst of all arrangements for attaining the ends one has in view in establishing courts of justice.

For my part, I would rather leave the decision of a case to ignorant jurors guided by a skilled magistrate than hand it over to judges most of whom had only an incomplete knowledge of case law and the statutes.

But let us leave this subject. To confine oneself to viewing the jury as a judicial institution would be to narrow one's thinking remarkably; for if it exerts a great influence on the outcome of lawsuits, it exerts a far greater one on the very destinies of society. The jury is therefore above all a political institution. It is from this point of view that one must always stand in order to judge it.

By jury I mean a certain number of citizens chosen at random and temporarily invested with the right to judge.

Applying the jury to the punishment of crimes seems to me to introduce into the government an eminently republican institution. Let me explain:

The institution of the jury may be aristocratic or democratic, depending on the class from which the jurors are taken; but it always retains a republican character, in that it places the real direction of society in the hands of the governed, or of a portion of them, and not in the hands of those who govern.

Force is never more than a passing element of success: the idea of right follows close behind it. A government reduced to reaching its enemies only on the battlefield would soon be destroyed. The true sanction of political laws is therefore found in penal laws, and if the sanction is lacking, the law sooner or later loses its force. The man who judges in *criminal* matters is thus truly the master of society. Now, the institution of the jury places the people itself, or at least a class of citizens, on the judge's bench. The institution of the jury therefore truly puts the direction of society in the hands of the people, or of that class[65].

In England, the jury is recruited from the aristocratic portion of the nation. The aristocracy makes the laws, applies the laws,

65 TOCQUEVILLE'S NOTE. An important remark must nevertheless be made:

The institution of the jury does, it is true, give the people a general right of control over the actions of citizens; but it does not give them the means of exercising that control in every case, or always in a tyrannical manner.

When an absolute prince has the power to have crimes tried by his delegates, the fate of the accused is, so to speak, settled in advance. But even if the people were determined to convict, the composition of the jury and its freedom from accountability would still offer innocence some chances in its favor.

and judges breaches of the laws [66]. Everything is consistent; and so England is, strictly speaking, an aristocratic republic. In the United States, the same system is applied to the whole people. Every American citizen is a voter, eligible for office, and a juror

66 TOCQUEVILLE'S NOTE. Before the Reform Bill passed in 1832, to be a voter in the counties (those that represent landed property) one had to own outright, or hold on a lease for life, a piece of land yielding a net income of 40 shillings. This law was made under Henry VI, around 1450. It has been calculated that 40 shillings in the time of Henry VI might be equivalent to £30 sterling today. Yet this basis, adopted in the fifteenth century, was allowed to remain in force until 1832, which shows how democratic the English constitution was becoming over time, even while it seemed motionless. See *De Lolme*, book I, chap. IV; see also *Blackstone*, book I, chap. IV.

English jurors are chosen by the sheriff of the county (*De Lolme*, vol. I, chap. XII). The sheriff is generally a man of standing in the county; he performs judicial and administrative functions; he represents the king and is appointed by him every year (*Blackstone*, book I, chap. IX). His position places him above suspicion of being corrupted by the parties; besides, if his impartiality is called into question, the entire jury he has named can be challenged at once, and another officer is then charged with choosing new jurors. See *Blackstone*, book III, chap. XXIII.

To have the right to be a juror, one must own land yielding an income of at least 10 shillings (*Blackstone*, book III, chap. XXIII). It will be noted that this requirement was imposed in the reign of William and Mary, that is, around 1700, a time when the value of money was infinitely higher than it is today. One sees that the English founded their jury system not on capacity but on landed property, like all their other political institutions.

Tenant farmers were eventually admitted to juries, but they were required to have very long leases and to clear a net income of 20 shillings, apart from the rent. *Blackstone*, ibid.

TRANSLATOR'S NOTE. Jean-Louis de Lolme (1740–1806), Genevan author of *The Constitution of England* (1771); William Blackstone (1723–1780), author of the *Commentaries on the Laws of England* (1765–69).

[67]. The jury system, as it is understood in America, seems to me as direct and as extreme a consequence of the dogma of the sovereignty of the people as universal suffrage. They are two equally powerful means of making the majority rule.

All the sovereigns who have wanted to draw the sources of their power from within themselves, and to direct society instead of letting themselves be directed by it, have destroyed the institution of the jury or enfeebled it. The Tudors sent to

67 TOCQUEVILLE'S NOTE. The federal Constitution introduced the jury into the courts of the Union in the same way that the states had introduced it into their prison jurors who refused to convict, and Napoleon had them [illegible] The federal courts draw on the ordinary list of jurors that each state has drawn up for its own use. It is therefore the laws of the states that must be examined in order to understand the theory of how juries are composed in America. See *Story's commentaries on the constitution*, book III, chap. XXVIII, pp. 654–659; *Sergeant's constitutional law*, p. 165. See also the federal laws of 1789, 1800, and 1802 on the matter.

To make clear the Americans' principles regarding the composition of the jury, I have drawn on the laws of states far removed from one another. Here are the general ideas that can be drawn from this examination.

In America, all citizens who are voters have the right to be jurors. The great state of New York has, however, established a slight difference between the two qualifications; but it runs in the opposite direction from our laws, that is, there are fewer jurors than voters in the state of New York. In general, one can say that in the United States the right to serve on a jury, like the right to elect representatives, extends to everyone; but the exercise of this right is not placed indiscriminately in every hand.

Each year a body of municipal or district magistrates—called *select-men* in New England, *supervisors* in the state of New York, *trustees* in Ohio, and parish *sheriffs* in Louisiana—selects for each district a certain number of citizens who have the right to be jurors and whom they presume capable of serving. Since these magistrates are themselves elected, they arouse no distrust. Their powers are very extensive and quite arbitrary, like those of republican magistrates in general, and they often use them, it is said, especially in New England, to exclude unworthy or incapable jurors.

The names of the jurors thus chosen are sent to the county court, and from all these names the jury that is to decide each case is drawn by lot.

Moreover, the Americans have sought by every possible means to bring the jury within the people's reach and to make it as little burdensome as possible. Since jurors are very numerous, each person's turn comes round only about once every three years. The sessions are held in the seat of each county; the county corresponds roughly to our *arrondissement*. Thus the court comes to the jury instead of drawing the jury to itself, as in France. Finally, jurors are compensated, either by the state or by the parties. They generally receive a dollar (5 fr. 42 c.) a day, in addition to travel expenses. In America, jury service is still regarded as a burden; but it is a burden easy to bear, and one that people accept without difficulty.

See *Brevard's Digest of the public statute law of South Carolina*, vol. 2, p. 338; *id.*, vol. 1, pp. 454 and 456; *id.*, vol. 2, p. 218.

See *The general laws of Massachusetts revised and published by authority of the legislature*, vol. 2, pp. 331, 187.

See *The revised statutes of the state of New-York*, vol. 2, pp. 720, 411, 717, 643.

See *The statute law of the state of Tennessee*, vol. 1, p. 209.

See *Acts of the state of Ohio*, pp. 95 and 210.

See *General Digest of the Acts of the Legislature of Louisiana*, vol. 2, p. 55.

TRANSLATOR'S NOTE. An *arrondissement* is the administrative subdivision of a French department.

TRANSLATOR'S NOTE. French title: *Digeste général des actes de la législature de la Louisiane*.

chosen by his agents.[68]

However evident most of the preceding truths may be, they do not strike every mind, and among us people still often seem to have only a confused idea of the institution of the jury. When the question is what elements the list of jurors should be made up of, people confine themselves to discussing the education and competence of those called to serve on it, as if it were merely a judicial institution. In truth, this seems to me to be concerned with the least part of the subject. The jury is above all a political institution. It must be regarded as one form of the sovereignty of the people. It must be rejected entirely when the sovereignty of the people is rejected, or else brought into harmony with the other laws that establish that sovereignty. The jury is the part of the nation charged with ensuring that the laws are carried out, just as the legislative chambers are the part of the nation charged with making the laws. And for society to be governed in a fixed and uniform manner, the list of jurors must expand or contract along with the list of voters. This is the point of view that, in my opinion, ought always to command the lawmaker's chief attention. The rest is, so to speak, secondary.

I am so convinced that the jury is above all a political institution that I still regard it in this way when it is applied in civil matters.

Laws are always unsteady so long as they do not rest on mores; mores are the only resistant and lasting power in a people.

When the jury is reserved for criminal cases, the people see it at work only now and then, and in particular cases. They grow used to doing without it in the ordinary course of life, and they regard it as one means, not the only means, of obtaining justice[69].

When, on the contrary, the jury is extended to civil cases, its workings come before people's eyes at every moment. It then

68 The Tudors were the English royal dynasty from 1485 to 1603, whose reigns included Henry VIII and Elizabeth I.

touches every interest; everyone comes to take part in its action. In this way it penetrates even into the customs of daily life; it bends the human mind to its forms and becomes, so to speak, merged with the very idea of justice.

The institution of the jury, when confined to criminal cases, is therefore always in danger; once introduced into civil matters, it defies time and the efforts of men. Had it been possible to remove the jury from the mores of the English as easily as from their laws, it would have perished entirely under the Tudors. It is therefore the civil jury that truly saved the liberties of England.

THE JURY AS A SCHOOL

Civil juries teach citizens fairness, responsibility and the law, and strengthen the influence of judges.

In whatever way the jury is applied, it cannot fail to exert a great influence on the national character; but this influence grows immensely the further it is carried into civil matters.

The jury, and above all the civil jury, serves to give the minds of all citizens some of the habits of a judge's mind; and these habits are precisely the ones that best prepare a people to be free.

It spreads to all classes respect for judicial decisions and the idea of right. Take away these two things, and the love of independence will be nothing more than a destructive passion.

It teaches men the practice of fairness. Each man, in judging his neighbor, thinks that he may be judged in his turn. This is especially true of the jury in civil matters: hardly anyone fears that he will one day be the object of a criminal prosecution, but everyone may have a lawsuit.

The jury teaches every man not to shrink from responsibility for his own actions—a manly disposition, without which there is no political virtue.

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69 TOCQUEVILLE'S NOTE. This is all the more true when the jury is used only in certain criminal cases.

It invests each citizen with a kind of magistracy. It makes everyone feel that they have duties to fulfill toward society and that they take part in its government. By forcing men to concern themselves with something other than their own affairs, it combats individual selfishness, which is a kind of rust on societies.

The jury does an incredible amount to form the judgment and to increase the natural enlightenment of the people. That, in my view, is its greatest advantage. It should be regarded as a free school that is always open, where each juror comes to learn his rights; where he enters into daily contact with the most educated and enlightened members of the upper classes; where the laws are taught to him in a practical way and are brought within reach of his understanding by the efforts of the lawyers, the guidance of the judge, and even the passions of the parties. I think the practical intelligence and political good sense of the Americans must be attributed chiefly to their long use of the jury in civil matters.

I do not know whether the jury is useful to those who have lawsuits, but I am sure it is very useful to those who judge them. I regard it as one of the most effective means society can use for the education of the people.

What precedes applies to all nations; but here is what is peculiar to the Americans, and to democratic peoples in general.

I said above that in democracies the lawyers, and among them the judges, form the only aristocratic body capable of moderating the movements of the people. This aristocracy is invested with no material power; it exerts its conservative influence only on minds. Now, it is in the institution of the civil jury that it finds the main sources of its power.

In criminal trials, where society is pitted against one man, the jury is inclined to see the judge as the passive instrument of social power, and it distrusts his guidance. Moreover, criminal trials rest entirely on simple facts that common sense can easily assess. On this ground, judge and juror are equals.

It is not the same in civil trials. There the judge appears as a disinterested arbiter between the passions of the parties. The

jurors regard him with confidence and listen to him with respect, for here his intelligence entirely dominates theirs. It is he who lays out before them the various arguments with which their memory has been wearied, and who takes them by the hand to guide them through the windings of procedure; it is he who confines them to the point of fact and tells them the answer they must give on the question of law. His influence over them is almost boundless.

Must I say, finally, why I am little moved by the arguments drawn from the incompetence of jurors in civil matters?

In civil trials, at least whenever questions of fact are not at issue, the jury has only the appearance of a judicial body.

The jurors pronounce the judgment the judge has rendered. They lend that judgment the authority of the society they represent, and he lends it the authority of reason and of the law [70].

In England and in America, judges exert an influence on the outcome of criminal trials that the French judge has never known. The reason for this difference is easy to understand: the English or American judge has established his power in civil

70 TOCQUEVILLE'S NOTE. When one examines closely the constitution of the civil jury among the English, one easily discovers that the jurors never escape the judge's control.

It is true that the jury's verdict, in civil as in criminal cases, generally covers both fact and law in a single statement. For example: Pierre claims a house on the ground that he bought it; that is the fact. His opponent objects that the seller lacked legal capacity; that is the law. The jury simply declares that the house shall be handed over to Pierre; it thereby decides both fact and law. In introducing the jury into civil matters, the English did not preserve for the jurors' opinion the infallibility they grant it in criminal matters when the verdict is favorable.

If the judge thinks that the verdict has misapplied the law, he may refuse to accept it and send the jurors back to deliberate.

If the judge lets the verdict pass without comment, the case is still not entirely settled: several avenues of appeal remain open against the judgment. The chief one consists in asking the court to set the verdict aside and to assemble a new jury. It is true that such a request is rarely granted, and never more than twice; nevertheless, I have seen it happen with my own eyes. See *Blackstone,* bk. III, ch. XXIV; *id.*, bk. III, ch. XXV.

TRANSLATOR'S NOTE. William Blackstone's *Commentaries on the Laws of England* (1765–1769), the standard account of English law. Tocqueville spells the name "Blakstone."

matters, and he merely exercises it afterward on another stage; he does not acquire it there.

There are cases, and they are often the most important, in which the American judge has the right to decide alone[71]. He then finds himself, on occasion, in the position the French judge habitually occupies; but his moral power is much greater. The memory of the jury still follows him, and his voice has almost as much power as that of the society whose organ the jurors were.

His influence even extends far beyond the walls of the courts. In the leisure of private life as in the labors of political life, in the public square as within the legislatures, the American judge constantly finds around him men who have grown used to seeing in his intelligence something superior to their own; and having been exercised on lawsuits, his power makes itself felt on all the habits of mind, and even on the very soul, of those who have joined with him in judging them.

The jury, which seems to diminish the rights of the judiciary, thus actually establishes its dominion; and there is no country where judges are as powerful as those where the people share in their privileges.

It is above all by means of the jury in civil matters that the American judiciary carries what I have called the legal spirit down into the lowest ranks of society.

Thus the jury, which is the most energetic means of making the people rule, is also the most effective means of teaching them how to rule.

71 TOCQUEVILLE'S NOTE. The federal judges almost always decide alone the questions that bear most closely on the government of the country.

CHAPTER 9: ON THE PRINCIPAL CAUSES THAT TEND TO MAINTAIN THE DEMOCRATIC REPUBLIC IN THE UNITED STATES (DES CAUSES PRINCIPALES QUI TENDENT À MAINTENIR LA RÉPUBLIQUE DÉMOCRATIQUE AUX ÉTATS-UNIS)

Tocqueville sums up why the democratic republic endures: circumstances, laws, and above all mores.

1.2.9 The democratic republic endures in the United States. The main aim of this book has been to make the causes of this phenomenon understood.

Among these causes there are several that the current of my subject carried me past in spite of myself, and that I only pointed to from afar in passing. There are others I have been unable to address; and those on which I was able to dwell at length have been left behind me, buried, as it were, under the details.

I have therefore thought that before going further and speaking of the future, I ought to gather into a narrow frame all the reasons that explain the present.

In this summary of sorts I will be brief, for I will take care merely to remind the reader, very concisely, of what he already knows; and among the facts I have not yet had occasion to set out, I will choose only the principal ones.

I have concluded that all the causes tending to maintain the democratic republic in the United States can be reduced to three.

The first is the particular and accidental situation in which Providence has placed the Americans;

The second comes from the laws;

The third flows from habits and mores.

ACCIDENTAL AND PROVIDENTIAL CAUSES

America has no neighbors, no great capital, a fortunate origin, and an empty continent to fill.

On the accidental or providential causes that contribute to maintaining the democratic republic in the United States

The Union has no neighbors—No great capital—The Americans have had the luck of birth on their side—America is an empty country—How this circumstance powerfully serves to maintain the democratic republic—The way the wildernesses of America are being peopled—The eagerness of the Anglo-Americans to take possession of the empty spaces of the New World—Influence of material well-being on the political opinions of the Americans

There are a thousand circumstances, independent of human will, that make the democratic republic easy in the United States. Some are well known; others are easy to make known. I will confine myself to setting out the principal ones.

The Americans have no neighbors, and consequently no great wars, financial crises, devastation, or conquest to fear. They need neither heavy taxes, nor a large army, nor great generals. They have almost nothing to dread from a scourge more terrible for republics than all of these together: military glory.

How can anyone deny the incredible influence that military glory exerts on the mind of the people? General Jackson, whom the Americans have twice chosen to place at their head, is a man of violent character and middling ability. Nothing in the whole course of his career had ever shown that he possessed the qualities required to govern a free people; and so the majority of the enlightened classes of the Union have always opposed him. Who, then, put him in the president's chair and keeps him there still?[72] The memory of a victory he won twenty years ago beneath the walls of New Orleans. Now, this victory at New

72 Andrew Jackson (1767–1845), elected president in 1828 and reelected in 1832, served from 1829 to 1837.

Orleans was a very ordinary feat of arms, which could hold people's attention for long only in a country where no battles are fought; and the people that lets itself be carried away in this way by the prestige of glory is, assuredly, the coldest, the most calculating, the least military, and, if I may put it this way, the most prosaic of all the peoples in the world.[73]

America has no great capital[74] whose direct or indirect influence is felt across the whole extent of the territory, and I consider this one of the chief causes that keep republican institutions alive in the United States. In cities, it is hardly possible to prevent people from conferring together, from working one another up, and from taking sudden and passionate decisions. Cities are like great assemblies of which all the inhabitants are members. There the people exert a prodigious influence over their magistrates, and they often carry out their will directly, with no intermediary.

To subject the provinces to the capital, then, is to place the destiny of the whole nation not only in the hands of one part of the people, which is unjust, but also in the hands of the people acting by themselves, which is very dangerous. The preponder-

73 The Battle of New Orleans (January 1815), in which Jackson's forces defeated a British army at the close of the War of 1812.

74 TOCQUEVILLE'S NOTE. America does not yet have a great capital, but it already has very large cities. In 1830 Philadelphia had 161,000 inhabitants, and New York 202,000. The lower classes who live in these vast cities form a mob more dangerous even than that of Europe. It is made up, first, of freed Black people, whom law and opinion condemn to a hereditary state of degradation and poverty. It also contains a multitude of Europeans whom misfortune and misconduct drive onto the shores of the New World every day. These men bring our greatest vices to the United States, and they have none of the interests that might counter their influence. Living in the country without being its citizens, they are ready to exploit every passion that stirs it. So we have recently seen serious riots break out in Philadelphia and New York. Such disorders are unknown in the rest of the country, which is not alarmed by them, because the population of the cities has so far exercised no power or influence over that of the countryside.

I nonetheless regard the size of certain American cities, and above all the nature of their inhabitants, as a real danger threatening the future of the democratic republics of the New World. I do not hesitate to predict that this is how they will perish, unless their government manages to create an armed force that, while remaining subject to the will of the national majority, is nonetheless independent of the people of the cities and able to hold their excesses in check.

ance of capitals therefore deals a serious blow to the representative system. It makes modern republics fall into the defect of the republics of antiquity, which all perished for not having known that system.

It would be easy for me to list here a great many other secondary causes that have favored the establishment of the democratic republic in the United States and ensure its preservation. But amid this host of fortunate circumstances, I see two principal ones, and I hasten to point them out.

I have already said that I see in the origin of the Americans—in what I have called their point of departure—the first and most effective of all the causes to which the current prosperity of the United States can be attributed. The Americans had the luck of birth on their side: their fathers long ago brought to the soil they inhabit the equality of conditions and of intellects from which the democratic republic was one day bound to arise, as from its natural source. Nor is that all. Along with a republican social state, they bequeathed to their descendants the habits, ideas, and mores best suited to make a republic flourish. When I think of what this original fact has produced, I seem to see the whole destiny of America contained in the first Puritan who landed on its shores, as the whole human race was contained in the first man.

Among the other fortunate circumstances that have favored the establishment of the democratic republic in the United States and ensure its preservation, the first in importance is the choice of the very country the Americans inhabit. Their fathers gave them the love of equality and liberty, but it was God himself who, by handing them a boundless continent, granted them the means to remain equal and free for a long time.

General well-being favors the stability of all governments, but particularly of democratic government, which rests on the dispositions of the greatest number, and chiefly on the dispositions of those most exposed to want. When the people govern, they must be happy, or they will overturn the state. Poverty does in a people what ambition does in kings. Now, the material

causes, independent of the laws, that can bring about well-being are more numerous in America than they have been in any country in the world, in any period of history.

In the United States, it is not only legislation that is democratic; nature itself works for the people.

Where, in all human memory, can one find anything like what is happening before our eyes in North America?

The famous societies of antiquity were all founded amid hostile peoples who had to be conquered so that the newcomers could settle in their place. The moderns themselves found, in some parts of South America, vast regions inhabited by peoples less enlightened than they were, but who had already made the land their own by cultivating it. To found their new states, they had to destroy or enslave large populations, and they made civilization blush for its triumphs.

But North America was inhabited only by wandering tribes who had no thought of using the natural riches of the soil. North America was still, properly speaking, an empty continent, a deserted land waiting for inhabitants.

Everything about the Americans is extraordinary, their social state as much as their laws; but what is more extraordinary still is the soil that bears them.

When the Creator gave the earth to mankind, it was young and inexhaustible, but they were weak and ignorant; and by the time they had learned to make use of the treasures it held in its bosom, they already covered its face, and soon they had to fight to win the right to a refuge on it and to rest there in freedom.

It is then that North America comes to light, as if God had held it in reserve and it had only just emerged from beneath the waters of the Flood.

As in the first days of creation, it offers rivers whose springs never run dry, green and well-watered solitudes, boundless fields not yet turned by the plowshare. In this state it is offered no longer to the isolated, ignorant, and barbarous man of the earliest ages, but to man already master of nature's most import-

ant secrets, united with his fellows, and taught by fifty centuries of experience.

As I write, thirteen million civilized Europeans are calmly spreading across fertile wildernesses whose resources and extent they themselves do not yet know precisely. Three or four thousand soldiers drive the wandering race of the natives before them; behind the armed men come woodsmen who cut through the forests, drive off the wild beasts, explore the courses of the rivers, and prepare the triumphal march of civilization across the wilderness.

THE WESTWARD MOVEMENT

Americans, not immigrants, settle the wilderness, and material well-being shapes even their political opinions.

I have often alluded in the course of this work to the material well-being the Americans enjoy, and I have pointed to it as one of the great causes of the success of their laws. This reason had already been given by a thousand others before me: it is the only one that, being as it were palpable to Europeans, has become popular among us. I will not dwell, then, on a subject so often treated and so well understood; I will only add a few new facts.

It is generally imagined that the wildernesses of America are being peopled by the European emigrants who land each year on the shores of the New World, while the American population grows and multiplies on the soil its fathers occupied. This is a great mistake. The European who lands in the United States arrives without friends and often without resources; to live, he must hire out his labor, and he rarely goes beyond the great industrial belt that stretches along the ocean. The wilderness cannot be cleared without capital or credit, and before venturing into the forests the body must have grown used to the rigors of a new climate. It is Americans, then, who leave their birthplace every day to carve out vast estates for themselves far away. Thus the European leaves his cottage to go and live on the shores across the Atlantic, and the American born on those

same shores in turn plunges into the wilds of the American interior. This double movement of emigration never stops: it begins in the depths of Europe, continues across the great ocean, and carries on through the wilds of the New World. Millions of people are marching at once toward the same point on the horizon; their language, their religion, their mores differ, but their goal is the same. They have been told that fortune is to be found somewhere toward the west, and they hurry off to meet it.

Nothing can compare with this continual displacement of the human species, except perhaps what happened at the fall of the Roman Empire. Then, as now, people were seen rushing in crowds toward the same point and meeting in tumult in the same places; but the designs of Providence were different. Each newcomer then brought destruction and death in his train; today each one brings with him a seed of prosperity and life.

The distant consequences of this migration of the Americans toward the West are still hidden from us by the future, but the immediate results are easy to see. Since part of the old inhabitants leave the states where they were born every year, those states fill up only very slowly, although they are growing old. Thus in Connecticut, which still has only fifty-nine inhabitants per square mile, the population has grown by only a quarter in forty years, while in England it has increased by a third over the same period. The emigrant from Europe, then, always lands in a half-full country where industry is short of hands; he becomes a well-off worker. His son goes off to seek his fortune in an empty country, and he becomes a rich landowner. The first amasses the capital that the second puts to work, and there is poverty neither for the foreigner nor for the native-born.

Legislation in the United States favors the division of property as much as possible; but a cause more powerful than legislation keeps property from being divided beyond measure there[75]. This is clearly seen in the states that are at last begin-

75 TOCQUEVILLE'S NOTE. In New England the land is divided into very small holdings, but it is no longer being divided further.

ning to fill up. Massachusetts is the most densely populated part of the Union; it has eighty inhabitants per square mile, which is vastly fewer than France, where one hundred sixty-two are gathered in the same space.

Yet in Massachusetts it is already rare for small holdings to be divided: the eldest son generally takes the land, and the younger sons go off to seek their fortune in the wilderness.

The law has abolished primogeniture; but one may say that Providence has restored it without anyone having cause to complain, and this time at least it does no injury to justice.

A single fact will show the prodigious number of individuals who leave New England in this way to make their homes in the wilderness. We were assured that in 1830, among the members of Congress, thirty-six had been born in the small state of Connecticut. The population of Connecticut, which is only one forty-third of that of the United States, thus supplied one-eighth of the nation's representatives.

Yet the state of Connecticut itself sends only five representatives to Congress; the other thirty-one sit there as representatives of the new western states. Had these thirty-one men remained in Connecticut, they would probably not have become rich landowners but would have stayed small farmers; they would have lived in obscurity, unable to open a political career for themselves, and far from becoming useful legislators, they would have been dangerous citizens.

These considerations escape the Americans no more than they escape us.

"There can be no doubt," says Chancellor Kent in his Treatise on American Law (vol. IV, p. 380), "that the division of estates must produce great evils when it is carried to an extreme, so that each parcel of land can no longer support a family; but these drawbacks have never been felt in the United States, and many generations will pass before they are felt. The extent of our uninhabited territory, the abundance of land adjoining us, and the continual stream of emigration that, setting out from the shores of the Atlantic, flows steadily toward the interior of

the country, suffice and will long continue to suffice to prevent the fragmentation of inheritances."[76]

It would be hard to depict the greed with which the American hurls himself on the immense prey that fortune offers him. In pursuit of it he fearlessly braves the Indian's arrow and the diseases of the wilderness; the silence of the woods does not daunt him, and the approach of wild beasts does not move him: a passion stronger than the love of life constantly spurs him on. Before him stretches an almost boundless continent, and yet one would say that, already afraid of running out of room, he hurries for fear of arriving too late. I have spoken of emigration from the old states; but what shall I say of emigration from the new ones? Ohio was founded less than fifty years ago; most of its inhabitants were not born there; its capital is not yet thirty years old, and an immense expanse of empty fields still covers its territory. And yet the population of Ohio has already set off again toward the West: most of those who come down into the fertile prairies of Illinois are inhabitants of Ohio. These men left their first homeland to be well off; they are leaving the second to be better off still. Almost everywhere they find fortune, but not happiness. In them the desire for well-being has become a restless, ardent passion that grows as it is satisfied. Long ago they broke the ties that bound them to their native soil, and since then they have formed no others. For them emigration began as a necessity; today it has become in their eyes a kind of game of chance, whose thrills they love as much as its winnings.

Sometimes man moves so fast that the wilderness closes in again behind him. The forest has only bent beneath his feet; as soon as he has passed, it rises up again. Traveling through the new states of the West, one often comes across abandoned dwellings in the middle of the woods. One frequently finds the remains of a cabin in the deepest solitude, and one is astonished to pass through half-finished clearings that bear witness both to human power and to human inconstancy. Among these deserted

76 James Kent (1763–1847), chancellor of New York; the work cited is his *Commentaries on American Law* (1826–30).

fields, on these ruins of a day, the ancient forest soon puts out new shoots; the animals take back possession of their realm; nature comes, smiling, to cover the vestiges of man with green branches and flowers, and hastens to erase his fleeting trace.

I remember that, while crossing one of the wild districts that still cover the state of New York, I came to the shore of a lake surrounded by forests on every side, as at the beginning of the world. A small island rose in the middle of the waters. The woods that covered it spread their foliage around it and completely hid its shores. On the banks of the lake, nothing announced the presence of man; only, on the horizon, one could see a column of smoke which, rising straight up from the treetops to the clouds, seemed to hang down from the sky rather than to climb toward it.

An Indian canoe had been drawn up on the sand; I took the opportunity to visit the island that had first caught my eye, and soon afterward I had reached its shore. The whole island was one of those delightful solitudes of the New World that almost make civilized man long for the wild life. A vigorous vegetation, through its marvels, proclaimed the incomparable richness of the soil. As in all the wildernesses of North America, a deep silence reigned there, broken only by the monotonous cooing of the wood pigeons or by the woodpecker tapping on the bark of the trees. I was far from believing that this place had ever been inhabited, so completely did nature still seem left to itself there; but when I reached the center of the island, I suddenly thought I had come upon traces of man. I then examined all the objects around me with care, and soon I no longer doubted that a European had come to seek refuge in this spot. But how his work had changed its appearance! The wood he had once cut in haste to make himself a shelter had since sent up new shoots; his fences had become living hedges, and his cabin had been turned into a grove. Among these shrubs one could still make out a few stones blackened by fire, scattered around a small heap of ashes; this was no doubt where the hearth had been, and the chimney, in collapsing, had covered it with its rubble. For some time I

silently admired the resources of nature and the weakness of man; and when at last I had to leave that enchanted place, I repeated once more, sadly: What! Ruins already!

In Europe we are accustomed to regard restlessness of mind, the immoderate desire for wealth, and an extreme love of independence as a great social danger. Yet it is precisely all these things that guarantee the American republics a long and peaceful future. Without these restless passions, the population would gather around certain places and would soon feel, as among us, needs that are hard to satisfy. Happy country, the New World, where man's vices are almost as useful to society as his virtues!

This has a great influence on the way human actions are judged in the two hemispheres. What we call love of gain, Americans often call laudable industry, and they see a certain faintness of heart in what we regard as moderation of desires.

In France, simplicity of tastes, tranquil mores, family spirit, and love of one's birthplace are regarded as great guarantees of tranquility and happiness for the state; but in America nothing seems more harmful to society than such virtues. The French of Canada, who have faithfully preserved the traditions of the old mores, already find it difficult to make a living on their land, and this small people, only just born, will soon fall prey to the miseries of old nations. In Canada, the men with the most enlightenment, patriotism, and humanity make extraordinary efforts to turn the people against the simple happiness that still contents them. They celebrate the advantages of wealth, just as among us they might perhaps extol the charms of modest means, and they take more pains to spur human passions than others elsewhere spend in calming them. To exchange the pure and quiet pleasures that one's homeland offers even to the poor for the barren pleasures that well-being affords under a foreign sky; to flee the paternal hearth and the fields where one's ancestors lie; to abandon the living and the dead in pursuit of fortune —in their eyes nothing deserves more praise.

In our time, America offers men a stock of resources that is always greater than the industry that puts it to use could ever be.

In America, therefore, one cannot spread too much enlightenment; for all enlightenment, while it may be useful to the person who possesses it, also benefits those who do not. New needs are not to be feared there, since all needs are easily satisfied; there is no reason to dread arousing too many passions, since every passion finds easy and wholesome nourishment; one cannot make men too free there, because they are almost never tempted to misuse their freedom.

The American republics of our day are like companies of merchants formed to exploit the empty lands of the New World in common, and engaged in a thriving trade.

The passions that stir the Americans most deeply are commercial passions, not political ones; or rather, they carry the habits of business into politics. They love order, without which business cannot prosper, and they especially prize steady mores, which are the foundation of sound business houses; they prefer the good sense that builds great fortunes to the genius that often squanders them; general ideas frighten minds accustomed to precise calculation, and among them practice is held in greater honor than theory.

It is to America that one must go to understand what power material well-being exerts over political actions, and even over opinions themselves, which ought to be subject to reason alone. It is chiefly among foreigners that one discovers the truth of this. Most emigrants from Europe bring to the New World that wild love of independence and change that so often springs up amid our miseries. In the United States I sometimes met Europeans who had once been forced to flee their country because of their political opinions. All of them astonished me by what they said, but one struck me more than any other. As I was traveling through one of the most remote districts of Pennsylvania, night overtook me, and I went to ask for shelter at the door of a rich planter; he was a Frenchman. He sat me down

by his fire, and we began to talk freely, as befits people who find each other deep in a forest two thousand leagues from the country of their birth. I was well aware that forty years earlier my host had been a great leveler and an ardent demagogue. His name had remained in history.

So I was strangely surprised to hear him discuss the right of property as an economist might have done—I was almost going to say a property owner. He spoke of the necessary hierarchy that wealth establishes among men, of obedience to established law, of the influence of good morals in republics, and of the support that religious ideas lend to order and to liberty; he even happened to cite, as if inadvertently, the authority of Jesus Christ in support of one of his political opinions.

As I listened to him, I marveled at the feebleness of human reason. This is true or it is false: how is one to find out amid the uncertainties of science and the conflicting lessons of experience? Then a new fact comes along that removes all my doubts. I was poor; now I am rich. If only well-being, in acting on my conduct, left my judgment free! But no: my opinions have indeed changed with my fortune, and in the happy event from which I profit I have truly discovered the decisive reason that had until then eluded me.

The influence of well-being acts even more freely on Americans than on foreigners. The American has always seen order and public prosperity linked together and advancing in step before his very eyes; he cannot imagine that they could exist apart. He therefore has nothing to forget, and need not lose, as so many Europeans must, what he received from his early education.

LAWS, MORES AND RELIGION

Federalism, townships and courts sustain the republic; American religion is democratic and republican, even among Catholics.

On the influence of the laws on the maintenance of the democratic republic in the United States

Three principal causes of the maintenance of the democratic republic—Federal form—Township institutions—Judicial power

The main purpose of this book was to make the laws of the United States known; if that purpose has been achieved, the reader has already been able to judge for himself which of these laws really tend to maintain the democratic republic and which put it in danger. If I have not succeeded over the whole course of the book, I would succeed still less in a single chapter.

I do not, therefore, wish to retrace the ground I have already covered, and a few lines should suffice to sum up.

Three things seem to contribute more than all others to the maintenance of the democratic republic in the New World:

The first is the federal form the Americans have adopted, which allows the Union to enjoy the power of a large republic and the security of a small one.

I find the second in township institutions, which, while moderating the despotism of the majority, also give the people the taste for liberty and the art of being free.

The third is found in the constitution of the judicial power. I have shown how much the courts serve to correct the aberrations of democracy, and how, without ever being able to stop the movements of the majority, they manage to slow and direct them.

On the influence of mores on the maintenance of the democratic republic in the United States

I said above that I regarded mores as one of the great general causes to which the maintenance of the democratic republic in the United States can be attributed.

I take the expression *mœurs* here in the sense the ancients gave to the word *mores*. I apply it not only to mores in the strict sense, which might be called the habits of the heart, but also to the various notions men hold, to the different opinions current among them, and to the whole body of ideas from which the habits of the mind are formed.

By this word, then, I mean the whole moral and intellectual state of a people. My aim is not to paint a picture of American

mores; for the moment I confine myself to seeking out, among them, what favors the maintenance of political institutions.

On religion considered as a political institution; how it powerfully serves to maintain the democratic republic among the Americans

North America peopled by men who professed a democratic and republican Christianity—Arrival of the Catholics—Why in our day the Catholics form the most democratic and most republican class

Alongside every religion there is a political opinion joined to it by affinity.

Let the human mind follow its bent, and it will regulate political society and the city of God in a uniform way; it will seek, if I may put it so, to *harmonize* earth with heaven.

Most of English America was peopled by men who, having freed themselves from the authority of the pope, had submitted to no other religious supremacy; they therefore brought to the New World a Christianity that I can describe no better than by calling it democratic and republican. This would singularly favor the establishment of the republic and of democracy in public affairs. From the very beginning, politics and religion were in agreement, and they have never ceased to be so since.

About fifty years ago Ireland began to pour a Catholic population into the United States. American Catholicism, for its part, made converts; today there are more than a million Christians in the Union who profess the truths of the Roman Church.

These Catholics show great faithfulness in the practices of their worship and are full of ardor and zeal for their beliefs; yet they form the most republican and most democratic class in the United States. This fact is surprising at first, but reflection easily uncovers its hidden causes.

I think it is a mistake to regard the Catholic religion as a natural enemy of democracy. Among the various Christian doctrines, Catholicism seems to me, on the contrary, one of the most favorable to equality of conditions. Among Catholics, religious society is made up of only two elements: the priest and the

people. The priest alone rises above the faithful; below him, all are equal.

In matters of dogma, Catholicism brings all minds to the same level; it binds the learned and the ignorant, the man of genius and the common man alike, to the details of the same beliefs; it imposes the same practices on the rich as on the poor, and inflicts the same austerities on the powerful as on the weak; it makes terms with no mortal, and, applying the same measure to every human being, it likes to mingle all classes of society at the foot of the same altar, just as they are mingled in the eyes of God.

If Catholicism disposes the faithful to obedience, it therefore does not prepare them for inequality. I would say the opposite of Protestantism, which in general inclines men much less toward equality than toward independence.

Catholicism is like an absolute monarchy. Take away the prince, and conditions within it are more equal than in republics.

It has often happened that the Catholic priest has left the sanctuary to enter society as a power, and has taken his seat within the social hierarchy; at such times he has sometimes used his religious influence to secure the survival of a political order of which he was a part. Then, too, one could see Catholics supporting aristocracy out of religious conviction.

But once priests are excluded from government, or withdraw from it themselves, as they do in the United States, there are no men whose beliefs make them more disposed than Catholics to carry the idea of equality of conditions into the political world.

So if the Catholics of the United States are not driven forcefully toward democratic and republican opinions by the nature of their beliefs, at least they are not naturally opposed to them. And their social position, as well as their small numbers, makes it a rule for them to embrace those opinions.

Most Catholics are poor, and they need all citizens to govern in order to reach government themselves. Catholics are in the minority, and they need all rights to be respected in order to be

assured of the free exercise of their own. These two causes push them, even without their knowing it, toward political doctrines that they might adopt with less ardor if they were rich and dominant.

The Catholic clergy of the United States has not tried to fight this political tendency; it seeks rather to justify it. The Catholic priests of America have divided the intellectual world into two parts. In one they have left the revealed dogmas, and they submit to these without discussing them. In the other they have placed political truth, and they think that God has left it there to the free inquiry of men. Thus the Catholics of the United States are at once the most submissive of believers and the most independent of citizens.

One can therefore say that in the United States there is not a single religious doctrine that shows itself hostile to democratic and republican institutions. All the clergies there speak the same language; opinions there agree with the laws, and there reigns, so to speak, only one current in the human mind.

I was staying for a time in one of the largest cities of the Union when I was invited to attend a political meeting whose purpose was to come to the aid of the Poles and to send them arms and money.[77]

So I found two to three thousand people gathered in a vast hall that had been prepared to receive them. Soon afterward a priest, wearing his clerical vestments, stepped forward to the edge of the platform set aside for the speakers. The audience, having bared their heads, stood in silence, and he spoke in these words:

"Almighty God! God of hosts! You who sustained the hearts and guided the arms of our fathers when they upheld the sacred rights of their national independence; you who made them triumph over a hateful oppression and granted our people the blessings of peace and liberty—O Lord, turn a favorable eye toward the other hemisphere; look with pity on a heroic people

77 The Poles had risen against Russian rule in November 1830; the uprising was crushed in 1831.

who are struggling today as we once did, and in defense of the same rights! Lord, who created all men on the same model, do not allow despotism to deform your work and to maintain inequality on the earth. Almighty God! Watch over the destinies of the Poles, make them worthy of being free; may your wisdom reign in their councils, may your strength be in their arms; spread terror among their enemies, divide the powers that are plotting their ruin, and do not allow the injustice the world witnessed fifty years ago to be consummated today. Lord, who hold in your mighty hand the hearts of peoples as well as those of men, raise up allies for the sacred cause of right; grant that the French nation may at last rise up and, coming out of the repose in which its leaders hold it, come forth to fight once more for the liberty of the world.[78]

"O Lord, never turn your face away from us; grant that we may always be the most religious people as well as the most free.

"Almighty God, hear our prayer today; save the Poles. We ask this of you in the name of your beloved son, our Lord Jesus Christ, who died on the cross for the salvation of all men. *Amen*."

The whole assembly repeated *amen* with reverence.

RELIGION'S INDIRECT INFLUENCE

Religion shapes mores and restrains the imagination, and Americans hold it necessary to republican institutions.

Indirect influence that religious beliefs exert on political society in the United States

Christian morality found in all the sects—Influence of religion on the mores of the Americans—Respect for the marriage bond—How religion confines the imagination of the Americans within certain limits and moderates their passion for innovation—Opinion of the Americans on the political usefulness of religion—Their efforts to extend and secure its sway

78 The injustice of "fifty years ago" is the first partition of Poland among Russia, Prussia and Austria in 1772.

I have just shown what the direct action of religion on politics was in the United States. Its indirect action seems to me far more powerful still, and it is when it does not speak of liberty at all that it best teaches the Americans the art of being free.

There is a countless multitude of sects in the United States. All differ in the worship that should be rendered to the Creator, but all agree on the duties of men toward one another. Each sect therefore worships God in its own way, but all the sects preach the same morality in the name of God. While it is very useful to man as an individual that his religion be true, the same is not so for society. Society has nothing to fear or to hope from the other life; and what matters most to it is not so much that all citizens profess the true religion, but that they profess a religion. Besides, all the sects in the United States come together within the great Christian unity, and the morality of Christianity is everywhere the same.

One may suppose that a certain number of Americans, in the worship they render to God, follow their habits more than their convictions. Moreover, in the United States the sovereign is religious, and consequently hypocrisy must be common. Yet America is still the place in the world where the Christian religion has kept the most real power over souls; and nothing shows better how useful and natural it is to man, since the country where it holds the greatest sway in our day is at the same time the most enlightened and the most free.

I have said that American priests come out in general in favor of civil liberty, not excepting even those who do not accept religious liberty; yet one does not see them lend their support to any political system in particular. They take care to keep out of public affairs and do not involve themselves in the schemes of parties. So one cannot say that in the United States religion exerts an influence on the laws or on the details of political opinions; but it directs mores, and it is by regulating the family that it works to regulate the state.

I do not doubt for a moment that the great strictness of mores one observes in the United States has its first source in beliefs.

Religion there is often powerless to restrain man amid the countless temptations that fortune presents to him. It cannot moderate in him the eagerness to grow rich that everything goads on; but it reigns supreme over the soul of woman, and it is woman who shapes mores. America is assuredly the country in the world where the marriage bond is most respected, and where the highest and truest idea of conjugal happiness has been conceived.

In Europe, almost all the disorders of society arise around the domestic hearth and not far from the marriage bed. It is there that men conceive contempt for natural bonds and permitted pleasures, a taste for disorder, restlessness of heart, instability of desires. Stirred by the tumultuous passions that have often troubled his own home, the European submits only with difficulty to the legislative powers of the state. When the American, leaving the agitations of the political world, returns to the bosom of his family, he at once meets there the image of order and peace. There, all his pleasures are simple and natural, his joys innocent and calm; and since he arrives at happiness through the regularity of his life, he easily grows accustomed to regulating his opinions as well as his tastes.

Whereas the European seeks to escape his domestic sorrows by troubling society, the American draws from his home the love of order, which he then carries into the affairs of the state.

In the United States, religion does not only regulate mores; it extends its sway even over the intellect.

Among the Anglo-Americans, some profess Christian dogmas because they believe them, others because they are afraid of not appearing to believe them. Christianity therefore reigns without obstacles, with the assent of all. The result, as I have already said elsewhere, is that everything is certain and settled in the moral world, although the political world seems left to the discussion and experiments of men. Thus the human mind never sees before it a field without limits: however bold it may be, it feels from time to time that it must stop before insurmountable barriers. Before innovating, it is forced to accept certain first

premises, and to submit its boldest conceptions to certain forms that slow it down and halt it.

The imagination of the Americans, even in its greatest flights, therefore moves only with a cautious and uncertain step; its gait is hampered and its works incomplete. These habits of restraint are found again in political society, and they singularly favor the tranquility of the people as well as the durability of the institutions it has given itself. Nature and circumstances had made the inhabitant of the United States a bold man; this is easy to judge when one sees how he pursues fortune. If the minds of the Americans were free of all fetters, one would soon meet among them the boldest innovators and the most relentless logicians in the world. But the revolutionaries of America are obliged to profess openly a certain respect for Christian morality and equity, which does not allow them to violate its laws easily when those laws stand in the way of carrying out their designs; and even if they could raise themselves above their own scruples, they would still feel held back by those of their supporters. Until now no one in the United States has dared to put forward this maxim: that everything is permitted in the interest of society. An impious maxim, which seems to have been invented in an age of liberty to legitimize all the tyrants to come.

Thus, at the same time that the law allows the American people to do everything, religion prevents them from conceiving everything and forbids them to dare everything.

Religion, which among the Americans never takes a direct part in the government of society, must therefore be considered the first of their political institutions; for if it does not give them the taste for liberty, it singularly eases their use of it.

It is also from this point of view that the inhabitants of the United States themselves regard religious beliefs. I do not know whether all Americans have faith in their religion—for who can read the depths of hearts?—but I am sure that they believe it necessary to the maintenance of republican institutions. This opinion does not belong to one class of citizens or to one party, but to the entire nation; it is found in all ranks.

In the United States, when a politician attacks one sect, that is no reason for the very followers of that sect not to support him; but if he attacks all the sects together, everyone shuns him, and he is left alone.

While I was in America, a witness came before the court sessions of Chester County (state of New York) and declared that he did not believe in the existence of God or in the immortality of the soul. The presiding judge refused to accept his oath, on the ground, he said, that the witness had destroyed in advance all the credence that could be given to his words[79]. The newspapers reported the incident without comment.

The Americans so completely merge Christianity and liberty in their minds that it is almost impossible to make them conceive of one without the other; and with them this is not one of those barren beliefs that the past bequeaths to the present, and that seem less to live than to vegetate in the depths of the soul.

I have seen Americans form associations to send priests into the new states of the West and to found schools and churches there; they fear that religion may come to be lost in the midst of the woods, and that the people growing up there may not be as free as the one from which it sprang. I have met wealthy inhabitants of New England who were leaving the land of their birth in order to go and lay the foundations of Christianity and liberty on the banks of the Missouri or on the prairies of Illinois. Thus in the United States religious zeal is constantly kindled at the hearth of patriotism. You think these men act solely out of concern for the other life, but you are mistaken: eternity is only one of their cares. If you question these missionaries of Christian civilization, you will be quite surprised to hear them speak so

79 TOCQUEVILLE'S NOTE. Here is how the *New-York Spectator* of August 23, 1831, reports the incident: "The court of common pleas of Chester county (New-York) a few days since rejected a witness who declared his disbelief in the existence of God. The presiding judge remarked that he had not before been aware that there was a man living who did not believe in the existence of God; that this belief constituted the sanction of all testimony in a court of justice and that he knew of no cause in a christian country where a witness had been permitted to testify without such a belief."

often of the goods of this world, and to find politicians where you thought you saw only men of religion. "All the American republics are bound up with one another," they will tell you. "If the republics of the West fell into anarchy or came under the yoke of despotism, the republican institutions that flourish on the shores of the Atlantic Ocean would be in great danger. It is therefore in our interest that the new states be religious, so that they allow us to remain free."

Such are the opinions of the Americans; but their error is manifest. For every day I am shown, very learnedly, that everything is fine in America except precisely that religious spirit I admire; and I learn that all that is lacking to the liberty and happiness of the human race, on the other side of the Ocean, is to believe with Spinoza in the eternity of the world and to maintain with Cabanis that the brain secretes thought. To this, in truth, I have nothing to reply, except that those who speak this way have not been to America, and have seen religious peoples no more than free ones. So I shall wait for them to come back.[80]

There are people in France who regard republican institutions as the temporary instrument of their own greatness. They measure with their eyes the immense distance that separates their vices and their wretchedness from power and wealth, and they would like to heap up ruins in that abyss in an attempt to fill it. Such people are to liberty what the free companies of the Middle Ages were to kings: they wage war on their own account, even while they wear its colors. The republic will always last long enough to raise them out of their present baseness.[81] It is not to them that I am speaking. But there are others who see in the republic a permanent and tranquil state, a necessary goal toward which ideas and mores carry modern societies a little further each day, and who sincerely wish to prepare men to be

80 Baruch Spinoza (1632–1677), Dutch philosopher; Pierre-Jean-Georges Cabanis (1757–1808), French physician and materialist thinker.

81 The free companies were bands of mercenaries, chiefly during the Hundred Years' War, who served kings but plundered for themselves.

free. When these people attack religious beliefs, they follow their passions and not their interests. It is despotism that can do without faith, not liberty. Religion is much more necessary in the republic they advocate than in the monarchy they attack, and more necessary in democratic republics than in any others. How could society fail to perish if the moral bond were not tightened as the political bond grows slack? And what is to be done with a people that is master of itself, if it is not subject to God?

WHY RELIGION IS POWERFUL IN AMERICA

Priests and laymen agree that separating church and state gives religion its peaceful sway over souls.

On the principal causes that make religion powerful in America

The care the Americans have taken to separate church and state.—The laws, public opinion, and the efforts of the priests themselves all contribute to this result.—It is to this cause that the power religion exercises over souls in the United States must be attributed.—Why.—What the natural state of men in matters of religion is in our day.—What particular and accidental cause prevents men, in certain countries, from conforming to this state.

The philosophers of the eighteenth century explained the gradual weakening of beliefs in a very simple way. Religious zeal, they said, must die out as liberty and enlightenment increase. It is unfortunate that the facts do not agree with this theory.

There are European populations whose unbelief is matched only by their brutishness and ignorance, whereas in America one sees one of the freest and most enlightened peoples in the world fulfill all the outward duties of religion with ardor.

On my arrival in the United States, it was the religious aspect of the country that first caught my eye. As my stay grew longer, I perceived the great political consequences that flowed from these new facts.

Among us, I had seen the spirit of religion and the spirit of liberty almost always moving in opposite directions. Here I found them closely united with each other: they reigned together over the same soil.

Every day I felt my desire to know the cause of this phenomenon grow stronger.

To learn it, I questioned the faithful of every communion. Above all I sought out the company of priests, who are the keepers of the various faiths and have a personal interest in their survival. The religion I profess brought me particularly close to the Catholic clergy, and I soon formed a kind of intimacy with several of its members. To each of them I expressed my astonishment and laid out my doubts. I found that all these men differed among themselves only on details; but all of them attributed the peaceful dominion that religion exercises in their country principally to the complete separation of church and state. I do not hesitate to state that during my stay in America I did not meet a single man, priest or layman, who did not agree on this point.

This led me to examine more closely than I had done until then the position that American priests occupy in political society. I recognized with surprise that they hold no public office[82]. I did not see a single one in the administration, and I discovered that they were not even represented in the assemblies.

82 TOCQUEVILLE'S NOTE. Unless one gives that name to the positions many of them hold in the schools. The greater part of education is entrusted to the clergy.

In several states the law had closed a political career to them[83]; in all the others, opinion had done so.

When at last I came to inquire into the spirit of the clergy itself, I perceived that most of its members seemed to keep away from power of their own accord, and to take a kind of professional pride in remaining strangers to it.

I heard them anathematize ambition and bad faith, whatever political opinions these might take care to cloak themselves in. But I learned, as I listened to them, that men cannot be condemned in the eyes of God on account of those same opinions, provided they are sincere, and that there is no more sin in erring in matters of government than in being mistaken about how to build one's house or plow one's furrow.

I saw them carefully hold themselves apart from all parties, and shun contact with them with all the ardor of personal interest.

These facts completed the proof that I had been told the truth. I then wished to go back from the facts to their causes. I asked myself how it could come about that by diminishing the apparent strength of a religion one ended by increasing its real power, and I believed it was not impossible to find out.

The short span of sixty years will never contain the whole of man's imagination; the incomplete joys of this world will never suffice for his heart. Alone among all beings, man shows a natural disgust for existence and an immense desire to exist: he

83 TOCQUEVILLE'S NOTE. See the Constitution of New York, art. 7, § 4.

Idem, North Carolina, art. 31.

Idem, Virginia.

Idem, South Carolina, art. 1, § 23.

Idem, Kentucky, art. 2, § 26.

Idem, Tennessee, art. 1, § 28.

Idem, Louisiana, art. 2, § 22.

The article of the New York Constitution reads as follows:

"Ministers of the Gospel, being by their profession dedicated to the service of God and given over to the care of guiding souls, must not be disturbed in the exercise of these important duties; consequently, no minister of the Gospel or priest, of whatever sect, may be invested with any public functions, civil or military."

scorns life and fears nothingness. These different instincts constantly drive his soul toward the contemplation of another world, and it is religion that leads it there. Religion is therefore only a particular form of hope, and it is as natural to the human heart as hope itself. It is by a kind of aberration of the intellect, and with the help of a sort of moral violence done to their own nature, that men turn away from religious beliefs; an irresistible inclination brings them back. Unbelief is an accident; faith alone is the permanent state of humanity.

Considering religions from a purely human point of view, then, one can say that all religions draw from man himself an element of strength that can never fail them, because it is bound up with one of the constituent principles of human nature.

I know that there are times when religion can add to this influence of its own the artificial power of laws and the support of the material powers that direct society. Religions have been seen closely united to the governments of the earth, ruling souls by terror and by faith at once. But when a religion forms such an alliance—I do not hesitate to say it—it acts as a man might act: it sacrifices the future for the sake of the present, and in gaining a power that is not its due, it puts its legitimate authority at risk.

When a religion seeks to found its dominion only on the desire for immortality that torments the hearts of all men alike, it can aspire to universality. But when it comes to unite itself with a government, it must adopt maxims that apply only to certain peoples. Thus, by allying itself with a political power, religion increases its power over some and loses the hope of reigning over all.

As long as a religion relies only on sentiments that are the consolation of every misery, it can draw the heart of the human race to itself. Once it is mixed up in the bitter passions of this world, it is sometimes forced to defend allies given to it by interest rather than by love; and it must repel as adversaries men who often still love it, even as they fight those with whom it has united. Religion cannot, therefore, share the material

strength of those who govern without taking on part of the hatreds they arouse.

The political powers that seem most firmly established have no guarantee of their duration but the opinions of a generation, the interests of a century, often the life of a single man. A law can alter the social state that seems most final and most firmly settled, and with it everything changes.

The powers of society are all more or less fleeting, like our years on earth; they follow one another rapidly, like the various cares of life. No government has ever been seen that rested on an invariable disposition of the human heart, or that could found itself on an immortal interest.

As long as a religion finds its strength in sentiments, instincts, and passions that are seen to recur in the same way in every period of history, it defies the work of time, or at least it can be destroyed only by another religion. But when religion seeks to rest on the interests of this world, it becomes almost as fragile as all the powers of the earth. Alone, it can hope for immortality; tied to ephemeral powers, it follows their fortunes, and often falls along with the passions of a day that sustain them.

In uniting with the various political powers, then, religion can only contract a burdensome alliance. It does not need their help to live, and in serving them it may die.

The danger I have just pointed out exists at all times, but it is not always so visible.

There are ages when governments seem immortal, and others when one would say that the existence of society is more fragile than that of a man.

Some constitutions keep citizens in a kind of lethargic sleep, and others deliver them up to feverish agitation.

When governments seem so strong and laws so stable, men do not perceive the danger that religion may run in uniting with power.

When governments show themselves so weak and laws so changeable, the peril strikes every eye, but often by then it is too late to escape it. One must therefore learn to see it from afar.

As a nation takes on a democratic social state, and societies are seen leaning toward the republic, it becomes more and more dangerous to unite religion with authority. For the times are approaching when power will pass from hand to hand, when political theories will follow one upon another, when men, laws, and even constitutions will disappear or be altered every day—and this not for a time, but continually. Agitation and instability belong to the nature of democratic republics, just as immobility and sleep are the law of absolute monarchies.

The Americans change the head of state every four years, choose new legislators every two years, and replace their provincial administrators every year; they have handed the political world over to the experiments of innovators. If they had not placed their religion somewhere outside that world, what could it hold on to amid the ebb and flow of human opinions? In the midst of the struggle of parties, where would the respect due to it be? What would become of its immortality when everything around it was perishing?

American priests perceived this truth before all others, and they conform their conduct to it. They saw that they would have to renounce religious influence if they wished to acquire political power, and they preferred to lose the support of power rather than share in its vicissitudes.

In America religion is perhaps less powerful than it has been at certain times and among certain peoples, but its influence is more lasting. It has confined itself to its own strengths, which no one can take from it. It acts within a single sphere, but it covers the whole of that sphere and rules there without effort.

In Europe I hear voices raised on every side; people deplore the absence of beliefs and ask how religion might be given back some remnant of its former power.

It seems to me that we must first inquire carefully what the *natural state* of men in matters of religion ought to be in our day.

Knowing, then, what we can hope for and what we have to fear, we would see clearly the goal toward which our efforts must tend.

Two great dangers threaten the existence of religions: schisms and indifference.

In ages of fervor, men sometimes abandon their religion, but they escape its yoke only to submit to that of another. Faith changes its object; it does not die. The old religion then stirs ardent love or implacable hatred in every heart: some leave it in anger, others cling to it with new ardor. Beliefs differ; irreligion is unknown.

But it is not the same when a religious belief is silently undermined by doctrines that I shall call negative, since in asserting the falsity of one religion they establish the truth of no other.

Then prodigious revolutions take place in the human mind without man seeming to help them along with his passions, and, so to speak, without his suspecting it. One sees men let slip, as if through forgetfulness, the object of their dearest hopes. Swept along by an imperceptible current that they lack the courage to struggle against, yet to which they yield with regret, they abandon the faith they love to follow the doubt that leads them to despair.

In the ages we have just described, people forsake these beliefs out of coldness rather than hatred; they do not reject them—the beliefs leave them. Though he ceases to believe religion true, the unbeliever continues to judge it useful. Considering religious beliefs from a human standpoint, he recognizes their sway over mores and their influence on laws. He understands how they can make men live in peace and gently prepare them for death. So he regrets faith after he has lost it, and, deprived of a good whose full worth he knows, he is afraid to take it away from those who still possess it.

The believer, for his part, has no fear of exposing his faith to every eye. In those who do not share his hopes he sees unfortunates rather than adversaries; he knows that he can win their esteem without following their example; so he is at war with no

one. Since he does not regard the society he lives in as an arena where religion must fight ceaselessly against a thousand relentless enemies, he loves his contemporaries even as he condemns their weaknesses and grieves over their errors.

Since those who do not believe hide their unbelief, and those who believe display their faith, a public opinion forms in favor of religion. People love it, support it, honor it, and one must probe to the very depths of souls to discover the wounds it has received.

The mass of men, whom religious feeling never abandons, then sees nothing to draw it away from established beliefs. The instinct for another life leads it without difficulty to the foot of the altar and gives its heart over to the precepts and consolations of faith.

Why does this picture not apply to us?

Among us I see men who have ceased to believe in Christianity without attaching themselves to any other religion.

I see others who have stopped short in doubt and already pretend no longer to believe.

Further on, I meet Christians who still believe and dare not say so.

Amid these lukewarm friends and these ardent adversaries, I finally discover a small number of the faithful who are ready to brave every obstacle and scorn every danger for their beliefs. These people have done violence to human weakness in order to rise above common opinion. Carried away by that very effort, they no longer know precisely where they ought to stop. They have seen that in their country the first use man made of independence was to attack religion. So they dread their contemporaries and recoil in terror from the liberty their contemporaries pursue. Because unbelief seems to them something new, they include everything new in one and the same hatred. They are therefore at war with their age and their country, and in each of the opinions professed there they see a necessary enemy of the faith.

This should not be the natural state of men in matters of religion in our day.

There is, then, some accidental and particular cause at work among us that prevents the human mind from following its natural inclination, and drives it beyond the limits at which it should naturally stop.

I am profoundly convinced that this particular and accidental cause is the intimate union of politics and religion.

The unbelievers of Europe attack Christians as political enemies rather than as religious adversaries. They hate the faith as the opinion of a party far more than as a mistaken belief. What they reject in the priest is less the representative of God than the friend of power.

In Europe, Christianity has allowed itself to be intimately united with the powers of this earth. Today those powers are falling, and it lies as if buried beneath their ruins. It is a living being that men have tried to bind to the dead: cut the ties that hold it, and it will rise again.

I do not know what would have to be done to restore the energy of youth to European Christianity. God alone could do it; but at least it is up to men to leave faith free to use all the strength it still retains.

ENLIGHTENMENT AND PRACTICAL EXPERIENCE

Americans have little high culture, but nearly all are educated, and governing themselves teaches them politics.

How the enlightenment, habits, and practical experience of the Americans contribute to the success of democratic institutions

What is to be understood by the enlightenment of the American people—The human mind has been less deeply cultivated in the United States than in Europe—But no one has been left in ignorance—Why—The speed with which thought circulates in the half-empty states of the West—How practical experience serves the Americans even more than book learning.

In a thousand places in this work I have pointed out to readers the influence that the Americans' enlightenment and habits exert on the maintenance of their political institutions. So little that is new now remains for me to say.

America has so far had only a very small number of notable writers; it has no great historians and not a single poet. Its inhabitants regard literature properly so called with a kind of disfavor. Some third-rank cities in Europe publish more literary works each year than the twenty-four states of the Union taken together.

The American mind turns away from general ideas; it does not direct itself toward theoretical discoveries. Neither politics itself nor industry could carry it there. In the United States, new laws are constantly being made; but no great writers have yet appeared to seek out the general principles of law in them.

The Americans have jurists and commentators, but they lack political theorists; and in politics they give the world examples rather than lessons.

The same is true of the mechanical arts.

In America, the inventions of Europe are applied with shrewdness, and once perfected, they are marvelously adapted to the country's needs. Men there are industrious, but they do not cultivate the science of industry. One finds good workmen there and few inventors. Fulton long peddled his genius among foreign peoples before he could devote it to his own country.[84]

Anyone who wishes to judge the state of enlightenment among the Anglo-Americans is therefore liable to see the same object in two different lights. If he pays attention only to the learned, he will be astonished at how few they are; if he counts the ignorant, the American people will seem to him the most enlightened on earth.

The entire population falls between these two extremes, as I have already said elsewhere.

84 Robert Fulton (1765–1815), American engineer who worked in Britain and France before launching the first commercially successful steamboat in New York in 1807.

In New England, every citizen receives the elementary notions of human knowledge. He also learns the doctrines and proofs of his religion, and he is taught the history of his country and the main features of the constitution that governs it. In Connecticut and Massachusetts it is very rare to find a man who knows all these things only imperfectly, and one who is entirely ignorant of them is something of a phenomenon.

I compare the Greek and Roman republics with these republics of America: the manuscript libraries and coarse populace of the former with the thousand newspapers that crisscross the latter and the enlightened people who inhabit them. I then think of all the efforts still being made to judge the one by the other, and to foresee what will happen in our own day from what happened two thousand years ago. At such moments I am tempted to burn my books, so as to apply only new ideas to so new a social state.

One must not, however, extend to the whole Union without distinction what I say of New England. The farther one goes west or south, the more the education of the people declines. In the states bordering the Gulf of Mexico there are, as among us, a certain number of individuals who are strangers to the rudiments of human knowledge. But one would search in vain in the United States for a single district that had remained sunk in ignorance. The reason is simple: the peoples of Europe set out from darkness and barbarism to advance toward civilization and enlightenment. Their progress has been unequal: some have raced along that course, while others have, so to speak, merely walked it; several have stopped, and they still lie asleep along the road.

It has not been so in the United States.

The Anglo-Americans arrived fully civilized on the soil their posterity occupies; they did not have to learn, it was enough for them not to forget. Now, it is the sons of these same Americans who each year carry into the wilderness, along with their dwellings, the knowledge already acquired and a respect for learning. Education has made them feel the usefulness of enlightenment and has enabled them to pass that same enlightenment on to

their descendants. In the United States, then, society has no childhood; it is born at the age of manhood.

The Americans make no use of the word "peasant." They do not use the word because they do not have the idea. The ignorance of early ages, the simplicity of the fields, and the rusticity of the village have not survived among them. They can conceive neither the virtues, nor the vices, nor the coarse habits, nor the naive graces of a nascent civilization.

At the outermost limits of the confederated states, on the border between society and the wilderness, lives a population of bold adventurers. To escape the poverty that was about to overtake them under their fathers' roofs, they have not been afraid to plunge into the solitudes of America and seek a new homeland there. Hardly has the pioneer arrived at the spot that is to be his refuge when he hastily fells a few trees and raises a cabin beneath the leafy branches. Nothing looks more wretched than these isolated dwellings. The traveler who approaches one toward evening sees from afar the glow of the hearth shining through the walls; and at night, if the wind rises, he hears the roof of leaves rustling noisily amid the trees of the forest. Who would not suppose that this poor hut shelters coarseness and ignorance? Yet one must draw no connection between the pioneer and the place that shelters him. Everything around him is primitive and wild, but he himself is, so to speak, the product of eighteen centuries of labor and experience. He wears the clothes of the cities and speaks their language. He knows the past, is curious about the future, and argues about the present. He is a highly civilized man who, for a time, submits to living in the woods, and who plunges into the wildernesses of the New World with the Bible, an ax, and newspapers.

It is hard to imagine with what incredible speed thought circulates in the heart of these wildernesses[85].

I do not believe that so great an intellectual movement takes place in the most enlightened and populous districts of France[86].

There can be no doubt that in the United States the education of the people serves powerfully to maintain the democratic republic. It will be so, I think, wherever the instruction that enlightens the mind is not separated from the education that regulates mores.

Yet I do not exaggerate this advantage. I am further still from believing, as a great many people in Europe do, that it is enough to teach men to read and write to make them citizens at once.

True enlightenment arises chiefly from experience. If the Americans had not gradually been accustomed to governing themselves, the book learning they possess would not be of much help to them today in succeeding at it.

I lived a great deal among the people in the United States, and I cannot say how much I admired their experience and their good sense.

Do not lead an American to talk about Europe; he will usually show great presumption and a rather foolish pride. He will con-

85 TOCQUEVILLE'S NOTE. I traveled along part of the frontiers of the United States in a kind of open cart that was called the mail. We went at a great pace night and day along barely cleared roads through immense forests of evergreens. When the darkness became impenetrable, my driver lit larch branches, and we continued on our way by their light. Now and then we came upon a hut in the middle of the woods: this was the post office. The mail carrier threw an enormous bundle of letters at the door of this isolated dwelling, and we set off again at a gallop, leaving each inhabitant of the neighborhood to come and fetch his share of the treasure.

86 TOCQUEVILLE'S NOTE. In 1832, each inhabitant of Michigan contributed 1 fr. 22 c. in postage, and each inhabitant of the Floridas 1 fr. 5 c. (See *National Calendar*, 1833, p. 244.) In the same year, each inhabitant of the department of the Nord paid the state 1 fr. 4 c. for the same purpose. (See *General Account of the Administration of Finances*, 1833, p. 623.) Now, at that time Michigan still had only seven inhabitants per square league, and Florida five. Education was less widespread and activity less intense in these two districts than in most of the states of the Union, whereas the department of the Nord, with 3,400 individuals per square league, is one of the most enlightened and industrial parts of France.

TRANSLATOR'S NOTE. The French title is *Compte général de l'administration des finances*. The Nord is the department of northern France around Lille.

tent himself with those general and vague ideas that, in every country, are such a great help to the ignorant. But question him about his own country, and you will see the cloud that enveloped his intelligence suddenly lift: his language will become clear, sharp, and precise, like his thought. He will tell you what his rights are and what means he must use to exercise them; he will know the customs by which the political world is run. You will notice that he knows the rules of administration and has made himself familiar with the mechanism of the laws. The inhabitant of the United States did not draw this practical knowledge and these positive notions from books. His literary education may have prepared him to receive them, but it did not supply them.

It is by taking part in legislation that the American comes to know the laws; it is by governing that he learns the forms of government. The great work of society is accomplished every day before his eyes and, so to speak, in his hands.

In the United States, the whole of men's education is directed toward politics; in Europe, its main aim is to prepare them for private life. There, the action of citizens in public affairs is too rare a fact to be anticipated.

As soon as one looks at the two societies, these differences show themselves even in their outward appearance.

In Europe, we often carry the ideas and habits of private existence into public life. Since we sometimes pass abruptly from the family circle to the government of the state, we are often seen discussing the great interests of society in the same way we converse with our friends.

The Americans, on the contrary, almost always carry the habits of public life into private life. Among them, the idea of the jury turns up in schoolchildren's games, and parliamentary forms are found even in the order of a banquet.

MORES MATTER MORE THAN LAWS OR GEOGRAPHY

Comparing the Americas, Tocqueville ranks physical causes below laws, and laws below mores.

That laws do more than physical causes to maintain the democratic republic in the United States, and mores more than laws

All the peoples of America have a democratic social state.—Yet democratic institutions endure only among the Anglo-Americans.—The Spaniards of South America, as favored by physical nature as the Anglo-Americans, cannot bear the democratic republic.—Mexico, which adopted the Constitution of the United States, cannot do so.—The Anglo-Americans of the West bear it with more difficulty than those of the East.—Reasons for these differences.

I have said that the maintenance of democratic institutions in the United States must be attributed to circumstances, to laws, and to mores[87].

Most Europeans know only the first of these three causes, and they give it an overriding importance that it does not have.

It is true that the Anglo-Americans brought equality of conditions with them to the New World. Neither commoners nor nobles were ever found among them; prejudices of birth have always been as unknown there as prejudices of occupation. The social state being thus democratic, democracy had no difficulty in establishing its rule.

But this fact is not peculiar to the United States; almost all the colonies of America were founded by men who were equal among themselves or who became so by living there. There is not a single part of the New World where Europeans have been able to create an aristocracy.

Yet democratic institutions prosper only in the United States.

87 TOCQUEVILLE'S NOTE. Here I remind the reader of the general sense in which I take the word *mores*: by it I mean the whole of the intellectual and moral dispositions that men bring to the state of society.

The American Union has no enemies to fight. It stands alone amid the wilderness, like an island in the midst of the ocean.

But nature had isolated the Spaniards of South America in the same way, and this isolation has not kept them from maintaining armies. When they had no foreigners to fight, they made war on one another. The Anglo-American democracy alone has so far been able to keep itself at peace.

The territory of the Union presents a boundless field to human activity; it offers inexhaustible nourishment to industry and labor. So the love of wealth takes the place of ambition there, and well-being quenches the ardor of parties.

But in what part of the world does one find more fertile wildernesses, greater rivers, more untouched and more inexhaustible riches than in South America? Yet South America cannot bear democracy. If, to be happy, it were enough for peoples to have been placed in a corner of the world and to be able to spread at will over uninhabited lands, the Spaniards of South America would have no cause to complain of their lot. And even if they did not enjoy the same happiness as the inhabitants of the United States, they ought at least to be envied by the peoples of Europe. Yet there are no nations on earth more wretched than those of South America.

Thus not only are physical causes unable to bring about similar results among the Americans of the South and those of the North, but they cannot even produce among the former anything that is not inferior to what one sees in Europe, where those causes work in the opposite direction.

Physical causes, then, do not influence the destiny of nations as much as is supposed.

I have met men of New England ready to leave a homeland where they could have found a comfortable living, in order to seek their fortune in the wilderness. Nearby, I saw the French population of Canada crowding into a space too narrow for it, when the same wilderness lay close at hand; and while the emigrant from the United States acquired a great estate for the

price of a few days' labor, the Canadian paid as dearly for land as if he had still lived in France.

Thus nature, in delivering the solitudes of the New World to Europeans, offers them goods that they do not always know how to use.

Among other peoples of America I see the same conditions of prosperity as among the Anglo-Americans, minus their laws and their mores; and these peoples are wretched. The laws and mores of the Anglo-Americans are therefore the particular reason for their greatness and the predominant cause that I am seeking.

I am far from claiming that there is absolute goodness in American laws: I do not believe that they are applicable to all democratic peoples; and among them there are several that seem to me dangerous even in the United States.

Yet it cannot be denied that the legislation of the Americans, taken as a whole, is well suited to the genius of the people it must govern and to the nature of the country.

American laws are therefore good, and a large share of the success that democratic government achieves in America must be attributed to them; but I do not think they are its principal cause. And if they seem to me to have more influence on the social happiness of the Americans than the very nature of the country, on the other hand I see reasons to believe that they exert less than mores.

The federal laws are certainly the most important portion of the legislation of the United States.

Mexico, which is as fortunately situated as the Anglo-American Union, has adopted these very laws, and it cannot accustom itself to democratic government.

There is therefore a reason, independent of physical causes and of laws, that enables democracy to govern the United States.

But here is something that proves still more. Almost all the men who inhabit the territory of the Union are descended from the same stock. They speak the same language, pray to God in

the same way, are subject to the same material causes, and obey the same laws.

Where, then, do the differences that must be observed among them come from?

Why, in the east of the Union, does republican government show itself strong and orderly, and proceed with maturity and deliberation? What cause stamps all its acts with a character of wisdom and permanence?

How is it, by contrast, that in the west the powers of society seem to move at random?

Why does something disordered, passionate—one might almost say feverish—prevail there in the conduct of affairs, something that does not promise a long future?

I am no longer comparing the Anglo-Americans with foreign peoples; I am now setting Anglo-Americans against one another, and asking why they are not alike. Here all the arguments drawn from the nature of the country and from differences in law fail me at once. I must turn to some other cause; and where shall I find that cause, if not in mores?

It is in the east that the Anglo-Americans have had the longest practice of democratic government, and that they have formed the habits and conceived the ideas most favorable to its maintenance. There, democracy has gradually worked its way into customs, into opinions, into forms; one finds it in every detail of social life as well as in the laws. It is in the east that the people's schooling and practical education have been carried furthest, and that religion has become most thoroughly intertwined with liberty. What are all these habits, these opinions, these customs, these beliefs, if not what I have called mores?

In the west, by contrast, some of these same advantages are still lacking. Many Americans of the Western states were born in the woods, and they mix the ideas and customs of the wild life with the civilization of their fathers. Among them, passions are more violent, religious morality less powerful, ideas less settled. Men there exercise no check on one another, for they hardly know one another. The nations of the West therefore display, to

a certain extent, the inexperience and unruly habits of peoples in their infancy. Yet the societies of the West are formed of old elements; it is only the combination that is new.

It is therefore mores above all that make the Americans of the United States, alone among all Americans, capable of bearing the rule of democracy; and it is mores again that make the various Anglo-American democracies more or less orderly and prosperous.

Thus in Europe the influence that a country's geographical position exerts on the duration of democratic institutions is exaggerated. Too much importance is attributed to laws, too little to mores. These three great causes no doubt all serve to regulate and direct American democracy; but if they had to be ranked, I would say that physical causes contribute less than laws, and laws less than mores.

I am convinced that the most fortunate situation and the best laws cannot maintain a constitution in spite of mores, whereas mores can still turn to advantage the most unfavorable positions and the worst laws. The importance of mores is a common truth to which study and experience constantly lead back. It seems to me that I find it set in my mind like a central point; I see it at the end of all my ideas.

I have only one more word to say on this subject.

If, in the course of this work, I have not succeeded in making the reader feel the importance I attributed to the practical experience of the Americans, to their habits, to their opinions—in a word, to their mores—in the maintenance of their laws, I have missed the principal aim I set myself in writing it.

COULD DEMOCRATIC INSTITUTIONS WORK ELSEWHERE?

American laws need not be copied, but America shows that laws and mores can regulate democracy.

Would laws and mores be enough to maintain democratic institutions elsewhere than in America?

The Anglo-Americans, transported to Europe, would be obliged to modify their laws there.—Democratic institutions must be distinguished from American institutions.—One can conceive of democratic laws better than, or at least different from, those that American democracy has given itself.—The example of America proves only that one must not despair of regulating democracy with the help of laws and mores.

I have said that the success of democratic institutions in the United States depended on the laws themselves and on mores more than on the nature of the country.

But does it follow that these same causes, transported elsewhere, would by themselves have the same power? And if the country cannot take the place of laws and mores, can laws and mores in their turn take the place of the country?

Here, it will readily be understood, the elements of proof are lacking. In the New World one finds peoples other than the Anglo-Americans, and since these peoples are subject to the same material causes as the Anglo-Americans, I have been able to compare them with one another.

But outside America there are no nations that, lacking the physical advantages of the Anglo-Americans, have nonetheless adopted their laws and their mores.

So we have no basis for comparison in this matter; we can only venture opinions.

It seems to me, first of all, that the institutions of the United States must be carefully distinguished from democratic institutions in general.

When I think of the state of Europe, of its great peoples, its populous cities, its formidable armies, the complications of its politics, I cannot believe that the Anglo-Americans themselves, transported onto our soil with their ideas, their religion, and their mores, could live there without considerably modifying their laws.

But one can imagine a democratic people organized differently from the American people.

Is it impossible, then, to conceive of a government founded on the real will of the majority, but in which the majority, doing violence to the instincts of equality that are natural to it, would consent, for the sake of order and the stability of the state, to invest a family or a single man with all the powers of the executive? Could one not imagine a democratic society in which national forces would be more centralized than in the United States, in which the people would exercise a less direct and less irresistible rule over public affairs, and in which every citizen, nonetheless, invested with certain rights, would take part within his own sphere in the workings of government?

What I have seen among the Anglo-Americans leads me to believe that democratic institutions of this kind, introduced prudently into society, mingling little by little with its habits and gradually blending with the very opinions of the people, could survive elsewhere than in America.

If the laws of the United States were the only democratic laws one could imagine, or the most perfect that could possibly be found, I can see how one might conclude that the success of the laws of the United States proves nothing about the success of democratic laws in general in a country less favored by nature.

But if the laws of the Americans seem to me defective in many respects, and I can easily conceive of them as otherwise, then the special nature of the country does not prove to me that democratic institutions could not succeed among a people where, physical circumstances being less favorable, the laws were better.

If men showed themselves different in America from what they are elsewhere; if their social state gave rise among them to habits and opinions contrary to those that arise in Europe from the same social state, then what happens in the American democracies would teach us nothing about what must happen in other democracies.

If the Americans showed the same tendencies as all other democratic peoples, and their legislators had relied on the nature of the country and on favorable circumstances to keep

these tendencies within proper bounds, then the prosperity of the United States, being attributable to purely physical causes, would prove nothing in favor of peoples who wished to follow their example without having their natural advantages.

But neither of these suppositions is borne out by the facts.

In America I encountered passions similar to those we see in Europe: some stemmed from the very nature of the human heart; others, from the democratic state of society.

Thus I found again in the United States that restlessness of heart which is natural to men when, all conditions being roughly equal, each sees the same chances of rising. I encountered there the democratic feeling of envy, expressed in a thousand different ways. I noticed that the people often displayed, in the conduct of affairs, a great mixture of presumption and ignorance; and I concluded that in America, as among us, men were subject to the same imperfections and exposed to the same miseries.

But when I came to examine the state of society attentively, I readily discovered that the Americans had made great and successful efforts to combat these weaknesses of the human heart and to correct these natural defects of democracy.

Their various municipal laws seemed to me so many barriers that held the restless ambition of citizens within a narrow sphere, and turned to the township's benefit the very democratic passions that might have overthrown the state. It seemed to me that American legislators had managed, not without success, to set the idea of rights against the feelings of envy; the immobility of religious morality against the continual movements of the political world; the people's experience against its theoretical ignorance, and its familiarity with affairs against the impetuosity of its desires.

The Americans, then, did not rely on the nature of their country to combat the dangers that arise from their constitution and their political laws. To ills they share with all democratic peoples, they have applied remedies that they alone, so far, have

thought of; and although they were the first to try them, they have succeeded.

The mores and laws of the Americans are not the only ones that could suit democratic peoples; but the Americans have shown that we need not despair of regulating democracy with the help of laws and mores.

Suppose other peoples borrowed this general and fruitful idea from America, without otherwise wishing to imitate its inhabitants in the particular application they have made of it. Suppose they tried to fit themselves for the social state that Providence imposes on the people of our day, and thus sought to escape the despotism or the anarchy that threatens them. What reason have we to believe that their efforts would fail?

The organization and establishment of democracy among Christians is the great political problem of our time. The Americans doubtless do not solve this problem, but they provide useful lessons to those who wish to solve it.

WHAT THIS MEANS FOR EUROPE

Without free institutions, Europe's democratic peoples face a new and unlimited despotism of one man.

Importance of the foregoing with respect to Europe

It is easy to see why I have undertaken the foregoing inquiries. The question I have raised concerns not only the United States but the whole world; not one nation, but all of humanity.

If peoples whose social state is democratic could remain free only while they lived in wildernesses, we would have to despair of the future of the human race; for men are moving rapidly toward democracy, and the wildernesses are filling up.

If it were true that laws and mores were insufficient to maintain democratic institutions, what other refuge would remain to nations but the despotism of one man?

I know that in our day there are many decent people whom this future hardly frightens, and who, weary of liberty, would like at last to rest far from its storms.

But such people know very little about the harbor toward which they are heading. Preoccupied with their memories, they judge absolute power by what it once was, and not by what it might be in our day.

If absolute power were to establish itself anew among the democratic peoples of Europe, I have no doubt that it would take a new form there and show itself with features unknown to our fathers.

There was a time in Europe when the law, as well as the consent of the people, had invested kings with almost unlimited power. But they almost never made use of it.

I will not speak of the prerogatives of the nobility, the authority of the sovereign courts, the rights of corporations, the privileges of the provinces, all of which, while softening the blows of authority, kept a spirit of resistance alive in the nation.[88]

Apart from these political institutions—which, though often contrary to the liberty of individuals, nonetheless served to keep the love of liberty alive in people's souls, and whose usefulness in that respect is easy to grasp—opinions and mores raised around royal power barriers that were less well known, but no less powerful.

Religion, the love of subjects, the goodness of the prince, honor, family spirit, provincial prejudices, custom, and public opinion limited the power of kings and enclosed their authority within an invisible circle.

In those days the constitution of peoples was despotic, and their mores free. Princes had the right, but neither the ability nor the desire, to do everything.

Of the barriers that once held back tyranny, what is left to us today?

Religion having lost its sway over souls, the most visible boundary that divided good from evil has been overturned; everything seems doubtful and uncertain in the moral world; kings and peoples move through it at random, and no one can

88 The sovereign courts were the parlements and other high courts of pre-Revolutionary France, which could delay or resist royal edicts.

say where the natural limits of despotism and the bounds of license lie.

Long revolutions have forever destroyed the respect that surrounded heads of state. Relieved of the weight of public esteem, princes can henceforth give themselves up without fear to the intoxication of power.

When kings see the hearts of their peoples coming out to meet them, they are merciful, because they feel strong; and they take care to keep the love of their subjects, because the love of subjects is the support of the throne. There then arises between prince and people an exchange of feelings whose gentleness recalls, in the midst of society, the intimacy of the family. Subjects, even while grumbling against the sovereign, are still grieved to displease him, and the sovereign strikes his subjects with a light hand, as a father punishes his children.

But once the prestige of royalty has vanished amid the tumult of revolutions; once kings, succeeding one another on the throne, have each in turn exposed to the gaze of the peoples the weakness of *right* and the harshness of *fact*, no one any longer sees in the sovereign the father of the state, and everyone perceives in him a master. If he is weak, he is despised; he is hated if he is strong. He himself is full of anger and fear; he sees himself as a foreigner in his own country, and he treats his subjects as a conquered people.

When provinces and cities formed so many different nations within the common homeland, each had a particular spirit that stood against the general spirit of servitude. But today all the parts of the same empire, having lost their chartered liberties, their customs, their prejudices, and even their memories and their names, have grown used to obeying the same laws; and so it is no harder to oppress them all together than to oppress any one of them separately.

While the nobility enjoyed its power, and long after it had lost it, aristocratic honor gave extraordinary strength to individual resistance.

One saw men in those days who, despite their powerlessness, still held a lofty idea of their individual worth and dared to resist the force of public power on their own.

But in our day, when all classes are completing their fusion, when the individual vanishes more and more into the crowd and is easily lost in the common obscurity; today, when monarchical honor has almost lost its sway without being replaced by virtue, and nothing any longer lifts a man above himself—who can say where the demands of power and the compliance of weakness would stop?

As long as family spirit endured, the man who struggled against tyranny was never alone; he found around him clients, hereditary friends, kinsmen. And had this support failed him, he still felt sustained by his ancestors and spurred on by his descendants. But when patrimonies are divided, and when in a few years lineages blend together, where is family spirit to find a place?

What strength is left to custom among a people that has entirely changed its face and keeps changing it; where every act of tyranny already has a precedent, where every crime can lean on an example; where one can find nothing old enough that one would fear to destroy it, nor conceive anything so new that one would not dare it?

What resistance can mores offer that have already bent so many times?

What can public opinion itself do, when there are not *twenty* people bound together by a common tie; when there is neither a man, nor a family, nor a body, nor a class, nor a free association that can represent that opinion and set it in motion?

When every citizen, being equally powerless, equally poor, equally isolated, can set only his individual weakness against the organized force of the government?

To conceive of anything like what would then happen among us, it is not to our own annals that one should turn. One would perhaps have to question the monuments of antiquity and go back to those dreadful centuries of Roman tyranny. Then, mores

being corrupted, memories effaced, habits destroyed, and opinions wavering, liberty, driven from the laws, no longer knew where to take refuge; then, nothing any longer protecting the citizens, and the citizens no longer protecting themselves, men were seen to make sport of human nature, and princes to exhaust the mercy of Heaven before the patience of their subjects.

Those who think they will bring back the monarchy of Henry IV or Louis XIV seem to me very blind. As for me, when I consider the state that several European nations have already reached and the state toward which all the others are tending, I am inclined to believe that soon there will be room among them only for democratic liberty or for the tyranny of the Caesars.[89]

And this is not worth thinking about? If men were indeed to reach the point where they had to be made either all free or all slaves, all equal in rights or all deprived of rights; if those who govern societies were reduced to this choice—either to raise the crowd gradually up to their own level, or to let all citizens fall below the level of humanity—would that not be enough to overcome many doubts, reassure many consciences, and prepare everyone to make great sacrifices readily?

Would we not then have to regard the gradual development of democratic institutions and mores not as the best, but as the only means left to us of being free? And without loving democratic government, would one not be disposed to adopt it as the most practicable and the most honorable remedy that can be set against the present ills of society?

It is difficult to make the people take part in government; it is more difficult still to supply them with the experience and give them the feelings they lack to govern well.

The will of democracy is changeable; its agents, coarse; its laws, imperfect; I grant it. But if it were true that soon there would be no middle ground between the rule of democracy and the yoke of a single man, should we not rather strive toward the

89 Henry IV (reigned 1589–1610) and Louis XIV (reigned 1643–1715), kings of France, stand here for the old absolute monarchy.

one than submit willingly to the other? And if we must at last arrive at complete equality, would it not be better to let ourselves be leveled by liberty than by a despot?

Those who, after reading this book, concluded that in writing it I meant to hold up Anglo-American laws and mores for imitation by all peoples with a democratic social state would be making a great mistake; they would have fastened on the form and abandoned the very substance of my thought. My aim has been to show, by the example of America, that laws and above all mores could allow a democratic people to remain free. For the rest, I am very far from believing that we ought to follow the example American democracy has set and imitate the means it has used to reach this goal of its efforts; for I am well aware of the influence that the nature of a country and its prior history exert on political constitutions, and I would regard it as a great misfortune for humankind if liberty had to appear everywhere with the same features.

But I think that if we do not succeed in introducing democratic institutions among us little by little and finally establishing them, and if we give up on giving all citizens ideas and feelings that first prepare them for liberty and then allow them to use it, there will be independence for no one—neither for the bourgeois nor for the noble, neither for the poor nor for the rich—but an equal tyranny for all. And I foresee that if, in time, we do not manage to establish among us the peaceful rule of the greatest number, we shall arrive sooner or later at the *unlimited* power of a single man.

CHAPTER 10: SOME CONSIDERATIONS ON THE PRESENT STATE AND PROBABLE FUTURE OF THE THREE RACES THAT INHABIT THE TERRITORY OF THE UNITED STATES (QUELQUES CONSIDÉRATIONS SUR L'ÉTAT ACTUEL ET L'AVENIR PROBABLE DES TROIS RACES QUI HABITENT LE TERRITOIRE DES ÉTATS-UNIS)

Tocqueville turns to the Indians, Black Americans, and the Union's future, and sketches the three races' unequal positions.

1.2.10 The principal task I had set myself is now accomplished; I have shown, at least as far as I was able, what the laws of American democracy were; I have made known what its mores were. I could stop here, but the reader might feel that I had not fulfilled his expectations.

One finds in America something more than an immense and complete democracy; the peoples who inhabit the New World can be considered from more than one angle.

In the course of this work, my subject has often led me to speak of the Indians and of Black people, but I never had time to pause and show what position these two races occupy within the democratic people I was busy portraying. I have said in what spirit and by means of what laws the Anglo-American confederation was formed; I could point out only in passing, and very incompletely, the dangers that threaten this confederation; and I was unable to set out in detail what its chances of lasting were, apart from laws and mores. In speaking of the united republics, I ventured no conjecture about the permanence of republican forms in the New World; and though I often alluded to the commercial activity that prevails in the Union, I could not concern myself with the future of the Americans as a commercial people.

These matters, which touch on my subject, do not form part of it; they are American without being democratic, and it is above all democracy that I wished to portray. So I had to set them aside at first; but I must return to them in closing.

The territory now occupied or claimed by the American Union stretches from the Atlantic Ocean to the shores of the

South Sea. To the east and to the west, then, its limits are those of the continent itself; to the south it reaches the edge of the Tropics, and from there it extends northward into the ice of the North[90].[91]

The people scattered across this space do not form, as in Europe, so many offshoots of a single family. One discovers in them, at first sight, three races naturally distinct and, I could almost say, hostile. Education, law, origin, and even the outward shape of their features had raised an almost insurmountable barrier between them; fortune has brought them together on the same soil, but it has mixed them without being able to blend them, and each pursues its own destiny apart.

Among these very different men, the first to draw the eye, the first in enlightenment, in power, in happiness, is the white man, the European, man par excellence; below him appear the Black man and the Indian.

These two unfortunate races have in common neither birth, nor appearance, nor language, nor mores; only their misfortunes are alike. Both occupy an equally inferior position in the country they inhabit; both feel the effects of tyranny; and if their miseries differ, they can blame the same authors for them.

Looking at what goes on in the world, would one not say that the European is to men of other races what man himself is to the animals? He makes them serve his purposes, and when he cannot bend them, he destroys them.

Oppression has at one stroke taken from the descendants of the Africans almost all the privileges of humanity! The Black man of the United States has lost even the memory of his country. He no longer understands the language his fathers spoke. He has renounced their religion and forgotten their mores. Having thus ceased to belong to Africa, he has nevertheless acquired no right to the goods of Europe. Instead he has come to a halt between the two societies and remained isolated between the two peoples: sold by the one and repudiated by the other, he

90 TOCQUEVILLE'S NOTE. See the map at the end of the first volume.
91 The South Sea is the older name for the Pacific Ocean.

finds in the whole world only his master's hearth to offer him the incomplete image of a homeland.

The Black man has no family. He can see in woman nothing but the passing companion of his pleasures, and from birth his sons are his equals.

Shall I call it a blessing from God, or a final curse of his wrath, this disposition of the soul that makes man insensible to extreme miseries, and often even gives him a kind of depraved taste for the cause of his misfortunes?

Plunged into this abyss of ills, the Black man scarcely feels his misfortune. Violence put him into slavery, and the habit of servitude has given him the thoughts and the ambition of a slave. He admires his tyrants even more than he hates them, and finds his joy and his pride in servile imitation of those who oppress him.

His intelligence has sunk to the level of his soul.

The Black man enters servitude and life at the same moment. What am I saying? He is often bought while still in his mother's womb, and he begins, so to speak, to be a slave before he is born.

Without needs as without pleasures, useless to himself, he understands from the first notions of existence he receives that he is the property of another, whose interest it is to watch over his life. He perceives that the care of his own fate has not been entrusted to him. Even the use of thought seems to him a useless gift of Providence, and he peacefully enjoys all the privileges of his lowliness.

If he becomes free, independence then often seems to him a heavier chain than slavery itself. In the course of his existence he has learned to submit to everything except reason, and when reason becomes his only guide, he cannot recognize its voice. A thousand new needs besiege him, and he lacks the knowledge and the energy needed to resist them. Needs are masters that must be fought, and he has learned only to submit and obey. He has thus reached such a pitch of misery that servitude brutalizes him and freedom makes him perish.

Oppression has had no less influence on the Indian races, but its effects are different.

Before the arrival of the whites in the New World, the men who inhabited North America lived peacefully in the woods. Subject to the ordinary vicissitudes of the wild life, they displayed the vices and the virtues of uncivilized peoples. The Europeans scattered the Indian tribes far into the wilderness and then condemned them to a wandering, vagabond life full of inexpressible miseries.

The Native nations are governed only by opinions and mores.

European tyranny has weakened among the Indians of North America the feeling for their homeland. It has scattered their families, obscured their traditions, broken the chain of memories, changed all their habits, and increased their needs beyond measure. In doing so it has made them more disorderly and less civilized than they already were. The moral condition and the physical state of these peoples have steadily worsened together, and they have become more barbarous as they became more wretched. Yet the Europeans have been unable to change the character of the Indians entirely. They have had the power to destroy them, but they have never had the power to civilize and subdue them.

The Black man is placed at the farthest limits of servitude, the Indian at the extreme limits of freedom. Slavery hardly produces more disastrous effects in the former than independence does in the latter.

The Black man has lost even ownership of his own person, and he cannot dispose of his own existence without committing a kind of theft.

The Indian is left to himself as soon as he is able to act. He has scarcely known the authority of the family. He has never bent his will before that of his fellows. No one has taught him to tell voluntary obedience from shameful subjection, and he does not even know the name of law. For him, to be free is to escape almost all the bonds of society. He delights in this barbarous

independence, and he would rather perish than sacrifice the least part of it. Civilization has little hold on such a man.

The Black man makes a thousand useless efforts to enter a society that rejects him. He bends to the tastes of his oppressors, adopts their opinions, and aspires, by imitating them, to merge with them. He has been told since birth that his race is naturally inferior to that of the whites, and he is not far from believing it, so he is ashamed of himself. In each of his features he finds a trace of slavery, and if he could, he would joyfully consent to repudiate himself entirely.

The Indian, by contrast, has his imagination filled with the supposed nobility of his origin. He lives and dies amid these dreams of his pride. Far from wishing to bend his mores to ours, he clings to barbarism as a distinctive sign of his race. He rejects civilization perhaps less from hatred of it than from fear of resembling the Europeans[92].

92 TOCQUEVILLE'S NOTE. The native of North America preserves his opinions, and even the smallest detail of his habits, with an inflexibility unexampled in history. The wandering tribes of North America have had daily dealings with the white race for more than two hundred years, yet they have borrowed from it, so to speak, neither an idea nor a custom. The men of Europe have nevertheless exercised a very great influence on the Indians. They have made the Indian character more disorderly, but they have not made it more European.

In the summer of 1831 I found myself beyond Lake Michigan, in a place called Green Bay, which serves as the outermost frontier of the United States facing the Indians of the Northwest. There I became acquainted with an American officer, Major H. One day, after talking to me at length about the inflexibility of the Indian character, he told me the following story: "I once knew," he said, "a young Indian who had been educated at a college in New England. He had done very well there, and had taken on all the outward appearance of a civilized man. When war broke out between us and the English in 1810, I saw this young man again; he was then serving in our army, at the head of the warriors of his tribe. The Americans had admitted the Indians into their ranks only on condition that they refrain from the horrible practice of scalping the defeated. On the evening of the battle of * * *, C... came and sat down by the fire of our bivouac. I asked him what had happened to him that day, and he told me. Growing gradually more excited as he recalled his exploits, he ended by opening his coat a little and saying to me: 'Don't give me away—but look!' And indeed I saw," added Major H., "between his body and his shirt, the scalp of an Englishman still dripping with blood."

TRANSLATOR'S NOTE. Green Bay was a fur-trading post and army fort in what is now Wisconsin. The war between the United States and Britain began in 1812; the date 1810 is Tocqueville's.

To the perfection of our arts he will oppose only the resources of the wilderness; to our tactics, only his undisciplined courage; to the depth of our designs, only the spontaneous instincts of his wild nature. He succumbs in this unequal struggle.

The Black man would like to merge with the European, and he cannot. The Indian could succeed in this to a certain extent, but he disdains to try. The servility of the one delivers him to slavery, and the pride of the other delivers him to death.

I remember that once, while traveling through the forests that still cover the state of Alabama, I came to a pioneer's cabin. I did not wish to enter the American's dwelling, but went to rest for a few moments beside a spring not far off in the woods. While I was there, an Indian woman came up (we were then near the territory occupied by the Creek nation). She was holding by the hand a little girl of five or six, belonging to the white race, whom I took to be the pioneer's daughter. A Black woman followed them.[93] There was a kind of barbarous luxury in the Indian woman's dress. Metal rings hung from her nostrils and her ears; her hair, threaded with glass beads, fell freely over her shoulders. I saw that she was not married, for she still wore the necklace of shells that virgins customarily lay upon the marriage bed. The Black woman was dressed in European clothes that were almost in tatters.

All three came and sat down beside the spring. The young Indian woman took the child in her arms and lavished on her caresses that one might have thought dictated by a mother's heart. For her part, the Black woman sought by a thousand innocent wiles to draw the attention of the little Creole. The child showed in her slightest movements a sense of superiority that contrasted strangely with her weakness and her age; she seemed to be showing a kind of condescension in accepting the attentions of her companions.[94]

Crouching before her mistress and watching for her every wish, the Black woman seemed equally divided between an

93 The Creeks (Muscogee) were a confederacy of peoples of present-day Alabama and Georgia.

almost maternal attachment and a servile fear. Meanwhile, even in the Native woman's outpouring of tenderness, one could see a free, proud, and almost fierce air.

I had drawn near and was silently contemplating this scene. My curiosity no doubt displeased the Indian woman, for she rose abruptly and pushed the child away from her with a kind of roughness. Then she cast an angry look at me and plunged into the woods.

I had often seen individuals belonging to the three human races that people North America gathered in the same place. I had already recognized, in a thousand different effects, the preponderance exercised by the whites. But in the scene I have just described there was something particularly touching: here a bond of affection united the oppressed with the oppressors, and nature, in striving to bring them together, made all the more striking the immense distance that prejudices and laws had put between them.

THE DESTRUCTION OF THE INDIAN TRIBES

Settlers drive off the game, and famine, forced removals, and treaties strip the Indians of their lands.

Current state and probable future of the Indian tribes that inhabit the territory possessed by the Union

Gradual disappearance of the native races—How it takes place—Miseries that accompany the forced migrations of the Indians—The Indians of North America had only two means of escaping destruction: war or civilization—They can no longer make war—Why they do not want to become civilized when they could, and can no longer do so when they come to want it—Example of the Creeks and the Cherokees—Policy of the individual states toward these Indians—Policy of the federal government.

All the Indian tribes that once inhabited the territory of New England—the Narragansetts, the Mohicans, the Pequots—now live only in human memory. The Lenape, who received Penn on

94 Here "Creole" means a person of European descent born in the Americas.

the banks of the Delaware a hundred and fifty years ago, have now vanished. I met the last of the Iroquois: they were begging for alms. All the nations I have just named once extended as far as the seashore; now one must travel more than a hundred leagues into the interior of the continent to meet an Indian. These Indians have not merely retreated; they have been destroyed[95]. As the natives move away and die, an immense people arrives in their place and never stops growing.[96] Never had there been seen among nations so prodigious a growth, or so rapid a destruction.

As for the way in which this destruction takes place, it is easy to describe.

When the Indians alone inhabited the wilderness from which they are now being exiled, their needs were few. They made their own weapons, river water was their only drink, and for clothing they had the skins of the animals whose flesh fed them.

The Europeans introduced firearms, iron, and brandy among the natives of North America. They taught them to replace with our fabrics the barbarous garments with which Indian simplicity had until then been content. In acquiring new tastes, the Indians did not learn the art of satisfying them, and they had to resort to the industry of the whites. In return for these goods, which he himself did not know how to make, the Indian could offer nothing except the rich furs that his woods still held. From that moment hunting had to provide not only for his needs but also for the frivolous passions of Europe. He no longer pursued

95 TOCQUEVILLE'S NOTE. In the thirteen original states only 6,373 Indians remain. (See *Legislative Documents*, 20th Congress, no. 117, p. 20.)

TRANSLATOR'S NOTE. *Documents législatifs* in the original: the printed documents of the U.S. Congress.

96 William Penn (1644–1718), the Quaker founder of Pennsylvania, made treaties with the Lenape (Delaware) in the 1680s.

the beasts of the forest only to feed himself, but in order to obtain the only objects of exchange he could give us[97].

While the needs of the natives were thus increasing, their resources kept dwindling.

From the day a European settlement is formed near the territory occupied by the Indians, the game at once takes alarm[98]. Thousands of Indians roaming the forests without fixed dwellings did not frighten it. But the moment the continuous noises of European industry are heard anywhere, it begins to flee and withdraw westward, where its instinct tells it that it will find

97 TOCQUEVILLE'S NOTE. Messrs. Clark and Cass, in their report to Congress of February 4, 1829, p. 23, said:

"The time is already long past when the Indians could obtain what they needed for food and clothing without resorting to the industry of civilized men. Beyond the Mississippi, in a country where immense herds of buffalo are still found, live Indian tribes that follow these wild animals in their migrations. The Indians of whom we speak still find a way to live while keeping to all the customs of their fathers; but the buffalo are steadily retreating. The smaller kinds of wild animals, such as the bear, the deer, the beaver, and the muskrat, which in particular furnish the Indians with what they need to sustain life, can now be reached only with guns or traps (*traps*).

"It is chiefly in the Northwest that the Indians are obliged to undertake excessive labor to feed their families. The hunter often spends several days in a row pursuing game without success; during that time his family must live on bark and roots, or perish. Thus many of them die of hunger every winter."

The Indians do not want to live like Europeans; yet they cannot do without the Europeans, nor live entirely as their fathers did. This can be judged from a single fact, which I likewise take from an official source. Men belonging to an Indian tribe on the shores of Lake Superior had killed a European. The American government forbade trade with the tribe to which the guilty men belonged until they were handed over to it—which was done.

TRANSLATOR'S NOTE. William Clark (1770–1838), of the Lewis and Clark expedition, and Lewis Cass (1782–1866), governor of Michigan Territory, reported to Congress on Indian affairs.

TRANSLATOR'S NOTE. Tocqueville gives the English word in parentheses.

98 TOCQUEVILLE'S NOTE. "Five years ago," says Volney in his *View of the United States,* p. 370, "going from Vincennes to Kaskaskia, territory now included in the state of Illinois and then entirely wild (1797), one could not cross a prairie without seeing herds of four to five hundred buffalo. Today none are left. They have swum across the Mississippi, harassed by the hunters, and above all by the bells of the American cows."

TRANSLATOR'S NOTE. Constantin-François de Volney (1757–1820), French philosopher and traveler; the work is his *Tableau du climat et du sol des États-Unis* (1803).

wildernesses still without bounds. "The herds of bison are constantly retreating," say Messrs. Cass and Clark in their report to Congress of February 4, 1829. "A few years ago they still came close to the foot of the Alleghenies; a few years from now it may be difficult to see any on the immense plains that stretch along the Rocky Mountains." I was assured that this effect of the whites' approach was often felt two hundred leagues from their frontier. Their influence thus reaches tribes whose names they barely know, and who suffer the evils of usurpation long before they know its authors[99].

Soon bold adventurers make their way into Indian country. They advance fifteen or twenty leagues beyond the outermost frontier of the whites and build the dwelling of civilized man in the very midst of barbarism. It is easy for them to do so, for the boundaries of a hunting people's territory are poorly fixed. Moreover, this territory belongs to the whole nation and is not, strictly speaking, anyone's property; individual interest therefore defends no part of it.

A few European families, occupying widely separated points, then finish driving the wild animals for good from the whole space that lies between them. The Indians, who until then had lived in a kind of abundance, find it hard to subsist, and harder still to obtain the goods for trade that they need. To drive away their game is as if one struck our farmers' fields with barrenness. Soon their means of existence fail them almost entirely. One then meets these unfortunate people prowling like starving wolves through their deserted woods. Instinctive love of their

99 TOCQUEVILLE'S NOTE. One can see the truth of what I assert here by consulting the general table of the Indian tribes within the boundaries claimed by the United States (*Legislative Documents*, 20th Congress, no. 117, pp. 90–105). It will be seen that the tribes in the center of America are declining rapidly, although the Europeans are still very far from them.

homeland binds them to the soil where they were born[100], and there they now find nothing but poverty and death. At last they make up their minds and leave. Following at a distance the elk, the buffalo, and the beaver in their flight, they leave it to these wild animals to choose a new homeland for them. It is not, then, strictly speaking, the Europeans who drive the natives out of America; it is famine—a felicitous distinction that had escaped the casuists of old and that the doctors of our day have discovered.

No one can imagine the dreadful evils that accompany these forced migrations. By the time the Indians have left the fields of their fathers, they are already exhausted and diminished. The country where they go to settle is occupied by tribes who look upon the newcomers only with jealousy. Behind them is hunger, before them war, everywhere misery. To escape so many enemies, they split up. Each of them tries to isolate himself in order to find, by stealth, the means of sustaining his existence, and lives in the immensity of the wilderness like an outlaw in the bosom of civilized societies. The social bond, long since weakened, then breaks. They had already lost their homeland; soon they will no longer be a people; scarcely will families remain. The common name is lost, the language forgotten, the traces of origin disappear. The nation has ceased to exist. It barely lives on in the memory of American antiquarians and is known only to a few scholars in Europe.

I would not want the reader to think that I am exaggerating my pictures here. I have seen with my own eyes several of the miseries I have just described, and I have witnessed evils that I could not possibly depict.

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100 TOCQUEVILLE'S NOTE. The Indians, say Messrs. Clark and Cass in their report to Congress, p. 15, are attached to their country by the same feeling of affection that binds us to ours. Moreover, they attach to the idea of alienating the lands that the Great Spirit gave their ancestors certain superstitious ideas, which have great power over the tribes that have not yet ceded anything, or have ceded only a small portion of their territory, to the Europeans. "We do not sell the place where the ashes of our fathers rest": such is the first answer they always give to anyone who proposes to buy their fields.

At the end of the year 1831, I was on the left bank of the Mississippi, at a place the Europeans call Memphis. While I was there, a large band of Choctaws (the French of Louisiana call them Chactas) arrived. These Indians were leaving their country and seeking to cross to the right bank of the Mississippi, where they flattered themselves they would find a refuge that the American government had promised them. It was then the dead of winter, and that year the cold was unusually severe; the snow had hardened on the ground, and the river was carrying enormous blocks of ice.[101] The Indians had their families with them. They dragged along behind them the wounded and the sick, newborn infants, and old people about to die. They had neither tents nor wagons, only a few provisions and weapons. I saw them embark to cross the great river, and that solemn spectacle will never leave my memory. Among that assembled crowd one heard neither sobs nor complaints; they were silent. Their misfortunes were of long standing, and they felt them to be beyond remedy. The Indians had all boarded the vessel that was to carry them; their dogs were still on the bank. When these animals finally saw that the boat was about to move away forever, they let out terrible howls together and, plunging all at once into the icy waters of the Mississippi, swam after their masters.

In our day the dispossession of the Indians is often carried out in a regular and, so to speak, entirely legal manner.

When the European population begins to approach the wilderness occupied by a native nation, the government of the United States usually sends it a solemn embassy. The whites gather the Indians on a great plain and, after eating and drinking with them, say to them: "What are you doing in the land of your fathers? Soon you will have to dig up their bones in order to live there. In what way is the country you inhabit better than any other? Are there woods, marshes, and prairies only where you are, and can you live only under your own sun? Beyond those mountains you see on the horizon, past that lake border-

101 The Choctaws, a people of the southeastern United States, were removed west of the Mississippi under the Indian Removal Act of 1830.

ing your territory to the west, lie vast countries where wild game is still abundant. Sell us your lands, and go live happily in those places." After this speech, firearms, woolen clothing, casks of brandy, glass necklaces, tin bracelets, earrings, and mirrors are spread out before the Indians' eyes[102]. If, at the sight of all these riches, they still hesitate, it is hinted to them that they cannot refuse the consent being asked of them, and that soon the government itself will be powerless to guarantee them the enjoyment of their rights. What are they to do? Half convinced, half compelled, the Indians move away. They go to live in new wildernesses, where the whites will not leave them in peace for ten years. This is how the Americans acquire, for a pittance,

102 TOCQUEVILLE'S NOTE. See in the *Legislative Documents of Congress*, doc. 117, the account of what takes place on these occasions. This curious passage is found in the report already cited, made by Messrs. Clark and Lewis Cass to Congress on February 4, 1829. Mr. Cass is now Secretary of War.

"When the Indians arrive at the place where the treaty is to be made," say Messrs. Clark and Cass, "they are poor and almost naked. There they see and examine a great many objects, precious to them, which the American merchants have taken care to bring. The women and children, wanting their needs provided for, then begin to torment the men with a thousand importunate demands and use all their influence over them to have the sale of the lands go through. The improvidence of the Indians is habitual and invincible. To provide for his immediate needs and gratify his present desires is the irresistible passion of the Indian. The prospect of future advantages acts only weakly upon him; he easily forgets the past and gives no thought to the future. It would be useless to ask the Indians to cede part of their territory unless one were in a position to satisfy their needs on the spot. When one considers impartially the situation in which these unfortunate people find themselves, one is not surprised at the eagerness with which they seek some relief from their ills."

entire provinces that the richest sovereigns of Europe could not afford to buy[103].

I have just described great evils, and I add that they seem to me irremediable. I believe that the Indian race of North America is doomed to perish, and I cannot help thinking that by the day the Europeans have settled on the shores of the Pacific Ocean, it will have ceased to exist[104].

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103 TOCQUEVILLE'S NOTE. On May 19, 1830, Mr. Ed. Everett stated before the House of Representatives that the Americans had already acquired by *treaty*, east and west of the Mississippi, 230,000,000 acres.

In 1808, the Osages ceded 48,000,000 acres for an annuity of 1,000 dollars.

In 1818, the Quapaws ceded 20,000,000 acres for 4,000 dollars. They had reserved a territory of 1,000,000 acres for hunting. It had been solemnly sworn that this would be respected, but it was soon invaded like the rest.

"In order to appropriate the deserted lands to which the Indians claim ownership," said Mr. Bell, reporting for the Committee on Indian Affairs in Congress, on February 24, 1830, "we have adopted the practice of paying the Indian tribes what their hunting ground (*hunting-ground*) is worth after the game has fled or been destroyed. It is more advantageous, certainly more in keeping with the rules of justice, and more humane to act in this way than to seize the territory of the Indians by force of arms.

"The practice of buying from the Indians their title of ownership is thus nothing other than a new mode of acquisition that humanity and self-interest (*humanity and expediency*) have substituted for violence. It must equally make us masters of the lands that we claim by right of discovery, and that are moreover secured to us by the right of civilized nations to settle on territory occupied by native tribes.

"Until now, several causes have steadily lowered, in the eyes of the Indians, the value of the land they occupy, and these same causes have then led them to sell it to us readily. The practice of buying from the Indians their *occupant's* right (*right of occupancy*) has therefore never been able to delay the prosperity of the United States to any perceptible degree." (*Legislative Documents*, 21st Congress, no. 227, p. 6.)

TRANSLATOR'S NOTE. Edward Everett (1794–1865), then a congressman from Massachusetts.

104 TOCQUEVILLE'S NOTE. This opinion, moreover, seemed to us to be that of almost all American statesmen.

"If we judge the future by the past," Mr. Cass told Congress, "we must foresee a progressive decrease in the number of Indians and expect the final extinction of their race. To prevent this, our frontiers would have to stop expanding and the Indians would have to settle beyond them, or else a complete change would have to take place in our relations with them, which it would hardly be reasonable to expect."

WAR OR CIVILIZATION

The Indians can no longer resist by war and find it very hard to take up settled farming.

The Indians of North America had only two ways of saving themselves: war or civilization. In other words, they had either to destroy the Europeans or to become their equals.

When the colonies were first founded, they could have united their forces and rid themselves of the small number of foreigners who had just landed on the shores of the continent[105]. More than once they tried to do so and found themselves on the point of succeeding. Today the disparity of resources is too great for them to contemplate such an enterprise. Yet men of genius still arise among the Indian nations who foresee the final fate in store for the native peoples and seek to unite all the tribes in a common hatred of the Europeans; but their efforts are powerless. The tribes that neighbor the whites are already too weakened to offer effective resistance. The others, giving way to that childish unconcern for tomorrow which characterizes the wild state, wait until danger appears before attending to it. The former cannot act; the latter will not.

It is easy to foresee that the Indians will never be willing to become civilized, or that, when they do come to want it, they will attempt it too late.

Civilization is the result of a long social labor carried on in one place and handed down by each generation to the next. The peoples among whom civilization finds it hardest to establish its rule are hunting peoples. Pastoral tribes change places, but in their migrations they always follow a regular order and keep

105 TOCQUEVILLE'S NOTE. See, among others, the war waged by the Wampanoags and the other confederated tribes under the leadership of Metacom in 1675 against the New England colonists, and the one the English had to fight in Virginia in 1622.

TRANSLATOR'S NOTE. Metacom, called King Philip by the English, led the war of 1675–76 known as King Philip's War; in 1622 the Powhatan confederacy attacked the Virginia settlements.

returning on their tracks; the dwelling of hunters shifts like that of the very animals they pursue.

Several attempts have been made to spread enlightenment among the Indians while leaving them their wandering mores: the Jesuits undertook it in Canada, the Puritans in New England[106]. Neither achieved anything lasting. Civilization was born in the hut and went off to die in the woods. The great mistake of these legislators of the Indians was not to understand that to civilize a people one must above all get it to settle, and it can settle only by cultivating the soil. The first task, therefore, was to make the Indians farmers.

Not only do the Indians lack this indispensable preliminary to civilization; they also find it very hard to acquire.

Men who have once given themselves over to the idle and adventurous life of hunters feel an almost insurmountable distaste for the steady, regular labor that farming demands. This can be seen even within our own societies, but it is far more visible among peoples for whom hunting habits have become national customs.

Apart from this general cause, there is another, no less powerful, that is found only among the Indians. I have already pointed it out; I think I must return to it.

The natives of North America regard labor not merely as an evil but as a disgrace, and their pride fights against civilization almost as stubbornly as their idleness does[107].

There is no Indian so wretched that he does not cherish, in his bark hut, a proud idea of his individual worth. He regards

106 TOCQUEVILLE'S NOTE. See the various historians of New England. See also the *History of New France* by Charlevoix, and the *Edifying Letters*.

TRANSLATOR'S NOTE. Pierre-François-Xavier de Charlevoix, *Histoire et description générale de la Nouvelle-France* (1744); the *Lettres édifiantes et curieuses* (1702–1776) were letters from Jesuit missionaries.

107 TOCQUEVILLE'S NOTE. "In every tribe," says Volney in his *View of the United States*, p. 423, "there still exists a generation of old warriors who, on seeing the hoe in use, never stop crying out against the degradation of ancient mores, and who claim that the Indians owe their decline solely to these innovations, and that to recover their glory and their power they would need only to return to their primitive mores."

the concerns of industry as degrading occupations; he compares the farmer to the ox that plows a furrow, and in each of our crafts he sees nothing but the labor of slaves. It is not that he has failed to form a very high idea of the power of the whites and the greatness of their intelligence. But while he admires the result of our efforts, he despises the means by which we obtained it, and even as he submits to our ascendancy, he still believes himself superior to us. Hunting and war seem to him the only pursuits worthy of a man[108]. The Indian, in the depths of his wretched forests, thus nourishes the same ideas and the same opinions as the medieval noble in his fortified castle, and to complete the resemblance he lacks only to become a conqueror. So, strange to say, it is in the forests of the New World, and not among the Europeans who people its shores, that the old prejudices of Europe are found today.

More than once in the course of this work I have tried to convey the prodigious influence that the social state seems to me to exert on the laws and mores of men. Let me be permitted to add a single word on this subject.

When I notice the resemblance between the political institutions of our fathers, the ancient Germans, and those of the wandering tribes of North America, between the customs described by Tacitus and those I have sometimes been able to witness, I cannot help thinking that the same cause has produced the same effects in both hemispheres, and that amid the apparent

108 TOCQUEVILLE'S NOTE. The following portrait is found in an official document:

"Until a young man has come to grips with the enemy and can boast of some feats of prowess, he is held in no regard at all: he is looked upon almost as a woman.

"At their great war dances, the warriors come forward one after another to strike the post, as they call it, and recount their exploits. On this occasion their audience consists of the narrator's relatives, friends, and companions. The deep impression his words make on them is plainly visible in the silence with which he is heard, and shows itself noisily in the applause that greets the end of his tales. The young man who has nothing to tell at such gatherings considers himself very unfortunate, and there have been cases of young warriors, their passions thus aroused, suddenly leaving the dance and setting off alone in search of trophies they could display and adventures in which they could take pride."

diversity of human affairs it is not impossible to find a small number of generating facts from which all the others flow. In everything we call Germanic institutions, then, I am tempted to see nothing but the habits of barbarians, and in what we call feudal ideas, the opinions of Indians.[109]

THE CHEROKEES AND THE CREEKS

Hemmed-in southern nations took up farming and writing, but white competition ruins them as they advance.

Whatever the vices and prejudices that keep the Indians of North America from becoming farmers and civilized, necessity sometimes forces them to it.

Several sizable nations of the South, among them the Cherokees and the Creeks[110], found themselves virtually surrounded by Europeans, who, landing on the shores of the Ocean, descending the Ohio, and ascending the Mississippi, were closing in on them from all sides at once. They were not driven from place to place like the northern tribes; instead they were gradually hemmed into limits too narrow for them, just as hunters first encircle a thicket before all closing in on it together. The Indians, placed then between civilization and death, found themselves reduced to living shamefully by their labor, like the whites. So they became farmers, and without entirely giving up either their habits or their mores, they sacrificed as much of them as was absolutely necessary to their survival.

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109 Tacitus (c. AD 56–120), Roman historian, described the customs of the ancient Germanic tribes in his *Germania*.

110 TOCQUEVILLE'S NOTE. These nations are now enclosed within the states of Georgia, Tennessee, Alabama, and Mississippi.

There were once in the South (their remnants can still be seen) four great nations: the Choctaws, the Chickasaws, the Creeks, and the Cherokees.

The remnants of these four nations still numbered about 75,000 individuals in 1830. It is estimated that there are now about 300,000 Indians on the territory occupied or claimed by the Anglo-American Union. (See *Proceedings of the Indian Board in the city of New York.*) The official documents supplied to Congress put this number at 313,130. The reader curious to know the name and strength of all the tribes living on Anglo-American territory should consult the documents I have just mentioned. (*Legislative Documents*, 20th Congress, no. 117, pp. 90–105.)

The Cherokees went further. They created a written language and established a fairly stable form of government; and since everything moves at a headlong pace in the New World, they had a newspaper[111] before they all had clothes.[112]

What particularly favored the rapid spread of European habits among these Indians was the presence of people of mixed race[113]. Sharing in his father's enlightenment without entirely abandoning the wild customs of his mother's race, the mixed-race man forms the natural link between civilization and barbarism. Wherever people of mixed race have multiplied, the

111 TOCQUEVILLE'S NOTE. I brought back to France one or two copies of this remarkable publication.

112 The Cherokee syllabary was devised by Sequoyah in the early 1820s; the newspaper *Cherokee Phoenix* began publication in 1828.

113 TOCQUEVILLE'S NOTE. See, in the report of the Committee on Indian Affairs, 21st Congress, no. 227, p. 23, what led to the growth in the number of mixed-race people among the Cherokees; the chief cause goes back to the War of Independence. Many Anglo-Americans in Georgia who had sided with England were forced to take refuge among the Indians, and married there.

Indians have been seen to modify their social state little by little and to change their mores[114].

The success of the Cherokees therefore proves that the Indians have the capacity to become civilized, but it by no means proves that they can succeed in doing so.

The difficulty the Indians find in submitting to civilization arises from a general cause that they can scarcely escape.

If we look closely at history, we find that, in general, barbarous peoples have raised themselves to civilization gradually, on their own and by their own efforts.

When they happened to draw their enlightenment from a foreign nation, they stood toward it as victors, not in the position of the vanquished.

When the conquered people is enlightened and the conquering people only half civilized, as in the invasion of the Roman Empire by the nations of the North, or that of China by the Mon-

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114 TOCQUEVILLE'S NOTE. Unfortunately, people of mixed race have been fewer in number and have exerted less influence in North America than anywhere else.

Two great European nations peopled this part of the American continent: the French and the English.

The former were quick to form unions with native women; but, as ill luck would have it, there turned out to be a secret affinity between the Indian character and their own. Instead of giving the Indians a taste for the habits of civilized life, it was often they who became passionately attached to the wild life: they became the most dangerous dwellers in the wilderness, and won the Indian's friendship by exaggerating his vices and his virtues. M. de Sénonville, governor of Canada, wrote to Louis XIV in 1685: "It was long believed that we should bring the Indians close to us in order to make them French; we have every reason to recognize that we were mistaken. Those who have come close to us have not made themselves French, and the French who have frequented them have become wild. They make a point of dressing like them and living like them." (*History of New France*, by Charlevoix, vol. ii, p. 345.)

The Englishman, by contrast, remaining stubbornly attached to the opinions, the customs, and the smallest habits of his fathers, stayed in the American wilds what he had been in the cities of Europe. He therefore wanted no contact with Indians whom he despised, and carefully avoided mixing his blood with that of the Indians.

Thus, while the Frenchman exerted no beneficial influence on the Indians, the Englishman always remained a stranger to them.

TRANSLATOR'S NOTE. The governor meant is the Marquis de Denonville, governor of New France from 1685 to 1689.

gols, the power that victory secures for the barbarian is enough to keep him on a level with the civilized man and let him walk as his equal until he becomes his rival. The one has force on his side, the other intelligence; the first admires the sciences and arts of the vanquished, the second envies the power of the victors. In the end the barbarians bring the civilized man into their palaces, and the civilized man in turn opens his schools to them. But when the one who possesses material force also enjoys intellectual preeminence, the vanquished rarely becomes civilized; he withdraws or is destroyed.

So it may be said, in general terms, that the Indians go in search of enlightenment weapons in hand, but do not receive it.

If the Indian tribes that now inhabit the center of the continent could find within themselves enough energy to undertake their own civilization, they might succeed. Superior then to the barbarous nations around them, they would gradually gain strength and experience, and when the Europeans at last appeared on their borders, they would be in a position, if not to maintain their independence, at least to have their rights to the soil recognized and to merge with the conquerors. But the misfortune of the Indians is to come into contact with the most civilized people on the globe—and, I will add, the greediest—while they themselves are still half barbarous; to find masters in their teachers; and to receive oppression and enlightenment at the same time.

Living amid the freedom of the woods, the North American Indian was wretched, but he felt inferior to no one. From the moment he seeks to enter the social hierarchy of the whites, he can occupy only its lowest rank, for he enters ignorant and poor into a society where knowledge and wealth reign. After leading a turbulent life, full of hardships and dangers but also filled with

excitement and grandeur[115], he must submit to a monotonous, obscure, and degraded existence. To earn by painful labor, amid ignominy, the bread that must feed him—such, in his eyes, is the sole result of the civilization that is held up to him for praise.

And even this result he is not always sure of obtaining.

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115 TOCQUEVILLE'S NOTE. There is in the adventurous life of hunting peoples some irresistible attraction that seizes the heart of man and carries him away in spite of his reason and experience. One can be convinced of this truth by reading the *Memoirs of Tanner*.

Tanner is a European who was carried off by the Indians at the age of six and stayed with them in the woods for thirty years. Nothing could be more appalling than the miseries he describes. He shows us tribes without chiefs, families without nations, isolated men—mutilated remnants of powerful tribes—wandering aimlessly amid the ice and the desolate wilds of Canada. Hunger and cold pursue them; each day life seems about to slip away from them. Among them, mores have lost their hold and traditions are powerless. The men become more and more barbarous. Tanner shares all these hardships. He knows his European origin; he is not held by force far from the whites; on the contrary, he comes every year to trade with them, goes through their dwellings, and sees their comfort. He knows that whenever he wishes to return to civilized life he can easily do so—and he stays thirty years in the wilderness. When he finally returns to civilized society, he confesses that the existence whose miseries he has described holds secret charms for him that he cannot define. He keeps going back to it after leaving it; he tears himself away from so many hardships only with a thousand regrets; and when he has at last settled among the whites, several of his children refuse to come and share his tranquility and comfort.

I myself met Tanner at the entrance to Lake Superior. He struck me as resembling an Indian far more than a civilized man.

Tanner's book has neither order nor taste; but in it, without even knowing it, the author paints a vivid picture of the prejudices, the passions, the vices, and above all the miseries of those among whom he lived.

The Vicomte Ernest de Blosseville, author of an excellent work on England's penal colonies, has translated the *Memoirs of Tanner*. M. de Blosseville has added to his translation notes of great interest, which will allow the reader to compare the facts Tanner recounts with those already reported by a great many observers, ancient and modern.

All who wish to know the present state of the Indian races of North America, and to foresee their future destiny, should consult M. de Blosseville's work.

TRANSLATOR'S NOTE. John Tanner (c. 1780–1847), captured as a boy and raised among the Ojibwe; his *Narrative of the Captivity and Adventures of John Tanner* was published in 1830.

TRANSLATOR'S NOTE. Ernest de Blosseville (1799–1886) wrote *Histoire des colonies pénales de l'Angleterre dans l'Australie* (1831); his translation of Tanner appeared in 1835.

When the Indians set out to imitate their European neighbors and to till the soil as they do, they are at once exposed to the effects of a very ruinous competition. The white man is master of the secrets of agriculture. The Indian makes a crude beginning in an art he does not know. The one raises large harvests without effort; the other wrests produce from the earth only with a thousand efforts.

The European lives amid a population whose needs he knows and shares.

The Indian is isolated amid a hostile people whose mores, language, and laws he knows only imperfectly, yet whom he cannot do without. Only by exchanging his products for those of the whites can he find a comfortable living, for his own countrymen can now give him little help.

So when the Indian wants to sell the fruits of his labor, he does not always find the buyer whom the European farmer discovers without difficulty, and he can produce only at great cost what the other supplies cheaply.

The Indian has therefore escaped the ills to which barbarous nations are exposed only to submit to the greatest miseries of civilized peoples, and he finds almost as much difficulty living amid our abundance as in the depths of his forests.

In him, however, the habits of the wandering life are not yet destroyed. Traditions have not lost their hold; the taste for hunting is not extinguished. The wild joys he once knew deep in the woods then appear in brighter colors to his troubled imagination; the privations he endured there seem to him, by contrast, less dreadful, and the dangers he met there less great. The independence he enjoyed among his equals contrasts with the servile position he occupies in a civilized society.

On the other hand, the wilderness in which he lived free for so long is still close by; a few hours' walk can give it back to him. For the half-cleared field from which he barely draws enough to feed himself, his white neighbors offer him a price that seems high to him. Perhaps this money the Europeans hold out to him would let him live happily and peacefully far away from them.

He leaves the plow, takes up his weapons again, and returns to the wilderness for good[116]

The truth of this sad picture can be judged from what is happening among the Creeks and the Cherokees, whom I have mentioned.

These Indians, in the little they have done, have certainly shown as much natural genius as the peoples of Europe in their vastest undertakings; but nations, like men, need time to learn, whatever their intelligence and their efforts.

While these Indians were working to civilize themselves, the Europeans went on surrounding them on all sides and hemming

116 TOCQUEVILLE'S NOTE. This destructive influence that highly civilized peoples exert on less civilized ones can be observed among the Europeans themselves.

Nearly a century ago, some Frenchmen founded the town of Vincennes on the Wabash, in the midst of the wilderness. They lived there in great abundance until the American emigrants arrived. These at once began to ruin the old inhabitants through competition; then they bought their lands from them for next to nothing. When M. de Volney, from whom I borrow this detail, passed through Vincennes, the French had dwindled to about a hundred individuals, most of whom were preparing to move on to Louisiana and Canada. These Frenchmen were honest men, but without education and without industry; they had taken on some of the habits of the wild life. The Americans, who were perhaps their inferiors from a moral point of view, had an immense intellectual superiority over them: they were industrious, educated, rich, and accustomed to governing themselves.

I myself have seen in Canada, where the intellectual difference between the two races is much less marked, the Englishman, master of commerce and industry in the Canadian's own country, spreading out on every side and hemming the Frenchman into limits that are too narrow.

Likewise, in Louisiana, almost all commercial and industrial activity is concentrated in the hands of the Anglo-Americans.

Something even more striking is happening in the province of Texas. The state of Texas, as is well known, is part of Mexico and forms its frontier with the United States. For some years now the Anglo-Americans have been entering this still sparsely populated province one by one, buying up the land, taking over industry, and rapidly supplanting the original population. One can foresee that unless Mexico hastens to stop this movement, Texas will soon slip from its grasp.

If a few differences, comparatively slight, within European civilization lead to such results, it is easy to understand what must happen when the most advanced civilization of Europe comes into contact with Indian barbarism.

TRANSLATOR'S NOTE. Vincennes is in present-day Indiana.

TRANSLATOR'S NOTE. Texas declared its independence from Mexico in 1836, the year after this volume appeared.

them in ever more closely. Today the two races have at last met; they are touching. The Indian has already become superior to his father, the nomadic Indian, but he is still far inferior to the white man, his neighbor. With the help of their resources and their enlightenment, the Europeans were quick to appropriate most of the advantages that possession of the soil could provide the natives; they settled among them, seized the land or bought it for next to nothing, and ruined them through a competition that the natives could in no way withstand. Isolated in their own country, the Indians have come to form no more than a small colony of unwelcome foreigners amid a numerous and domineering people[117].

Washington had said, in one of his messages to Congress: "We are more enlightened and more powerful than the Indian nations; our honor requires us to treat them with kindness and even with generosity."

This noble and virtuous policy has not been followed.

REMOVAL BY THE STATES AND THE UNION

Southern states oppress the Indians to drive them out; the Union promises a western refuge it cannot guarantee.

The greed of the settlers is usually joined by the tyranny of the government. Although the Cherokees and the Creeks are settled

117 TOCQUEVILLE'S NOTE. See, in the legislative documents of the 21st Congress, no. 89, the excesses of every kind committed by the white population on Indian territory. Sometimes the Anglo-Americans settle on part of the territory, as if land were lacking elsewhere, and Congress's troops have to come and expel them; sometimes they carry off the livestock, burn the houses, cut down the natives' crops, or commit acts of violence against their persons.

All these documents together prove that the natives are daily victims of the abuse of force. The Union usually keeps an agent among the Indians to represent it; the report of the agent to the Cherokees is among the documents I cite. The language of this official is almost always favorable to the Indians. "The intrusion of whites onto Cherokee territory," he says (p. 12), "will bring ruin upon those who live there, leading a poor and harmless existence. " Further on we see that the state of Georgia, wishing to narrow the Cherokees' boundaries, is having the boundary line surveyed; the federal agent points out that since the survey was made by the whites alone, and not in the presence of both parties, it has no validity.

on the land they inhabited before the Europeans arrived, and although the Americans have often treated with them as with foreign nations, the states in whose midst they live have refused to recognize them as independent peoples, and have undertaken to subject these men, barely out of the forests, to their magistrates, their customs, and their laws[118]. Poverty had pushed these unfortunate Indians toward civilization; oppression is now driving them back toward barbarism. Many of them are leaving their half-cleared fields and returning to the habits of the wild life.

If one pays attention to the tyrannical measures adopted by the legislators of the Southern states, to the conduct of their governors, and to the acts of their courts, one will easily be convinced that the complete expulsion of the Indians is the final goal toward which all their efforts are jointly directed. The Americans of that part of the Union look with envy on the lands the natives possess[119]; they sense that the natives have not yet entirely lost the traditions of the wild life, and before civilization has bound them firmly to the soil, they want to drive them to despair and force them to leave.

Oppressed by the individual states, the Creeks and the Cherokees appealed to the central government. It is not indifferent to their sufferings; it would sincerely like to save what remains of the natives and assure them free possession of the territory it

118 TOCQUEVILLE'S NOTE. In 1829 the state of Alabama divided the Creek territory into counties and subjected the Indian population to European magistrates.

In 1830 the state of Mississippi put the Choctaws and the Chickasaws on the same footing as whites, and declared that any of them who took the title of chief would be punished with a fine of 1,000 dollars and a year in prison.

When the state of Mississippi thus extended its laws over the Choctaw Indians living within its borders, they assembled; their chief told them what the whites were claiming and read them some of the laws to which they were to be subjected. The Indians declared with one voice that it was better to plunge once more into the wilderness. (*Mississippi Papers*.)

119 TOCQUEVILLE'S NOTE. The Georgians, who find the proximity of the Indians so inconvenient, occupy a territory that does not yet have more than seven inhabitants per square mile. In France there are one hundred sixty-two people in the same area.

has itself guaranteed them[120]. But when it tries to carry out this design, the individual states put up formidable resistance, and then it readily resolves to let a few native tribes, already half destroyed, perish rather than put the American Union in danger.

Powerless to protect the Indians, the federal government would at least like to ease their lot; to that end, it has undertaken to move them at its own expense to other places.

Between the 33rd and 37th degrees of north latitude stretches a vast region that has taken the name Arkansas, from the principal river that waters it. On one side it borders on the frontiers of Mexico, on the other on the banks of the Mississippi. A multitude of streams and rivers crisscross it in every direction; the climate is mild and the soil fertile. Only a few wandering bands of Indians are to be found there. It is to the part of this country nearest Mexico, and at a great distance from the American settlements, that the government of the Union wants to move the remnants of the native populations of the South.

At the end of 1831 we were assured that 10,000 Indians had already been brought down to the banks of the Arkansas, and more were arriving every day. But Congress has not yet been able to create a unanimous will among those whose fate it wants to settle. Some gladly consent to move away from the seat of tyranny; the most enlightened refuse to abandon their young crops and their new homes. They think that if the work of civilization is once interrupted, it will never be taken up again; they fear that sedentary habits, barely acquired, will be lost for good in lands that are still wild and where nothing has been prepared for the subsistence of a farming people; they know that in these new wildernesses they will meet hostile bands, and that to resist them they no longer have the energy of barbarism, without yet having acquired the strengths of civilization. Besides, the Indi-

120 TOCQUEVILLE'S NOTE. In 1818 Congress ordered that the Arkansas territory be visited by American commissioners, accompanied by a delegation of Creeks, Choctaws, and Chickasaws. This expedition was led by Messrs. Kennerly, McCoy, Wash Hood, and John Bell. See the commissioners' various reports and their journal in the papers of Congress, no. 87, *Houses of Representatives*.

ans easily see how provisional the settlement offered to them is. Who will assure them that they will at last be able to rest in peace in their new refuge? The United States pledges to keep them there; but the territory they now occupy had once been guaranteed to them by the most solemn oaths[121]. Today, it is true, the American government does not take their lands from them, but it lets them be invaded. In a few years, no doubt, the same white population now pressing around them will be on their heels again in the wilds of Arkansas; they will then meet the same ills without the same remedies; and since sooner or later they will run out of land, they will in the end have to resign themselves to dying.

There is less greed and violence in the Union's conduct toward the Indians than in the policy pursued by the states; but the two governments are equally lacking in good faith.

The states, by extending what they call the benefit of their laws over the Indians, count on the Indians' preferring to leave rather than submit to them; and the central government, by

121 TOCQUEVILLE'S NOTE. The treaty made with the Creeks in 1790 contains this clause: "The United States solemnly guarantees to the Creek nation all the lands it possesses within the territory of the Union."

The treaty concluded with the Cherokees in July 1791 contains the following: "The United States solemnly guarantees to the Cherokee nation all the lands it has not previously ceded. Should any citizen of the United States, or anyone other than an Indian, settle on Cherokee territory, the United States declares that it withdraws its protection from that citizen and hands him over to the Cherokee nation to punish as it sees fit." Art. 8.

promising these unfortunate people a permanent refuge in the West, knows full well that it cannot guarantee it to them[122].

Thus the states, by their tyranny, force the Indians to flee; the Union, by its promises and with the help of its resources, makes that flight easy. These are different measures aimed at the same end[123].

"By the will of our Father in heaven, who governs the universe," said the Cherokees in their petition to Congress[124], "the race of the red men of America has become small; the white race has become great and renowned.

"When your ancestors arrived on our shores, the red man was strong, and although he was ignorant and uncivilized, he received them kindly and allowed them to rest their numbed feet on dry land. Our fathers and yours joined hands in friendship and lived in peace.

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122 TOCQUEVILLE'S NOTE. Which does not stop it from promising it to them in the most formal terms. See the President's letter addressed to the Creeks on March 23, 1829 (*Proceedings of the Indian Board in the city of New-York*, p. 5): "Beyond the great river (the Mississippi)," he says, "your father has prepared a vast country to receive you. There your white brothers will not come to trouble you; they will have no rights over your lands; you and your children may live there in peace and plenty as long as the grass grows and the streams run; the lands will be yours forever."

In a letter written to the Cherokees by the Secretary of War on April 18, 1829, this official tells them that they must not delude themselves that they will keep the use of the territory they now occupy, yet he gives them this same positive assurance for the time when they will be on the other side of the Mississippi (same work, p. 6): as if the power he lacks now would not be lacking just the same then!

TRANSLATOR'S NOTE. The President in March 1829 was Andrew Jackson, who had taken office that month.

123 TOCQUEVILLE'S NOTE. To form an accurate idea of the policy followed by the individual states and by the Union toward the Indians, one must consult: first, the laws of the individual states concerning the Indians (this collection is found in the Legislative Documents, 21st Congress, no. 319); second, the laws of the Union on the same subject, and in particular that of March 30, 1802 (these laws are found in Mr. Story's work entitled *Laws of the United States*); and third, to learn the current state of the Union's relations with all the Indian tribes, see the report made by Mr. Cass, Secretary of War, on November 29, 1823.

TRANSLATOR'S NOTE. Joseph Story (1779–1845) was a justice of the US Supreme Court and a leading legal scholar.

124 TOCQUEVILLE'S NOTE. November 19, 1829. This passage is translated word for word.

"Whatever the white man asked for to meet his needs, the Indian hastened to grant him. The Indian was then the master, and the white man the supplicant. Today the scene has changed: the strength of the red man has become weakness. As his neighbors grew in number, his power diminished more and more; and now, of the many powerful tribes that covered the face of what you call the United States, barely a few remain that the universal disaster has spared. The tribes of the North, once so renowned among us for their power, have already all but disappeared. Such has been the fate of the red man of America.

"Here we are, the last of our race—must we die as well?

"From time immemorial, our common Father, who is in heaven, gave our ancestors the land we occupy; our ancestors handed it down to us as our inheritance. We have kept it with reverence, for it holds their ashes. Have we ever ceded or lost this inheritance? Allow us to ask you humbly what better right a people can have to a country than the right of inheritance and immemorial possession. We know that the state of Georgia and the President of the United States now claim that we have lost this right. But this seems to us a groundless assertion. At what time are we supposed to have lost it? What crime have we committed that could deprive us of our homeland? Are we reproached for having fought under the flag of the king of Great Britain during the War of Independence? If that is the crime in question, why, in the first treaty that followed that war, did you not declare that we had lost ownership of our lands? Why did you not then insert into that treaty an article worded as follows: The United States consents to grant peace to the Cherokee nation, but to punish them for having taken part in the war, it is declared that they shall henceforth be regarded only as tenants of the land, and that they shall be obliged to move away whenever the neighboring states demand that they do so? That was the moment to speak in this way; but no one thought of it then, and our fathers would never have agreed to a treaty whose result would have been to deprive them of their most sacred rights and rob them of their country."

Such is the language of the Indians: what they say is true; what they foresee seems to me inevitable.

From whatever side one considers the fate of the natives of North America, one sees nothing but irremediable ills. If they remain wild, they are driven ahead of the advancing settlers; if they try to become civilized, contact with men more civilized than themselves delivers them over to oppression and poverty. If they go on wandering from wilderness to wilderness, they perish; if they undertake to settle, they perish all the same. They can become enlightened only with the help of Europeans, and the approach of Europeans corrupts them and drives them back toward barbarism. As long as they are left in their solitudes, they refuse to change their mores, and it is too late to do so when they are at last forced to want it.

The Spaniards set their dogs on the Indians as if on wild beasts; they plunder the New World like a city taken by storm, indiscriminately and without pity. But not everything can be destroyed; fury has its limit. The remnant of the Indian populations that escaped the massacres ends by mingling with its conquerors and adopting their religion and their mores[125].

The conduct of the Americans of the United States toward the natives, by contrast, breathes the purest love of formality and legality. So long as the Indians remain in the state of nature, the Americans in no way meddle in their affairs and treat them as independent peoples. They do not permit themselves to occupy Indian lands without having duly acquired them by contract. And if by chance an Indian nation can no longer live on its territory, they take it fraternally by the hand and lead it themselves to die outside the land of its fathers.

The Spaniards, by means of unexampled atrocities and at the cost of indelible shame, could not succeed in exterminating the Indian race, nor even in preventing it from sharing their rights.

125 TOCQUEVILLE'S NOTE. Still, the Spaniards should not be given credit for this result. If the Indian tribes had not already been settled on the land by agriculture when the Europeans arrived, they would no doubt have been destroyed in South America as in North America.

The Americans of the United States have achieved this twofold result with marvelous ease—quietly, legally, philanthropically, without shedding blood, without violating a single one of the great principles of morality[126] in the eyes of the world. It would be impossible to destroy men with greater respect for the laws of humanity.

THE POSITION OF THE BLACK RACE

Modern slavery, joined to racial difference, leaves a prejudice that grows stronger where slavery is abolished.

Position of the Black race in the United States[127]; dangers its presence poses to the whites

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126 TOCQUEVILLE'S NOTE. See, among others, the report made by Mr. Bell on behalf of the Committee on Indian Affairs on February 24, 1830, in which it is established on page 5, on very logical grounds, and most learnedly proved, that: "The fundamental principle, that the Indians had no right by virtue of their ancient possession either of soil, or sovereignty, has never been abandoned expressly or by implication." That is to say: *the Indians, by virtue of their ancient possession, acquired no right of ownership or of sovereignty—a fundamental principle that has never been abandoned, either expressly or tacitly.*

Reading this report—drawn up, moreover, by a skillful hand—one is astonished at the ease and assurance with which, from the very first words, the author rids himself of arguments founded on natural right and on reason, which he calls abstract and theoretical principles. The more I think about it, the more I believe that the only difference between civilized man and the man who is not, with respect to justice, is this: the one disputes the rights of justice, while the other is content to violate them.

TRANSLATOR'S NOTE. John Bell (1796–1869), a congressman from Tennessee, chaired the House Committee on Indian Affairs.

127 TOCQUEVILLE'S NOTE. Before taking up this subject, I owe the reader a word of warning. In a book I mentioned at the beginning of this work, which is about to appear, M. Gustave de Beaumont, my traveling companion, has made it his chief aim to acquaint France with the position of Black people amid the white population of the United States. M. de Beaumont has treated thoroughly a question that my subject has allowed me only to touch on.

His book, whose notes contain a great many legislative and historical documents, very valuable and entirely unknown, also offers portraits whose force is matched only by their truth. It is M. de Beaumont's work that should be read by those who wish to understand to what excesses of tyranny men are gradually driven once they have begun to depart from nature and humanity.

TRANSLATOR'S NOTE. Beaumont's novel *Marie, ou l'esclavage aux États-Unis* (Marie, or Slavery in the United States) appeared in 1835.

Why it is harder to abolish slavery and erase its traces among the moderns than among the ancients—In the United States, the prejudice of whites against Black people seems to grow stronger as slavery is destroyed—Situation of Black people in the states of the North and the South—Why the Americans are abolishing slavery—Servitude, which brutalizes the slave, impoverishes the master—Differences to be observed between the right bank and the left bank of the Ohio—To what they must be attributed—The Black race recedes toward the South, as slavery does—How this is to be explained—Difficulties the southern states face in abolishing slavery—Dangers of the future—Anxiety in people's minds[128] —Founding of a Black colony in Africa—Why the Americans of the South, even as they grow weary of slavery, increase its rigors

The Indians will die in isolation, as they have lived; but the fate of Black people is in a way intertwined with that of the Europeans. The two races are bound to each other without for all that merging; it is as hard for them to separate completely as to unite.

The most formidable of all the ills that threaten the future of the United States arises from the presence of Black people on their soil. When one looks for the cause of the Union's present difficulties and future dangers, one almost always arrives at this primary fact, whatever one's starting point.

Men generally need great and sustained efforts to create lasting ills; but there is one ill that steals into the world furtively. At first it is barely noticed amid the ordinary abuses of power; it begins with an individual whose name history does not preserve; it is deposited like an accursed seed at some spot on the soil; it then feeds on itself, spreads without effort, and grows naturally along with the society that has received it. That ill is slavery.

Christianity had destroyed servitude; the Christians of the sixteenth century reestablished it. Yet they never admitted it

128 Going downstream, the right bank of the Ohio is the free state of Ohio and the left bank is the slave state of Kentucky.

except as an exception in their social system, and they took care to restrict it to a single one of the human races. They thus dealt humanity a wound less wide, but infinitely harder to heal.

Two things must be carefully distinguished: slavery itself and its consequences.

The immediate ills produced by slavery were much the same among the ancients as they are among the moderns, but the consequences of those ills were different. Among the ancients, the slave belonged to the same race as his master, and was often his superior in education and enlightenment[129]. Freedom alone separated them; once freedom was granted, they readily merged.

The ancients therefore had a very simple means of ridding themselves of slavery and its consequences: emancipation. And as soon as they employed it generally, they succeeded.

Not that in antiquity the traces of servitude did not linger for some time after servitude itself was destroyed.

There is a natural prejudice that leads a man to despise one who was his inferior, long after that person has become his equal; the real inequality produced by wealth or by law is always followed by an imaginary inequality rooted in mores. But among the ancients, this secondary effect of slavery had a limit. The freedman so closely resembled men of free birth that it soon became impossible to tell him apart from them.

What was hardest among the ancients was to change the law; among the moderns, it is to change mores—and for us, the real difficulty begins where antiquity saw it end.

This is because among the moderns the immaterial and transient fact of slavery combines in the most baleful way with the material and permanent fact of racial difference. The memory

129 TOCQUEVILLE'S NOTE. It is well known that several of the most celebrated authors of antiquity were or had been slaves: Aesop and Terence are among them. Slaves were not always taken from barbarous nations; war brought highly civilized men into servitude.

TRANSLATOR'S NOTE. Aesop was the Greek fabulist of the sixth century BC; Terence, a Roman comic playwright of the second century BC, was brought to Rome as a slave from North Africa.

of slavery dishonors the race, and the race perpetuates the memory of slavery.

No African came freely to the shores of the New World; it follows that all who are found there today are slaves or freedmen. Thus the Black man, along with life, passes on to all his descendants the outward mark of his disgrace. Law can destroy servitude, but God alone can erase its trace.

The modern slave differs from the master not only in freedom but also in origin. You can make the Black man free, but you cannot keep him from standing toward the European in the position of a stranger.

Nor is that all. This man who was born in degradation, this stranger whom servitude has brought among us—we scarcely grant him the general features of humanity. His face seems hideous to us, his intelligence limited, his tastes base; we come close to taking him for a being halfway between beast and man[130].

So the moderns, after abolishing slavery, still have to destroy three prejudices far more elusive and more tenacious than slavery itself: the prejudice of the master, the prejudice of race, and finally the prejudice of the white man.

It is very hard for us, who have had the good fortune to be born among men whom nature had made our fellows and the law our equals—it is very hard for us, I say, to grasp what an impassable gulf separates the Black man of America from the European. But we can gain a distant idea of it by reasoning from analogy.

We once saw among ourselves great inequalities whose only source lay in legislation. What is more fictitious than a purely legal inferiority! What is more contrary to human instinct than permanent distinctions established between people who are plainly alike! Yet these distinctions endured for centuries; they

130 TOCQUEVILLE'S NOTE. For the whites to give up the opinion they have formed of the intellectual and moral inferiority of their former slaves, Black people would have to change; and they cannot change as long as this opinion persists.

still endure in a thousand places; everywhere they have left traces that are imaginary, yet that time can scarcely erase. If inequality created by law alone is so hard to uproot, how is one to destroy an inequality that seems, in addition, to have its unchanging foundations in nature itself?

For my part, when I consider how hard it is for aristocratic bodies of any kind to merge into the mass of the people, and the extreme care they take to preserve, for centuries, the imaginary barriers that separate them from it, I despair of seeing an aristocracy disappear that is founded on visible and imperishable signs.

Those who hope that the Europeans will one day blend with Black people therefore seem to me to be cherishing an illusion. My reason does not lead me to believe it, and I see nothing in the facts that points to it.

Until now, wherever the whites have been the more powerful, they have kept Black people in degradation or in slavery. Wherever Black people have been the stronger, they have destroyed the whites. That is the only account that has ever been opened between the two races.

When I look at the United States today, I do see that in a certain part of the country the legal barrier separating the two races tends to come down, but not the barrier of mores. I see slavery retreating; the prejudice it gave rise to stands still.

In the part of the Union where Black people are no longer slaves, have they drawn closer to the whites? Anyone who has lived in the United States will have noticed that the opposite has happened.

Racial prejudice seems to me stronger in the states that have abolished slavery than in those where slavery still exists, and nowhere is it so intolerant as in the states where servitude has always been unknown.

It is true that in the North of the Union the law allows Black people and whites to contract lawful marriages; but opinion brands as infamous any white man who would unite himself

with a Black woman, and it would be very hard to cite a single instance of such a thing.

In almost all the states where slavery has been abolished, the Black man has been given the right to vote; but if he comes forward to vote, he risks his life. When oppressed, he may complain, but he finds only whites among his judges. The law, it is true, opens the jury box to him, but prejudice drives him from it. His son is shut out of the school where the descendant of the Europeans comes to be taught. In the theaters he cannot, for any amount of gold, buy the right to sit beside the man who was once his master; in the hospitals he lies apart. The Black man is allowed to call upon the same God as the whites, but not to pray to Him at the same altar. He has his own clergy and his own churches. The gates of heaven are not closed to him; yet inequality scarcely stops at the edge of the next world. When the Black man is dead, his bones are cast aside, and the difference of conditions turns up even in the equality of death.

Thus the Black man is free, but he can share neither the rights, nor the pleasures, nor the labors, nor the sorrows, nor even the grave of the man whose equal he has been declared. He cannot meet him anywhere, either in life or in death.

In the South, where slavery still exists, Black people are kept apart less carefully. They sometimes share the labors of the whites and their pleasures. People are willing, up to a point, to mingle with them. The laws are harsher toward them; the customs are more tolerant and milder.

In the South, the master is not afraid to raise his slave up to his own level, because he knows that he can always, if he wishes, cast him back into the dust. In the North, the white man no longer clearly sees the barrier that is supposed to separate him from a degraded race, and he keeps away from the Black man all the more carefully because he fears that one day he may come to be confused with him.

Among Americans of the South, nature, sometimes reclaiming its rights, comes for a moment to restore equality between white and Black people. In the North, pride silences even the

most imperious of human passions. The American of the North might perhaps consent to make a Black woman the passing companion of his pleasures, if the lawmakers had declared that she must not aspire to share his bed; but she can become his wife, and he shrinks from her with a kind of horror.

Thus in the United States the prejudice that repels Black people seems to grow in proportion as they cease to be slaves, and inequality becomes engraved in mores as it fades from the laws.

WHY THE NORTH ABOLISHED SLAVERY

Slavery is ended for the whites' sake: the two banks of the Ohio show free labor outproducing slave labor.

But if the relative position of the two races living in the United States is as I have just shown it, why have the Americans abolished slavery in the North of the Union, why do they keep it in the South, and why do they make its rigors harsher there?

The answer is easy. It is not in the interest of Black people but in that of the whites that slavery is being destroyed in the United States.

The first Black people were brought into Virginia around the year 1621[131]. In America, then, as everywhere else on earth, servitude was born in the South. From there it spread step by step; but as slavery moved northward, the number of slaves kept

131 TOCQUEVILLE'S NOTE. See Beverley's *History of Virginia*. See also, in the *Memoirs of Jefferson*, some curious details on the introduction of Black people into Virginia, and on the first act that prohibited their importation, in 1778.

TRANSLATOR'S NOTE. Robert Beverley (c. 1673–1722), Virginia planter, published *The History and Present State of Virginia* in 1705.

decreasing[132]. There have always been very few Black people in New England.

The colonies had been founded; a century had already gone by, and an extraordinary fact was beginning to strike every eye. The provinces that had, so to speak, no slaves were growing in population, wealth, and well-being faster than those that had them.

Yet in the former the inhabitant had to till the soil himself or hire the services of another; in the latter he found at his disposal workers whose efforts he did not pay for. On one side, then, there was labor and expense; on the other, leisure and thrift. And still the advantage lay with the former.

This result seemed all the harder to explain because the emigrants, all belonging to the same European race, had the same habits, the same civilization, the same laws, and differed only by barely perceptible shades.

Time marched on. Leaving the shores of the Atlantic Ocean, the Anglo-Americans pushed every day deeper into the wilderness of the West. There they met new soils and new climates; they had obstacles of various kinds to overcome; their stocks intermingled, men from the South moving up to the North and men from the North moving down to the South. Amid all these causes, the same fact recurred at every step: in general, the

132 TOCQUEVILLE'S NOTE. The number of slaves was smaller in the North, but the advantages arising from slavery were no more disputed there than in the South. In 1740 the legislature of the state of New York declared that the direct importation of slaves ought to be encouraged as much as possible, and that smuggling ought to be severely punished as tending to discourage the honest merchant. (*Kent's Commentaries*, vol. 2, p. 206.)

In the *Collections of the Massachusetts Historical Society*, vol. 4, p. 193, there is some curious research by Belknap on slavery in New England. It shows that Black people were brought in as early as 1630, but that from then on both the laws and the mores showed themselves opposed to slavery.

See also, in the same place, how public opinion, and then the law, succeeded in destroying servitude.

TRANSLATOR'S NOTE. James Kent (1763–1847), New York jurist, author of the *Commentaries on American Law* (1826–1830).

TRANSLATOR'S NOTE. Jeremy Belknap (1744–1798), New England clergyman and historian, founder of the Massachusetts Historical Society.

colony that had no slaves became more populous and more prosperous than the one where slavery was in force.

As they advanced, then, people began to glimpse that servitude, so cruel to the slave, was ruinous to the master.

But this truth received its final proof once they had reached the banks of the Ohio.

The river that the Indians had named, above all others, the Ohio, or Beautiful River, waters one of the most magnificent valleys that man has ever made his home. On both banks of the Ohio stretch rolling lands where the soil offers the farmer inexhaustible treasures every day. On both banks the air is equally healthy and the climate temperate. Each bank forms the outermost frontier of a vast state: the one that follows, on the left, the thousand windings the Ohio traces in its course is called Kentucky; the other has taken its name from the river itself. The two states differ on one point only: Kentucky has admitted slaves; the state of Ohio has cast them all out of its midst[133].

The traveler who, in the middle of the Ohio, lets himself be carried by the current down to where the river flows into the Mississippi thus sails, so to speak, between freedom and servitude; and he has only to look around him to judge in an instant which of the two is more favorable to humanity.

On the left bank of the river, the population is sparse. From time to time one sees a band of slaves moving listlessly across half-deserted fields. The primeval forest keeps reappearing. One would say that society is asleep: man seems idle, while nature presents the image of activity and life.

From the right bank, on the contrary, rises a confused hum that proclaims from afar the presence of industry. Rich harvests cover the fields; elegant dwellings bespeak the taste and care of

133 TOCQUEVILLE'S NOTE. Not only does Ohio not allow slavery, it forbids free Black people to enter its territory and prohibits them from acquiring anything there. See the statutes of Ohio.

the farmer; on every side comfort reveals itself. Man appears rich and content: he works[134].

The state of Kentucky was founded in 1775; the state of Ohio only twelve years later. Twelve years in America is more than half a century in Europe. Today the population of Ohio already exceeds that of Kentucky by 250,000 inhabitants[135].

These different effects of slavery and freedom are easy to understand; they are enough to explain many of the differences found between ancient civilization and that of our own day.

On the left bank of the Ohio, labor is bound up with the idea of slavery; on the right bank, with that of well-being and progress. There it is degraded; here it is honored. On the left bank of the river, no workers of the white race can be found, for they would be afraid of looking like slaves; one must rely on the labor of Black people. On the right bank one would look in vain for an idle man: the white man extends his energy and intelligence to every kind of work.

So the men who in Kentucky are charged with working the natural riches of the soil have neither zeal nor education, while those who might have both either do nothing or cross over into Ohio, so as to put their industry to use and be able to exercise it without shame.

It is true that in Kentucky the masters make the slaves work without having to pay them; but they reap little fruit from their efforts, whereas the money they would give to free workers would come back to them with interest in the value of their labor.

The free worker is paid, but he works faster than the slave, and speed of execution is one of the great elements of economy.

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134 TOCQUEVILLE'S NOTE. It is not only the individual who is active in Ohio; the state itself undertakes immense enterprises. The state of Ohio has built a canal between Lake Erie and the Ohio by which the Mississippi valley is connected with the North River. Thanks to this canal, goods from Europe that arrive at New York can travel by water all the way down to New Orleans, across more than five hundred leagues of the continent.

TRANSLATOR'S NOTE. The North River is the Hudson; the Ohio and Erie Canal, together with the Erie Canal, linked the Ohio to New York.

The white man sells his help, but it is bought only when it is useful; the Black man can claim nothing in return for his services, but he must be fed at all times. He must be supported in his old age as in his prime, in his unproductive childhood as in the fruitful years of his youth, in sickness as in health. Thus it is only by paying that one obtains the labor of either of these two men: the free worker receives a wage; the slave, an upbringing, food, care, and clothing. The money the master spends on keeping the slave trickles away little by little and in small sums, so that it is hardly noticed; the wage given to the worker is handed over all at once and seems to enrich only the one who receives it. But in reality the slave has cost more than the free man, and his labor has been less productive[136].

The influence of slavery reaches further still. It penetrates the very soul of the master and gives a particular direction to his ideas and his tastes.

On both banks of the Ohio, nature has given man an enterprising and energetic character; but on each side of the river he puts this common quality to a different use.

The white man of the right bank, obliged to live by his own efforts, has made material well-being the chief aim of his existence. And since the country he lives in offers inexhaustible resources to his industry and ever-renewed lures to his activity,

135 TOCQUEVILLE'S NOTE. Exact figures according to the census of 1830. Kentucky, 688,844; Ohio, 937,679.

136 TOCQUEVILLE'S NOTE. Apart from these causes, which, wherever free workers are plentiful, make their labor more productive and more economical than that of slaves, another must be pointed out that is peculiar to the United States. Throughout the whole Union, no way has yet been found to grow sugarcane successfully except along the banks of the Mississippi, near the river's mouth on the Gulf of Mexico. In Louisiana, growing cane is extremely profitable: nowhere does the farmer get so high a return for his labor; and since a certain ratio always establishes itself between the costs of production and the products, the price of slaves is very high in Louisiana. Now, since Louisiana is one of the federated states, slaves can be brought there from every part of the Union; the price paid for a slave in New Orleans therefore raises the price of slaves in all the other markets. As a result, in regions where the land yields little, the cost of cultivation by slaves remains very considerable, which gives a great advantage to the competition of free workers.

his eagerness to acquire has gone beyond the ordinary bounds of human greed. Tormented by the desire for riches, he boldly enters every path that fortune opens to him: he becomes, as it may happen, a sailor, a pioneer, a manufacturer, or a farmer, bearing with equal constancy the labors or the dangers attached to these different callings. There is something marvelous in the resources of his ingenuity, and a kind of heroism in his greed for gain.

The American on the left bank scorns not only labor but every enterprise that labor makes succeed. Living in idle ease, he has the tastes of idle men; money has lost part of its value in his eyes. He pursues fortune less than excitement and pleasure, and he turns in that direction the energy his neighbor spends elsewhere. He is passionately fond of hunting and war; he delights in the most violent bodily exercise; he is familiar with the use of arms, and from childhood he has learned to stake his life in single combat. Slavery, then, does not merely prevent whites from making their fortune; it turns them away from wanting to.

The same causes, working continually for two centuries in opposite directions in the English colonies of North America, have ended by creating a prodigious difference between the commercial capacity of the Southerner and that of the Northerner. Today only the North has ships, factories, railroads, and canals.

This difference can be seen not only by comparing the North with the South but by comparing the inhabitants of the South with one another. Nearly all the men in the southernmost states of the Union who engage in commercial enterprises and seek to make use of slavery have come from the North. Every day Northerners spread into that part of American territory where they have less competition to fear. There they discover resources the inhabitants had not noticed, and, bending to a system they disapprove of, they manage to draw more advantage from it than those who founded it and still uphold it.

If I wished to push the comparison further, I could easily prove that nearly all the differences to be seen between the character of Americans in the South and in the North originated in slavery. But that would take me beyond my subject: what I am seeking at the moment is not all the effects of servitude, but the effects it has on the material prosperity of those who have accepted it.

This influence of slavery on the production of wealth could be known only very imperfectly in antiquity. Servitude then existed throughout the civilized world, and the peoples who did not know it were barbarians.

Thus Christianity destroyed slavery only by asserting the rights of the slave; in our day it can be attacked in the name of the master. On this point interest and morality agree.

As these truths became evident in the United States, slavery could be seen retreating little by little before the light of experience.

Servitude had begun in the South and then spread northward; today it is withdrawing. Freedom, setting out from the North, is moving steadily southward. Among the large states, Pennsylvania today marks the extreme northern limit of slavery, but even within those limits it is shaken. Maryland, which lies immediately below Pennsylvania, is preparing every day to do without it, and Virginia, which comes after Maryland, is already debating its usefulness and its dangers[137].[138]

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137 TOCQUEVILLE'S NOTE. There is a particular reason that is completing the detachment of the last two states I have named from the cause of slavery.

The former wealth of this part of the Union rested chiefly on growing tobacco. Slaves are particularly suited to this crop. Now, it happens that for many years tobacco has been losing its market value, while the value of slaves remains the same. Thus the ratio between the costs of production and the produce has changed. The inhabitants of Maryland and Virginia therefore feel more inclined than they did thirty years ago either to do without slaves in growing tobacco or to give up tobacco and slavery together.

138 The Virginia legislature debated gradual emancipation in 1831–32, after Nat Turner's revolt, and rejected it.

No great change takes place in human institutions without the law of inheritance turning up among the causes of that change.

When unequal division of estates prevailed in the South, each family was represented by a rich man who felt neither the need nor the taste for work. Around him, living in the same way like so many parasitic plants, were the members of his family whom the law had excluded from the common inheritance. One then saw in every family of the South what is still seen today in the noble families of certain European countries, where the younger sons, without having the eldest son's wealth, remain as idle as he. This similar effect was produced in America and in Europe by entirely analogous causes. In the South of the United States, the whole white race formed an aristocratic body, at whose head stood a certain number of privileged individuals whose wealth was permanent and whose leisure was hereditary. These leaders of the American nobility perpetuated, within the body they represented, the traditional prejudices of the white race, and kept idleness in honor. Within this aristocracy one might meet poor men, but not working men; poverty seemed preferable to industry. Black and enslaved workers therefore met no competitors, and whatever opinion one might hold of the usefulness of their efforts, one had to employ them, since they were the only workers there were.

From the moment that old law of inheritance was abolished, all fortunes began to shrink at once; all families were carried, by the same movement, closer to the condition in which work becomes necessary for existence; many of them disappeared entirely; all glimpsed the moment when each person would have to provide for his own needs. Today there are still rich men, but they no longer form a compact, hereditary body; they have been unable to adopt a spirit, persevere in it, and make it penetrate every rank. So people began, by common consent, to abandon the prejudice that stigmatized work. There were more poor people, and the poor could, without blushing, attend to the means of earning their living. Thus one of the most immediate

effects of equal division of estates was to create a class of free workers. From the moment the free worker entered into competition with the slave, the slave's inferiority made itself felt, and slavery was attacked in its very principle, which is the master's interest.

WHY THE SOUTH CANNOT EASILY FOLLOW

Enslaved people are sent south, where climate, crops, and numbers make abolition dangerous for the whites.

As slavery retreats, the Black race follows it in its backward march and returns with it toward the tropics, from which it originally came.

This may seem extraordinary at first sight; it will soon be understood.

In abolishing the principle of servitude, the Americans do not set the slaves free.

What follows might be hard to grasp without an example; I will choose that of the state of New York. In 1788 the state of New York prohibits the sale of slaves within its borders. This was an indirect way of prohibiting their importation. From then on, the number of Black people grows only through the natural increase of the Black population. Eight years later a more decisive measure is taken: it is declared that from July 4, 1799, all children born of enslaved parents will be free. Every avenue of increase is then closed. There are still slaves, but one may say that servitude no longer exists.

From the time a Northern state thus prohibits the importation of slaves, Black people are no longer taken from the South and brought into it.

From the moment a Northern state forbids the sale of Black people, the slave, who can no longer pass out of his owner's hands, becomes an inconvenient piece of property, and there is an interest in transporting him to the South.

The day a Northern state declares that the slave's son will be born free, the slave loses a large part of his market value, for his

descendants can no longer enter the market; and there is again a strong interest in transporting him to the South.

Thus the same law prevents the slaves of the South from coming North and pushes those of the North toward the South.

But here is another cause, more powerful than all those I have just mentioned.

As the number of slaves diminishes in a state, the need for free workers makes itself felt there. As free workers take over industry, the slave's labor becomes less productive, he becomes a mediocre or useless piece of property, and there is again a great interest in exporting him to the South, where competition is not to be feared.

The abolition of slavery, then, does not bring the slave to freedom; it merely makes him change masters: from the north, he passes to the south.

As for freed Black people and those born after slavery has been abolished, they do not leave the North for the South; but they find themselves, in relation to the Europeans, in a position analogous to that of the natives. They remain half-civilized and deprived of rights in the midst of a population infinitely superior to them in wealth and enlightenment; they are exposed to the tyranny of the laws[139] and the intolerance of mores. More unfortunate in one respect than the Indians, they have the memories of slavery against them, and they cannot claim possession of a single spot of land. Many succumb to their

139 TOCQUEVILLE'S NOTE. The states where slavery is abolished generally strive to make living within their territory unpleasant for free Black people; and since a kind of rivalry arises among the different states on this point, these unfortunate Black people can only choose among evils.

poverty[140]; the rest crowd into the towns, where, taking on the roughest work, they lead a precarious and wretched existence.

Besides, even if the number of Black people continued to grow in the same way as at the time when they did not yet have their freedom, the number of whites would increase twice as fast after the abolition of slavery, and Black people would soon be all but swallowed up amid the waves of a foreign population.

A country cultivated by slaves is generally less populous than a country cultivated by free men; moreover, America is a new land. So at the moment a state abolishes slavery, it is still only half full. Scarcely has servitude been destroyed there, and the need for free workers made itself felt, than a crowd of bold adventurers is seen hurrying in from every part of the country; they come to profit from the new resources about to open to industry. The land is divided among them; on each portion a white family settles and takes possession of it. It is also toward the free states that European emigration heads. What would the poor man of Europe, who comes seeking comfort and happiness in the New World, do if he went to live in a country where work is tainted with disgrace?

Thus the white population grows by its natural increase and at the same time by immense immigration, while the Black population receives no immigrants and dwindles. Soon the proportion that existed between the two races is reversed. Black people now form no more than wretched remnants, a small, poor, wandering tribe, lost in the midst of an immense people that is master of the land; and their presence is noticed only through the injustices and harsh treatment they suffer.

In many states of the West the Black race has never appeared; in all the states of the North it is disappearing. The great ques-

tion of the future is thus confined within a narrow circle; it thereby becomes less formidable, but no easier to resolve.

The farther south one goes, the harder it is to abolish slavery to good effect. This results from several material causes that need to be set out.

The first is climate. It is certain that the closer Europeans come to the tropics, the harder work becomes for them; many Americans even claim that below a certain latitude it ends by being fatal to them, while the Black man submits to it without danger[141]. But I do not think this idea, so congenial to the laziness of the Southerner, is founded on experience. It is no hotter in the south of the Union than in the south of Spain and Italy[142]. Why could the European not perform the same labor there? And if slavery was abolished in Italy and Spain without the masters perishing, why should the same not happen in the Union? So I do not believe that nature has forbidden the Europeans of Georgia or the Floridas, on pain of death, to draw their own subsistence from the soil; but such work would certainly be harder for them and less productive[143] than for the inhabitants of New Eng-

140 TOCQUEVILLE'S NOTE. There is a great difference between the mortality of whites and that of Black people in the states where slavery is abolished: from 1820 to 1831, in Philadelphia, only one white person died out of every forty-two members of the white race, whereas one Black person died out of every twenty-one members of the Black race. Mortality is not nearly so high among enslaved Black people. (See *Emmerson's medical Statistics*, p. 28.)

TRANSLATOR'S NOTE. Gouverneur Emerson, a Philadelphia physician, published his *Medical Statistics* in 1831.

141 TOCQUEVILLE'S NOTE. This is true in places where rice is grown. Rice fields, which are unhealthy in every country, are particularly dangerous in those struck by the burning sun of the tropics. Europeans would have great difficulty cultivating the land in that part of the New World if they insisted on making it produce rice. But can one not do without rice fields?

142 TOCQUEVILLE'S NOTE. These states are closer to the equator than Italy and Spain, but the American continent is infinitely colder than the European.

143 TOCQUEVILLE'S NOTE. Spain once had a number of peasants from the Azores brought to a district of Louisiana called Attakapas. Slavery was not introduced among them; it was an experiment. Today these men still cultivate the land without slaves, but their industry is so sluggish that it barely meets their needs.

TRANSLATOR'S NOTE. Attakapas was a district of south-central Louisiana, named after a Native American people of the region.

land. Since the free worker thus loses in the South part of his superiority over the slave, there is less benefit in abolishing slavery.

All the plants of Europe grow in the north of the Union; the South has products of its own.

It has been observed that slavery is an expensive way to grow grain. A man who harvests wheat in a country where servitude is unknown usually keeps only a small number of workers in his service. At harvest time and during sowing he does, it is true, gather many others; but these live in his house only temporarily.

To fill his granaries or sow his fields, the farmer who lives in a slave state must keep, all year round, a large number of laborers whom he needs for only a few days. Unlike free workers, slaves cannot work for themselves while they wait for the moment when someone comes to hire their labor. To use them, one must buy them.

Quite apart from its general drawbacks, slavery is therefore naturally less suited to countries where grain is grown than to those where other crops are harvested.

The cultivation of tobacco, cotton, and above all sugarcane, on the contrary, demands constant care. Women and children can be employed in it who could not be used in growing wheat. Slavery is thus naturally better suited to the country that yields the crops I have just named.

Tobacco, cotton, and sugarcane grow only in the South, and there they are the main sources of the country's wealth. If they abolished slavery, the men of the South would face one of two alternatives. Either they would have to change their system of farming, and then they would compete with the men of the North, who are more active and more experienced than they are. Or they would grow the same crops without slaves, and then they would have to withstand competition from the other southern states that had kept them.

So the South has particular reasons for keeping slavery that the North does not have.

But here is another motive, more powerful than all the rest. The South could, if pressed, abolish servitude; but how would it rid itself of the Black population? In the North, slavery and the slaves are driven out together. In the South, there is no hope of achieving both results at once.

In showing that servitude was more natural and more profitable in the South than in the North, I have indicated clearly enough that the number of slaves there was bound to be much greater. It was to the South that the first Africans were brought, and it is there that they have always arrived in the greatest numbers. The farther south one goes, the stronger grows the prejudice that holds idleness in honor. In the states nearest the tropics, not a single white man works. Black people are therefore naturally more numerous in the South than in the North. As I said above, they become more so every day; for as slavery is destroyed at one end of the Union, Black people accumulate at the other. Thus the Black population of the South grows not only through the natural increase of population but also through the forced emigration of Black people from the North. The African race has reasons for growing in this part of the Union analogous to those that make the European race grow so quickly in the North.

In the state of Maine, there is one Black person for every three hundred inhabitants; in Massachusetts, one in 100; in the state of New York, two in 100; in Pennsylvania, three; in Maryland, thirty-four; in Virginia, forty-two; and finally, in South Car-

olina, fifty-five[144]. Such was the proportion of Black people to white people in the year 1830. But this proportion is constantly changing: every day it grows smaller in the North and larger in the South.

It is evident that in the southernmost states of the Union, slavery could not be abolished as it was in the northern states without running very great dangers, which the northern states never had to fear.

We have seen how the northern states managed the transition from slavery to freedom. They keep the present generation in chains and emancipate the generations to come. In this way, Black people are brought into society only little by little; and while the man who might make bad use of his independence is held in servitude, the one who can still learn the art of being free before becoming his own master is set free.

It would be difficult to apply this method in the South. When it is declared that from a certain date the son of a Black man will be free, the principle and the idea of freedom are introduced into the very heart of servitude. The Black people whom the legislator keeps in slavery, and who see their sons leave it, are astonished at the unequal shares that fate deals out among them; they grow uneasy and angry. From then on, slavery has lost in their eyes the sort of moral power that time and custom had given it; it is reduced to nothing more than a visible abuse of force. The North had nothing to fear from this contrast, because in the North Black people were few and white people

144 TOCQUEVILLE'S NOTE. The following appears in the American work entitled *Letters on the Colonization Society*, by Carey, 1833: "In South Carolina, for forty years, the Black race has been growing faster than the white. Taking together the population of the five southern states that first had slaves," Mr. Carey also says, "Maryland, Virginia, North Carolina, South Carolina, and Georgia, one finds that from 1790 to 1830 the whites increased at the rate of 80 per 100."

In the United States in 1830, the members of the two races were distributed as follows: states where slavery has been abolished, 6,565,434 whites, 120,520 Black people; states where slavery still exists, 3,960,814 whites, 2,208,102 Black people.

TRANSLATOR'S NOTE. Mathew Carey (1760–1839), Irish-born Philadelphia publisher and economist, a supporter of the American Colonization Society, which sought to settle free Black Americans in Africa.

very numerous. But if this first dawn of freedom were to shine on two million men at once, the oppressors would have reason to tremble.

Having freed the sons of their slaves, the Europeans of the South would soon be forced to extend the same benefit to the whole Black race.

In the North, as I said above, from the moment slavery is abolished, and even from the moment it becomes likely that the time of its abolition is near, a twofold movement takes place: the slaves leave the country to be transported farther south, and whites from the northern states and emigrants from Europe flow in to take their place.

These two causes cannot operate in the same way in the southernmost states. On the one hand, the mass of slaves there is too great for anyone to hope to make them leave the country. On the other, Europeans and the Anglo-Americans of the North are afraid to come and live in a region where labor has not yet been restored to honor. Besides, they rightly regard the states where the proportion of Black people equals or exceeds that of whites as threatened with great misfortunes, and they refrain from taking their enterprise in that direction.

Thus, in abolishing slavery, the men of the South would not succeed, as their brothers in the North did, in bringing Black people gradually to freedom. They would not appreciably reduce the number of Black people, and they would be left alone to hold them in check. Within a few years, then, one would see a great people of free Black men set in the midst of a roughly equal nation of whites.

The same abuses of power that maintain slavery today would then become, in the South, the source of the greatest dangers the whites would have to fear. Today the descendant of the Europeans alone owns the land; he is the absolute master of industry; he alone is rich, educated, and armed. The Black man has none of these advantages; but he can do without them, for he is a slave. Once free, and charged with looking after his own fate, can he remain deprived of all these things without perish-

ing? What made the white man strong while slavery existed thus exposes him to a thousand perils once slavery is abolished.

As long as the Black man is left in servitude, he can be kept in a condition close to that of a brute beast; once he is free, he cannot be prevented from learning enough to grasp the extent of his wrongs and to glimpse their remedy. There is, moreover, a curious principle of relative justice that is buried very deep in the human heart. Men are far more struck by inequality within a single class than by the inequalities they observe between different classes. Slavery can be understood; but how can one conceive of several million citizens forever bowed under disgrace and given over to hereditary misery? In the North, a population of freed Black people suffers these wrongs and feels these injustices; but it is weak and small. In the South it would be numerous and strong.

MERGE OR SEPARATE

Tocqueville doubts the races will ever live as equals, foresees a struggle, and finds African colonization no remedy.

Once it is granted that whites and emancipated Black people are placed on the same soil as peoples foreign to each other, it is easy to see that only two possibilities remain for the future: Black people and whites must either merge entirely or separate.

I have already stated above what my conviction is regarding the first course[145]. I do not think the white race and the Black race will anywhere come to live on a footing of equality.

But I believe the difficulty will be far greater in the United States than anywhere else. It happens that a single man rises

145 TOCQUEVILLE'S NOTE. This opinion, moreover, is supported by authorities of far greater weight than mine. Among others, one reads in the *Memoirs of Jefferson*: "Nothing is more clearly written in the book of destiny than the emancipation of Black people, and it is just as certain that the two races, equally free, will not be able to live under the same government. Nature, habit, and opinion have set up insurmountable barriers between them." (See *Extract from the Memoirs of Jefferson*, by M. Conseil.)

TRANSLATOR'S NOTE. Louis-Paul Conseil published a French selection of Jefferson's writings in 1833; the passage comes from Jefferson's Autobiography (1821).

above the prejudices of religion, country, and race; and if that man is a king, he can bring about astonishing revolutions in society. An entire people cannot, so to speak, rise above itself in this way.

A despot who brought the Americans and their former slaves under the same yoke might perhaps succeed in mingling them. But as long as American democracy remains at the head of affairs, no one will dare attempt such an undertaking; and one can foresee that the freer the whites of the United States become, the more they will seek to keep themselves apart[146].

I have said elsewhere that the true link between the European and the Indian was the person of mixed descent; likewise, the true transition between the white man and the Black man is the mixed-race man. Wherever there is a very large number of mixed-race people, fusion between the two races is not impossible.

There are parts of America where the European and the Black man have intermixed so much that it is hard to find anyone who is entirely white or entirely Black. When things have reached that point, one can truly say that the races have mingled—or rather that in their place a third race has arisen, which partakes of both without being exactly either one or the other.

Of all Europeans, the English are those who have least mixed their blood with that of Black people. There are more mixed-race people in the South of the Union than in the North, but infinitely fewer than in any other European colony. Mixed-race people are very few in the United States; they have no strength of their own, and in quarrels between the races they usually make common cause with the whites. In the same way, in Europe one often sees the lackeys of great lords playing the nobleman with the common people.

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146 TOCQUEVILLE'S NOTE. Had the English of the West Indies governed themselves, one can be sure they would not have granted the act of emancipation that the mother country has just imposed.

TRANSLATOR'S NOTE. The British Slavery Abolition Act of 1833, which took effect in most of the colonies in 1834.

This pride of origin, natural to the Englishman, is further and remarkably heightened in the American by the individual pride that democratic freedom gives rise to. The white man of the United States is proud of his race and proud of himself.

Besides, if whites and Black people do not come to mingle in the North of the Union, how would they mingle in the South? Can one suppose for a moment that the southern American, placed as he always will be between the white man in all his physical and moral superiority and the Black man, could ever think of merging with the latter? The southern American has two powerful passions that will always lead him to keep himself apart: he will fear resembling the Black man, his former slave, and sinking below the white man, his neighbor.

If I absolutely had to predict the future, I would say that, in the probable course of things, the abolition of slavery in the South will increase the aversion that the white population there feels toward Black people. I base this opinion on what I have already observed of a similar kind in the North. I have said that the white men of the North keep their distance from Black people all the more carefully as the legislator marks less clearly the legal separation that is to exist between them. Why should it not be the same in the South? In the North, when whites fear coming to merge with Black people, they dread an imaginary danger. In the South, where the danger would be real, I cannot believe the fear would be any less.

If, on the one hand, one recognizes (and the fact is beyond doubt) that in the far South Black people are constantly accumulating and increasing faster than whites; if, on the other, one concedes that it is impossible to foresee when Black people and whites will come to mingle and to draw the same advantages from life in society—must one not conclude that in the southern states Black people and whites will sooner or later come to blows?

What will be the final outcome of this struggle?

It will readily be understood that on this point one must keep to vague conjecture. The human mind manages, with difficulty,

to draw something like a great circle around the future; but within that circle stirs chance, which eludes every effort. In the picture of the future, chance always forms a kind of dark spot that the eye of the intellect cannot penetrate. What can be said is this: in the West Indies it is the white race that seems destined to succumb; on the continent, the Black race.

In the West Indies, the whites are isolated in the midst of an immense Black population. On the continent, Black people are placed between the sea and a countless people that already stretches above them like a solid mass, from the ice of Canada to the borders of Virginia, from the banks of the Missouri to the shores of the Atlantic Ocean. If the whites of North America remain united, it is hard to believe that Black people can escape the destruction that threatens them; they will succumb to the sword or to destitution. But the Black populations massed along the Gulf of Mexico have a chance of survival if the struggle between the two races breaks out once the American confederation has been dissolved. Once the federal bond is broken, the men of the South would be wrong to count on lasting support from their brothers in the North. The northerners know that the danger can never reach them; unless a definite duty compels them to march to the South's aid, one can foresee that the sympathies of race will be powerless.

Moreover, whenever the struggle comes, the whites of the South, even if left to themselves, will enter it with an immense superiority in enlightenment and resources. But the Black population will have numbers and the energy of despair on its side. These are great resources when one has weapons in hand. Perhaps the white race of the South will then meet the fate of the Moors of Spain. Having occupied the country for centuries, it will at last withdraw, little by little, toward the land its forebears once came from. It will abandon to Black people the possession of a country that Providence seems to intend for them, since

they live there without hardship and work there more easily than whites.[147]

The danger of a struggle between the Black and white inhabitants of the South of the Union may be more or less distant, but it is inevitable, and it haunts the imagination of Americans constantly, like a painful dream. The inhabitants of the North talk about these perils every day, although they have nothing directly to fear from them. They search in vain for a way to avert the misfortunes they foresee.

In the Southern states, people keep silent. They do not speak of the future to foreigners; they avoid discussing it with their friends; each person hides it, so to speak, from himself. There is something more frightening in the silence of the South than in the noisy fears of the North.

This general preoccupation has given birth to an almost unknown undertaking that may change the fate of part of the human race.

Fearing the dangers I have just described, a certain number of American citizens formed a society. Its purpose was to carry to the coast of Guinea, at their own expense, any free Black people who wished to escape the tyranny that weighs upon them[148].

In 1820 the society I am speaking of succeeded in founding a settlement in Africa, at 7 degrees north latitude, to which it gave the name *Liberia*. The latest reports stated that two thousand five hundred Black people were already gathered there. Carried back to their ancient homeland, they have introduced American institutions there. Liberia has a representative system, Black jurors, Black magistrates, and Black clergy. It has churches and

147 The Moors ruled much of the Iberian Peninsula from AD 711 until the fall of Granada in 1492.

148 TOCQUEVILLE'S NOTE. This society took the name of the Society for the Colonization of Black People.

See its annual reports, especially the fifteenth. See also the pamphlet already cited, *Letters on the Colonization Society and on Its Probable Results*, by Mr. Carey, Philadelphia, April 1833.

TRANSLATOR'S NOTE. This is the American Colonization Society, founded in 1816.

newspapers, and, by a strange turn in the vicissitudes of this world, whites are forbidden to settle within its walls[149].

Here, surely, is a strange play of fortune! Two centuries have passed since the day the inhabitant of Europe set out to take Black people from their families and their country and carry them to the shores of North America. Today one finds the European busy shipping the descendants of those same people back across the Atlantic Ocean, to return them to the soil from which he once tore their fathers. Peoples living outside civilization have drawn the light of civilization from the heart of servitude, and have learned in slavery the art of being free.

Until our day, Africa was closed to the arts and sciences of the whites. The enlightenment of Europe, brought in by Africans, may perhaps make its way there. There is thus a fine and great idea in the founding of Liberia. But this idea, which may prove so fruitful for the Old World, is barren for the New.

In twelve years, the Society for the Colonization of Black People has carried two thousand five hundred Black people to Africa. In the same span of time, about seven hundred thousand were born in the United States.

Suppose the colony of Liberia were in a position to receive thousands of new inhabitants each year, and these were fit to be taken there to good purpose. Suppose the Union took the Society's place and spent its treasury[150] and its ships every year shipping Black people to Africa. It still could not keep pace with the

149 TOCQUEVILLE'S NOTE. This last rule was laid down by the founders of the settlement themselves. They feared that something like what is happening on the frontiers of the United States might occur in Africa. Black people, like the Indians, might come into contact with a race more enlightened than their own and be destroyed before they could become civilized.

150 TOCQUEVILLE'S NOTE. Many other difficulties would arise in such an undertaking. Suppose the Union, in order to transport Black people from America to Africa, undertook to buy them from those who hold them as slaves. The price of slaves, rising in proportion to their scarcity, would soon reach enormous sums, and it is not credible that the Northern states would consent to such an expense, from which they would reap no benefit. If the Union seized the slaves of the South by force, or acquired them at a low price fixed by itself, it would arouse insurmountable resistance among the states in that part of the Union. Either way, one arrives at the impossible.

mere natural growth of the Black population. Since it would not remove each year as many people as are born, it would not even manage to halt the spread of the evil that grows day by day within it[151].

The Black race will never again leave the shores of the American continent, where the passions and vices of Europe brought it. It will disappear from the New World only by ceasing to exist. The inhabitants of the United States can postpone the misfortunes they dread, but they can no longer destroy their cause.

THE SOUTH'S CHOICE

Fearing emancipation, the South makes slavery's laws harsher, banning slaves' schooling and most manumissions.

I am obliged to admit that I do not regard the abolition of servitude as a means of delaying the struggle between the two races in the Southern states.

Black people can remain slaves for a long time without complaining. But once they have joined the ranks of free men, they will soon resent being deprived of almost all the rights of citizens. Unable to become the equals of the whites, they will soon show themselves to be their enemies.

In the North, there was everything to gain by freeing the slaves; people thereby rid themselves of slavery without having anything to fear from free Black people. These were too few ever to claim their rights. It is not the same in the South.

For the masters in the North, the question of slavery was a commercial and manufacturing question; in the South, it is a question of life or death. One must therefore not confuse slavery in the North with slavery in the South.

God forbid that I should try, as certain American authors do, to justify the principle of the servitude of Black people. I say

151 TOCQUEVILLE'S NOTE. In 1830 there were 2,010,327 slaves and 319,439 freedmen in the United States, 2,329,766 Black people in all. This was a little more than one fifth of the total population of the United States at that time.

only that not all those who once accepted that dreadful principle are equally free today to abandon it.

I confess that when I consider the state of the South, I can see only two courses of action open to the white race that lives there. It can free Black people and merge with them, or it can remain apart from them and keep them in slavery as long as possible. Half-measures seem to me to lead, before long, to the most horrible of all civil wars, and perhaps to the ruin of one of the two races.

The Americans of the South view the question in this light, and they act accordingly. Not wishing to merge with Black people, they do not wish to set them free.

It is not that all the inhabitants of the South regard slavery as necessary to the master's wealth. On this point many of them agree with the men of the North, and readily admit with them that servitude is an evil. But they think that this evil must be preserved in order to live.

As enlightenment has grown in the South, it has made the inhabitants of that part of the country see that slavery is harmful to the master. That same enlightenment shows them, more clearly than they had seen until then, that it is almost impossible to destroy it. Hence a strange contrast. Slavery becomes ever more firmly established in the laws as its usefulness is more disputed. And while its principle is gradually abolished in the North, ever more rigorous consequences are drawn from that same principle in the South.

The legislation of the Southern states concerning slaves now displays a kind of unheard-of atrocity, which by itself reveals some profound disturbance in the laws of humanity. One need only read the legislation of the Southern states to judge the desperate position of the two races that inhabit them.

It is not that the Americans of that part of the Union have exactly increased the harshness of servitude; on the contrary, they have eased the material lot of the slaves. The ancients knew only chains and death as means of maintaining slavery; the Americans of the South of the Union have found more intellec-

tual guarantees for the duration of their power. They have, if I may put it this way, spiritualized despotism and violence. In antiquity, people sought to prevent the slave from breaking his chains; in our day, they have undertaken to take away his desire to break them.

The ancients chained the body of the slave, but they left his mind free and allowed him to become educated. In this they were consistent, for there was then a natural way out of servitude: from one day to the next the slave could become free and the equal of his master.

The Americans of the South do not think that Black people could ever merge with them, and so they have forbidden, under severe penalties, teaching them to read and write. Not wishing to raise them to their own level, they keep them as close as possible to the level of beasts.

In every age, the hope of freedom had been placed within slavery to soften its harshness.

The Americans of the South have understood that emancipation always posed dangers when the freedman could never come to be assimilated to the master. To give a man his freedom and leave him in poverty and disgrace—what is that but to supply a future leader for a slave revolt? It had long been noticed, moreover, that the presence of the free Black man stirred a vague restlessness deep in the souls of those who were not free. Like a faint, uncertain glimmer, it let in the idea of their rights. In most cases the Americans of the South have taken away from masters the power to free their slaves[152].

In the South of the Union I met an old man who had once lived in an illicit relationship with one of the Black women he owned. He had had several children by her, who at birth had become their father's slaves. Several times he had thought of at least leaving them their freedom in his will, but years had passed before he could overcome the obstacles the lawmakers had put in the way of emancipation. Meanwhile old age had

152 TOCQUEVILLE'S NOTE. Emancipation is not forbidden, but it is subject to formalities that make it difficult.

come, and he was about to die. He pictured his sons dragged from market to market, passing from a father's authority to a stranger's whip. These horrible images threw his dying imagination into delirium. I saw him in the grip of the anguish of despair, and I understood then how nature could avenge the wounds that the laws inflicted on it.

These evils are dreadful, no doubt; but are they not the foreseen and necessary consequence of the very principle of servitude among the moderns?

The Europeans took their slaves from a race of men different from their own, which many of them considered inferior to the other human races, and which none of them could imagine ever being assimilated with, except with horror. From that moment they assumed that slavery would be eternal. For between the extreme inequality that servitude creates and the complete equality that independence naturally produces among men, there is no intermediate state that can last. The Europeans have vaguely sensed this truth, but without admitting it to themselves. Whenever Black people were concerned, they have been seen to obey now their interest or their pride, now their pity. They violated every human right in their treatment of the Black man, and then they taught him the value and inviolability of those rights. They opened their ranks to their slaves, and when the slaves tried to enter, they drove them out in disgrace. Wanting servitude, they let themselves be drawn, despite themselves or without knowing it, toward liberty, without having the courage to be either wholly iniquitous or entirely just.

If it is impossible to foresee a time when the Americans of the South will mix their blood with that of Black people, can they allow the latter to attain freedom without exposing themselves to destruction? And if, to save their own race, they are compelled to want to keep them in chains, must we not excuse them for taking the most effective means to do so?

What is happening in the South of the Union seems to me at once the most horrible and the most natural consequence of slavery. When I see the order of nature overturned, when I hear

humanity crying out and struggling in vain under the laws, I confess that I find no indignation with which to condemn the men of our day who commit these outrages. But I gather all my hatred against those who, after more than a thousand years of equality, brought servitude back into the world.

Moreover, whatever efforts the Americans of the South may make to preserve slavery, they will not succeed forever. Slavery is confined to a single spot on the globe, attacked by Christianity as unjust and by political economy as ruinous. Amid the democratic freedom and the enlightenment of our age, slavery is not an institution that can last. It will end through the act of the slave or through that of the master. In either case, great misfortunes must be expected.

If freedom is refused to the Black people of the South, they will end by seizing it violently themselves; if it is granted to them, they will soon abuse it.

WILL THE UNION LAST?

Real strength lies with the states, so the Union will last only while every state wishes to stay.

What chance the American Union has of lasting, and what dangers threaten it

The preponderant strength lies in the states rather than in the Union.—The confederation will last only as long as all the states that compose it wish to belong to it.—Causes that should lead them to remain united.—The usefulness of being united in order to resist foreigners and to have no foreigners in America.—Providence has raised no natural barriers between the different states.—There are no material interests that divide them.—The interest the North has in the prosperity and union of the South and the West; the South in those of the North and the West; the West in those of the other two.—Immaterial interests that unite the Americans.—Uniformity of opinions. —The dangers to the confederation arise from the difference in character among the men who compose it, and from their passions.—Characters of

the men of the South and of the North.—The rapid growth of the Union is one of its greatest perils.—Movement of the population toward the Northwest.—Gravitation of power in that direction.—Passions aroused by these rapid shifts of fortune.—If the Union endures, does its government tend to gain strength or to grow weaker?—Various signs of weakening.—*Internal improvements.*—Unsettled lands.—Indians.—The Bank affair.—The tariff affair.—General Jackson.[153]

The maintenance of what exists in each of the states that compose the Union depends in part on the existence of the Union. We must therefore first examine what the Union's probable fate is. But before anything else, it is well to settle one point: if the current confederation were to break apart, it seems to me incontestable that the states belonging to it would not return to their original individuality. In place of one Union, several would be formed. I do not intend to inquire on what bases these new Unions would come to be established; what I want to show are the causes that may bring about the dismemberment of the current confederation.

To do so, I shall have to travel once more along some of the roads I set out on earlier. I shall have to lay before the reader's eyes several matters that are already known. I know that in doing so I lay myself open to the reader's reproaches; but the importance of the subject that remains for me to treat is my excuse. I would rather repeat myself at times than not be understood, and I would rather harm the author than the subject.

The legislators who framed the constitution of 1789 strove to give the federal power a separate existence and a preponderant strength.

But they were limited by the very conditions of the problem they had to solve. They had been charged not with constituting the government of a single people, but with regulating the asso-

153 "Internal improvements" were federally funded roads and canals. The Bank affair is Andrew Jackson's 1832 veto of the recharter of the Second Bank of the United States; the tariff affair is the Nullification Crisis of 1832–33 with South Carolina.

ciation of several peoples; and whatever their wishes, they inevitably had to end by dividing the exercise of sovereignty.

To understand clearly what the consequences of this division were, it is necessary to draw a brief distinction among the acts of sovereignty.

There are matters that are national by nature, that is, that relate only to the nation taken as a body, and can be entrusted only to the man or the assembly that most completely represents the entire nation. Among these I would place war and diplomacy.

There are others that are provincial by nature, that is, that relate only to certain localities and can be properly handled only in the locality itself. Such is the budget of the townships.

Finally, there are matters of a mixed nature: they are national, in that they concern all the individuals who compose the nation; they are provincial, in that there is no necessity for the nation itself to provide for them. Such are, for example, the rights that regulate the civil and political status of citizens. No social state exists without civil and political rights. These rights therefore concern all citizens equally; but it is not always necessary to the existence and prosperity of the nation that these rights be uniform, and consequently that they be regulated by the central power.

Among the matters with which sovereignty is concerned, there are thus two necessary categories; they are found in every well-constituted society, whatever the basis on which the social compact may have been established.

Between these two extremes, like a floating mass, lie the matters that are general but not national, which I have called mixed. Since these matters are neither exclusively national nor entirely provincial, the task of providing for them may be assigned to the national government or to the provincial government, according to the agreements made by those who associate, without the purpose of the association ceasing to be achieved.

Most often, mere individuals unite to form the sovereign, and their union makes up a people. Below the general government

they have given themselves, one then finds only individual forces or collective powers, each of which represents a very tiny fraction of the sovereign. Then, too, it is the general government that is most naturally called upon to regulate not only the matters that are national in their essence, but most of the mixed matters I have already mentioned. The localities are reduced to the portion of sovereignty indispensable to their well-being.

Sometimes, owing to a fact prior to the association, the sovereign turns out to be composed of political bodies that are already organized; it then happens that the provincial government takes charge of providing not only for the matters that are exclusively provincial by nature, but also for all or part of the mixed matters just discussed. For the confederated nations, which were themselves sovereigns before their union and which, although united, continue to represent a very considerable fraction of the sovereign, intended to cede to the general government only the exercise of the rights indispensable to the Union.

When the national government, apart from the prerogatives inherent in its nature, finds itself vested with the right to regulate the mixed matters of sovereignty, it possesses a preponderant strength. Not only does it have many rights, but all the rights it does not have are at its mercy, and it is to be feared that it may go so far as to strip the provincial governments of their natural and necessary prerogatives.

When, on the contrary, it is the provincial government that is vested with the right to regulate the mixed matters, an opposite tendency prevails in society. The preponderant strength then resides in the province, not in the nation; and one must fear that the national government will end by being stripped of the privileges necessary to its existence.

Single peoples are thus naturally drawn toward centralization, and confederations toward dismemberment.

STATES AND UNION COMPARED

Interests, habits, and feelings bind Americans to their states, and the federal government cannot coerce a resisting state.

It remains only to apply these general ideas to the American Union.

To the individual states necessarily fell the right to regulate purely provincial matters.

In addition, these same states retained the right to determine the civil and political capacity of citizens, to regulate the relations of men with one another, and to dispense justice to them; these are rights that are general by nature, but that do not necessarily belong to the national government.

We have seen that the government of the Union was delegated the power to command in the name of the whole nation in cases where the nation would have to act as one and the same individual. It represented the nation in its dealings with foreigners; it directed the common forces against the common enemy. In a word, it dealt with the matters that I have called exclusively national.

In this division of the rights of sovereignty, the Union's share still seems at first glance larger than that of the states; a somewhat closer examination shows that it is in fact smaller.

The government of the Union carries out vaster undertakings, but one rarely feels it act. The provincial government does smaller things, but it never rests and reveals its existence at every moment.

The government of the Union watches over the general interests of the country; but the general interests of a people have only a debatable influence on individual happiness.

The affairs of the province, on the contrary, visibly affect the well-being of those who live in it.

The Union ensures the independence and greatness of the nation, things that do not directly touch private individuals. The

state maintains liberty, regulates rights, guarantees fortunes, and secures the life and the whole future of each citizen.

The federal government is placed at a great distance from its subjects; the provincial government is within reach of all. One need only raise one's voice to be heard by it. The central government has on its side the passions of a few superior men who aspire to direct it; on the side of the provincial government lies the interest of second-rank men who hope to obtain power only within their own state; and it is these men who, placed close to the people, exercise the most power over them.

The Americans therefore have far more to hope for and to fear from the state than from the Union; and, following the natural course of the human heart, they must attach themselves far more keenly to the former than to the latter.

In this, habits and feelings are in accord with interests.

When a compact nation divides its sovereignty and becomes a confederation, memories, customs, and habits struggle for a long time against the laws and give the central government a strength the laws deny it. When confederated peoples unite under a single sovereignty, the same causes act in the opposite direction. I have no doubt that if France became a confederated republic like that of the United States, its government would at first show itself more energetic than that of the Union; and if the Union constituted itself a monarchy like France, I think the American government would for some time remain feebler than ours. At the moment when national life was created among the Anglo-Americans, provincial existence was already old; necessary relations had been established between the townships and the individuals of the same states; people there had grown used to considering certain matters from a common point of view, and to concerning themselves exclusively with certain undertakings as representing a special interest.

The Union is an immense body that offers patriotism a vague object to embrace. The state has fixed forms and circumscribed bounds; it represents a certain number of things known and dear to those who live in it. It merges with the very image of the

land, and identifies itself with property, with the family, with memories of the past, with the labors of the present, with dreams of the future. Patriotism, which most often is merely an extension of individual selfishness, has therefore remained in the state and has, so to speak, not passed to the Union.

Thus interests, habits, and feelings combine to concentrate real political life in the state, and not in the Union.

One can easily judge the difference in strength between the two governments by watching each of them move within the sphere of its power.

Whenever a state government addresses a man or an association of men, its language is clear and imperative; the same is true of the federal government when it speaks to individuals; but as soon as it finds itself facing a state, it begins to parley: it explains its motives and justifies its conduct; it argues, it advises, it hardly ever commands. If doubts arise about the limits of the constitutional powers of each government, the provincial government boldly claims its right and takes prompt and vigorous measures to uphold it. Meanwhile the government of the Union reasons; it appeals to the nation's good sense, to its interests, to its glory; it temporizes, it negotiates; only when reduced to the last extremity does it finally resolve to act. At first glance, one might think that it is the provincial government that is armed with the forces of the whole nation, and that Congress represents a single state.

Thus the federal government, despite the efforts of those who constituted it, is, as I have already said elsewhere, by its very nature a weak government, one that, more than any other, needs the free cooperation of the governed in order to survive.

It is easy to see that its purpose is to carry out with ease the will the states have to remain united. Once this first condition is met, it is wise, strong, and agile. It was organized so that it would ordinarily face only individuals, and would easily overcome any resistance that might be offered to the common will; but the federal government was not established in the expecta-

tion that the states, or several of them, would cease to wish to be united.

If the sovereignty of the Union were today to enter into a struggle with that of the states, one can easily foresee that it would succumb; I even doubt that the battle would ever be seriously joined. Whenever stubborn resistance is offered to the federal government, it will be seen to give way. Experience has so far proved that when a state obstinately wanted something and resolutely demanded it, it never failed to obtain it; and that when it flatly refused to act[154], it was left free to do as it chose.

Even if the government of the Union had a strength of its own, the material situation of the country would make it very difficult to use[155].

The United States covers an immense territory; long distances separate the states; the population is scattered across regions that are still half empty. If the Union undertook to keep the confederated states to their duty by force of arms, its position would be similar to the one England occupied during the War of Independence.

Besides, even a strong government could escape only with difficulty the consequences of a principle once it has itself admitted that principle as the foundation of the public law that is to govern it. The confederation was formed by the free will of the states; in uniting, they did not lose their nationality and did not merge into one and the same people. If today one of these same states wished to withdraw its name from the contract, it would be rather difficult to prove to it that it cannot do so. In opposing it, the federal government would have the clear support of neither force nor right.

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154 TOCQUEVILLE'S NOTE. See the conduct of the Northern states in the War of 1812. "During that war," says Jefferson in a letter of March 17, 1817, to General Lafayette, "four of the Eastern states were bound to the rest of the Union only as corpses are bound to living men." (*Correspondence of Jefferson*, published by M. Conseil.)

155 TOCQUEVILLE'S NOTE. The state of peace in which the Union finds itself gives it no pretext for having a standing army. Without a standing army, a government has nothing prepared in advance to take advantage of the favorable moment, overcome resistance, and seize sovereign power by surprise.

For the federal government to overcome with ease the resistance that some of its subjects might put up, the particular interest of one or more of them would have to be closely bound up with the existence of the Union, as has often been seen in the history of confederations.

Suppose that among the states joined by the federal bond, there are a few that alone enjoy the chief advantages of union, or whose prosperity depends entirely on the fact of union. Clearly the central power will find in those states very great support for keeping the others in obedience. But then it will no longer draw its strength from itself; it will draw it from a principle contrary to its nature. Peoples form confederations only to obtain equal advantages from union, and in the case just described, the federal government is powerful precisely because inequality reigns among the united nations.

Suppose further that one of the confederated states has gained enough preponderance to seize the central power on its own. It will regard the other states as its subjects, and under the guise of the so-called sovereignty of the Union, it will enforce its own sovereignty. Great things will then be done in the name of the federal government, but in truth that government will no longer exist[156].

In both cases, the power acting in the name of the confederation grows stronger the further one departs from the natural condition and the recognized principle of confederations.

In America, the current union is useful to all the states, but essential to none of them. Several states could break the federal bond without endangering the fate of the others, though the sum of their happiness would be smaller. Since no state's existence or prosperity is entirely bound up with the present confed-

156 TOCQUEVILLE'S NOTE. Thus the province of Holland, in the republic of the Netherlands, and the emperor, in the Germanic Confederation, at times put themselves in the place of the Union and exploited federal power for their own particular interest.

TRANSLATOR'S NOTE. By "Germanic Confederation" Tocqueville here means the Holy Roman Empire, whose emperor often used imperial institutions to serve Habsburg interests.

eration, neither is any state disposed to make very great sacrifices of its own to preserve it.

On the other hand, there is no state that, for the present, has any great interest of ambition in maintaining the confederation as we see it today. Not all of them, no doubt, wield the same influence in the federal councils, but none can flatter itself that it will dominate them, or can treat its fellow members as inferiors or subjects.

It therefore seems certain to me that if one part of the Union seriously wished to separate from the other, not only could it not be prevented, but no one would even try to prevent it. The current Union, then, will last only as long as all the states that compose it continue to wish to belong to it.

WHAT HOLDS THE UNION TOGETHER

Shared material interests and common opinions give every part of the Union reasons to remain united.

With this point settled, we can proceed more easily: the question is no longer whether the states now confederated can separate, but whether they will wish to remain united.

Among all the reasons that make the current union useful to the Americans, there are two principal ones whose force is plain for anyone to see.

Although the Americans are, so to speak, alone on their continent, commerce makes neighbors of all the peoples with whom they trade. Despite their apparent isolation, then, the Americans need to be strong, and they can be strong only by all remaining united.

By breaking apart, the states would not only reduce their strength in relation to foreigners; they would create foreigners on their own soil. From then on they would enter into a system of internal customs duties; they would divide valleys with imaginary lines; they would imprison the course of rivers and hinder in every way the development of the immense continent that God has granted them as their domain.

Today they have no invasion to fear, and consequently no armies to maintain and no taxes to levy; if the Union were to break apart, the need for all these things might soon make itself felt.

The Americans therefore have an immense interest in remaining united.

On the other hand, it is almost impossible to discover what kind of material interest any part of the Union could have, for the present, in separating from the others.

When you look at a map of the United States and see the chain of the Allegheny Mountains running from northeast to southwest and crossing the country over a distance of 400 leagues, you are tempted to believe that Providence meant to raise, between the Mississippi basin and the Atlantic coast, one of those natural barriers that, by obstructing lasting relations among men, form as it were the necessary boundaries between different peoples.

But the average height of the Alleghenies does not exceed 800 meters[157]. Their rounded summits and the broad valleys enclosed within their folds offer easy access in a thousand places. What is more, the principal rivers that empty into the Atlantic Ocean—the Hudson, the Susquehanna, the Potomac[158]—have their sources beyond the Alleghenies, on an open plateau bordering the Mississippi basin. Setting out from this region[159], they force their way through the rampart that seemed bound to turn them back westward, and they cut, through the heart of the mountains, natural roads always open to man.

No barrier, then, rises between the different parts of the country now occupied by the Anglo-Americans. Far from serving as boundaries between peoples, the Alleghenies do not even mark the limits of states. New York, Pennsylvania, and Vir-

157 TOCQUEVILLE'S NOTE. Average height of the Alleghenies, according to Volney (*View of the United States*, p. 33), 700 to 800 meters; 5,000 to 6,000 feet, according to Darby. The highest point of the Vosges is 1,400 meters above sea level.

TRANSLATOR'S NOTE. William Darby (1775–1854), American geographer, author of a *View of the United States* (1828), not to be confused with Volney's book.

158 TOCQUEVILLE'S NOTE. See the map at the end of the first volume.

159 TOCQUEVILLE'S NOTE. See *View of the United States*, by Darby, pp. 64 and 79.

ginia enclose them within their borders and extend as far to the west of these mountains as to the east[160].

The territory now occupied by the twenty-four states of the Union and the three large districts that, though already inhabited, have not yet been admitted as states covers an area of 131,144 square leagues[161]; that is, it already has a surface almost five times that of France. Within these limits are found varied soils, different climates, and very diverse products.

This great expanse of territory occupied by the Anglo-American republics has given rise to doubts about whether their union can be maintained. Here a distinction must be made. Opposing interests sometimes arise in the different provinces of a vast empire and end by coming into conflict; it then happens that the size of the state is what most endangers its survival. But if the men who cover this vast territory have no opposing interests among themselves, its very extent must serve their prosperity, for unity of government greatly favors the exchange of the different products of the soil, and by making them easier to sell, it increases their value.

Now, I do see different interests in the different parts of the Union, but I find none that are opposed to one another.

The Southern states are almost exclusively agricultural; the Northern states are chiefly manufacturing and commercial; the Western states are at once manufacturing and agricultural. In the South, they grow tobacco, rice, cotton, and sugar; in the North and West, corn and wheat. These are diverse sources of wealth; but there is one means of drawing on them that is common to all and equally favorable to all: union.

The North, which carries the wealth of the Anglo-Americans to every part of the world and the wealth of the world into the

160 TOCQUEVILLE'S NOTE. The Allegheny chain is no higher than that of the Vosges, and presents fewer obstacles than the latter to the efforts of human industry. The lands on the eastern slope of the Alleghenies are therefore as naturally linked to the Mississippi valley as Franche-Comté, upper Burgundy, and Alsace are to France.

161 TOCQUEVILLE'S NOTE. 1,002,600 square miles. See *View of the United States, by Darby*, p. 435.

heart of the Union, has an obvious interest in the confederation remaining as it is today, so that the number of American producers and consumers it is called upon to serve may remain as large as possible. The North is the most natural intermediary between the South and West of the Union on the one hand and the rest of the world on the other; the North must therefore wish the South and West to remain united and prosperous, so that they may supply raw materials to its factories and cargo to its ships.

The South and West, for their part, have an even more direct interest in preserving the Union and in the prosperity of the North. The products of the South are largely exported overseas; the South and West therefore need the commercial resources of the North. They must want the Union to have great naval power so that it can protect them effectively. The South and West should willingly contribute to the cost of a navy, even though they have no ships; for if the fleets of Europe came to blockade the ports of the South and the delta of the Mississippi, what would become of the rice of the Carolinas, the tobacco of Virginia, and the sugar and cotton that grow in the valleys of the Mississippi? There is therefore no part of the federal budget that is not devoted to preserving a material interest common to all the members of the confederation.

Apart from this commercial usefulness, the South and the West of the Union find a great political advantage in remaining united with each other and with the North.

The South contains within it an immense enslaved population, a population that is threatening in the present and more threatening still in the future.

The Western states occupy the floor of a single valley. The rivers that water the territory of these states, rising in the Rocky Mountains or the Alleghenies, all mingle their waters with those of the Mississippi and roll on with it toward the Gulf of Mexico. By their position, the Western states are entirely cut off from the traditions of Europe and the civilization of the Old World.

The inhabitants of the South must therefore wish to preserve the Union so as not to be left alone face to face with the Black population, and the inhabitants of the West so as not to find themselves shut up in the interior of America without free communication with the world.

The North, for its part, must want the Union not to divide, so that it may remain the link that joins this great body to the rest of the world.

There is therefore a close bond among the material interests of all parts of the Union.

I will say as much of the opinions and feelings that might be called man's immaterial interests.

The inhabitants of the United States talk a great deal about their love of country; I confess that I place no trust in that calculated patriotism which rests on interest and which interest, by changing its object, can destroy.

Nor do I attach very great importance to the language of the Americans when they declare every day their intention to preserve the federal system their fathers adopted.

What keeps a great number of citizens under the same government is much less a reasoned will to remain united than the instinctive and, in a sense, involuntary agreement that arises from similar feelings and like opinions.

I will never grant that men form a society merely because they recognize the same leader and obey the same laws. There is a society only when men view a great many things in the same light; when they hold the same opinions on a great many subjects; when, in short, the same facts give rise in them to the same impressions and the same thoughts.

Anyone who studied what happens in the United States from this point of view would readily discover that its inhabitants, divided as they are into twenty-four distinct sovereignties, nonetheless form a single people. He might even come to think that a true state of society exists more fully within the Anglo-American Union than among certain nations of Europe that have only one body of law and submit to a single man.

Although the Anglo-Americans have several religions, they all have the same way of regarding religion.

They do not always agree on the means to be used for governing well, and they differ on some of the forms that government ought to take; but they agree on the general principles that should rule human societies. From Maine to the Floridas, from Missouri to the Atlantic Ocean, people believe that the source of all legitimate power lies in the people. They hold the same ideas about liberty and equality; they profess the same opinions on the press, the right of association, the jury, and the accountability of those who exercise authority.

If we pass from political and religious ideas to the philosophical and moral opinions that govern the daily actions of life and direct conduct as a whole, we will observe the same agreement.

The Anglo-Americans[162] place moral authority in universal reason, as they place political power in the whole body of citizens, and they hold that it is to the judgment of all that one must defer in discerning what is permitted or forbidden, what is true or false. Most of them think that knowledge of one's self-interest rightly understood is enough to lead a man toward what is just and honorable. They believe that each person at birth has received the capacity to govern himself, and that no one has the right to force his fellow man to be happy.[163] All have a lively faith in human perfectibility; they judge that the spread of enlightenment must necessarily produce useful results, and ignorance harmful effects. All regard society as a body in progress, and humanity as a changing picture in which nothing is or should be fixed forever; and they accept that what seems good to them today may tomorrow be replaced by the better that still lies hidden.

162 TOCQUEVILLE'S NOTE. I hardly need say, I think, that by the expression *the Anglo-Americans* I mean only the great majority of them. Outside this majority there are always a few isolated individuals.

163 "Self-interest rightly understood" (intérêt bien entendu) is the doctrine, developed at length in 2.2.8, that enlightened regard for one's own advantage leads people to serve one another.

I do not say that all these opinions are correct, but they are American.

While the Anglo-Americans are thus united among themselves by common ideas, they are separated from all other peoples by a feeling of pride.

For fifty years the inhabitants of the United States have been told again and again that they are the only religious, enlightened, and free people. They see that among them democratic institutions have so far prospered, while they fail in the rest of the world; they therefore have an immense opinion of themselves, and they are not far from believing that they form a species apart within the human race.

NORTH, SOUTH, AND RAPID GROWTH

Slavery breeds different characters in North and South, and fast-growing new states strain the federal bond.

Thus the dangers that threaten the American Union arise no more from the diversity of opinions than from the diversity of interests. They must be sought in the variety of characters and in the passions of the Americans.

The men who inhabit the immense territory of the United States are almost all descended from a common stock; but over time climate, and above all slavery, have introduced marked differences between the character of the English in the South of the United States and the character of the English in the North.

It is generally believed among us that slavery gives one portion of the Union interests opposed to those of the other. I have not observed this to be so. Slavery has not created interests in the South opposed to those of the North; but it has modified the character of the inhabitants of the South and given them different habits.

I have shown elsewhere what influence servitude has had on the commercial capacity of the Americans of the South; this same influence extends equally to their mores.

The slave is a servant who does not argue and submits to everything without a murmur. Sometimes he murders his master, but he never resists him. In the South there is no family so poor that it has no slaves. From birth, the Southern American finds himself invested with a kind of domestic dictatorship; the first notions he receives of life teach him that he was born to command, and the first habit he acquires is that of ruling without effort. Education therefore strongly tends to make the Southern American a haughty, hasty, irascible, violent man, ardent in his desires, impatient of obstacles, but easily discouraged if he cannot triumph at the first attempt.

The Northern American sees no slaves hurrying around his cradle. He does not even find free servants there, for most often he is reduced to providing for his own needs. Scarcely is he in the world when the idea of necessity presses on his mind from every side; he therefore learns early to know exactly, by his own experience, the natural limit of his power; he does not expect to bend by force the wills that will oppose his own, and he knows that to obtain the support of his fellows he must above all win their favor. He is therefore patient, reflective, tolerant, slow to act, and persevering in his designs.

In the Southern states, man's most pressing needs are always met. Thus the Southern American is not preoccupied with the material cares of life; someone else takes charge of thinking about them for him. Free on this score, his imagination turns toward other objects, greater and less precisely defined. The Southern American loves grandeur, luxury, glory, noise, pleasures, and above all idleness; nothing compels him to exert himself in order to live, and since he has no necessary work, he falls asleep and does not even undertake useful work.

With equality of fortunes prevailing in the North, and slavery no longer existing there, man finds himself as if absorbed by those same material cares that the white man disdains in the South. From childhood he is busy fighting poverty, and he learns to place comfort above all the pleasures of the mind and heart. Concentrated on the small details of life, his imagination

dies out; his ideas are fewer and less general, but they become more practical, clearer, and more precise. As he directs all the efforts of his intelligence to the sole study of well-being, he soon excels at it; he knows admirably how to make use of nature and of men to produce wealth; he understands wonderfully the art of making society contribute to the prosperity of each of its members, and of extracting the happiness of all from individual selfishness.

The man of the North has not only experience but knowledge; yet he does not prize science as a pleasure—he values it as a means, and he eagerly seizes only on its useful applications.

The Southern American is more spontaneous, wittier, more open, more generous, more intellectual, and more brilliant.

The Northern American is more active, more reasonable, more enlightened, and more skillful.

The one has the tastes, the prejudices, the weaknesses, and the greatness of all aristocracies.

The other, the qualities and the defects that characterize the middle class.

Bring two men together in society; give these two men the same interests and, in part, the same opinions; if their character, their education, and their civilization differ, there is every chance that they will not get along. The same remark applies to a society of nations.

Slavery therefore attacks the American confederation not directly, through interests, but indirectly, through mores.

The states that joined the federal compact in 1790 numbered thirteen; the confederation counts twenty-four today. The population, which amounted to nearly four million in 1790, had quadrupled in the space of forty years; in 1830 it stood at nearly thirteen million[164].

Such changes cannot take place without danger.

For a society of nations, as for a society of individuals, there are three principal chances of survival: the wisdom of its members, their individual weakness, and their small number.

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164 TOCQUEVILLE'S NOTE. Census of 1790, 3,929,328; of 1830, 12,856,165.

The Americans who leave the shores of the Atlantic Ocean to push deep into the West are adventurers impatient of every kind of yoke, greedy for wealth, often cast out by the states in which they were born. They arrive in the midst of the wilderness without knowing one another. They find there no traditions, no family spirit, no examples to restrain them. Among them the rule of law is weak, and that of mores weaker still. The men who every day settle the valleys of the Mississippi are therefore inferior in every respect to the Americans who live within the old boundaries of the Union. Yet they already exercise great influence in its councils, and they come to the management of common affairs before they have learned to govern themselves[165].

The weaker the members are individually, the better the society's chances of lasting, for then their only security lies in remaining united. When, in 1790, the most populous of the American republics did not have 500,000 inhabitants[166], each of them felt its insignificance as an independent people, and this thought made obedience to federal authority easier for it. But when one of the confederated states has 2,000,000 inhabitants, like the state of New York, and covers a territory equal in area to a quarter of France[167], it feels strong in itself; and while it continues to desire union as useful to its well-being, it no longer regards it as necessary to its existence; it can do without it; and, consenting to remain in it, it soon wants to predominate there.

The mere multiplication of the members of the Union would by itself tend powerfully to break the federal bond. Not all men placed at the same point of view see the same objects in the same way. This is all the more true when the point of view is dif-

165 TOCQUEVILLE'S NOTE. This, it is true, is only a passing danger. I have no doubt that in time society will settle and become orderly in the West, as it has already done on the shores of the Atlantic Ocean.

166 TOCQUEVILLE'S NOTE. Pennsylvania had 431,373 inhabitants in 1790.

167 TOCQUEVILLE'S NOTE. Area of the state of New York, 6,213 square leagues (500 square miles). See *View of United States, by Darby*, p. 435.

TRANSLATOR'S NOTE. The figure of 500 square miles is evidently a misprint in the original; New York covers roughly 50,000 square miles.

ferent. As the number of American republics increases, therefore, one sees the chance of gaining the assent of all of them to the same laws diminish.

Today the interests of the different parts of the Union are not opposed to one another; but who could foresee the various changes that the near future will bring about in a country where every day creates towns, and every five years creates nations?

Ever since the English colonies were founded, the number of inhabitants has doubled roughly every twenty-two years; I see no causes that should halt this progressive growth of the Anglo-American population within the next century. Before a hundred years have passed, I think that the territory occupied or claimed by the United States will be covered by more than a hundred million inhabitants and divided into forty states[168].

I grant that these hundred million people have no differing interests; on the contrary, I give them all an equal advantage in remaining united; and I say that by the very fact that they are a hundred million, forming forty distinct and unequally powerful nations, the maintenance of the federal government is no more than a happy accident.

I am quite willing to put faith in human perfectibility; but until men have changed their nature and been completely transformed, I will refuse to believe in the durability of a government whose task is to hold together forty different peoples spread

168 TOCQUEVILLE'S NOTE. If the population continues to double every twenty-two years for another century, as it has done for two hundred years, in 1852 the United States will number twenty-four million inhabitants, forty-eight million in 1874, and ninety-six million in 1896. This would be so even if lands unfit for cultivation were found on the eastern slope of the Rocky Mountains. The lands already occupied can very easily hold this number of inhabitants. A hundred million people spread over the land now occupied by the twenty-four states and the three territories that make up the Union would give only 762 individuals per square league, which would still be far below the average population of France, which is 1,006, and of England, which is 1,457; it would even remain below the population of Switzerland. Switzerland, despite its lakes and mountains, has 783 inhabitants per square league. See Malte-Brun, vol. 6, p. 92.

TRANSLATOR'S NOTE. Conrad Malte-Brun (1775–1826), Danish-born French geographer, author of a multivolume universal geography.

over an area equal to half of Europe[169], to prevent rivalries, ambition, and struggles among them, and to unite the action of their independent wills toward the accomplishment of the same designs.

POWER MOVES WEST

Population and influence shift to the Mississippi valley, leaving the declining South anxious and resentful.

But the greatest danger the Union runs as it grows comes from the continual shifting of forces that takes place within it.

From the shores of Lake Superior to the Gulf of Mexico, it is about four hundred French leagues as the crow flies. Along this immense line winds the frontier of the United States; sometimes it falls back inside these limits, but most often it pushes far beyond them into the wilderness. It has been calculated that along this whole vast front the whites advanced each year, on average, by seven leagues[170]. From time to time an obstacle arises: an unproductive district, a lake, an Indian nation unexpectedly encountered on the way. The column then halts for a moment; its two ends curve back upon themselves and, once they have joined, the advance begins again. There is something providential in this gradual and continuous march of the European race toward the Rocky Mountains: it is like a flood of men that rises unceasingly, lifted each day by the hand of God.

Behind this first line of conquerors, towns are built and vast states founded. In 1790 there were barely a few thousand pioneers scattered through the valleys of the Mississippi; today those same valleys contain as many people as the entire Union held in 1790. The population there amounts to nearly four million inhabitants[171]. The city of Washington was founded in 1800 at

169 TOCQUEVILLE'S NOTE. The territory of the United States has an area of 295,000 square leagues; that of Europe, according to Malte-Brun, vol. 6, p. 4, is 500,000.

170 TOCQUEVILLE'S NOTE. See *Legislative Documents*, 20th Congress, no. 117, p. 105.

171 TOCQUEVILLE'S NOTE. 3,672,317, census of 1830.

the very center of the American confederation; now it finds itself at one of its extremities. The representatives of the westernmost states[172], in order to take their seats in Congress, are already obliged to make a journey as long as that of a traveler going from Vienna to Paris.

All the states of the Union are being swept along toward wealth at the same time; but not all of them can grow and prosper in the same proportion.

In the north of the Union, branches detached from the Allegheny chain run out into the Atlantic Ocean and there form spacious roadsteads and harbors always open to the largest ships. From the Potomac onward, by contrast, following the coast of America down to the mouth of the Mississippi, one finds nothing but flat, sandy ground. In this part of the Union, the outlets of almost all the rivers are obstructed, and the ports that open here and there amid these lagoons do not offer ships the same depth, and offer commerce far fewer facilities than those of the North.

To this first inferiority, which arises from nature, is added another, which comes from the laws.

We have seen that slavery, which is abolished in the North, still exists in the South, and I have shown the baneful influence it exerts on the well-being of the master himself.

172 TOCQUEVILLE'S NOTE. From Jefferson, capital of the state of Missouri, to Washington is 1,019 miles, or 420 post leagues. (*American Almanac*, 1831, p. 48.)

The North must therefore be more commercial[173] and more industrious than the South. It is natural that population and wealth should flow there more rapidly,

The states along the Atlantic coast are already half settled. Most of the land there has an owner, so they cannot take in as many emigrants as the states of the West, which still offer a boundless field to enterprise. The Mississippi basin is far more fertile than the Atlantic coast. This reason, added to all the others, drives Europeans powerfully toward the West. The figures prove it beyond doubt.

If we take the United States as a whole, we find that over the last forty years the number of inhabitants has roughly tripled. But if we look only at the Mississippi basin, we find that in the same span of time the population[174] has grown thirty-one times larger[175].

Every day the center of federal power shifts. Forty years ago, most of the citizens of the Union lived along the coast, near the

173 TOCQUEVILLE'S NOTE. To judge the difference between the commercial activity of the South and that of the North, one need only glance at the following table:

In 1829, the vessels engaged in large-scale and small-scale trade belonging to Virginia, the two Carolinas, and Georgia (the four great states of the South) measured only 5,243 tons.

In the same year, the ships of the state of Massachusetts alone measured 17,322 tons. (*Legislative Documents*, 21st Congress, 2nd session, no. 140, p. 244.) Thus the state of Massachusetts alone had three times as many ships as the four states named above.

Yet the state of Massachusetts has an area of only 959 square leagues (7,335 square miles) and 610,014 inhabitants, while the four states I am speaking of have 27,204 square leagues (210,000 square miles) and 3,047,767 inhabitants. Thus the area of the state of Massachusetts is only a thirtieth of the area of the four states, and its population is one-fifth of theirs. (*View of the United States*, by Darby.) Slavery harms the commercial prosperity of the South in several ways: it diminishes the spirit of enterprise among the whites, and it prevents them from finding at their disposal the sailors they would need. Seamen are generally recruited only from the lowest class of the population. Now in the South it is the slaves who form this class, and it is difficult to use them at sea: their service would be inferior to that of whites, and there would always be reason to fear that they might revolt in the middle of the ocean, or run away on reaching foreign shores.

174 TOCQUEVILLE'S NOTE. *View of the United States, by Darby*, p. 444.

spot where Washington now stands. Today the majority lies farther inland and farther north. There can be no doubt that within twenty years it will be on the other side of the Alleghenies. If the Union endures, the Mississippi basin, by its fertility and its extent, is bound to become the permanent center of federal power. In thirty or forty years the Mississippi basin will have taken its natural place. It is easy to calculate that its population will then stand to that of the Atlantic states in a ratio of roughly 40 to 11. A few more years, then, and control of the Union will slip entirely away from the states that founded it, and the population of the Mississippi valleys will dominate the federal councils.

This steady gravitation of federal strength and influence toward the Northwest shows itself every ten years, when, after a general census, the number of representatives each state is to send to Congress is fixed anew[176].

In 1790 Virginia had nineteen representatives in Congress. That number went on rising until 1813, when it reached twenty-three. From then on it began to fall. By 1833 it was only twenty-

175 TOCQUEVILLE'S NOTE. Note that when I speak of the Mississippi basin, I do not include the parts of the states of New York, Pennsylvania and Virginia that lie west of the Alleghenies, although they should properly be considered part of it as well.

176 TOCQUEVILLE'S NOTE. It then becomes clear that over the previous ten years one state has increased its population by 5 percent, like Delaware, and another by 250 percent, like the Michigan Territory. Virginia discovers that in the same period it has increased the number of its inhabitants by 13 percent, while the neighboring state of Ohio has increased the number of its own by 61 percent. Look at the general table in the *National Calendar*, and you will be struck by how unequal the fortunes of the different states are.

one[177]. During the same period the state of New York followed the opposite course: in 1790 it had ten representatives in Congress; in 1813, twenty-seven; in 1823, thirty-four; in 1833, forty. Ohio had only one representative in 1803; in 1833 it had nineteen.

It is hard to imagine a lasting union between two peoples, one poor and weak, the other rich and strong, even if it were proved that the strength and wealth of the one are not the cause of the weakness and poverty of the other. Union is harder still to maintain at a time when one is losing strength and the other is gaining it.

This rapid and disproportionate growth of certain states threatens the independence of the others. If New York, with its two million inhabitants and its forty representatives, wished to lay down the law in Congress, it might well succeed. But even if the most powerful states did not seek to oppress the lesser ones, the danger would still exist, for it lies in the possibility of the act almost as much as in the act itself.

The weak rarely trust the justice and reason of the strong. The states that are growing more slowly than the rest therefore cast looks of mistrust and envy toward those that fortune favors. Hence the deep unease and vague restlessness one notices in

177 TOCQUEVILLE'S NOTE. We shall see below that in the most recent period Virginia's population grew by 13 percent. It is necessary to explain how a state's number of representatives can decrease when its population, far from decreasing, is growing.

I take as my example Virginia, which I have already mentioned. In 1823 the number of Virginia's deputies was in proportion to the total number of deputies of the Union. In 1833 the number of Virginia's deputies is likewise in proportion to the total number of deputies of the Union in 1833, and in proportion to the ratio of its population, which has grown over those ten years. The ratio of Virginia's new number of deputies to its old one will therefore be proportional, on the one hand, to the ratio of the new total number of deputies to the old one, and on the other, to the ratio between the rates of growth of Virginia and of the whole Union. Thus, for Virginia's number of deputies to stay the same, it is enough that the ratio of the smaller country's rate of growth to that of the larger be the inverse of the ratio of the new total number of deputies to the old one. And if the rate of growth of Virginia's population stands in even a slightly lower ratio to the rate of growth of the whole Union than the Union's new number of deputies does to the old, Virginia's number of deputies will be reduced.

one part of the Union, which contrast with the well-being and confidence that reign in the other. I believe that the hostile stance the South has taken has no other causes.

Of all Americans, the men of the South are the ones who ought to cling most to the Union, for they above all would suffer from being left to themselves; yet they are the only ones threatening to break the confederation apart. Why is this? It is easy to say. The South, which has given the confederation four presidents[178], which knows today that federal power is slipping away from it, which sees its number of representatives in Congress shrink every year while those of the North and West increase—the South, peopled by ardent and quick-tempered men, grows irritated and anxious. It turns its gaze sorrowfully upon itself; questioning the past, it asks itself every day whether it is not being oppressed. If it happens to discover that some law of the Union is not plainly in its favor, it cries out that force is being abused against it; it protests heatedly, and if its voice goes unheard, it grows indignant and threatens to withdraw from a partnership whose burdens it bears without enjoying its benefits.

"The tariff laws," said the inhabitants of Carolina in 1832, "enrich the North and ruin the South; for otherwise, how could one conceive that the North, with its inhospitable climate and barren soil, should keep increasing its wealth and power, while the South, which is a kind of garden of America, is rapidly falling into decline[179]?"

If the changes I have described came about gradually, so that each generation at least had time to pass away along with the order of things it had witnessed, the danger would be smaller. But there is something hasty—I might almost say revolutionary—in the progress society is making in America. The same citizen

178 TOCQUEVILLE'S NOTE. Washington, Jefferson, Madison and Monroe.

179 TOCQUEVILLE'S NOTE. See the report made by its committee to the Convention that proclaimed nullification in South Carolina.

TRANSLATOR'S NOTE. In November 1832 a South Carolina convention declared the federal tariffs of 1828 and 1832 null and void within the state, provoking the Nullification Crisis.

may have seen his state lead the Union and then become powerless in the federal councils. There are Anglo-American republics that have grown as fast as a man, that were born, grew up and reached maturity in thirty years.

Yet one must not imagine that the states losing power are being depopulated or wasting away. Their prosperity does not stop; they are even growing faster than any kingdom in Europe[180]. But they feel they are growing poorer because they are not getting rich as quickly as their neighbor, and they believe they are losing their power because they suddenly find themselves in contact with a power greater than their own[181]. It is therefore their feelings and passions that are wounded more than their interests. But is that not enough to put the confederation in danger? If, since the beginning of the world, peoples and kings had considered only their real advantage, men would scarcely know what war is.

Thus the greatest danger threatening the United States springs from their very prosperity. In some of the confederated states it tends to produce the intoxication that accompanies a rapid increase of fortune, and in the others the envy, mistrust and regret that most often follow its loss.

The Americans rejoice as they contemplate this extraordinary movement; it seems to me they ought to view it with regret and fear. Whatever they do, the Americans of the United States will become one of the greatest peoples in the world; their offspring will cover almost all of North America; the continent they inhabit is their domain, and it cannot escape them. What

180 TOCQUEVILLE'S NOTE. A country's population is surely the first element of its wealth. During the same period, from 1820 to 1832, in which Virginia lost two deputies in Congress, its population grew by 13.7 percent; that of the Carolinas by 15 percent, and that of Georgia by 51.5 percent (see the *American Almanac*, 1832, p. 162). Now Russia, the country in Europe where population is growing fastest, increases the number of its inhabitants in ten years by only 9.5 percent; France by 7 percent, and Europe as a whole by 4.7 percent (see Malte-Brun, vol. 6, p. 95).

181 TOCQUEVILLE'S NOTE. It must be admitted, however, that the fall in the price of tobacco over the last fifty years has considerably reduced the prosperity of Southern planters; but this fact is as independent of the will of the men of the North as of their own.

drives them, then, to take possession of it right now? Wealth, power and glory cannot fail to be theirs one day, and yet they rush toward this immense fortune as if they had only a moment left to seize it.

IS THE FEDERAL GOVERNMENT GROWING WEAKER?

Despite closer national ties, federal power has steadily given ground to the states since 1789.

I believe I have shown that the existence of the present confederation depended entirely on the agreement of all the confederated states to remain united. Starting from that premise, I have looked into the causes that might lead the various states to want to separate. But there are two ways for the Union to perish. One of the confederated states may wish to withdraw from the compact and thus violently break the common bond; most of the remarks I have made so far bear on this case. Or the federal government may gradually lose its power through a simultaneous tendency of the united republics to take back the use of their independence. The central power, stripped one by one of all its prerogatives and reduced by tacit agreement to impotence, would become unfit to fulfill its purpose, and the second Union would perish like the first, of a kind of senile debility.[182]

The gradual weakening of the federal bond, which ends in the annulment of the Union, is moreover a distinct fact in itself, which may bring about many other, less extreme results before producing that one. The confederation might still exist while the weakness of its government had already reduced the nation to impotence, caused anarchy at home and slowed the general prosperity of the country.

Having examined what drives the Anglo-Americans to disunite, it is therefore important to consider whether, if the Union endures, their government is enlarging or narrowing its sphere of action, and whether it is becoming more vigorous or weaker.

182 The first Union was the confederation under the Articles of Confederation (1781–1789), replaced by the Constitution.

The Americans are clearly preoccupied by one great fear. They see that among most peoples of the world the exercise of the rights of sovereignty tends to become concentrated in a few hands, and they are alarmed at the thought that it will end that way among them too. Even statesmen feel these terrors, or at least pretend to; for in America centralization is not popular, and there is no cleverer way to court the majority than to protest against the alleged encroachments of the central power. The Americans refuse to see that in the countries where this centralizing tendency that frightens them appears, there is only a single people, whereas the Union is a confederation of different peoples—a fact enough to upset every forecast based on analogy.

I confess that I regard these fears of a great many Americans as entirely imaginary. Far from sharing their dread of sovereignty being consolidated in the hands of the Union, I believe that the federal government is visibly growing weaker.

To prove what I claim on this point, I shall not draw on facts from the distant past, but on those I have been able to witness or that have taken place in our own time.

When one looks closely at what is happening in the United States, one easily discovers two contrary tendencies; they are like two currents flowing in opposite directions in the same bed.

In the forty-five years the Union has existed, time has disposed of a host of provincial prejudices that at first worked against it. The patriotic feeling that attached each American to his state has become less exclusive. As they have come to know one another better, the various parts of the Union have drawn closer together. The mail, that great bond between minds, now reaches into the depths of the wilderness[183]; steamboats link every point of the coast with one another every day. Commerce travels down and up the rivers of the interior with unpreceden-

183 TOCQUEVILLE'S NOTE. In 1832 the district of Michigan, which has only 31,639 inhabitants and is still a barely opened wilderness, had 940 miles of post roads. The almost entirely wild territory of Arkansas was already crossed by 1,738 miles of post roads. See *the Report of the post general*, November 30, 1833. Postage on newspapers alone brings in 254,796 dollars a year throughout the Union.

ted speed[184]. To these facilities created by nature and human skill are added the instability of desires, restlessness of mind and the love of wealth, which, constantly driving the American out of his home, bring him into contact with a great many of his fellow citizens. He travels his country in every direction; he visits all the populations that inhabit it. There is no province in France whose inhabitants know one another as thoroughly as the 13,000,000 people who cover the face of the United States.

As the Americans mingle, they assimilate; the differences that climate, origin, and institutions had placed between them grow smaller. They all come closer and closer to a common type. Every year thousands of men set out from the North and spread into every part of the Union. They bring with them their beliefs, their opinions, their mores; and since their enlightenment is superior to that of the men among whom they are going to live, they soon take control of affairs and reshape society to their advantage. This continual emigration from the North to the South does much to fuse all the provincial characters into a single national character. The civilization of the North therefore seems destined to become the common standard to which all the rest must one day conform.

As the industry of the Americans advances, the commercial ties that bind all the confederated states grow tighter, and union becomes part of their habits after first being part of their opinions. As time goes on, it is completing the disappearance of a host of fanciful terrors that tormented the imaginations of the men of 1789. The federal power has not become oppressive. It has not destroyed the independence of the states. It is not leading the confederates toward monarchy. Within the Union, the small states have not fallen into dependence on the large ones. The confederation has continued to grow without pause in population, in wealth, and in power.

184 TOCQUEVILLE'S NOTE. In the course of ten years, from 1821 to 1831, 271 steamboats were launched on the rivers of the Mississippi valley alone.

In 1829 there were 256 steamboats in the United States. See *Legislative Documents*, no. 140, p. 274.

I am therefore convinced that in our time the Americans face fewer natural obstacles to living united than they did in 1789; the Union has fewer enemies than it had then.

And yet, if one studies the history of the United States over the past forty-five years with care, one will easily be convinced that the federal power is declining.

It is not hard to point out the causes of this phenomenon.

When the constitution of 1789 was promulgated, everything was perishing in anarchy. The Union that replaced this disorder aroused much fear and hatred; but it had ardent friends, because it was the expression of a great need. Though it was more under attack then than it is today, the federal power therefore quickly reached the height of its strength, as usually happens to a government that triumphs after straining its forces to the utmost in a struggle. At that time, interpretation of the constitution seemed to extend federal sovereignty rather than restrict it. In several respects the Union presented the spectacle of one and the same people, directed at home as abroad by a single government.

But to reach this point, the people had in a sense risen above themselves.

The constitution had not destroyed the individuality of the states, and all bodies, of whatever kind, have a secret instinct that draws them toward independence. This instinct is even more pronounced in a country like America, where each village forms a kind of republic accustomed to governing itself.

So the states that submitted to federal preponderance had to make an effort. And every effort, even one crowned with great success, cannot fail to weaken along with the cause that gives rise to it.

As the federal government consolidated its power, America resumed its rank among the nations. Peace returned to the frontiers, and public credit recovered. Confusion gave way to a settled order that allowed individual industry to follow its natural course and to develop in freedom.

It was this very prosperity that began to make people lose sight of the cause that had produced it. Once the danger had passed, the Americans no longer found in themselves the energy and patriotism that had helped to avert it. Freed from the fears that had preoccupied them, they easily slipped back into their habitual ways and gave themselves up without resistance to the ordinary bent of their inclinations. As soon as a strong government no longer seemed necessary, people began once more to think it a hindrance. Everything prospered with the Union, and no one turned away from the Union; but people wanted to feel the action of the power that represented it as little as possible. In general they wished to remain united, and in each particular case they tended to become independent again. Each day the principle of confederation was more readily accepted and less applied. Thus the federal government, by creating order and peace, itself brought about its own decline.

As soon as this frame of mind began to show itself openly, party men, who live off the passions of the people, set about exploiting it for their own benefit.

From then on the federal government found itself in a very critical position. Its enemies enjoyed popular favor, and it was by promising to weaken the government that one won the right to direct it.

From that time on, whenever the government of the Union has entered the lists against the governments of the states, it has almost always given ground. Whenever the terms of the federal constitution have had to be interpreted, the interpretation has most often gone against the Union and in favor of the states.

PUBLIC WORKS, INDIAN LANDS, AND THE BANK

Disputes over internal improvements, Indian and public lands, and the Bank show the federal government retreating.

The Constitution gave the federal government the task of providing for national interests. It had been thought that the federal government should undertake or encourage, within the

country, the great enterprises likely to increase the prosperity of the whole Union (*internal improvements*), such as canals.

The states took fright at the idea of an authority other than their own disposing in this way of part of their territory. They feared that the central power would thereby acquire a formidable patronage within their own borders and would come to exercise there an influence they wished to reserve entirely for their own agents.

The democratic party, which has always opposed every extension of federal power, therefore raised its voice. Congress was accused of usurpation, and the head of state of ambition. Intimidated by this outcry, the central government ended by acknowledging its error itself and confining itself strictly to the sphere marked out for it.

The constitution gives the Union the privilege of treating with foreign peoples. The Union had generally regarded the Indian tribes along the frontiers of its territory in this light. As long as these Indians were willing to flee before civilization, the federal right went unchallenged. But from the day an Indian tribe tried to settle in one place, the surrounding states claimed a right of possession over those lands and a right of sovereignty over the men who belonged to the tribe. The central government hastened to recognize both claims. After treating with the Indians as independent peoples, it handed them over as subjects to the legislative tyranny of the states[185].

Several of the states that had formed along the Atlantic coast stretched indefinitely westward into wildernesses where Europeans had not yet penetrated. Those whose boundaries were irrevocably fixed looked with jealousy on the immense future open to their neighbors. In a spirit of conciliation, and to

185 TOCQUEVILLE'S NOTE. See, in the legislative documents I have already cited in the chapter on the Indians, the letter of the President of the United States to the Cherokees, his correspondence with his agents on this subject, and his messages to Congress.

TRANSLATOR'S NOTE. The President was Andrew Jackson, who backed Georgia's claims over Cherokee lands and pressed for the removal of the tribe west of the Mississippi.

ease the act of Union, those neighbors agreed to set limits for themselves, and ceded to the confederation all the territory that might lie beyond them[186].

Since that time the federal government has owned all the uncultivated land lying outside the thirteen original confederated states. The federal government divides this land and sells it, and the money it brings in is paid exclusively into the treasury of the Union. With this revenue the federal government buys their lands from the Indians, opens roads in the new districts, and does all in its power to foster the rapid development of society there.

Now it has come about that, over time, new states have formed in these same wildernesses once ceded by the inhabitants of the Atlantic seaboard. Congress has continued to sell, for the benefit of the whole nation, the uncultivated lands these states still contain within their borders. But these states now claim that, once constituted, they should have the exclusive right to apply the proceeds of these sales to their own use. As these demands became more and more threatening, Congress thought it necessary to take from the Union part of the privileges it had enjoyed until then. At the end of 1832 it passed a law that did not cede ownership of their uncultivated lands to the new republics of the West, but did apply the greater part of the revenue drawn from those lands to their benefit alone[187].

One need only travel through the United States to appreciate the advantages the country draws from the Bank. These advantages are of several kinds; but one above all strikes the foreigner. The notes of the Bank of the United States are accepted at the

186 TOCQUEVILLE'S NOTE. The first act of cession was made by the state of New York in 1780; Virginia, Massachusetts, Connecticut, South Carolina, and North Carolina followed this example at various times. Georgia was the last; its act of cession dates only from 1802.

187 TOCQUEVILLE'S NOTE. The President, it is true, refused to sign this law, but he fully accepted its principle. See the *Message of December 8, 1833*.

edge of the wilderness at the same value as in Philadelphia, where its operations are based[188].

Yet the Bank of the United States is the object of intense hatred. Its directors declared themselves against the President, and they are accused, not implausibly, of having abused their influence to hinder his election. So the President attacks the institution they represent with all the ardor of personal enmity. What has encouraged him to pursue his vengeance in this way is that he feels supported by the secret instincts of the majority.

The Bank is the great monetary bond of the Union, just as Congress is its great legislative bond; and the same passions that tend to make the states independent of the central power tend toward the destruction of the Bank.

The Bank of the United States always holds a large number of notes belonging to the provincial banks, and it can at any time oblige them to redeem their notes in specie. The Bank itself, by contrast, has no such danger to fear: the size of its available resources allows it to meet every demand. Threatened in their very existence, the provincial banks are forced to show restraint and to put into circulation only a quantity of notes proportionate to their capital. The provincial banks endure this salutary control only with impatience. The newspapers in their pay, and the President, whom self-interest has made their mouthpiece, therefore attack the Bank with a kind of fury. They stir up local passions and the blind democratic instinct of the country against it. According to them, the directors of the Bank form a permanent aristocratic body whose influence cannot fail to be felt in the government. Sooner or later, they claim, it must corrupt the principles of equality on which American society rests.

The struggle between the Bank and its enemies is only one incident in the great battle being fought in America. The provinces are fighting the central power, and the spirit of inde-

188 TOCQUEVILLE'S NOTE. The current Bank of the United States was created in 1816 with a capital of 35,000,000 dollars (185,500,000 fr.); its charter expires in 1836. Last year Congress passed a law to renew it, but the President refused his assent. The struggle is now being waged on both sides with extreme violence, and it is easy to foresee the Bank's imminent fall.

pendence and democracy is fighting the spirit of hierarchy and subordination. I do not claim that the enemies of the Bank of the United States are exactly the same individuals who attack the federal government on other points. But I do say that the attacks on the Bank of the United States spring from the same instincts that work against the federal government. The great number of the Bank's enemies is an unfortunate symptom of the federal government's weakening.

NULLIFICATION AND GENERAL JACKSON

South Carolina defies the tariff and Congress yields; Jackson grows stronger while the presidency grows weaker.

But never did the Union show itself weaker than in the famous affair of the tariff[189].

The wars of the French Revolution and the war of 1812 had prevented free communication between America and Europe, and so had given rise to manufactures in the North of the Union. When peace had reopened the road to the New World for European goods, the Americans thought it necessary to establish a system of customs duties. It was meant both to protect their infant industry and to pay off the debts the war had forced them to contract.

The Southern states, which have no manufactures to encourage and live from agriculture alone, soon began to complain of this measure.

I do not intend to examine here how much of their complaint was imaginary and how much was real; I am stating the facts.

As early as 1820, South Carolina declared in a petition to Congress that the tariff law was *unconstitutional*, *oppressive*, and *unjust*. Since then Georgia, Virginia, North Carolina, Alabama, and Mississippi have made more or less vigorous protests to the same effect.

189 TOCQUEVILLE'S NOTE. For the details of this affair, see chiefly the *Legislative Documents*, 22nd Congress, 2nd session, no. 30.

Far from heeding these murmurs, Congress raised the tariff duties still higher in 1824 and 1828 and reaffirmed their principle.

Then the South brought forward, or rather revived, a famous doctrine that took the name of *nullification*.[190]

I showed in its proper place that the aim of the federal constitution was not to establish a league but to create a national government. In all the cases provided for by their constitution, the Americans of the United States form one and the same people. On all these points the national will is expressed, as among all constitutional peoples, by means of a majority. Once the majority has spoken, the duty of the minority is to submit.

Such is the legal doctrine. It is the only one consistent with the text of the Constitution and with the known intention of those who established it.

The *nullifiers* of the South claim, on the contrary, that the Americans, in uniting, did not intend to merge into one and the same people, but wished only to form a league of independent peoples. It follows that each state has kept its complete sovereignty, if not in action then at least in principle. Each state therefore has the right to interpret the laws of Congress, and to suspend within its borders the execution of those that seem to it contrary to the constitution or to justice.

The whole doctrine of nullification is summed up in a sentence spoken before the Senate of the United States in 1833 by Mr. Calhoun, the acknowledged leader of the Southern nullifiers:[191]

"The Constitution," he said, "is a contract in which the states appeared as sovereigns. Now, whenever a contract is made between parties that recognize no common arbiter, each of them retains the right to judge for itself the extent of its obligation."

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190 Nullification held that a state could declare a federal law void within its borders; it drew on the Virginia and Kentucky Resolutions of 1798.

191 John C. Calhoun (1782–1850), senator from South Carolina and former vice president, chief theorist of states' rights.

It is plain that such a doctrine destroys the federal bond in principle and in practice brings back the anarchy from which the constitution of 1789 had delivered the Americans.

When South Carolina saw that Congress remained deaf to its complaints, it threatened to apply the nullifiers' doctrine to the federal tariff law. Congress persisted in its system; at last the storm broke.

In the course of 1832, the people of South Carolina[192] elected a national convention to consider the extraordinary measures that remained to be taken; and on November 24 of the same year, this convention published, under the name of an ordinance, a law that declared the federal tariff law null and void, forbade the collection of the duties it imposed, and forbade the acceptance of any appeals that might be made to the federal courts[193]. This ordinance was not to take effect until the following February, and it was indicated that if Congress modified the tariff before then, South Carolina might agree not to carry its threats any further. Later, a desire was expressed, though in a vague and indefinite way, to submit the question to an extraordinary assembly of all the confederated states.

Meanwhile, South Carolina was arming its militias and preparing for war.

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192 TOCQUEVILLE'S NOTE. That is, a majority of the people; for the opposing party, called the Union Party, always had a very strong and very active minority on its side. South Carolina may have about 47,000 voters; 30,000 were in favor of nullification, and 17,000 against it.

193 TOCQUEVILLE'S NOTE. This ordinance was preceded by the report of a committee charged with drafting it: the report sets out the reasoning and the purpose of the law. On p. 34 we read: "When the rights reserved to the several states by the Constitution are deliberately violated, it is the right and the duty of those states to intervene, in order to arrest the progress of the evil, to resist the usurpation, and to keep within their respective limits the powers and privileges that belong to them as *independent sovereigns*. If the states did not possess this right, they would claim to be sovereign in vain. South Carolina declares that it recognizes no tribunal on earth placed above it. It is true that it has entered, with other states sovereign like itself, into a solemn contract of union (*a solemn contract of union*), but it claims, and will exercise, the right to explain what that contract means in its eyes; and when the contract is violated by its partners and by the government they have created, it intends to use the evident (*unquestionable*) right to judge the extent of the infringement and the measures to be taken to obtain justice."

What did Congress do? Congress, which had not listened to its subjects when they pleaded, gave ear to their complaints as soon as it saw weapons in their hands[194]. It passed a law[195] under which the duties set by the tariff were to be reduced gradually over ten years, until they had been brought down so as not to exceed the needs of the government. Thus Congress completely abandoned the principle of the tariff. For a duty protecting industry it substituted a purely fiscal measure[196]. To disguise its defeat, the government of the Union resorted to an expedient much favored by weak governments: while yielding on the facts, it showed itself inflexible on principles. At the same time as Congress was changing the tariff legislation, it passed another law by which the president was invested with extraordinary power to overcome by force a resistance that was by then no longer to be feared.

South Carolina would not even consent to leave the Union these faint appearances of victory. The same national convention that had nullified the tariff law met again and accepted the concession offered to it; but at the same time it declared that it held to the doctrine of the nullifiers only the more firmly, and to prove it, it annulled the law conferring extraordinary powers on the president, although it was quite certain that those powers would never be used.

Almost all the acts I have just described took place under the presidency of General Jackson. It cannot be denied that in the tariff affair he upheld the rights of the Union with skill and vigor. I believe, however, that among the dangers the federal

194 TOCQUEVILLE'S NOTE. What finally decided Congress on this measure was a show of action by the powerful state of Virginia, whose legislature offered to act as arbiter between the Union and South Carolina. Until then South Carolina had seemed entirely abandoned, even by the states that had protested along with it.

195 TOCQUEVILLE'S NOTE. Law of March 2, 1833.

196 TOCQUEVILLE'S NOTE. This law was proposed by Mr. Clay and passed both houses of Congress in four days by an immense majority.

TRANSLATOR'S NOTE. Henry Clay (1777–1852), senator from Kentucky, author of the Compromise Tariff of 1833.

power faces today must be counted the very conduct of the man who represents it.

Some people in Europe have formed an opinion about the influence General Jackson can exert in the affairs of his country that seems quite extravagant to those who have seen things up close.

People have heard that General Jackson won battles, that he was an energetic man, inclined by character and by habit to the use of force, eager for power, and a despot by taste. All of this may be true, but the conclusions drawn from these truths are great errors.

It has been imagined that General Jackson wished to establish a dictatorship in the United States, that he was going to make the military spirit reign there, and to give the central power an extension dangerous to provincial liberties. In America, the time for such undertakings and the age of such men have not yet come: had General Jackson wanted to dominate in this way, he would certainly have lost his political position and put his life at risk; and so he has not been reckless enough to try.

Far from wishing to extend federal power, the current president represents, on the contrary, the party that wants to restrict that power to the clearest and most precise terms of the constitution, and that does not allow that interpretation could ever favor the government of the Union; far from presenting himself as the champion of centralization, General Jackson is the agent of provincial jealousies; it is the *decentralizing* passions (if I may put it that way) that carried him to supreme power. It is by flattering those passions every day that he stays there and prospers. General Jackson is the slave of the majority: he follows it in its wishes, in its desires, in its half-revealed instincts—or rather he divines it and hurries to place himself at its head.

Whenever the government of the states comes into conflict with that of the Union, the president is almost always the first to doubt his own right; he nearly always runs ahead of the legislative power; when a question arises over how to interpret the extent of federal power, he sides, as it were, against himself; he

diminishes himself, veils himself, effaces himself. It is not that he is naturally weak or hostile to the Union; when the majority came out against the claims of the Southern nullifiers, he was seen to place himself at its head, to formulate clearly and forcefully the doctrines it professed, and to be the first to appeal to force. General Jackson, to use a comparison borrowed from the vocabulary of American parties, seems to me *Federalist* by taste and *Republican* by calculation.[197]

Having thus lowered himself before the majority to win its favor, General Jackson rises again; he then marches toward the objects it is itself pursuing, or those it does not view with a jealous eye, overturning every obstacle before him. Strong in a support his predecessors never had, he tramples his personal enemies wherever he finds them, with an ease no president has ever known; he takes upon his own responsibility measures that no one before him would ever have dared to take; he even at times treats the national representation with a kind of almost insulting disdain; he refuses to approve the laws of Congress, and often fails to answer that great body. He is a favorite who sometimes bullies his master. General Jackson's power, then, is constantly increasing; but the president's is diminishing. In his hands the federal government is strong; it will pass to his successor enfeebled.

Either I am strangely mistaken, or the federal government of the United States is growing weaker every day; it is withdrawing from affairs one after another, and narrowing more and more the circle of its action. Naturally weak, it is abandoning even the appearances of strength. On the other hand, I thought I saw that in the United States the feeling of independence was growing ever keener in the states, and the love of provincial government ever more pronounced.

People want the Union, but reduced to a shadow: they want it strong in certain cases and weak in all others; they claim that in time of war it should be able to gather into its hands the national

197 The early Federalists favored a strong national government; the Republicans of Jefferson's party defended the rights of the states.

forces and all the resources of the country, and that in time of peace it should hardly exist at all—as if such an alternation of feebleness and vigor were in the nature of things.

I see nothing that could, for the present, halt this general movement of opinion; the causes that gave rise to it continue to operate in the same direction. It will therefore go on, and one can predict that, unless some extraordinary circumstance arises, the government of the Union will grow weaker day by day.

I believe, however, that we are still far from the time when federal power, unable to protect its own existence and to give the country peace, will die out, so to speak, of its own accord. The Union is rooted in the mores; people desire it; its results are evident, its benefits visible. When people realize that the weakness of the federal government endangers the existence of the Union, I have no doubt that a reaction in favor of strength will arise.

Of all the federal governments established up to our day, the government of the United States is the one most naturally destined to act: so long as it is not attacked indirectly through the interpretation of its laws, so long as its substance is not profoundly altered, a change of opinion, an internal crisis, or a war could suddenly restore to it the vigor it needs.

What I have wished to establish is only this: many people among us think that in the United States there is a movement of opinion favoring the centralization of power in the hands of the President and Congress. I maintain that a contrary movement can plainly be observed there. Far from the federal government gaining strength as it grows older and threatening the sovereignty of the states, I say that it tends to grow weaker every day, and that the sovereignty of the Union alone is in peril. That is what the present reveals. What will be the final result of this tendency? What events could halt, delay, or hasten the movement I have described? The future hides them, and I do not claim to be able to lift its veil.

THE FUTURE OF REPUBLICAN INSTITUTIONS

The Union is an accident, but the republic is rooted in American laws, ideas, mores, and religion.

Republican institutions in the United States, and their chances of lasting

The Union only an accident—Republican institutions have more of a future—The republic, for the present, the natural state of the Anglo-Americans—Why—To destroy it, all the laws would have to be changed and all the mores modified at once—Difficulties the Americans find in creating an aristocracy

The dismemberment of the Union, by bringing war into the midst of the states now confederated, and with it standing armies, dictatorship, and taxes, could in the long run endanger the fate of republican institutions there.

Yet the future of the republic must not be confused with that of the Union.

The Union is an accident that will last only as long as circumstances favor it, but the republic seems to me the natural state of the Americans; and only the continuous action of contrary causes, always working in the same direction, could replace it with monarchy.

The Union exists chiefly in the law that created it. A single revolution, a change in public opinion, can shatter it forever. The republic has deeper roots.

What is meant by republic in the United States is the slow and quiet action of society upon itself. It is an orderly state truly founded on the enlightened will of the people. It is a conciliatory government, in which resolutions ripen over a long time, are debated slowly, and are carried out with mature judgment.

Republicans in the United States value mores, respect beliefs, and recognize rights. They hold the opinion that a people must be moral, religious, and moderate in proportion as it is free. What is called the republic in the United States is the quiet reign of the majority. The majority, once it has had time to recognize

itself and establish its existence, is the common source of powers. But the majority itself is not all-powerful. Above it, in the moral world, stand humanity, justice, and reason; in the political world, vested rights. The majority acknowledges these two barriers, and if it happens to cross them, it is because it has passions, like every man, and because, like men, it can do evil while discerning the good.

But in Europe we have made some strange discoveries.

The republic, according to some among us, is not the reign of the majority, as has been believed until now; it is the reign of those who take it upon themselves to answer for the majority. In such governments it is not the people who direct affairs, but those who know the people's greatest good: a happy distinction, which allows one to act in the name of nations without consulting them, and to claim their gratitude while trampling them underfoot. Republican government, moreover, is the only one to which the right to do anything at all must be granted, and the only one that may scorn what men have respected until now, from the highest laws of morality to the ordinary rules of common sense.

Until our time, people had thought that despotism was odious, whatever its forms. But in our day it has been discovered that there are legitimate tyrannies and holy injustices in the world, provided they are exercised in the name of the people.

The ideas the Americans have formed of the republic make it singularly easy for them to use it, and they ensure that it lasts. Among them, if the practice of republican government is often bad, at least the theory is good, and the people always end by bringing their acts into line with it.

It was impossible at the outset, and it would still be very difficult, to establish a centralized administration in America. Men are scattered over too vast a space and separated by too many natural obstacles for any one man to undertake to direct the details of their existence. America is therefore the land par excellence of provincial and township government.

To this cause, whose effect was felt equally by all the Europeans of the New World, the Anglo-Americans added several others that were peculiar to them.

When the colonies of North America were established, municipal liberty had already entered English laws as well as English mores, and the English emigrants adopted it not only as something necessary but as a good whose full value they knew.

We have seen, moreover, how the colonies had been founded. Each province, and so to speak each district, was peopled separately by men who were strangers to one another, or who had joined together for different purposes.

From the beginning, therefore, the English of the United States found themselves divided into a great number of small, distinct societies attached to no common center, and each of these small societies had to see to its own affairs, since nowhere was there a central authority that naturally ought to, and easily could, provide for them.

Thus the nature of the country, the very manner in which the English colonies were founded, the habits of the first emigrants —everything combined to develop township and provincial liberties there to an extraordinary degree.

In the United States, then, the whole body of the country's institutions is essentially republican; to destroy for any length of time the laws on which the republic is founded, one would in a sense have to abolish all the laws at once.

If in our day a party undertook to found a monarchy in the United States, it would be in an even more difficult position than a party that wished to proclaim the republic in France right now. Royalty would find no legislation prepared for it in advance, and then one would truly see a monarchy surrounded by republican institutions.[198]

The monarchical principle would find it just as hard to penetrate the mores of the Americans.

198 An ironic echo of the phrase associated with Lafayette in 1830, which presented Louis-Philippe's July Monarchy as "a popular throne surrounded by republican institutions."

In the United States, the dogma of the sovereignty of the people is not an isolated doctrine, tied neither to habits nor to the whole body of prevailing ideas. On the contrary, one can regard it as the last link in a chain of opinions that envelops the entire Anglo-American world. Providence has given each individual, whoever he may be, the degree of reason he needs to direct himself in the things that concern him alone. Such is the great maxim on which civil and political society rests in the United States: the father of a family applies it to his children, the master to his servants, the township to those it administers, the province to the townships, the state to the provinces, the Union to the states. Extended to the whole nation, it becomes the dogma of the sovereignty of the People.

Thus, in the United States, the generating principle of the republic is the same one that governs most human actions. The republic therefore penetrates, if I may put it this way, into the ideas, the opinions, and all the habits of the Americans at the same time as it establishes itself in their laws; and to succeed in changing the laws, they would in a sense have to come to change themselves entirely. In the United States, even the religion of the greatest number is republican. It submits the truths of the other world to individual reason, just as politics leaves the care of this world's interests to the good sense of all; and it allows each man freely to take the path that is to lead him to heaven, in the same way that the law recognizes each citizen's right to choose his government.

Clearly, only a long series of facts, all tending in the same direction, could replace this whole body of laws, opinions, and mores with a contrary body of mores, opinions, and laws.

If republican principles are to perish in America, they will succumb only after a long social labor, frequently interrupted and often resumed; several times they will seem to revive, and they will disappear for good only when an entirely new people has taken the place of the one that exists today. Now, nothing could portend such a revolution; no sign announces it.

What strikes you most on arriving in the United States is the kind of tumultuous movement in the midst of which political society finds itself. The laws change constantly, and at first glance it seems impossible that a people so unsure of its will should not soon come to replace its current form of government with an entirely new one. These fears are premature. Where political institutions are concerned, there are two kinds of instability that must not be confused. One attaches to secondary laws; it can reign for a long time within a well-settled society. The other constantly shakes the very foundations of the constitution and attacks the generating principles of the laws; it is always followed by disturbances and revolutions, and the nation that suffers it is in a violent and transitory state. Experience shows that these two kinds of legislative instability have no necessary link between them, for they have been seen to exist together or separately, depending on time and place. The first is found in the United States, but not the second. The Americans frequently change their laws, but the foundation of the constitution is respected.

In our day the republican principle reigns in America as the monarchical principle held sway in France under Louis XIV. The French of that time were not only friends of the monarchy; they could not even imagine that anything might be put in its place. They accepted it as one accepts the course of the sun and the changes of the seasons. Among them, royal power had no more advocates than adversaries.

That is how the republic exists in America: without struggle, without opposition, without proof, by a tacit agreement, a kind of *consensus universalis*.[199]

Nevertheless, I think that by changing their administrative procedures as often as they do, the inhabitants of the United States are compromising the future of republican government.

Since people are constantly hampered in their plans by the continual changeability of legislation, it is to be feared that they will end by regarding the republic as an inconvenient way of liv-

199 Latin: "universal consent."

ing in society. The harm resulting from the instability of secondary laws would then call into question the existence of the fundamental laws, and would indirectly bring about a revolution; but that time is still very far from us.

What can be foreseen even now is that, on leaving the republic, the Americans would pass rapidly to despotism without stopping very long in monarchy. Montesquieu said that nothing is more absolute than the authority of a prince who succeeds a republic, since the unlimited powers that had been fearlessly handed over to an elected magistrate are then placed in the hands of a hereditary chief. This is true in general, but it applies particularly to a democratic republic. In the United States, magistrates are elected not by a particular class of citizens but by the majority of the nation; they directly represent the passions of the multitude and depend entirely on its will; they therefore inspire neither hatred nor fear. This is why I have pointed out how little care has been taken to limit their power by setting bounds to its action, and what an immense share has been left to their discretion. This order of things has created habits that would outlive it. The American magistrate would keep his unlimited power while ceasing to be accountable, and it is impossible to say where tyranny would then stop.

There are people among us who expect to see aristocracy arise in America, and who already foresee with precision the moment when it is to seize power.

I have already said, and I repeat, that the current movement of American society seems to me more and more democratic.

Still, I do not claim that the Americans will never one day come to narrow the circle of political rights among themselves, or to confiscate those same rights for the benefit of one man; but I cannot believe that they will ever entrust the exclusive use of them to a particular class of citizens—in other words, that they will found an aristocracy.

An aristocratic body is made up of a certain number of citizens who, without being placed very far from the crowd, nonetheless rise permanently above it; whom one can touch but

cannot strike; with whom one mingles every day, yet with whom one can never merge.

It is impossible to imagine anything more contrary to nature and to the secret instincts of the human heart than a subjection of this kind: left to themselves, men will always prefer the arbitrary power of a king to the regular administration of nobles.

To last, an aristocracy needs to establish inequality as a principle, to legalize it in advance, and to introduce it into the family at the same time as it spreads it through society—all things so deeply repugnant to natural equity that they can be obtained from men only by constraint.

For as long as human societies have existed, I do not believe one can cite the example of a single people that, left to itself and by its own efforts, has created an aristocracy within it. All the aristocracies of the Middle Ages are children of conquest. The victor was the noble, the vanquished the serf. Force then imposed inequality, which, once it had entered mores, maintained itself and passed naturally into the laws.

There have been societies that, as a result of events earlier than their own existence, were born aristocratic, so to speak, and that each century then brought back toward democracy. Such was the fate of the Romans, and of the barbarians who settled after them. But a people that, starting from civilization and democracy, gradually drew closer to inequality of conditions and ended by establishing inviolable privileges and exclusive categories within it—that would be something new in the world.

Nothing indicates that America is destined to be the first to present such a spectacle.

AMERICA'S COMMERCIAL GREATNESS

Coasts and harbors help, but Americans owe their maritime success chiefly to intellectual and moral causes.

Some considerations on the causes of the commercial greatness of the United States

The Americans called by nature to be a great maritime people —Extent of their shores—Depth of their ports—Size of their rivers—The commercial superiority of the Anglo-Americans nonetheless due far less to physical causes than to intellectual and moral ones—Reason for this opinion—Future of the Anglo-Americans as a commercial people—The ruin of the Union would not halt the maritime growth of the peoples that compose it—Why—The Anglo-Americans naturally called to serve the needs of the inhabitants of South America—Their future, like the English, as the commercial agents of a large part of the world

From the Bay of Fundy to the Sabine River on the Gulf of Mexico, the coast of the United States stretches for a length of about 900 leagues.[200]

These shores form a single, uninterrupted line, and they are all under the same rule.

No people in the world can offer commerce deeper, more spacious, or safer ports than the Americans.

The inhabitants of the United States make up a great civilized nation that fortune has placed in the midst of wildernesses, 1,200 leagues from the principal hearth of civilization. America therefore has daily need of Europe. In time, the Americans will doubtless succeed in producing or manufacturing at home most of the objects they need, but the two continents will never be able to live entirely independent of each other: there are too many natural ties between their needs, their ideas, their habits, and their mores.

The Union has products that have become necessary to us, and that our soil refuses entirely to furnish or can yield only at great expense. The Americans consume only a very small part of these products; they sell us the rest.

Europe is therefore America's market, as America is Europe's; and maritime commerce is as necessary to the inhabitants of the United States for bringing their raw materials into our ports as for carrying our manufactured goods to their own country.

200 The Bay of Fundy lies between New Brunswick and Nova Scotia; the Sabine River then marked the border with Mexican Texas.

The United States, then, had either to furnish rich sustenance for the industry of the maritime peoples, if they themselves renounced commerce, as the Spaniards of Mexico have done until now, or else to become one of the foremost maritime powers of the globe: this alternative was inevitable.

The Anglo-Americans have always shown a decided taste for the sea. Independence, by breaking the commercial ties that bound them to England, gave their maritime genius a new and powerful impetus. Since that time the number of the Union's ships has grown at a rate almost as rapid as the number of its inhabitants. Today it is the Americans themselves who carry home nine-tenths of Europe's products[201]. It is also Americans who bring three-quarters of the New World's exports to Europe's consumers[202].

Ships of the United States fill the port of Le Havre and that of Liverpool. Only a small number of English or French vessels are to be seen in the port of New York[203].

Thus the American trader not only defies competition on his own soil but also fights foreigners on theirs, and fights them to advantage.

This is easily explained: of all the ships in the world, those of the United States cross the seas most cheaply. As long as the merchant marine of the United States keeps this advantage over

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201 TOCQUEVILLE'S NOTE. The total value of imports for the year ending September 30, 1832, was 101,129,266 dollars. Imports carried in foreign vessels account for only 10,731,039 dollars, roughly one-tenth.

202 TOCQUEVILLE'S NOTE. The total value of exports during the same year was 87,176,943 dollars; the value exported in foreign vessels was 21,036,183 dollars, or roughly a quarter (*Williams's Register*, 1833, p. 398.)

203 TOCQUEVILLE'S NOTE. During the years 1829, 1830, and 1831, ships with a combined tonnage of 3,307,719 tons entered the ports of the Union. Foreign ships account for only 544,571 tons of this total. They were thus in a proportion of roughly 16 to 100. (*National Calendar*, 1833, p. 304.)

During the years 1820, 1826, and 1831, the English ships that entered the ports of London, Liverpool, and Hull measured 443,800 tons. The foreign ships that entered the same ports during the same years measured 159,431 tons. The ratio between them was thus roughly as 36 is to 100. (*Companion to the Almanac*, 1834, p. 169.)

In the year 1832, the ratio of foreign to English vessels entering the ports of Great Britain was 29 to 100.

the others, it will not only hold what it has won but will add to its conquests every day.

Why the Americans sail more cheaply than other men is a difficult problem to solve. One is tempted at first to attribute this superiority to some material advantages that nature has placed within their reach alone, but this is not so.

American ships cost almost as much to build as ours[204]; they are not better built, and in general they last less long.

The American sailor's wages are higher than those of the European sailor; the proof is the large number of Europeans one meets in the merchant marine of the United States.

Why is it, then, that the Americans sail more cheaply than we do?

I think one would look in vain for the causes of this superiority in material advantages; it rests on purely intellectual and moral qualities.

HEROISM IN TRADE

American sailors take risks Europeans avoid and will become the carriers for South America and the world.

Here is a comparison that will make my meaning clear:

During the wars of the Revolution, the French brought into the art of war new tactics that confounded the oldest generals and nearly destroyed the most ancient monarchies of Europe. For the first time they undertook to do without a host of things that until then had been judged indispensable to war; they demanded of their soldiers new efforts that civilized nations had never asked of theirs; they were seen to do everything at a run, and to risk men's lives without hesitation for the sake of the result to be won.[205]

The French were fewer and less wealthy than their enemies; they had infinitely fewer resources; yet they were constantly

204 TOCQUEVILLE'S NOTE. Raw materials in general cost less in America than in Europe, but the price of labor there is much higher.

victorious, until their enemies made up their minds to imitate them.

The Americans have brought something similar into commerce. What the French did for victory, they do for cheapness.

The European navigator ventures onto the seas only with caution; he sets out only when the weather invites him; if some unforeseen accident befalls him, he returns to port; at night he takes in part of his sail, and when he sees the ocean whiten as land draws near, he slows his course and consults the sun.

The American neglects these precautions and defies these dangers. He sets out while the storm is still raging; by night as by day he gives all his sails to the wind; he repairs his storm-battered ship as he goes, and when at last he nears the end of his voyage, he keeps flying toward the shore as if he could already see the harbor.

The American is often shipwrecked; but no navigator crosses the seas as fast as he does. Doing the same things as another man in less time, he can do them at less cost.

Before reaching the end of a long voyage, the European navigator thinks he must put in to land several times along the way. He loses precious time looking for a port of call or waiting for the chance to leave it, and every day he pays for the right to stay there.

The American navigator leaves Boston to go and buy tea in China. He arrives at Canton, stays a few days, and comes back. In less than two years he has traveled the entire circumference of the globe, and he has sighted land only once. During a passage of eight or ten months he has drunk brackish water and lived on salt meat; he has struggled without respite against the sea, against disease, against boredom; but on his return he can sell a pound of tea for a sou less than the English merchant: the goal has been reached.[206]

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205 The wars France fought against the European monarchies from 1792 to 1802, after the Revolution of 1789.

206 Canton (Guangzhou) was then the only Chinese port open to Western trade. A sou was a small French coin worth one-twentieth of a franc.

I can express my meaning no better than by saying that the Americans bring a kind of heroism to their way of doing business.

It will always be very hard for the European trader to keep pace with his American competitor in the same field. The American, in acting as I have described above, is not merely following a calculation; above all he is obeying his nature.

The inhabitant of the United States feels all the needs and all the desires that an advanced civilization gives rise to, yet he does not find around him, as in Europe, a skillfully organized society to satisfy them; so he is often obliged to procure for himself the various things that his education and habits have made necessary to him. In America it sometimes happens that the same man plows his field, builds his house, makes his tools, makes his shoes, and weaves with his own hands the coarse cloth that is to clothe him. This harms the perfecting of industry, but it does a great deal to develop the worker's intelligence. Nothing tends more than an extensive division of labor to make man material and to remove from his works even the trace of a soul. In a country like America, where specialists are so rare, one cannot require a long apprenticeship of everyone who takes up a profession. So the Americans find it very easy to change occupations, and they take advantage of this as the needs of the moment dictate. One meets men who have been in turn lawyers, farmers, merchants, ministers of the gospel, and doctors. If the American is less skilled than the European in each trade, there is hardly one that is entirely foreign to him. His capacity is more general; the circle of his intelligence is wider. The inhabitant of the United States is therefore never held back by any axiom of his trade; he escapes all professional prejudices; he is no more attached to one system of working than to another; he feels no more bound to an old method than to a new one; he has formed no habits, and he easily frees himself from the sway that foreign habits might exercise over his mind, for he knows that his country is like no other and that his situation is new in the world.

The American lives in a land of wonders; around him everything is constantly in motion, and every movement seems to be progress. So in his mind the idea of the new is closely bound up with the idea of the better. Nowhere does he see the limit that nature may have set to the efforts of man; in his eyes, what does not exist is simply what has not yet been tried.

The universal movement that reigns in the United States, the frequent reversals of fortune, the unforeseen shifting of public and private wealth—all combine to keep the soul in a kind of feverish agitation that admirably disposes it to every effort and holds it, so to speak, above the common level of humanity. For an American, the whole of life passes like a game of chance, a time of revolution, a day of battle.

These same causes, acting on all individuals at once, end by giving an irresistible impulse to the national character. The American taken at random must therefore be a man ardent in his desires, enterprising, adventurous, and above all an innovator. This spirit is indeed found in all his works; he brings it into his political laws, his religious doctrines, his theories of social economy, his private industry; he carries it with him everywhere, deep in the woods as in the heart of the cities. It is this same spirit, applied to maritime commerce, that makes the American sail faster and more cheaply than all the traders in the world.

As long as the sailors of the United States keep these intellectual advantages and the practical superiority that flows from them, they will not only go on supplying for themselves the needs of the producers and consumers of their own country, but they will tend more and more to become, like the English[207], the commercial agents of other peoples.

This is beginning to come about before our eyes. Already we see American navigators making their way into the commerce

of several European nations as intermediaries[208]; America offers them a still greater future.

The Spanish and the Portuguese founded great colonies in South America that have since become empires. Civil war and despotism are now laying waste these vast regions. Population growth there has come to a halt, and the small number of men who inhabit them, absorbed in the task of defending themselves, scarcely feel the need to improve their lot.

But it cannot always be so. Europe, left to itself, managed by its own efforts to pierce the darkness of the Middle Ages; South America is Christian as we are; it has our laws and our customs; it contains all the seeds of civilization that have developed within the European nations and their offshoots; and South America has, besides, what we lacked: our example. Why should it remain barbarous forever?

This is clearly only a question of time: a day, more or less distant, will no doubt come when the South Americans will form flourishing and enlightened nations.

But when the Spanish and Portuguese of South America begin to feel the needs of civilized peoples, they will still be far from able to satisfy those needs themselves; as the youngest children of civilization, they will have to submit to the superiority already acquired by their elders. They will be farmers long before they are manufacturers and traders, and they will need the services of foreigners to sell their products overseas and to obtain in exchange the goods whose necessity they will newly feel.

There can be no doubt that the Americans of North America are destined one day to supply the needs of the South Americ-

207 TOCQUEVILLE'S NOTE. One should not suppose that English ships are occupied solely in carrying foreign products to England or English products to foreigners; in our day the merchant marine of England forms something like a vast public carrier service, ready to serve all the producers of the world and to put all peoples in communication with one another. The maritime genius of the Americans leads them to build an enterprise to rival that of the English.

208 TOCQUEVILLE'S NOTE. Part of the Mediterranean trade is already carried on in American ships.

ans. Nature has placed them close by. It has thus given them great facilities for learning and assessing the needs of the South Americans, for forming lasting relations with those peoples, and for gradually taking over their market. The trader of the United States could lose these natural advantages only if he were greatly inferior to the European trader, and on the contrary he is superior to him on several points. The Americans of the United States already exercise a great moral influence over all the peoples of the New World. It is from them that the light goes forth. All the nations that live on the same continent are already accustomed to regarding them as the most enlightened, most powerful, and richest offspring of the great American family. So they constantly turn their eyes toward the Union, and they make themselves like the peoples who compose it, as far as it is in their power to do so. Every day they come to the United States to draw political doctrines from it and to borrow its laws.

The Americans of the United States stand toward the peoples of South America in precisely the same position as their fathers the English stand toward the Italians, the Spanish, the Portuguese, and all those peoples of Europe who, being less advanced in civilization and industry, receive from English hands most of the goods they consume.

England is today the natural center of the commerce of almost all the nations near it; the American Union is destined to fill the same role in the other hemisphere. Every people that is born or grows up in the New World is therefore born and grows up, in a sense, for the profit of the Anglo-Americans.

If the Union were to dissolve, the commerce of the states that formed it would no doubt be held back in its growth for a time, though less than people think. It is evident that, whatever happens, the commercial states will remain united. They all border one another; there is a perfect identity of opinions, interests, and mores among them, and they alone can make up a very great maritime power. Even if the South of the Union became independent of the North, it would not follow that it could do without it. I have said that the South is not commercial; nothing

yet indicates that it is bound to become so. The Americans of the southern United States will therefore be obliged for a long time to turn to outsiders to export their products and to bring in the goods they need. Now, of all the intermediaries they might choose, their northern neighbors are certainly the ones who can serve them most cheaply. So they will serve them, for cheapness is the supreme law of commerce. There is no sovereign will and no national prejudice that can hold out for long against cheapness. One could not find a more venomous hatred than the one that exists between the Americans of the United States and the English. Yet despite these hostile feelings, the English supply the Americans with most of their manufactured goods, for the sole reason that they charge less for them than other peoples do. The growing prosperity of America thus works, against the wishes of the Americans, to the profit of English manufacturing industry.

Reason indicates and experience proves that no commercial greatness can endure unless it can join itself, when need be, to military power.

This truth is as well understood in the United States as anywhere else. The Americans are already in a position to make their flag respected; soon they will be able to make it feared.

I am convinced that the breakup of the Union, far from diminishing the naval forces of the Americans, would strongly tend to increase them. At present the commercial states are bound to those that are not, and the latter often lend themselves only reluctantly to increasing a maritime power from which they benefit only indirectly.

If, on the contrary, all the commercial states of the Union formed one and the same people, commerce would become for them a national interest of the first order. They would therefore be disposed to make very great sacrifices to protect their ships, and nothing would prevent them from following their wishes on this point.

I think that nations, like men, almost always reveal the main features of their destiny from their youth. When I see the spirit

in which the Anglo-Americans carry on commerce, the ease with which they do it, and the success they achieve in it, I cannot help believing that they will one day become the foremost maritime power on the globe. They are driven to seize the seas, as the Romans were driven to conquer the world.

CONCLUSION

Tocqueville surveys the Anglo-Americans' certain spread across North America and the common social state they will keep.

1.Concl. I am now approaching the end. Until now, in speaking of the future destiny of the United States, I have tried to divide my subject into various parts, in order to study each of them with greater care.

I would now like to bring them all together into a single view. What I say will be less detailed, but more sure. I shall see each object less distinctly, but I shall grasp the general facts with more certainty. I shall be like the traveler who leaves the walls of a vast city and climbs the nearest hill. As he moves away, the people he has just left vanish from his sight; their dwellings blur together; he no longer sees the public squares; he can barely make out the lines of the streets. But his eye follows the contours of the city more easily, and for the first time he grasps its shape. In the same way, I seem to see before me the entire future of the English race in the New World. The details of this immense picture have remained in shadow, but my gaze takes in its general outline, and I form a clear idea of the whole.

The territory occupied or possessed today by the United States of America makes up about one-twentieth of the inhabited lands of the earth.

However vast these limits may be, it would be wrong to believe that the Anglo-American race will always confine itself within them; it already extends far beyond them.

There was a time when we too could have created a great French nation in the American wilderness and rivaled the English in shaping the destinies of the New World. France once pos-

sessed a territory in North America almost as vast as all of Europe. The three greatest rivers of the continent then flowed entirely under our laws. The Indian nations living from the mouth of the Saint Lawrence to the delta of the Mississippi heard no language spoken but ours. All the European settlements scattered over this immense space recalled the memory of the homeland: Louisbourg, Montmorency, Duquesne, Saint-Louis, Vincennes, New Orleans—all names dear to France and familiar to our ears.

But a combination of circumstances too long to enumerate[209] has deprived us of this magnificent inheritance. Wherever the French were few in number and poorly established, they disappeared. The rest gathered together in a small area and passed under other laws. The four hundred thousand French of Canada today form something like the remnants of an ancient people lost amid the waves of a new nation. Around them the foreign population grows constantly. It spreads in every direction; it penetrates even into the ranks of the former masters of the soil, dominates in their cities, and corrupts their language. This population is identical to that of the United States.[210] I am right, then, to say that the English race does not stop at the boundaries of the Union, but advances far beyond them toward the northeast.

To the northwest there are only a few unimportant Russian settlements. But to the southwest, Mexico stands as a barrier in the path of the Anglo-Americans.

Thus, strictly speaking, there are now only two rival races dividing the New World between them: the Spanish and the English.

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209 TOCQUEVILLE'S NOTE. First among them is this: peoples who are given to municipal self-government and accustomed to it succeed far more easily than others in creating flourishing colonies. The habit of thinking for oneself and governing oneself is indispensable in a new country, where success necessarily depends in large part on the individual efforts of the colonists.

210 By the Treaty of Paris (1763), after the Seven Years' War, France ceded Canada to Britain and Louisiana to Spain; Napoleon sold the recovered Louisiana to the United States in 1803.

The limits that are to separate these two races have been fixed by a treaty. But however favorable this treaty may be to the Anglo-Americans, I have no doubt that they will soon come to violate it.[211]

Beyond the borders of the Union, on the Mexican side, stretch vast provinces that still lack inhabitants. The men of the United States will penetrate these empty expanses even before those who have the right to occupy them. They will take possession of the soil and settle there as a society. When the lawful owner finally appears, he will find the wilderness made fertile and strangers calmly settled in his inheritance.

The land of the New World belongs to whoever occupies it first, and empire there goes to the winner of the race.

Even the countries that are already populated will have difficulty protecting themselves from invasion.

I have already spoken of what is happening in the province of Texas. Every day, inhabitants of the United States make their way little by little into Texas and acquire land there; and while submitting to the laws of the country, they establish there the dominion of their language and their mores. The province of Texas is still under Mexican rule, but soon there will be, so to speak, no Mexicans left there. The same thing happens at every point where the Anglo-Americans come into contact with populations of another origin.[212]

One cannot hide from oneself the fact that the English race has acquired an immense preponderance over all the other European races of the New World. It is far superior to them in civilization, in industry, and in power. As long as it faces only empty or sparsely inhabited lands, and as long as it does not meet in its path dense populations through which it cannot force a way, it will be seen to spread unceasingly. It will not stop at the lines drawn in treaties, but will overflow these imaginary dikes on every side.

211 The Adams–Onís Treaty of 1819 with Spain, confirmed with independent Mexico in 1828, fixed the boundary between the United States and Mexico.
212 Independent from 1836, Texas was annexed by the United States in 1845.

What makes this rapid expansion of the English race in the New World still more remarkably easy is the geographical position it occupies there.

If one goes north beyond its northern frontiers, one meets the polar ice; if one goes a few degrees south of its southern limits, one enters the blazing heat of the equator. The English of America are thus placed in the most temperate zone and the most habitable portion of the continent.

People imagine that the prodigious movement visible in the growth of the population of the United States dates only from independence: that is a mistake. The population grew as fast under the colonial system as it does today; it likewise doubled in about twenty-two years. But then the figures were in thousands of inhabitants; now they are in millions. The same fact that went unnoticed a century ago strikes every mind today.

The English of Canada, who obey a king, increase in number and spread almost as fast as the English of the United States, who live under a republican government.

During the eight years that the War of Independence lasted, the population never stopped growing at the rate indicated above.

Although there were then great Indian nations on the western frontiers allied with the English, the movement of emigration toward the West hardly slowed at all. While the enemy was ravaging the Atlantic coast, Kentucky, the western districts of Pennsylvania, the state of Vermont, and that of Maine were filling with inhabitants. Nor did the disorder that followed the war prevent the population from growing or halt its steady advance into the wilderness. Thus differences of laws, the state of peace or of war, order or anarchy, have had only an imperceptible influence on the gradual development of the Anglo-Americans.

This is easy to understand: there are no causes general enough to make themselves felt at once at every point of so immense a territory. So there is always a large part of the country where one is sure to find shelter from the calamities striking

another; and however great the evils, the remedy on offer is always greater still.

We must not believe, then, that it is possible to halt the rise of the English race of the New World. The dismemberment of the Union, by bringing war to the continent, and the abolition of the republic, by introducing tyranny there, may slow its development, but they cannot prevent it from reaching the necessary fulfillment of its destiny. There is no power on earth that can bar the way of emigrants to these fertile wildernesses, open on every side to industry and offering a refuge to every kind of misery. Future events, whatever they may be, will not take from the Americans their climate, their inland seas, their great rivers, or the fertility of their soil. Bad laws, revolutions, and anarchy cannot destroy among them the taste for well-being and the spirit of enterprise that seem to be the distinctive character of their race, nor entirely extinguish the enlightenment that lights their way.

Thus, amid the uncertainty of the future, there is at least one event that is certain. At a time we may call near, since we are speaking here of the life of peoples, the Anglo-Americans alone will cover the whole immense space between the polar ice and the tropics; they will spread from the shores of the Atlantic Ocean to the coasts of the South Sea.

I think that the territory over which the Anglo-American race is one day to spread equals three-quarters of Europe[213]. The climate of the Union is, all things considered, preferable to that of Europe; its natural advantages are just as great. It is evident that its population cannot fail one day to be proportional to ours.

Europe, divided among so many different peoples—Europe, despite ever-recurring wars and the barbarism of the Middle Ages—has managed to reach four hundred and ten inhabitants[214]

213 TOCQUEVILLE'S NOTE. The United States alone already covers an area equal to half of Europe. The area of Europe is 500,000 square leagues; its population is 205,000,000 inhabitants. Malte-Brun, book CXIV, vol. 6, page 4.

214 TOCQUEVILLE'S NOTE. See Malte-Brun, book CXVI, vol. 6, page 92.

per square league. What cause could be powerful enough to prevent the United States from one day having as many?

Many centuries will pass before the various offshoots of the English race in America cease to present a common physiognomy. No one can foresee the time when man will be able to establish permanent inequality of conditions in the New World.

Whatever differences, then, peace or war, liberty or tyranny, prosperity or poverty may one day introduce into the destiny of the various offshoots of the great Anglo-American family, they will all at least keep a similar social state, and will have in common the customs and ideas that flow from that social state.

In the Middle Ages, the single bond of religion was enough to unite in one civilization the diverse races that peopled Europe. The English of the New World have a thousand other bonds among them, and they live in an age in which everything among men tends toward equality.

The Middle Ages were an age of fragmentation. Every people, every province, every city, every family then tended strongly to set itself apart. In our day a contrary movement is making itself felt: peoples seem to be marching toward unity. Intellectual ties unite the most distant parts of the earth, and men cannot remain for a single day strangers to one another, or ignorant of what is happening in any corner of the world. Thus one notices less difference today between Europeans and their descendants in the New World, despite the ocean that divides them, than between certain towns of the thirteenth century that were separated only by a river.

If this movement of assimilation brings foreign peoples closer together, all the more does it prevent the offshoots of the same people from becoming strangers to one another.

A time will come, then, when one may see in North America a hundred and fifty million people[215] equal among themselves, all belonging to the same family, having the same point of depar-

215 TOCQUEVILLE'S NOTE. This is the population proportional to that of Europe, taking the average of 410 people per square league.

ture, the same civilization, the same language, the same religion, the same habits, the same mores, and among whom thought will circulate in the same form and be painted in the same colors. All the rest is doubtful, but this is certain. Now here is a fact entirely new in the world, and one whose full significance even the imagination cannot grasp.

RUSSIA AND AMERICA

Two rising peoples, one moving by liberty and one by servitude, seem destined to sway half the world.

There are today on earth two great peoples who, starting from different points, seem to be advancing toward the same goal: the Russians and the Anglo-Americans.

Both have grown up in obscurity; and while the eyes of mankind were turned elsewhere, they have suddenly taken their place in the front rank of nations, and the world learned of their birth and of their greatness almost at the same time.

All other peoples seem to have nearly reached the limits that nature has traced for them, and to have nothing left to do but preserve; but these two are still growing[216]. All the others have come to a halt or advance only by dint of countless efforts; these two alone move with an easy and rapid stride along a course whose end the eye cannot yet discern.

The American struggles against the obstacles that nature sets before him; the Russian is at grips with men. The one fights the wilderness and barbarism, the other civilization armed with all its weapons. Thus the American's conquests are made with the plowman's share, the Russian's with the soldier's sword.

To reach his goal, the first relies on personal interest and lets the strength and reason of individuals act without directing them.

The second concentrates, in a sense, all the power of society in one man.

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216 TOCQUEVILLE'S NOTE. Of all the nations of the Old World, Russia is the one whose population is increasing most rapidly, in proportion to its size.

The one has liberty as his principal means of action; the other, servitude.

Their starting points are different, their paths diverse; yet each of them seems called by a secret design of Providence to hold one day in its hands the destinies of half the world.

Volume 2, Part 1

The influence of democracy on intellectual life in the United States: philosophical method, belief, religion, science, the arts, literature, language and eloquence.

FOREWORD TO VOLUME 2 (AVERTISSEMENT)

Tocqueville explains that this volume treats equality's effects on sentiments and ideas, and why he dwells on its dangers.

2.Avert. The Americans have a democratic social state, which has naturally suggested certain laws and certain political mores to them.

This same social state has, moreover, given rise among them to a multitude of sentiments and opinions that were unknown in the old aristocratic societies of Europe. It has destroyed or modified relationships that once existed, and established new ones. The face of civil society has changed no less than the features of the political world.

I treated the first subject in the work I published five years ago on American Democracy. The second is the subject of the present book. These two parts complete each other and form a single work.[1]

I must warn the reader at once against an error that would do me great harm.

Seeing me attribute so many different effects to equality, he might conclude that I consider equality the sole cause of

1 The first volume of *Democracy in America* appeared in 1835; this second volume appeared in 1840.

everything that happens in our day. That would be to credit me with a very narrow view.

There are, in our time, a host of opinions, sentiments, and instincts that owed their birth to facts foreign or even contrary to equality. Thus, if I took the United States as an example, I could easily prove that the nature of the country, the origin of its inhabitants, the religion of its first founders, their acquired enlightenment, and their earlier habits have exercised, and still exercise, an immense influence on their way of thinking and feeling, independently of democracy. Different causes, but likewise distinct from the fact of equality, would be found in Europe and would explain a great part of what happens there.

I recognize the existence of all these various causes and their power, but it is not my subject to speak of them. I have not undertaken to show the reason for all our inclinations and all our ideas; I have only wished to show to what extent equality has modified both.

It may perhaps be found surprising that, firmly holding the opinion that the democratic revolution we are witnessing is an irresistible fact against which it would be neither desirable nor wise to struggle, I have often in this book addressed such severe words to the democratic societies this revolution has created.

I will answer simply that it is because I was not an adversary of democracy that I wished to be sincere with it.

Men do not receive the truth from their enemies, and their friends seldom offer it to them; that is why I have spoken it.

I thought that many would take it upon themselves to announce the new goods that equality promises men, but that few would dare to point out from afar the perils with which it threatens them. It is therefore chiefly toward these perils that I have turned my gaze, and, believing I had clearly discerned them, I have not been cowardly enough to keep silent about them.

I hope that readers will find in this second work the impartiality they seemed to notice in the first. Placed amid the contradictory opinions that divide us, I have tried to suppress in my

heart, for the moment, the favorable sympathies or the contrary instincts that each of them inspires in me. If those who read my book find in it a single sentence meant to flatter one of the great parties that have agitated our country, or one of the petty factions that in our day harass and enfeeble it, let those readers raise their voices and accuse me.

The subject I have tried to embrace is immense, for it includes most of the sentiments and ideas to which the new state of the world gives rise. Such a subject certainly exceeds my powers; in treating it, I have not managed to satisfy myself.

But if I have not been able to reach the goal I aimed at, readers will at least do me the justice of granting that I conceived and pursued my undertaking in the spirit that could make me worthy of succeeding in it.

CHAPTER 1: ON THE PHILOSOPHICAL METHOD OF THE AMERICANS (DE LA MÉTHODE PHILOSOPHIQUE DES AMÉRICAINS)

Without reading Descartes, Americans follow his method: each person relies on his own reason rather than tradition.

2.1.1 I think that in no country in the civilized world is less attention paid to philosophy than in the United States.

The Americans have no philosophical school of their own, and they care very little about all those that divide Europe; they scarcely know their names.

It is easy to see, however, that almost all the inhabitants of the United States direct their minds in the same way and guide them by the same rules; that is to say, without ever having taken the trouble to define its rules, they possess a certain philosophical method common to them all.

To escape the spirit of system, the yoke of habit, family maxims, class opinions, and, up to a point, national prejudices; to take tradition only as information, and present facts only as a useful study for doing things differently and better; to seek by oneself and in oneself alone the reason for things; to strive toward the result without letting oneself be chained to the

means, and to aim at the substance through the form—these are the principal traits that characterize what I shall call the philosophical method of the Americans.

If I go further still, and seek among these various traits the principal one, the one that can sum up almost all the others, I discover that in most operations of the mind each American appeals only to the individual effort of his own reason.

America is therefore one of the countries in the world where people study least, and where the precepts of Descartes are best followed. This should not be surprising.[2]

The Americans do not read the works of Descartes, because their social state turns them away from speculative studies; and they follow his maxims, because this same social state naturally disposes their minds to adopt them.

Amid the continual movement that prevails in a democratic society, the bond that unites the generations to one another loosens or breaks; each person easily loses track of the ideas of his forebears, or cares little about them.

Nor can men who live in such a society draw their beliefs from the opinions of the class to which they belong, for there are, so to speak, no more classes, and those that still exist are made up of such shifting elements that the body can never exercise real power over its members.

As for the influence that one man's intelligence can have on another's, it is necessarily very limited in a country where citizens, having become nearly alike, all see one another at very close range and, perceiving in none of them the signs of incontestable greatness and superiority, are constantly brought back to their own reason as the most visible and nearest source of truth. What is destroyed then is not only trust in this or that man, but the taste for taking any man at his word.

So each person withdraws narrowly into himself and claims to judge the world from there.

2 René Descartes (1596–1650), French philosopher whose method of systematic doubt made individual reason the judge of truth.

The Americans' practice of taking the rule of their judgment only from within themselves leads their minds to other habits.

Since they see that they manage to resolve unaided all the small difficulties their practical life presents, they readily conclude that everything in the world is explicable and that nothing in it exceeds the bounds of intelligence.

Thus they willingly deny what they cannot understand: this gives them little faith in the extraordinary and an almost invincible distaste for the supernatural.

Since it is their own testimony that they are accustomed to rely on, they like to see the object that occupies them very clearly; they therefore strip it of its covering as far as they can, push aside everything that separates them from it, and remove everything that hides it from view, in order to see it more closely and in broad daylight. This disposition of mind soon leads them to scorn forms, which they regard as useless and inconvenient veils placed between them and the truth.

The Americans therefore did not need to draw their philosophical method from books; they found it in themselves. I will say as much of what has happened in Europe.

This same method became established and widespread in Europe only as conditions there grew more equal and men more alike.

Let us consider for a moment the sequence of the ages:

In the sixteenth century, the Reformers submit some of the dogmas of the old faith to individual reason, but they continue to withhold all the others from its scrutiny. In the seventeenth, Bacon in the natural sciences and Descartes in philosophy proper abolish received formulas, destroy the empire of traditions, and overthrow the authority of the master.[3]

The philosophers of the eighteenth century, at last generalizing the same principle, undertake to submit to each man's individual examination the object of all his beliefs.

3 Francis Bacon (1561–1626), English philosopher and statesman who championed observation and experiment over inherited authority in the study of nature.

Who does not see that Luther, Descartes, and Voltaire used the same method, and that they differ only in the greater or lesser use they claimed should be made of it?[4]

Why did the Reformers confine themselves so narrowly within the circle of religious ideas? Why did Descartes, wishing to use his method only on certain matters although he had made it fit to be applied to all, declare that one should judge for oneself only in matters of philosophy and not of politics? How did it happen that in the eighteenth century general applications were suddenly drawn from this same method, applications that Descartes and his predecessors had not perceived or had refused to discover? Why, finally, did the method we are speaking of suddenly leave the schools at that time to penetrate society and become the common rule of the intellect, and why, after becoming popular among the French, was it openly adopted or secretly followed by all the peoples of Europe?

The philosophical method in question could arise in the sixteenth century and become more precise and more general in the seventeenth; but it could not be commonly adopted in either. Political laws, the social state, and the habits of mind that flow from these first causes stood in its way.

It was discovered at a time when men were beginning to grow equal and to resemble one another. It could be generally followed only in ages when conditions had at last become nearly alike and men almost the same.

The philosophical method of the eighteenth century is therefore not only French but democratic, which explains why it was so readily accepted throughout Europe, whose face it did so much to change. It is not because the French changed their old beliefs and modified their old mores that they turned the world upside down; it is because they were the first to generalize and bring to light a philosophical method with which one could easily attack all old things and open the way to all new ones.

If I am now asked why, in our day, this same method is more rigorously followed and more often applied among the French

than among the Americans, among whom equality is nonetheless just as complete and of longer standing, I will answer that this is due in part to two circumstances that must first be clearly understood.

It was religion that gave birth to the Anglo-American societies; this must never be forgotten. In the United States, religion is therefore intermingled with all the national habits and all the feelings to which the homeland gives rise; this gives it a particular strength.

To this powerful reason add another that is no less so: in America religion has, so to speak, set its own limits; the religious order has remained entirely distinct from the political order, so that it has been possible to change old laws easily without shaking old beliefs.

Christianity has therefore kept great sway over the minds of the Americans, and—this is what I particularly wish to note—it reigns not merely as a philosophy adopted after examination, but as a religion believed without discussion.

In the United States, the Christian sects vary infinitely and are constantly changing; but Christianity itself is an established and irresistible fact that no one undertakes either to attack or to defend.

The Americans, having accepted the principal dogmas of the Christian religion without examination, are obliged to receive in the same way a great number of moral truths that flow from it and are bound up with it. This confines the action of individual analysis within narrow limits and removes from its reach several of the most important human opinions.

The other circumstance I mentioned is this:

The Americans have a democratic social state and a democratic constitution, but they have not had a democratic revolution. They arrived on the soil they occupy very much as we see them now. This is of great consequence.

There is no revolution that does not stir up old beliefs, enfeeble authority, and cloud shared ideas. Every revolution

therefore has, to a greater or lesser degree, the effect of leaving men to themselves and opening before each of their minds an empty and almost boundless space.

When conditions become equal after a prolonged struggle among the different classes that made up the old society, envy, hatred, and contempt for one's neighbor, pride, and exaggerated self-confidence invade the human heart, so to speak, and for a time make it their domain. This, independently of equality, contributes powerfully to dividing men—to making them distrust one another's judgment and seek enlightenment only in themselves.

Each then undertakes to be self-sufficient and takes pride in forming his own beliefs on every subject. Men are now bound only by interests and not by ideas, and one would say that human opinions form nothing more than a kind of intellectual dust, stirred up on all sides, unable to gather and settle.

Thus the independence of mind that equality presupposes is never so great, and never appears so excessive, as at the moment when equality is beginning to establish itself and during the painful labor that founds it. One must therefore carefully distinguish the kind of intellectual freedom that equality can bestow from the anarchy that revolution brings. Each of these two things must be considered separately, so as not to form exaggerated hopes and fears about the future.

I believe that the men who will live in the new societies will often make use of their individual reason; but I am far from believing that they will often abuse it.

This is due to a cause more generally applicable to all democratic countries, one that, in the long run, must hold the individual independence of thought there within fixed and sometimes narrow limits.

I shall state it in the following chapter.

4 Martin Luther (1483–1546), German leader of the Protestant Reformation; Voltaire (1694–1778), French Enlightenment writer and critic of the Church.

CHAPTER 2: ON THE PRINCIPAL SOURCE OF BELIEFS AMONG DEMOCRATIC PEOPLES (DE LA SOURCE PRINCIPALE DES CROYANCES CHEZ LES PEUPLES DÉMOCRATIQUES)

Every society needs beliefs taken on trust; in democracies authority shifts to public opinion and the majority.

2.1.2 Dogmatic beliefs are more or less numerous depending on the age. They arise in different ways and can change in form and in object; but there is no way to bring it about that there are no dogmatic beliefs, that is, opinions that men accept on trust and without discussing them. If each person undertook to form all his opinions himself, and to pursue truth in isolation along paths cleared by himself alone, it is unlikely that any great number of men would ever unite in any common belief.

Now, it is easy to see that no society can prosper without such beliefs, or rather that none can survive without them. Without common ideas there is no common action, and without common action there are still men, but not a social body. For there to be a society, and all the more for that society to prosper, the minds of all the citizens must therefore always be gathered and held together by a few leading ideas. That cannot happen unless each of them sometimes comes to draw his opinions from a single source and agrees to accept a certain number of ready-made beliefs.

If I now consider man by himself, I find that dogmatic beliefs are no less indispensable to him for living alone than for acting in common with his fellows.

If man were forced to prove to himself all the truths he makes use of every day, he would never be done; he would exhaust himself in preliminary demonstrations without making any progress. He has neither the time, because life is short, nor the capacity, because his mind is limited, to proceed this way. So he is reduced to taking as certain a host of facts and opinions that he has had neither the leisure nor the power to examine and verify for himself, but that abler men have discovered or that the crowd adopts. It is on this first foundation that he himself

raises the edifice of his own thoughts. It is not his will that leads him to proceed in this way; the inflexible law of his condition compels him to.

There is no philosopher in the world so great that he does not believe a million things on the word of others, or that he does not assume many more truths than he establishes.

This is not only necessary but desirable. A man who undertook to examine everything for himself could give only a little time and attention to each thing. This labor would keep his mind in a perpetual agitation that would prevent him from penetrating deeply into any truth and from settling firmly in any certainty. His intellect would be at once independent and feeble. He must therefore choose among the various objects of human opinion, and adopt many beliefs without discussing them, so that he can better explore in depth the few he has reserved for his own examination.

It is true that every man who accepts an opinion on the word of another puts his mind into slavery; but it is a salutary servitude, one that allows him to make good use of liberty.

So, whatever happens, authority must always be found somewhere in the intellectual and moral world. Its place varies, but it necessarily has a place. Individual independence can be greater or lesser; it cannot be boundless. Thus the question is not whether intellectual authority exists in democratic ages, but only where it is lodged and how far it will extend.

I showed in the preceding chapter how equality of conditions leads men to conceive a sort of instinctive incredulity toward the supernatural, and a very lofty and often greatly exaggerated idea of human reason.

Men who live in these times of equality are therefore not easily led to place the intellectual authority to which they submit outside and above humanity. It is in themselves or in their fellows that they ordinarily look for the sources of truth. This would be enough to prove that a new religion could not establish itself in these ages, and that any attempt to bring one into being would be not only impious but ridiculous and unreason-

able. One can foresee that democratic peoples will not readily believe in divine missions, that they will be quick to laugh at new prophets, and that they will want to find the chief arbiter of their beliefs within the limits of humanity, and not beyond them.

When conditions are unequal and men are dissimilar, there are a few individuals who are highly enlightened, very learned, and very powerful through their intelligence, and a multitude that is very ignorant and extremely limited. People who live in aristocratic times are therefore naturally inclined to take the superior reason of one man or one class as the guide of their opinions, while they are little disposed to acknowledge the infallibility of the mass.

The opposite happens in ages of equality.

As citizens become more equal and more alike, each one's inclination to believe a particular man or a particular class blindly diminishes. The disposition to believe the mass increases, and more and more it is opinion that rules the world.

Among democratic peoples, common opinion is not only the sole guide left to individual reason; it also has a power infinitely greater among them than among any other people. In times of equality, men have no faith in one another, because they are so similar; but this same similarity gives them an almost unlimited confidence in the judgment of the public. Since all of them have equal enlightenment, it does not seem plausible to them that truth should fail to lie on the side of the greater number.

When the man who lives in democratic countries compares himself individually with all those around him, he feels with pride that he is the equal of each of them. But when he comes to view his fellows as a whole and to place himself beside this great body, he is at once overwhelmed by his own insignificance and weakness.

The same equality that makes him independent of each of his fellow citizens in particular leaves him isolated and defenseless against the action of the greater number.

Among democratic peoples, then, the public has a singular power of which aristocratic nations could not even conceive. It does not persuade people of its beliefs; it imposes them, and makes them penetrate souls through a sort of immense pressure of the mind of all upon the intellect of each.

In the United States, the majority takes it upon itself to supply individuals with a host of ready-made opinions, and so relieves them of the obligation to form opinions of their own. There are a great number of theories in philosophy, morals, or politics that everyone there adopts in this way, without examination, on the public's word. And if one looks very closely, one will see that religion itself reigns there much less as revealed doctrine than as common opinion.

I know that among the Americans the political laws are such that the majority governs society with sovereign power, which greatly increases the sway it naturally exercises there over the intellect. For nothing is more familiar to man than to recognize a superior wisdom in the one who oppresses him.

This political omnipotence of the majority in the United States does indeed increase the influence that public opinion would have on each citizen's mind even without it, but it is not what founds that influence. The sources of this influence must be sought in equality itself, and not in the more or less popular institutions that equal men may give themselves. One may believe that the intellectual dominion of the greater number would be less absolute among a democratic people subject to a king than in the midst of a pure democracy. But it will always be very absolute. Whatever political laws govern men in ages of equality, one can foresee that faith in common opinion will become a sort of religion there, and the majority will be its prophet.

Thus intellectual authority will be different, but it will not be less. Far from believing that it must disappear, I predict that it could easily become too great, and that it might in the end confine the action of individual reason within narrower limits than befit the greatness and happiness of the human species. I see

very clearly two tendencies in equality: one carries each man's mind toward new thoughts, and the other would gladly reduce it to no longer thinking at all. And I can see how, under the sway of certain laws, democracy would extinguish the intellectual freedom that the democratic social state favors. Having broken all the fetters once imposed on it by classes or by men, the human mind would then chain itself tightly to the general will of the greater number.

If democratic peoples replaced all the various powers that hampered or unduly held back the rise of individual reason with the absolute power of a majority, the evil would merely have changed its character. Men would not have found the means of living independently; they would only have discovered (no easy thing) a new face of servitude. There is in this, I cannot repeat too often, cause for deep reflection for those who see the freedom of the intellect as something sacred, and who hate not only the despot but despotism. As for me, when I feel the hand of power weighing heavily on my brow, it matters little to me to know who is oppressing me. I am no more inclined to put my head into the yoke because a million arms are holding it out to me.

CHAPTER 3: WHY THE AMERICANS SHOW MORE APTITUDE AND TASTE FOR GENERAL IDEAS THAN THEIR ENGLISH FOREBEARS (POURQUOI LES AMÉRICAINS MONTRENT PLUS D'APTITUDE ET DE GOÛT POUR LES IDÉES GÉNÉRALES QUE LEURS PÈRES LES ANGLAIS)

Equality makes people alike, so democratic peoples love general ideas, often hastily and to excess.

2.1.3 God does not think of the human race in general. He sees at a single glance, and separately, all the beings of which humanity is composed, and he perceives each of them with the resemblances that bring it close to all the others and the differences that set it apart.

God therefore has no need of general ideas. That is, he never feels the need to enclose a very large number of similar objects

within a single form in order to think about them more conveniently.

It is not so with man. If the human mind undertook to examine and judge individually all the particular cases that strike it, it would soon be lost amid the immensity of details and would no longer see anything at all. In this extremity, it resorts to an imperfect but necessary procedure, one that both aids its weakness and proves it.

After considering a certain number of objects superficially and noticing that they resemble one another, it gives them all the same name, sets them aside, and goes on its way.

General ideas attest not to the strength of human intelligence but rather to its inadequacy. For there are no exactly similar beings in nature, no identical facts, no rules that apply indiscriminately and in the same way to several objects at once.

General ideas have this admirable quality: they allow the human mind to make rapid judgments about a great number of objects at once. On the other hand, they never provide it with anything but incomplete notions, and they always make it lose in precision what they give it in scope.

As societies grow older, they acquire knowledge of new facts, and every day, almost without knowing it, they take hold of some particular truths.

As man grasps more truths of this kind, he is naturally led to conceive a greater number of general ideas. One cannot see a multitude of particular facts separately without finally discovering the common bond that unites them. Several individuals bring out the notion of the species; several species necessarily lead to that of the genus. The habit of general ideas, and the taste for them, will therefore always be greater among a people the older and more extensive its enlightenment.

But there are still other reasons that drive men to generalize their ideas or turn them away from doing so.

The Americans make use of general ideas much more often than the English, and take far greater delight in them. This seems very strange at first sight, if one considers that the two

peoples have the same origin, that they lived for centuries under the same laws, and that they still constantly exchange their opinions and their mores. The contrast seems even more striking when one turns one's gaze to our own Europe and compares the two most enlightened peoples who live there.[5]

One would say that among the English the human mind tears itself away only with regret and pain from contemplating particular facts in order to rise from them to causes, and that it generalizes only in spite of itself.

Among us, on the contrary, the taste for general ideas seems to have become so unbridled a passion that it must be satisfied at every turn. Every morning when I wake up, I learn that someone has just discovered some general and eternal law I had never heard of before. There is no writer so mediocre that he is content, in his first attempt, merely to discover truths applicable to a great kingdom, and who is not dissatisfied with himself if he has failed to fit the human race into the subject of his discourse.

Such a dissimilarity between two very enlightened peoples astonishes me. When I finally turn my mind back to England and observe what has been happening within it over the past half-century, I believe I can affirm that the taste for general ideas is developing there as the country's old constitution grows weaker.

The more or less advanced state of enlightenment, then, is not enough by itself to explain what instills in the human mind the love of general ideas or turns it away from them.

When conditions are very unequal, and the inequalities are permanent, individuals gradually become so dissimilar that there seem to be as many distinct humanities as there are classes. One never perceives more than one of them at a time, and, losing sight of the general bond that gathers them all into the vast bosom of the human race, one only ever considers certain men, and not man.

Those who live in such aristocratic societies therefore never conceive very general ideas about themselves, and that is enough to give them a habitual distrust of such ideas and an instinctive distaste for them.

The man who lives in democratic countries, by contrast, finds near him only beings who are roughly alike. He therefore cannot think of any part of the human species without his thought enlarging and expanding to embrace the whole. All the truths that apply to himself seem to him to apply equally, and in the same way, to each of his fellow citizens and his fellow men. Having acquired the habit of general ideas in the field of study that occupies him most and interests him most, he carries that same habit into all the others. And so the need to discover common rules in all things, to enclose a great number of objects within a single form, and to explain a whole set of facts by a single cause becomes an ardent and often blind passion of the human mind.

Nothing shows the truth of the foregoing better than the opinions of antiquity about slaves.

The most profound and wide-ranging minds of Rome and Greece were never able to arrive at the idea, so general yet at the same time so simple, that men are alike and that each brings with him at birth an equal right to freedom. Instead they strove to prove that slavery was part of nature and would always exist. What is more, everything indicates that those ancients who were slaves before becoming free, several of whom have left us fine writings, themselves saw servitude in this same light.[6]

All the great writers of antiquity belonged to the aristocracy of masters, or at least they saw that aristocracy established, unchallenged, before their eyes. Their minds, after expanding in several directions, were therefore confined in that one. It took the coming of Jesus Christ to earth to make people understand that all members of the human species were by nature alike and equal.

5 That is, the English and the French.

6 Among such writers were the Stoic philosopher Epictetus and the comic playwright Terence, both born into slavery.

In ages of equality, all men are independent of one another, isolated and weak. One sees no one whose will permanently directs the movements of the crowd; in such times, humanity always seems to move forward on its own. To explain what happens in the world, one is therefore reduced to looking for a few great causes that act in the same way on each of our fellow men and so lead them all to follow the same road of their own accord. This, too, naturally leads the human mind to conceive general ideas and brings it to acquire a taste for them.

I showed earlier how equality of conditions led each person to seek the truth for himself. It is easy to see that such a method must gradually incline the human mind toward general ideas. When I repudiate the traditions of class, profession, and family, and escape the sway of example in order to find, by the sole effort of my reason, the path to follow, I am inclined to draw the grounds of my opinions from human nature itself. This leads me necessarily, and almost without my knowing it, toward a great many very general notions.

All of the foregoing completes the explanation of why the English show much less aptitude for generalizing ideas, and much less taste for it, than their sons the Americans, and above all than their neighbors the French; and why the English of our day show more of it than their fathers did.

For a long time the English were a very enlightened and at the same time very aristocratic people. Their enlightenment constantly drew them toward very general ideas, and their aristocratic habits held them to very particular ones. Hence the philosophy, at once bold and timid, broad and narrow, that has dominated England until now, and that still keeps so many minds there cramped and motionless.

Apart from the causes I have shown above, there are still others, less apparent but no less effective, that produce among nearly all democratic peoples a taste, and often a passion, for general ideas.

We must distinguish carefully among ideas of this kind. Some are the product of slow, detailed, conscientious work of the intellect, and these widen the sphere of human knowledge.

Others arise easily from a first quick effort of the mind, and yield only very superficial and very uncertain notions.

Men who live in ages of equality have much curiosity and little leisure. Their lives are so practical, so complicated, so agitated, so active, that they have little time left for thinking. Men of democratic ages love general ideas because these spare them from studying particular cases. Such ideas contain, if I may put it this way, a great many things in a small volume, and yield a large return in little time. So when, after a brief and inattentive examination, they think they see some common relation among certain objects, they push their inquiry no further. Without examining in detail how these various objects resemble or differ from one another, they hasten to place them all under the same formula so that they can move on.

One of the distinctive features of democratic ages is the taste all men feel in them for easy successes and present pleasures. This is found in intellectual careers as in all others. Most of those who live in times of equality are full of an ambition that is at once eager and soft: they want to win great successes at once, but would like to be spared great efforts. These contrary instincts lead them straight to the pursuit of general ideas, with whose help they flatter themselves that they can portray very vast subjects at little cost and draw the public's attention without trouble.

And I am not sure they are wrong to think so, for their readers are as afraid of going deeply into things as they are themselves, and as a rule look in works of the mind only for easy pleasures and for instruction without labor.

If aristocratic nations make too little use of general ideas, and often treat them with thoughtless contempt, democratic peoples, by contrast, are always ready to abuse ideas of this kind and to become rashly inflamed with them.

CHAPTER 4: WHY THE AMERICANS HAVE NEVER BEEN AS PASSIONATE AS THE FRENCH ABOUT GENERAL IDEAS IN POLITICAL MATTERS (POURQUOI LES AMÉRICAINS N'ONT JAMAIS ÉTÉ AUSSI PASSIONNÉS QUE LES FRANÇAIS POUR LES IDÉES GÉNÉRALES EN MATIÈRE POLITIQUE)

Practical self-government keeps Americans from the French passion for abstract political theory.

2.1.4 I said earlier that the Americans showed a less lively taste for general ideas than the French. This is especially true of general ideas relating to politics.

The Americans bring infinitely more general ideas into their legislation than the English do, and they concern themselves much more than the English with fitting the practice of human affairs to theory. Even so, no political bodies in the United States have ever been seen as enamored of general ideas as the Constituent Assembly and the Convention were in our country. Never has the American nation as a whole become as passionate about ideas of this kind as the French people of the eighteenth century, or shown so blind a faith in the goodness and absolute truth of any theory.[7]

This difference between the Americans and ourselves arises from several causes, but chiefly from this one:

The Americans are a democratic people that has always managed public affairs itself, and we are a democratic people that, for a long time, could only think about the best way to conduct them.

Our social state was already leading us to conceive very general ideas about government at a time when our political constitution still kept us from correcting those ideas through experience and from gradually discovering their inadequacy. Among the Americans, by contrast, these two things constantly balance and naturally correct each other.

7 The National Constituent Assembly (1789–1791) and the National Convention (1792–1795) were the assemblies of the French Revolution.

At first sight, this seems flatly opposed to what I said earlier, that democratic nations draw the love they show for theories from the very agitations of their practical life. A closer examination shows that there is nothing contradictory here.

Men who live in democratic countries are very eager for general ideas, because they have little leisure and because such ideas spare them from wasting their time examining particular cases. This is true, but it should be understood to apply only to subjects that are not the habitual and necessary object of their thoughts. Merchants will seize eagerly, and without looking very closely, on all the general ideas presented to them about philosophy, politics, the sciences, and the arts; but they will accept ideas that bear on commerce only after examination, and will admit them only with reservations.

The same thing happens to statesmen when it comes to general ideas relating to politics.

So when there is a subject on which it is particularly dangerous for democratic peoples to abandon themselves blindly and immoderately to general ideas, the best corrective available is to make them deal with it every day and in a practical way. They will then have no choice but to go into the details, and the details will show them the weak points of the theory.

The remedy is often painful, but its effect is sure.

Thus democratic institutions, which force every citizen to take a practical part in government, moderate the excessive taste for general theories in political matters that equality suggests.

CHAPTER 5: HOW, IN THE UNITED STATES, RELIGION KNOWS HOW TO MAKE USE OF DEMOCRATIC INSTINCTS (COMMENT, AUX ÉTATS-UNIS, LA RELIGION SAIT SE SERVIR DES INSTINCTS DÉMOCRATIQUES)

Religion supplies settled ideas about God and the soul and checks the instincts equality breeds.

2.1.5 I established in one of the preceding chapters that men cannot do without dogmatic beliefs, and that it was even very desir-

able that they should have them. I add here that, of all dogmatic beliefs, the most desirable seem to me to be dogmatic beliefs about religion. This follows very clearly even if one chooses to consider only the interests of this world.

There is almost no human action, however particular one supposes it to be, that does not originate in some very general idea men have conceived of God, of his relations with the human race, of the nature of their souls, and of their duties toward their fellow men. Nothing can keep these ideas from being the common source from which all the rest flows.

Men therefore have an immense interest in forming firmly settled ideas about God, their souls, and their general duties toward their creator and their fellow men. Doubt on these first points would leave all their actions to chance and would condemn them, in a sense, to disorder and impotence.

This, then, is the subject on which it matters most that each of us should have settled ideas, and unfortunately it is also the one on which it is hardest for each person, left to himself and relying on the sole effort of his reason, to settle his ideas.

Only minds that are very free of the ordinary preoccupations of life, very penetrating, very subtle, and very practiced can, with a great deal of time and care, break through to these truths that are so necessary.

And even then we see that these philosophers themselves are almost always surrounded by uncertainty. At every step the natural light that guides them grows dim and threatens to go out, and despite all their efforts they have so far discovered only a small number of contradictory notions, among which the human mind has drifted ceaselessly for thousands of years without being able to grasp the truth firmly or even to find new errors. Such studies are far beyond the average capacity of men; and even if most men were capable of devoting themselves to them, they clearly would not have the leisure.

Settled ideas about God and human nature are indispensable to the daily practice of their lives, and that very practice prevents them from acquiring such ideas.

This seems to me unique. Among the sciences, some are useful to the crowd and within its reach; others are accessible only to a few and are not cultivated by the majority, which needs only their most remote applications. But the daily practice of this one is indispensable to all, although its study is beyond the reach of most.

General ideas about God and human nature are therefore, of all ideas, the ones most fittingly withdrawn from the habitual action of individual reason, and the ones for which there is most to gain and least to lose by recognizing an authority.

The first object of religions, and one of their principal advantages, is to provide for each of these primordial questions a solution that is clear, precise, intelligible to the crowd, and very lasting.

There are religions that are very false and very absurd. Yet one can say that any religion that stays within the circle I have just described, and does not claim to go beyond it, as several have tried to do, in order to check the free flight of the human mind on every side, imposes a salutary yoke on the intellect. And it must be acknowledged that, even if such a religion does not save men in the next world, it is at least very useful to their happiness and greatness in this one.

This is especially true of men who live in free countries.

When religion is destroyed among a people, doubt takes hold of the highest regions of the intellect and half paralyzes all the others. Each person grows used to having only confused and shifting notions about the matters of greatest concern to his fellow men and to himself. People defend their opinions badly or abandon them; and, despairing of solving on their own the greatest problems that human destiny presents, they cravenly reduce themselves to not thinking about them at all.

Such a state cannot fail to enervate souls; it slackens the springs of the will and prepares citizens for servitude.

Then citizens not only let their liberty be taken from them; often they hand it over.

When there is no longer any authority in matters of religion, any more than in matters of politics, men soon take fright at the sight of this boundless independence. The perpetual agitation of all things troubles and wearies them. Since everything is in motion in the world of the mind, they want at least everything to be firm and stable in the material order; and, no longer able to return to their old beliefs, they give themselves a master.

For my part, I doubt that man can ever bear complete religious independence and full political liberty at the same time; and I am inclined to think that if he has no faith, he must serve, and if he is free, he must believe.

Yet I wonder whether this great usefulness of religions is not even more visible among peoples where conditions are equal than among any others.

It must be acknowledged that equality, which brings great goods into the world, nonetheless suggests to men, as will be shown later, some very dangerous instincts. It tends to isolate them from one another and to lead each of them to concern himself with himself alone.

It opens their souls immoderately to the love of material pleasures.

The greatest advantage of religions is to inspire instincts that are entirely contrary. There is no religion that does not place the object of man's desires beyond and above the goods of the earth, and that does not naturally lift his soul toward regions far above those of the senses. Nor is there any that does not impose on each person some duties toward the human species, or in common with it, and that does not thereby draw him, from time to time, away from the contemplation of himself. This is found even in the falsest and most dangerous religions.

Religious peoples are therefore naturally strong precisely where democratic peoples are weak, which shows clearly how important it is that men keep their religion as they become equal.

HOW RELIGIONS CAN KEEP THEIR HOLD IN DEMOCRATIC AGES

To keep their hold in democratic ages, religions should stay within their sphere and lighten outward forms.

I have neither the right nor the wish to examine the supernatural means God uses to bring a religious belief into the heart of man. For the moment I am considering religions only from a purely human point of view. I am asking how they can most easily maintain their sway in the democratic ages we are now entering.

I have shown how, in times of enlightenment and equality, the human mind consents only reluctantly to accept dogmatic beliefs, and feels a keen need for them only in matters of religion. This shows, first, that in such ages religions must keep more discreetly than in any others within the bounds proper to them, and must not seek to go beyond them. If they try to extend their power beyond religious matters, they risk no longer being believed in any matter at all. They must therefore draw with care the circle within which they claim to hold the human mind, and beyond it leave the mind entirely free, abandoned to itself.

Muhammad brought down from heaven, and placed in the Koran, not only religious doctrines but political maxims, civil and criminal laws, and scientific theories. The Gospel, by contrast, speaks only of the general relations of men with God and with one another. Beyond that, it teaches nothing and requires belief in nothing. This alone, among a thousand other reasons, is enough to show that the first of these two religions cannot long prevail in times of enlightenment and democracy, while the second is destined to reign in these ages as in all others.

If I pursue this same inquiry further, I find that it is not enough for religions to confine themselves carefully to the circle of religious matters if they are to maintain themselves, humanly speaking, in democratic ages. Their power also depends a great

deal on the nature of the beliefs they profess, the outward forms they adopt, and the obligations they impose.

What I said earlier, that equality leads men to very general and very vast ideas, applies above all to matters of religion. Men who are alike and equal readily conceive the notion of a single God, who imposes the same rules on each of them and grants them future happiness at the same price. The idea of the unity of the human race constantly leads them back to the idea of the unity of the Creator. By contrast, men who are widely separated from one another and very unlike readily end up making as many divinities as there are peoples, castes, classes, and families, and marking out a thousand separate paths to heaven.

It cannot be denied that Christianity itself has, in some measure, felt this influence that the social and political state exerts on religious beliefs.

When the Christian religion appeared on earth, Providence, which was no doubt preparing the world for its coming, had gathered a great part of the human race, like an immense flock, under the scepter of the Caesars. The men who made up this multitude differed greatly from one another. Yet they had this in common: they all obeyed the same laws. And each of them was so weak and so small compared with the greatness of the prince that they all seemed equal when set beside him.

It must be acknowledged that this new and unusual state of humanity must have disposed men to receive the general truths that Christianity teaches. It helps to explain how easily and rapidly Christianity then made its way into the human mind.

The counterproof came after the destruction of the Empire.

The Roman world then shattered, so to speak, into a thousand pieces, and each nation reverted to its original individuality. Soon, within these nations, ranks were graded without end, races became sharply marked off, and castes divided each nation into several peoples. Amid this common effort, which seemed to drive human societies to subdivide themselves into as many fragments as could be conceived, Christianity did not lose sight of the principal general ideas it had brought to light. Even

so, it seemed to lend itself, as far as it could, to the new tendencies that the fragmentation of the human race was giving rise to. Men continued to worship only one God, creator and preserver of all things. But each people, each city, and, so to speak, each man believed he could obtain some special privilege and create particular protectors for himself before the sovereign master. Unable to divide the Deity, they at least multiplied his agents and magnified them beyond measure. The homage due to angels and saints became for most Christians an almost idolatrous cult, and for a moment it could be feared that the Christian religion would regress toward the religions it had vanquished.

It seems evident to me that as the barriers separating nations within humanity, and citizens within each people, tend to disappear, the human mind turns more and more, as if of its own accord, toward the idea of a single all-powerful being who dispenses the same laws equally and in the same way to every man. It is therefore particularly in these democratic ages that the homage paid to secondary agents must not be allowed to become confused with the worship due to the Creator alone.

Another truth seems very clear to me: religions should burden themselves with fewer outward practices in democratic times than in any others.

I showed, in discussing the philosophical method of the Americans, that in times of equality nothing revolts the human mind more than the idea of submitting to forms. Men who live in such times have little patience with figures. Symbols seem to them childish devices used to veil or adorn truths that it would be more natural to show them quite bare and in broad daylight. They remain cold at the sight of ceremonies, and they are naturally inclined to attach only secondary importance to the details of worship.

Those charged with regulating the outward form of religions in democratic ages must pay close attention to these natural instincts of human intelligence, so as not to struggle against them needlessly.

I firmly believe in the necessity of forms. I know that they fix the human mind in the contemplation of abstract truths and, by helping it to grasp those truths firmly, make it embrace them with ardor. I do not imagine that a religion can be maintained without outward practices. On the other hand, I think that in the ages we are entering it would be particularly dangerous to multiply them beyond measure. They should rather be restricted, and only what is absolutely necessary for the perpetuation of dogma itself should be kept, for dogma is the substance of religions[8], and worship is only their form. A religion that became more meticulous, more inflexible, and more laden with petty observances at the very time men were becoming more equal would soon find itself reduced to a band of passionate zealots in the midst of an unbelieving multitude.

I know it will surely be objected that religions, since they all have general and eternal truths as their object, cannot bend in this way to the shifting instincts of each age without losing, in men's eyes, the character of certainty. Here again I will reply that one must distinguish very carefully between the principal opinions that constitute a belief, which form what theologians call articles of faith, and the accessory notions attached to them. Religions must always hold firm to the former, whatever the particular spirit of the time. But they must take great care not to bind themselves in the same way to the latter in ages when everything is constantly shifting and the mind, accustomed to the moving spectacle of human affairs, reluctantly allows itself to be fixed. Immobility in outward and secondary things seems to me a chance of lasting only when civil society itself is immobile. Everywhere else, I am inclined to believe, it is a danger.

We shall see that, among all the passions that equality gives rise to or encourages, there is one that it makes particularly keen and at the same time plants in the hearts of all men: the

8 TOCQUEVILLE'S NOTE. In all religions there are ceremonies that are inherent in the very substance of belief, and one must take great care to change nothing in them. This is seen particularly in Catholicism, where form and substance are often so closely united that they are one.

love of well-being. The taste for well-being is, as it were, the salient and indelible trait of democratic ages.

One may well believe that a religion that undertook to destroy this mother passion would in the end be destroyed by it. If it sought to tear men entirely away from contemplating the goods of this world, in order to give them over solely to thoughts of the goods of the next, one can foresee that souls would at last slip through its hands and go off, far from it, to plunge into material and present pleasures alone.

The chief business of religions is to purify, regulate, and restrain the overly ardent and exclusive taste for well-being that men feel in times of equality. But I believe they would be wrong to try to subdue it entirely and destroy it. They will not succeed in turning men away from the love of wealth, but they can still persuade them to grow rich only by honest means.

This brings me to a final consideration that in some way includes all the others. As men become more alike and more equal, it matters more that religions, while carefully keeping apart from the daily movement of affairs, should not needlessly clash with generally accepted ideas and with the permanent interests that prevail in the mass. For common opinion appears more and more as the first and most irresistible of powers, and outside it there is no support strong enough to allow anyone to withstand its blows for long. This is no less true of a democratic people subject to a despot than of a republic. In ages of equality, kings often command obedience, but it is always the majority that commands belief. It is therefore the majority that must be satisfied in everything not contrary to the faith.

I showed in my first work how American priests kept away from public affairs. This is the most striking example of their restraint, but not the only one. In America, religion is a world apart, where the priest reigns but which he takes care never to leave. Within its limits, he guides the mind. Outside them, he leaves men to themselves and abandons them to the independence and instability proper to their nature and to the times. I have seen no country where Christianity wrapped itself less in

forms, practices, and figures than in the United States, or presented clearer, simpler, and more general ideas to the human mind.[9] Although the Christians of America are divided into a multitude of sects, they all see their religion in this same light. This applies to Catholicism as much as to the other faiths. There are no Catholic priests who show less taste for petty individual observances and for extraordinary and special methods of working out one's salvation, or who hold more to the spirit of the law and less to its letter, than the Catholic priests of the United States. Nowhere is the doctrine of the Church that forbids rendering to the saints the worship reserved for God alone taught more clearly or followed more closely. Yet the Catholics of America are very submissive and very sincere.

Another remark applies to the clergy of all denominations. American priests do not try to draw and fix all of man's gaze on the future life. They willingly leave part of his heart to the cares of the present. They seem to regard the goods of this world as important, though secondary, objects. If they do not themselves take part in industry, they at least take an interest in its progress and applaud it. And while constantly showing the believer the other world as the great object of his fears and hopes, they do not forbid him to seek well-being honestly in this one. Far from showing how these two things are divided and opposed, they strive rather to find the points where they touch and connect.

All American priests know the intellectual sway that the majority exercises, and they respect it. They never wage any struggles against it except necessary ones. They do not mix in party quarrels, but they readily adopt the general opinions of their country and their time, and they let themselves be carried without resistance by the current of feelings and ideas that sweeps everything along around them. They strive to correct their contemporaries, but they do not separate themselves from them. Public opinion is therefore never their enemy. Rather, it supports and protects them, and their beliefs reign both by reli-

9 Tocqueville refers to the first volume of *Democracy in America* (1835), especially 1.2.9.

gion's own strength and by the strength they borrow from the majority.

Thus, by respecting all the democratic instincts that are not contrary to it and by making use of several of them, religion manages to struggle successfully against the spirit of individual independence, which is the most dangerous of all to it.

CHAPTER 6: ON THE PROGRESS OF CATHOLICISM IN THE UNITED STATES (DU PROGRÈS DU CATHOLICISME AUX ÉTATS-UNIS)

Equality inclines believers toward a single, unified authority, so Catholicism gains in America.

2.1.6 America is the most democratic country on earth, and it is at the same time the country where, according to reliable reports, the Catholic religion is making the most progress. At first glance this is surprising.

Two things must be carefully distinguished. Equality disposes men to want to judge for themselves. On the other hand, it gives them the taste for, and the idea of, a single social power that is simple and the same for all. Men who live in democratic ages are therefore strongly inclined to escape all religious authority. But if they do consent to submit to such an authority, they want it at least to be one and uniform. Religious powers that do not all lead back to one and the same center naturally offend their intelligence, and they find it almost as easy to conceive of there being no religion as of there being several.

In our day, more than in earlier periods, we see Catholics becoming unbelievers and Protestants becoming Catholics. If one looks at Catholicism from within, it seems to be losing ground; if one looks outside it, it is gaining. This can be explained.

People today are naturally little inclined to believe; but as soon as they have a religion, they at once find within themselves a hidden instinct that drives them, without their knowing it, toward Catholicism. Several of the doctrines and practices of the

Roman Church astonish them; but they feel a secret admiration for its government, and its great unity draws them.

If Catholicism finally managed to free itself from the political hatreds it has aroused, I scarcely doubt that this same spirit of the age, which seems so hostile to it, would become very favorable to it, and that it would suddenly make great conquests.

It is one of the most familiar weaknesses of the human intellect to want to reconcile contrary principles and to buy peace at the expense of logic. So there have always been, and there will always be, people who, after submitting some of their religious beliefs to an authority, will want to withdraw several others from it, and will let their minds drift at random between obedience and freedom. But I am inclined to believe that such people will be fewer in democratic ages than in other ages, and that our descendants will tend more and more to divide into just two camps, some leaving Christianity entirely and others entering the bosom of the Roman Church.

CHAPTER 7: WHAT INCLINES THE MINDS OF DEMOCRATIC PEOPLES TOWARD PANTHEISM (CE QUI FAIT PENCHER L'ESPRIT DES PEUPLES DÉMOCRATIQUES VERS LE PANTHÉISME)

The democratic love of unity makes pantheism attractive, and Tocqueville urges resistance to it.

2.1.7 I will show later how the predominant taste of democratic peoples for very general ideas reappears in politics; but I want to point out right now its principal effect in philosophy.

It cannot be denied that pantheism has made great progress in our day. The writings of part of Europe visibly bear its stamp. The Germans are bringing it into philosophy, and the French into literature. Of the works of imagination published in France, most contain some opinions or some images borrowed from pantheistic doctrines, or reveal in their authors a sort of leaning toward those doctrines. This does not seem to me to arise merely from an accident, but to stem from a lasting cause.

As conditions become more equal and each individual man becomes more like all the others, weaker and smaller, people grow used to no longer looking at citizens and considering only the people; they forget individuals and think only of the species.

In such times, the human mind likes to take in a host of diverse objects at once; it constantly aspires to link a multitude of consequences to a single cause.

The idea of unity obsesses it; it seeks unity on all sides, and when it believes it has found it, it gladly stretches out in its embrace and rests there. Not only does it come to discover in the world nothing but a creation and a creator; even this first division of things still bothers it, and it readily seeks to enlarge and simplify its thought by enclosing God and the universe within a single whole. If I come across a philosophical system according to which the material and immaterial, visible and invisible things that the world contains are regarded only as the various parts of one immense being, which alone remains eternal amid the continual change and ceaseless transformation of everything that composes it, I will have no trouble concluding that such a system, although it destroys human individuality —or rather because it destroys it—will hold secret charms for people who live in democracies; all their intellectual habits prepare them to conceive it and set them on the path to adopting it. It naturally attracts their imagination and holds it fast; it feeds the pride of their minds and flatters their mental laziness.

Among the various systems by which philosophy seeks to explain the universe, pantheism seems to me one of the most apt to seduce the human mind in democratic ages; it is against pantheism that all who remain devoted to the true greatness of man must unite and fight.

CHAPTER 8: HOW EQUALITY SUGGESTS TO THE AMERICANS THE IDEA OF THE INDEFINITE PERFECTIBILITY OF MAN (COMMENT L'ÉGALITÉ SUGGÈRE AUX AMÉRICAINS L'IDÉE DE LA PERFECTIBILITÉ INDÉFINIE DE L'HOMME)

Constant change convinces democratic peoples that humanity can improve without limit.

2.1.8 Equality suggests to the human mind several ideas that would not have occurred to it otherwise, and it modifies almost all those the mind already had. I take as an example the idea of human perfectibility, because it is one of the principal ideas the intellect can conceive, and because by itself it constitutes a great philosophical theory whose consequences can be seen at every moment in the conduct of affairs.[10]

Although man resembles the animals in several respects, one trait belongs to him alone: he improves himself, and they do not. The human race could not have failed to notice this difference from the very beginning. The idea of perfectibility is therefore as old as the world; equality did not give birth to it, but it gives it a new character.

When citizens are ranked by station, profession, and birth, and all are forced to follow the path at whose entrance chance has placed them, each believes he sees, close at hand, the outermost limits of human power, and no one tries any longer to struggle against an inevitable destiny. It is not that aristocratic peoples absolutely deny man the faculty of improving himself; they do not judge it to be indefinite; they conceive of improvement, not of change; they imagine the condition of future societies as better, but not as different; and while admitting that humanity has made great progress and may still make some more, they confine it in advance within certain impassable limits.

So they do not believe they have arrived at the supreme good and at absolute truth (what man or what people has ever been

foolish enough to imagine that?), but they like to persuade themselves that they have reached roughly the degree of greatness and knowledge that our imperfect nature allows; and since nothing stirs around them, they readily imagine that everything is in its place. It is then that the legislator claims to promulgate eternal laws, that peoples and kings want to raise only monuments built to last for centuries, and that the present generation takes it upon itself to spare future generations the trouble of settling their own destinies.

As castes disappear and classes draw closer together; as men mingle tumultuously and practices, customs, and laws vary; as new facts arise, new truths are brought to light, old opinions disappear, and others take their place—the image of an ideal and ever-elusive perfection presents itself to the human mind.

Continual changes then take place at every moment before each man's eyes. Some worsen his position, and he understands only too well that a people, or an individual, however enlightened, is not infallible. Others improve his lot, and he concludes from this that man in general is endowed with an indefinite faculty of improvement. His setbacks show him that no one can flatter himself that he has discovered the absolute good; his successes fire him to pursue it without respite. Thus, always seeking, falling, picking himself up, often disappointed, never discouraged, he strives ceaselessly toward that immense greatness he dimly glimpses at the end of the long course humanity has yet to run.

It is hard to believe how many facts flow naturally from this philosophical theory according to which man is indefinitely perfectible, and how prodigious an influence it exerts even on those who, having only ever been concerned with acting rather than thinking, seem to conform their actions to it without knowing it.

I meet an American sailor and ask him why the ships of his country are built not to last long, and he answers without hesitation that the art of navigation is making such rapid progress

10 "Perfectibility" (the human capacity for self-improvement) was a term made current by Rousseau's *Discourse on Inequality* (1755).

every day that the finest ship would soon become nearly useless if it lasted beyond a few years.

In these words, spoken offhand by an unpolished man about a particular fact, I perceive the general and systematic idea by which a great people conducts all things.

Aristocratic nations are naturally inclined to narrow the limits of human perfectibility too much, and democratic nations sometimes extend them beyond all measure.

CHAPTER 9: HOW THE EXAMPLE OF THE AMERICANS DOES NOT PROVE THAT A DEMOCRATIC PEOPLE CAN HAVE NO APTITUDE OR TASTE FOR THE SCIENCES, LITERATURE AND THE ARTS (COMMENT L'EXEMPLE DES AMÉRICAINS NE PROUVE POINT QU'UN PEUPLE DÉMOCRATIQUE NE SAURAIT AVOIR DE L'APTITUDE ET DU GOÛT POUR LES SCIENCES, LA LITTÉRATURE ET LES ARTS)

American neglect of the arts comes from American circumstances, not from democracy as such.

2.1.9 It must be acknowledged that, among the civilized peoples of our day, there are few in which the higher sciences have made less progress than in the United States, or which have produced fewer great artists, illustrious poets, and celebrated writers.

Many Europeans, struck by this sight, have regarded it as a natural and inevitable result of equality, and they have thought that if the democratic social state and democratic institutions ever came to prevail over the whole earth, the human mind would see the lights that illuminate it gradually grow dim, and men would fall back into darkness.

Those who reason this way are, I think, confusing several ideas that it would be important to separate and examine one by one. Without meaning to, they mix up what is democratic with what is merely American.

The religion professed by the first emigrants, and bequeathed by them to their descendants—simple in its worship, austere and almost untamed in its principles, hostile to outward signs

and to the pomp of ceremonies—is naturally unfavorable to the fine arts and permits literary pleasures only grudgingly.

The Americans are a very old and very enlightened people who have come upon a new and immense country in which they can spread out at will and which they make fruitful without effort. This is without precedent in the world. In America, therefore, everyone finds opportunities unknown elsewhere for making his fortune or increasing it. Greed there is always on the alert, and the human mind, distracted at every moment from the pleasures of the imagination and the labors of the intellect, is drawn only toward the pursuit of wealth. Not only does one see in the United States, as in all other countries, industrial and commercial classes; but—something never encountered before—all men there are engaged in industry and commerce at once.

I am convinced, however, that if the Americans had been alone in the universe, with the liberties and the enlightenment acquired by their fathers and the passions peculiar to them, they would not have been slow to discover that one cannot long make progress in the practice of the sciences without cultivating theory, and that all the arts improve one another; and however absorbed they might have been in pursuing the principal object of their desires, they would soon have recognized that they had to turn away from it now and then in order to reach it better.

Moreover, the taste for the pleasures of the mind is so natural to the heart of civilized man that among cultivated nations, even those least disposed to indulge in them, there is always a certain number of citizens who acquire it. This intellectual need, once felt, would soon have been satisfied.

But at the same time as the Americans were naturally inclined to ask of science only its particular applications to the arts, only the means of making life comfortable, learned and literary Europe was taking it upon itself to go back to the general sources of truth, while also perfecting everything that can contribute to man's pleasures as well as everything that must serve his needs.

At the head of the enlightened nations of the Old World, the inhabitants of the United States singled out one in particular, to which they were closely bound by a common origin and similar habits. Among this people they found celebrated scholars, skillful artists, and great writers, and they could gather the treasures of the intellect without needing to labor to amass them.

I cannot bring myself to separate America from Europe, despite the ocean that divides them. I regard the people of the United States as that portion of the English people charged with exploiting the forests of the New World, while the rest of the nation, endowed with more leisure and less preoccupied with the material cares of life, can devote itself to thought and develop the human mind in every direction.

The situation of the Americans is therefore entirely exceptional, and it is likely that no democratic people will ever be placed in it. Their wholly Puritan origin; their exclusively commercial habits; the very country they inhabit, which seems to turn their minds away from the study of the sciences, letters, and the arts; the proximity of Europe, which allows them to neglect that study without falling back into barbarism; a thousand particular causes, of which I have been able to point out only the principal ones—all these must have concentrated the American mind in a singular way on the care of purely material things. Passions, needs, education, circumstances—everything, indeed, seems to combine to bend the inhabitant of the United States toward the earth. Religion alone makes him, now and then, raise fleeting and distracted glances toward heaven.

Let us therefore stop seeing all democratic nations in the image of the American people, and try at last to consider them in their own features.

One can imagine a people in whose midst there would be no castes, no hierarchy, no classes; where the law, recognizing no privileges, would divide inheritances equally; and which, at the same time, would be deprived of enlightenment and liberty. This is no idle hypothesis: a despot may find it in his interest to

make his subjects equal and to leave them ignorant, the more easily to keep them enslaved.

Not only will a democratic people of this kind show no aptitude or taste for the sciences, literature, and the arts; it is likely that it will never come to show any.

The law of inheritance would itself take care of destroying fortunes in each generation, and no one would create new ones. The poor man, deprived of enlightenment and liberty, would not even conceive the idea of rising toward wealth, and the rich man would let himself be dragged down into poverty without knowing how to defend himself. A complete and invincible equality would soon be established between these two citizens. No one would then have either the time or the taste to devote himself to the labors and pleasures of the intellect. But all would remain benumbed in the same ignorance and in an equal servitude.

When I come to imagine a democratic society of this kind, I immediately feel as though I were in one of those low, dark, stifling places where lights brought in from outside soon grow pale and go out. A sudden heaviness seems to weigh me down, and I seem to drag myself through the surrounding darkness in search of the way out that must lead me back to the open air and full daylight. But none of this can apply to men who are already enlightened and who, after destroying among themselves the particular and hereditary rights that fixed property in perpetuity in the hands of certain individuals or certain bodies, remain free.

When people who live in a democratic society are enlightened, they discover without difficulty that nothing limits them, nothing fixes them in place, and nothing forces them to be content with their present fortune.

So they all conceive the idea of increasing it, and, if they are free, they all try to do so; but not all succeed in the same way. The legislature, it is true, no longer grants privileges, but nature does. Since natural inequality is very great, fortunes become

unequal the moment each person uses all his faculties to grow rich.

The law of inheritance still prevents rich families from being founded, but it no longer prevents there being rich people. It constantly brings citizens back toward a common level, from which they constantly escape. They become more unequal in wealth as their enlightenment widens and their liberty grows.

In our day a sect has arisen, famous for its genius and its extravagances, which proposed to concentrate all property in the hands of a central power and to charge that power with then distributing it to all individuals according to merit. In this way one would have escaped the complete and eternal equality that seems to threaten democratic societies.[11]

There is another remedy, simpler and less dangerous: to grant privilege to no one, to give everyone equal enlightenment and equal independence, and to leave each person to mark out his own place. Natural inequality will soon come to light, and wealth will pass of its own accord to the most able.

Free democratic societies will therefore always contain within them a multitude of people who are opulent or well-off. These rich will not be bound together as closely as the members of the old aristocratic class. They will have different instincts, and they will almost never possess leisure as secure or as complete. But they will be infinitely more numerous than the members of that class could ever be. These men will not be narrowly confined to the concerns of material life, and they will be able, though in varying degrees, to devote themselves to the work and the pleasures of the intellect. They will therefore do so. For if it is true that the human mind leans at one end toward the limited, the material, and the useful, at the other it rises naturally toward the infinite, the immaterial, and the beautiful. Physical needs tie it to the earth, but as soon as it is no longer held down, it stands up again of its own accord.

11 The Saint-Simonians, followers of Henri de Saint-Simon (1760–1825), whose motto was "to each according to his capacity, to each capacity according to its works."

Not only will more people be able to take an interest in works of the mind, but the taste for intellectual pleasures will spread downward, step by step, even to those who in aristocratic societies seem to have neither the time nor the capacity to indulge in them.

When there are no more inherited fortunes, class privileges, or prerogatives of birth, and each person draws his strength from himself alone, it becomes plain that intelligence is what chiefly makes the difference between men's fortunes. Whatever serves to strengthen, broaden, or adorn the intelligence at once acquires great value.

The usefulness of knowledge reveals itself with particular clarity even to the eyes of the crowd. Those who do not savor its charms prize its effects and make some effort to attain it.

In democratic ages that are enlightened and free, men have nothing to separate them or to hold them in their place; they rise or sink with remarkable speed. All classes see one another constantly, because they are very close. They communicate and mingle every day, imitate and envy one another. This suggests to the people a host of ideas, notions, and desires they would never have had if ranks had been fixed and society motionless. Among these nations the servant never considers himself wholly a stranger to the pleasures and labors of the master, nor the poor man to those of the rich. The countryman strives to resemble the townsman, and the provinces strive to resemble the capital.

Thus no one easily lets himself be reduced to the material cares of life alone, and from time to time even the humblest artisan casts a few eager and furtive glances into the higher world of the intellect. People do not read in the same spirit or in the same way as among aristocratic peoples, but the circle of readers widens constantly and ends by including all citizens.

Once the crowd begins to take an interest in works of the mind, it becomes clear that one great means of acquiring glory, power, or wealth is to excel in some of them. The restless ambition that equality breeds at once turns in this direction as in every other. The number of those who cultivate the sciences, let-

ters, and the arts becomes immense. A prodigious activity shows itself in the world of the intellect. Everyone seeks to open a path for himself there and strives to draw the public's eye after him. Something happens there analogous to what happens in political society in the United States: the works are often imperfect, but they are countless; and although the results of individual efforts are usually very small, the overall result is always very great.

It is therefore not true that men who live in democratic ages are naturally indifferent to the sciences, letters, and the arts. One must only acknowledge that they cultivate them in their own way, and that they bring to them the qualities and defects peculiar to themselves.

CHAPTER 10: WHY THE AMERICANS APPLY THEMSELVES TO THE PRACTICE OF THE SCIENCES RATHER THAN TO THEORY (POURQUOI LES AMÉRICAINS S'ATTACHENT PLUTÔT À LA PRATIQUE DES SCIENCES QU'À LA THÉORIE)

Democracy turns science toward practical application and away from slow, disinterested theory.

2.1.10 If the social state and democratic institutions do not halt the flight of the human mind, it is at least beyond dispute that they direct it one way rather than another. Its efforts, though limited in this way, are still very great, and I hope I will be forgiven for pausing a moment to contemplate them.

When we discussed the philosophical method of the Americans, we made several observations that should be put to use here.

Equality develops in each man the desire to judge everything for himself. In all things it gives him a taste for the tangible and the real, and a contempt for traditions and forms. These general instincts show themselves chiefly in the particular subject of this chapter.

Those who cultivate the sciences among democratic peoples are always afraid of losing themselves in utopias. They distrust systems; they like to keep very close to the facts and to study

them for themselves. Since they are not easily overawed by the name of any of their fellows, they are never disposed to swear by the master's word; on the contrary, they are constantly busy looking for the weak side of his doctrine. Scientific traditions have little hold over them. They never linger long in the subtleties of a school, and they are not easily satisfied with grand words. They penetrate as far as they can to the main parts of the subject that occupies them, and they like to set these out in ordinary language. The sciences then move at a freer and surer pace, but a less lofty one.

The mind can, it seems to me, divide science into three parts.

The first contains the most theoretical principles and the most abstract notions—those whose application is unknown or very remote.

The second consists of general truths that are still bound to pure theory but nonetheless lead by a direct and short path to practice.

Methods of application and means of execution fill the third.

Each of these different portions of science can be cultivated separately, although reason and experience show that none of them can prosper for long when it is cut off entirely from the other two.

In America the purely practical part of the sciences is admirably cultivated, and careful attention is paid to the portion of theory immediately needed for application. Here the Americans display a mind that is always clear, free, original, and fertile. But there is almost no one in the United States who devotes himself to the essentially theoretical and abstract portion of human knowledge. In this the Americans show the excess of a tendency that will be found, I think, though to a lesser degree, among all democratic peoples.

Nothing is more necessary to the cultivation of the higher sciences, or of the elevated portion of the sciences, than meditation, and nothing is less suited to meditation than the inner life of a democratic society. One does not find there, as among aristocratic peoples, a numerous class that stays at rest because it is

comfortable, and another that does not stir because it despairs of bettering itself. Everyone is in motion: some want to reach power, others to seize wealth. Amid this universal tumult, this repeated clash of opposing interests, this continual march of men toward fortune, where is one to find the calm needed for the deep combinations of the intellect? how is one to fix one's thought on a single point when everything around one is moving, and one is oneself swept along and tossed about every day in the headlong current that carries all things before it?

One must clearly distinguish the sort of permanent agitation that reigns within a peaceful and already established democracy from the tumultuous and revolutionary movements that almost always accompany the birth and development of a democratic society.

When a violent revolution takes place among a highly civilized people, it cannot fail to give a sudden impulse to feelings and ideas.

This is true above all of democratic revolutions, which stir up all the classes of a people at once and so give rise at the same time to immense ambitions in the heart of every citizen.

If the French suddenly made such admirable progress in the exact sciences at the very moment they were finishing off the remnants of the old feudal society, this sudden fertility must be attributed not to democracy but to the unprecedented revolution that accompanied its development. What happened then was a particular fact; it would be rash to see in it the sign of a general law.[12]

Great revolutions are no more common among democratic peoples than among other peoples; I am even inclined to believe they are less so. But within these nations there reigns a petty, irksome motion, a kind of incessant jostling of men against one another, which disturbs and distracts the mind without animating or elevating it.

Not only do men who live in democratic societies find it hard to devote themselves to meditation, but they naturally have

little esteem for it. The social state and democratic institutions lead most men to act constantly. Now, the habits of mind that suit action do not always suit thought. The man of action is often reduced to making do with approximations, because he would never carry out his design if he tried to perfect every detail. He must constantly rely on ideas he has not had the leisure to examine in depth, for what helps him is far more the timeliness of the idea he uses than its rigorous exactness. All things considered, he runs less risk in making use of a few false principles than in spending his time establishing the truth of all his principles. The world is not run by long and learned demonstrations. A quick view of a particular fact, daily study of the changing passions of the crowd, the chance of the moment and the skill to seize it—these decide all affairs.

In ages when almost everyone is active, people are therefore generally inclined to set excessive value on the quick bursts and superficial conceptions of the intellect, and, conversely, to undervalue its deep and slow labor beyond all measure.

This public opinion influences the judgment of the men who cultivate the sciences. It persuades them that they can succeed in the sciences without meditation, or it turns them away from the sciences that require it.

There are several ways of studying the sciences. Among a multitude of men one finds a selfish, mercantile, and industrial taste for the discoveries of the mind, which must not be confused with the disinterested passion kindled in the hearts of a few. There is a desire to make use of knowledge, and there is a pure desire to know. I do not doubt that now and then there arises in a few people an ardent and inexhaustible love of truth, which feeds on itself and enjoys ceaselessly without ever being able to satisfy itself. It is this ardent, proud, and disinterested love of the true that leads men to the abstract sources of truth, to draw the seminal ideas from them.

If Pascal had had in view only some great profit, or even if he had been moved by the desire for glory alone, I cannot believe

he could ever have gathered together all the powers of his intellect, as he did, to uncover the most hidden secrets of the Creator. When I see him tear his soul, as it were, away from the cares of life in order to bind it wholly to this search, and, prematurely breaking the bonds that hold it to the body, die of old age before forty, I stop, dumbfounded, and I understand that no ordinary cause can produce such extraordinary efforts.[13]

The future will show whether these passions, so rare and so fertile, are born and grow as easily within democratic societies as within aristocracies. For my part, I confess that I find it hard to believe.

THE ARISTOCRATIC AND THE DEMOCRATIC AIMS OF SCIENCE

Aristocracies prize pure theory, democracies useful results; China shows how learning can die of mere routine.

In aristocratic societies, the class that directs opinion and runs affairs is placed permanently and hereditarily above the crowd, and so it naturally conceives a lofty idea of itself and of man. It readily imagines glorious pleasures for him and sets magnificent goals for his desires. Aristocracies often commit very tyrannical and very inhumane acts, but they rarely conceive base thoughts, and they show a certain proud disdain for petty pleasures even while indulging in them. This raises every soul there to a very high pitch. In aristocratic times, people generally form very vast ideas of the dignity, the power, and the greatness of man. These opinions influence those who cultivate the sciences as they do everyone else. They ease the mind's natural flight toward the highest regions of thought, and they naturally dispose it to conceive the sublime and almost divine love of truth.

The learned men of these times are therefore drawn toward theory, and they often even come to feel a thoughtless contempt

12 Tocqueville has in mind the flowering of French science in the revolutionary era, with figures such as Lagrange, Laplace, Monge, and Lavoisier.

13 Blaise Pascal (1623–1662), French mathematician, physicist, and religious thinker, who died at thirty-nine.

for practice. "Archimedes," says Plutarch, "was of so lofty a spirit that he never deigned to leave in writing any work on the way of constructing all those engines of war. He deemed this whole science of inventing and building machines, and in general every art that yields some utility when put into practice, to be vile, base, and mercenary, and he devoted his mind and his study to writing only of things whose beauty and subtlety were in no way mixed with necessity." Such is the aristocratic aim of the sciences.[14]

That aim cannot be the same among democratic nations.

Most of the men who make up these nations are very eager for material and immediate pleasures. Since they are always dissatisfied with the position they occupy, and always free to leave it, they think only of ways to change their fortune or to increase it. To minds so disposed, every new method that leads to wealth by a shorter road, every machine that shortens labor, every instrument that lowers the costs of production, every discovery that makes pleasures easier and greater, seems the most magnificent effort of human intelligence. It is chiefly from this side that democratic peoples become attached to the sciences, understand them, and honor them. In aristocratic ages, people ask of the sciences chiefly the pleasures of the mind; in democracies, those of the body.

You may count on this: the more democratic, enlightened, and free a nation is, the more the number of these interested admirers of scientific genius will grow, and the more profit, glory, and even power discoveries immediately applicable to industry will bring their authors. For in democracies the working class takes part in public affairs, and those who serve it can expect honors as well as money from it.

One can easily conceive that, in a society organized in this way, the human mind would be imperceptibly led to neglect theory, and that it must, on the contrary, feel itself driven with

14 From Plutarch's *Life of Marcellus*, quoted in Jacques Amyot's sixteenth-century French translation. Archimedes (c. 287–212 BC) built machines to defend Syracuse against the Romans.

unparalleled energy toward application, or at least toward that portion of theory which is necessary to those who apply it.

In vain does an instinctive inclination lift it toward the highest spheres of intelligence; interest brings it back to the middle ones. It is there that it deploys its strength and its restless activity, and brings forth marvels. These same Americans, who have not discovered a single one of the general laws of mechanics, have introduced into navigation a new machine that is changing the face of the world.[15]

Certainly I am far from claiming that the democratic peoples of our day are destined to see the transcendent lights of the human mind go out, or even that new ones will not be kindled in their midst. At the stage of the world's life we have reached, and among so many lettered nations ceaselessly tormented by the ardor of industry, the bonds that unite the different parts of science cannot fail to strike the eye; and the very taste for practice, if it is enlightened, must lead men not to neglect theory. Amid so many attempts at application, so many experiments repeated every day, it is almost impossible that very general laws should not often come to light; so that great discoveries would be frequent, even though great inventors were rare.

I believe, moreover, in lofty scientific vocations. If democracy does not lead men to cultivate the sciences for their own sake, it does, on the other hand, immensely increase the number of those who cultivate them. It is not credible that, among so great a multitude, some speculative genius fired by the love of truth alone will not be born from time to time. One may be sure that such a man will strive to pierce the deepest mysteries of nature, whatever the spirit of his country and his time. There is no need to help his flight; it is enough not to stop it. All I mean is this: permanent inequality of conditions leads men to shut themselves up in the proud and sterile search for abstract truths, whereas the democratic social state and democratic institutions

15 The steamboat, made commercially practical by Robert Fulton on the Hudson River in 1807.

dispose them to ask of the sciences only their immediate and useful applications.

This tendency is natural and inevitable. It is interesting to understand it, and it may be necessary to point it out.

If those who are called to lead the nations of our day saw clearly and from afar these new instincts, which will soon be irresistible, they would understand that, given enlightenment and freedom, men who live in democratic ages cannot fail to improve the industrial portion of the sciences, and that henceforth the whole effort of the social power must be directed toward supporting higher studies and creating great scientific passions.

In our day the human mind must be held back in theory; it runs to practice of its own accord. Instead of constantly bringing it back to the detailed examination of secondary effects, it is good to draw it away from them now and then, in order to raise it to the contemplation of first causes.

Because Roman civilization died following the invasion of the barbarians, we are perhaps too inclined to believe that civilization could not die in any other way.

If the lights that illuminate us were ever to go out, they would grow dim little by little, and as if of their own accord. By dint of confining ourselves to application, we would lose sight of principles; and once we had entirely forgotten the principles, we would follow poorly the methods derived from them. We could no longer invent new ones, and we would use, without intelligence and without art, learned procedures we no longer understood.

When the Europeans landed in China three hundred years ago, they found almost all the arts there brought to a certain degree of perfection, and they were astonished that, having reached that point, the Chinese had gone no further. Later they discovered the vestiges of some lofty knowledge that had been lost. The nation was industrious; most scientific methods had been preserved within it; but science itself no longer existed there. This explained to them the singular kind of immobility in

which they had found the mind of this people. The Chinese, in following in their fathers' footsteps, had forgotten the reasons that had guided them.[16] They still used the formula without inquiring into its meaning; they kept the instrument but no longer possessed the art of modifying and reproducing it. The Chinese could therefore change nothing. They had to give up improving. They were forced always and in everything to imitate their fathers, lest they plunge into impenetrable darkness if they strayed for an instant from the path their fathers had laid out. The source of human knowledge had almost dried up; and although the river still flowed, it could no longer swell its waters or change its course.

Yet China had endured peacefully for centuries; its conquerors had adopted its mores; order reigned there. A kind of material well-being could be seen on every side. Revolutions were very rare, and war, so to speak, unknown.[17]

We must not, then, reassure ourselves by thinking that the barbarians are still far from us; for if there are peoples who let the light be snatched from their hands, there are others who stamp it out underfoot themselves.

CHAPTER 11: IN WHAT SPIRIT THE AMERICANS CULTIVATE THE ARTS (DANS QUEL ESPRIT LES AMÉRICAINS CULTIVENT LES ARTS)

Democratic arts favor the useful, cheap, and showy over the perfect and the grand.

2.1.11 I would think I was wasting my readers' time and my own if I set out to show how the general mediocrity of fortunes, the absence of superfluity, the universal desire for well-being, and the constant efforts each person makes to obtain it cause the taste for the useful to prevail in the human heart over the love of the beautiful. Democratic nations, where all these things are

16 Portuguese traders first reached the coast of China in the early sixteenth century.

17 The conquerors are the Mongols (13th century AD) and the Manchus (17th century AD), both of whom took up Chinese ways.

found together, will therefore cultivate the arts that serve to make life comfortable in preference to those whose object is to embellish it; they will habitually prefer the useful to the beautiful, and they will want the beautiful to be useful.

But I mean to go further and, having pointed out this first feature, to sketch several others.

It usually happens that in ages of privilege the practice of almost every art becomes a privilege, and that each profession is a world apart, which not everyone is free to enter. And even when industry is free, the immobility natural to aristocratic nations means that all those engaged in the same art nonetheless end up forming a distinct class, always made up of the same families, whose members all know one another, and in which a public opinion and a corporate pride soon arise. In an industrial class of this kind, each artisan has not only his fortune to make but his standing to maintain. His rule is set not only by his own interest, nor even by that of the buyer, but by that of the body to which he belongs; and the interest of that body is that each artisan produce masterpieces. In aristocratic ages, then, the aim of the arts is to do the best possible work, not the quickest or the cheapest.

When, on the contrary, every profession is open to all, when the crowd constantly enters and leaves it, and when its various members become strangers, indifferent and almost invisible to one another because of their numbers, the social bond is destroyed, and each worker, thrown back on himself, seeks only to earn the most money at the least cost; nothing limits him any longer but the will of the consumer. Now it happens that, at the same time, a corresponding revolution makes itself felt in the consumer.

In countries where wealth, like power, is concentrated in a few hands and does not leave them, the use of most of the goods of this world belongs to a small number of individuals, always the same ones; necessity, opinion, and moderation of desires keep all the others from it.

Since this aristocratic class stays fixed at the height of greatness where it is placed, neither contracting nor expanding, it always experiences the same needs and feels them in the same way. The men who compose it naturally draw from the superior and hereditary position they occupy a taste for what is very well made and very durable.

This gives a general turn to the nation's ideas in matters of art.

It often happens that among these peoples even the peasant would rather go entirely without the objects he covets than acquire them in imperfect form.

In aristocracies, then, workers work only for a limited number of buyers who are very hard to satisfy. The profit they expect depends chiefly on the perfection of their work.

It is no longer so when, all privileges having been destroyed, ranks mingle, and all men constantly fall and rise on the social ladder.

Within a democratic people there is always a crowd of citizens whose patrimony is being divided and is dwindling. In better times they contracted certain needs that remain with them after the means of satisfying them are gone, and they anxiously look about for some roundabout way of providing for them.

On the other hand, one always sees in democracies a very great number of men whose fortune is growing, but whose desires grow much faster than their fortune, and who devour with their eyes the goods it promises them long before it delivers them. These men look on every side for shorter paths to these pleasures close at hand. From the combination of these two causes it follows that in democracies one always meets a multitude of citizens whose needs exceed their resources, and who would gladly agree to satisfy themselves incompletely rather than give up the object of their desire altogether.

The worker readily understands these passions, because he shares them himself. In aristocracies he sought to sell his products very dear to a few; he now sees that there would be a

quicker way to grow rich, which would be to sell them cheap to all.

Now there are only two ways to lower the price of a commodity.

The first is to find better, quicker, and more scientific ways of producing it. The second is to manufacture, in greater quantity, objects that are much the same but of lesser value. Among democratic peoples, all the intellectual faculties of the worker are directed toward these two points.

He strives to invent processes that let him work not only better but faster and at lower cost; and, if he cannot manage that, to reduce the intrinsic qualities of the thing he makes without rendering it entirely unfit for its intended use. When only the rich had watches, they were almost all excellent. Hardly any but mediocre ones are made now, but everyone has one. Thus democracy does not only tend to direct the human mind toward the useful arts; it leads artisans to make many imperfect things very quickly, and the consumer to be content with these things.

This is not to say that in democracies art is incapable of producing marvels when need be. That sometimes becomes apparent when buyers come forward who are willing to pay for time and trouble. In this struggle of all industries, amid this immense competition and these countless trials, excellent workers are formed who reach the furthest limits of their profession; but they rarely have the chance to show what they can do. They husband their efforts carefully; they keep to a knowing mediocrity that judges itself, and that, though able to reach beyond the goal it sets itself, aims only at the goal it attains. In aristocracies, by contrast, workers always do all they know how to do, and when they stop, it is because they have come to the end of their skill.

When I arrive in a country and see the arts yielding some admirable products, this tells me nothing about the social state and the political constitution of the country. But if I notice that the products of the arts there are generally imperfect, very numerous, and cheap, I am sure that, among the people where

this is happening, privileges are weakening, and classes are beginning to mingle and will soon merge.

Artisans who live in democratic ages do not seek only to put their useful products within reach of all citizens; they also strive to give all their products brilliant qualities that these do not have.

In the confusion of all classes, everyone hopes to appear what he is not and makes great efforts to succeed. Democracy does not give birth to this feeling, which is only too natural to the human heart; but it applies it to material things: the hypocrisy of virtue belongs to every age; the hypocrisy of luxury belongs more particularly to democratic ages.

To satisfy these new needs of human vanity, there is no imposture to which the arts do not resort; industry sometimes goes so far in this direction that it ends up harming itself. Diamonds have already been imitated so perfectly that it is easy to be deceived. From the moment someone invents the art of making false diamonds so well that they can no longer be told from real ones, people will probably abandon both, and they will become pebbles again.

This brings me to those arts that have been called the fine arts par excellence.

I do not believe that the necessary effect of a democratic social state and democratic institutions is to reduce the number of men who cultivate the fine arts; but these causes have a powerful influence on the way in which they are cultivated. Most of those who had already acquired a taste for the fine arts are becoming poor, while many of those who are not yet rich are beginning, by imitation, to conceive a taste for the fine arts. As a result, the number of consumers in general grows, and very rich and very discerning consumers become rarer. Something then happens in the fine arts similar to what I have already shown in speaking of the useful arts. They multiply their works and lessen the merit of each one.

No longer able to aim at the great, people seek the elegant and the pretty; they strive less for reality than for appearance.

In aristocracies a few great pictures are painted, and in democratic countries a multitude of small paintings. In the former, statues are raised in bronze; in the latter, statues are cast in plaster.

When I first arrived in New York by that part of the Atlantic Ocean called the East River, I was surprised to see along the shore, some distance from the city, a number of little palaces of white marble, several of which were in the classical style. The next day, having gone to take a closer look at the one that had particularly caught my eye, I found that its walls were of white-washed brick and its columns of painted wood. The same was true of all the edifices I had admired the day before.

A democratic social state and democratic institutions also give all the imitative arts certain particular tendencies that are easy to point out. They often turn them away from portraying the soul and attach them solely to portraying the body. They substitute the representation of movements and sensations for that of feelings and ideas. In short, in place of the ideal they put the real.

I doubt that Raphael made as thorough a study of the smallest workings of the human body as the draftsmen of our day. He did not attach the same importance as they do to rigorous exactness on this point, for he aimed to surpass nature. He wanted to make of man something superior to man; he undertook to embellish beauty itself.

David and his pupils, by contrast, were as good at anatomy as they were at painting. They depicted the models before their eyes wonderfully well, but they rarely imagined anything beyond them. They followed nature exactly, whereas Raphael sought something better than nature. They have left us an exact portrait of man, but Raphael lets us glimpse the Divinity in his works.[18]

What I have said about the manner of treating a subject can be applied to the very choice of subject.

The painters of the Renaissance usually looked above themselves, or far from their own time, for great subjects that gave their imagination wide scope. Our painters often devote their talent to reproducing exactly the details of private life that are constantly before their eyes, and on every side they copy small objects of which nature holds only too many originals.

CHAPTER 12: WHY THE AMERICANS RAISE AT THE SAME TIME SUCH SMALL AND SUCH GREAT MONUMENTS (POURQUOI LES AMÉRICAINS ÉLÈVENT EN MÊME TEMPS DE SI PETITS ET DE SI GRANDS MONUMENTS)

Democracies build many small works and a few colossal public monuments, with nothing in between.

2.1.12 I have just said that in democratic ages the monuments of the arts tend to become more numerous and less grand. I hasten to point out the exception to this rule myself.

Among democratic peoples individuals are very weak; but the state, which represents them all and holds them all in its hand, is very strong. Nowhere do citizens seem smaller than in a democratic nation. Nowhere does the nation itself seem greater, and nowhere does the mind more readily form a vast picture of it. In democratic societies, men's imagination contracts when they think of themselves; it expands without limit when they think of the state. Hence the same men who live in a small way in cramped dwellings often aim at the gigantic as soon as public monuments are in question.

On the site they chose for their capital, the Americans have laid out the boundaries of an immense city. Even today it has hardly more inhabitants than Pontoise, but according to them it is one day to hold a million. They have already uprooted the trees for ten leagues around, lest these should inconvenience the future citizens of this imaginary metropolis. In the center of the city they have raised a magnificent palace to serve as the

18 Jacques-Louis David (1748–1825), the leading painter of French Neoclassicism.

seat of Congress, and they have given it the pompous name of Capitol.[19]

Every day the individual states themselves conceive and carry out prodigious undertakings that would astonish the genius of the great nations of Europe.

Thus democracy does not only lead men to make a multitude of trifling works; it also leads them to raise a small number of very great monuments. But between these two extremes there is nothing. A few scattered remains of very vast buildings therefore tell us nothing about the social state and institutions of the people who raised them.

I would add, though it goes beyond my subject, that these remains are no better a guide to that people's greatness, its enlightenment, and its real prosperity.

Whenever any power at all is able to make an entire people work together on a single undertaking, it will manage, with little science and much time, to draw something immense from the combination of such great efforts. It does not follow that the people is very happy, very enlightened, or even very strong. The Spaniards found the city of Mexico filled with magnificent temples and vast palaces; this did not prevent Cortés from conquering the empire of Mexico with six hundred foot soldiers and 16 horses.[20]

Had the Romans better understood the laws of hydraulics, they would not have built all those aqueducts that surround the ruins of their cities; they would have made better use of their power and their wealth. Had they discovered the steam engine, perhaps they would not have stretched to the far ends of their empire those long artificial rocks called Roman roads.

These things are magnificent testimonies to their ignorance as well as to their greatness.

19 Pontoise: a small market town northwest of Paris.
20 Hernán Cortés (1485–1547) conquered the Aztec Empire between AD 1519 and 1521.

A people that left no other traces of its passage than a few lead pipes in the ground and a few iron rails on its surface might have been more the master of nature than the Romans.

CHAPTER 13: THE LITERARY FACE OF DEMOCRATIC AGES (PHYSIONOMIE LITTÉRAIRE DES SIÈCLES DÉMOCRATIQUES)

American literature is still English; aristocratic letters are polished and ruled by convention.

2.1.13 When you enter a bookseller's shop in the United States and look over the American books that fill its shelves, the number of works seems very large, while the number of well-known authors seems, on the contrary, very small.

First there is a multitude of elementary treatises meant to give a first notion of human knowledge. Most of these works were written in Europe. The Americans reprint them, adapting them to their own use. Next comes an almost countless quantity of religious books: Bibles, sermons, pious anecdotes, controversies, reports of charitable institutions. Finally there appears the long catalogue of political pamphlets. In America, parties do not write books to fight one another, but pamphlets that circulate with incredible speed, live for a day, and die.

In the midst of all these obscure productions of the human mind appear the more remarkable works of only a small number of authors who are known to Europeans, or who ought to be.

America is perhaps, in our day, the civilized country where people concern themselves least with literature. Even so, one finds there a great number of individuals who take an interest in things of the mind and who make of them, if not the study of their whole lives, at least the charm of their leisure. But it is England that supplies them with most of the books they call for. Almost all the great English works are reprinted in the United States. The literary genius of Great Britain still darts its rays into the depths of the forests of the New World. There is hardly a pioneer's cabin where one does not find a few odd volumes of Shakespeare. I remember reading the feudal drama of Henry V for the first time in a log house.

Not only do the Americans draw daily on the treasures of English literature, but one can truly say that they find the literature of England on their own soil. Of the small number of men in the United States who are engaged in writing works of literature, most are English in substance and above all in form. They thus carry into the midst of democracy the ideas and literary customs current in the aristocratic nation they have taken as their model. They paint with colors borrowed from foreign mores. Since they almost never represent the country of their birth as it really is, they are seldom popular there.

The citizens of the United States themselves seem so convinced that books are not published for them that, before settling on the merit of one of their own writers, they usually wait until he has found favor in England. In the same way, where paintings are concerned, people readily leave it to the author of the original to judge the copy.

The inhabitants of the United States therefore do not yet have, properly speaking, a literature. The only authors I recognize as American are journalists. They are not great writers, but they speak the language of the country and make themselves heard. In the others I see only foreigners. They are to the Americans what the imitators of the Greeks and Romans were to us at the time of the revival of letters: an object of curiosity, not of general sympathy. They amuse the mind and have no effect on mores.

I have already said that this state of things is far from being due to democracy alone, and that its causes must be sought in several particular circumstances independent of it.

If the Americans, while keeping their social state and their laws, had a different origin and found themselves transported to another country, I have no doubt that they would have a literature. As they are, I am sure that they will end by having one. But it will have a character different from the one that shows itself in American writings of our day, a character that will be its own. It is not impossible to sketch this character in advance.

Let me suppose an aristocratic people among whom letters are cultivated. There the work of the intellect, like the business of government, is regulated by a sovereign class. Literary life, like political existence, is almost entirely concentrated in this class or in the classes closest to it. That is enough to give me the key to all the rest.

When a small number of men, always the same, are occupied at the same time with the same objects, they easily reach an understanding and agree together on certain main rules that are to guide each of them. If the object that draws these men's attention is literature, they will soon subject the works of the mind to a few precise laws from which no one will any longer be permitted to depart.

If these men hold a hereditary position in the country, they will naturally be inclined not only to adopt a certain number of fixed rules for themselves, but to follow those their forefathers had imposed on themselves. Their legislation will be at once strict and traditional.

Since they are not necessarily preoccupied with material things, have never been, and their fathers were no more so before them, they have been able to take an interest in the works of the mind over several generations. They have come to understand literary art, and they end by loving it for its own sake and by taking a learned pleasure in seeing its rules observed.

Nor is that all. The men I am speaking of began their lives in ease or in wealth, and they end them so; they have therefore naturally acquired a taste for refined enjoyments and a love of fine and delicate pleasures.

What is more, a certain softness of mind and heart, which they often acquire amid this long and peaceful enjoyment of so many goods, leads them to remove from their very pleasures whatever might be too unexpected or too intense in them. They prefer being amused to being deeply moved; they want to be interested, but not carried away.

Now imagine a great number of literary works produced by the men I have just described, or for them, and you will easily

conceive of a literature in which everything is regular and arranged in advance. The slightest work will be carefully finished in its smallest details; art and labor will show themselves in everything. Each genre will have its own particular rules, from which no one will be free to depart and which will set it apart from all the others.

Style will seem almost as important as idea, form almost as important as substance; the tone will be polished, moderate, sustained. The mind will always move with a noble gait, rarely at a lively pace, and writers will care more about perfecting than about producing.

It will sometimes happen that the members of the lettered class, living only among themselves and writing only for themselves, will lose sight of the rest of the world entirely, and this will throw them into affectation and falseness. They will impose on themselves petty literary rules for their own use alone, which will imperceptibly lead them away from common sense and finally carry them outside nature.

By dint of wanting to speak differently from the common run of men, they will arrive at a kind of aristocratic jargon that is hardly less remote from fine language than the patois of the people.

Such are the natural pitfalls of literature in aristocracies.

Every aristocracy that sets itself entirely apart from the people becomes powerless. This is true in letters as well as in politics[21].

21 TOCQUEVILLE'S NOTE. All this is true above all of aristocratic countries that have long and peacefully been subject to the power of a king.

When freedom reigns in an aristocracy, the upper classes are constantly obliged to make use of the lower; and in making use of them, they draw closer to them. This often lets something of the democratic spirit into their midst. Moreover, a privileged body that governs develops an energy and a habit of enterprise, a taste for movement and noise, which cannot fail to influence all literary works.

LITERATURE IN A DEMOCRACY

Democratic literature will be rapid, bold, careless of form, and aimed at strong emotion.

Let us now turn the picture around and look at the other side.

Let us transport ourselves into the midst of a democracy whose ancient traditions and present enlightenment make it responsive to the pleasures of the mind. There ranks are mixed and confounded; knowledge, like power, is divided infinitely and, if I may say so, scattered in every direction.

Here is a confused crowd whose intellectual needs must be satisfied. These new lovers of the pleasures of the mind have not all received the same education. They do not possess the same enlightenment, they do not resemble their fathers, and at every moment they differ from themselves, for they constantly change their place, their feelings, and their fortunes. The mind of each of them is therefore not bound to the minds of all the others by common traditions and habits, and they have never had the power, the will, or the time to come to an understanding among themselves.

Yet it is in the midst of this incoherent and agitated multitude that authors are born, and it is this multitude that hands out profits and fame to them.

Things being so, I have no difficulty understanding that I must expect to find in the literature of such a people only a small number of those strict conventions that readers and writers recognize in aristocratic ages. Should the men of one era happen to agree on a few of them, that would still prove nothing for the following era, for among democratic nations each new generation is a new people. Among these nations, therefore, letters can be subjected to narrow rules only with difficulty, and it is all but impossible that they should ever be subjected to permanent ones.

In democracies, it is far from the case that all the men who busy themselves with literature have received a literary educa-

tion. Among those who have some smattering of letters, most pursue a political career or take up a profession from which they can turn aside only now and then, to taste the pleasures of the mind on the sly. They therefore do not make these pleasures the chief charm of their existence; rather, they regard them as a passing and necessary relaxation amid the serious labors of life. Such men can never acquire a knowledge of the literary art deep enough to feel its subtleties; the small nuances escape them. Having only a very short time to give to letters, they want to make the most of every bit of it. They like books that are easily obtained, that are quickly read, and that require no learned research to be understood. They ask for easy beauties that offer themselves up of their own accord and can be enjoyed on the spot; above all, they must have the unexpected and the new. Accustomed to a practical, contentious, monotonous existence, they need vivid and rapid emotions, sudden flashes of light, and brilliant truths or errors that instantly pull them out of themselves and thrust them all at once, and as if by force, into the middle of the subject.

What need have I to say more? And who does not understand, without my spelling it out, what is to follow?

Taken as a whole, the literature of democratic ages cannot present, as it does in aristocratic times, an image of order, regularity, science, and art. Form will usually be neglected there, and sometimes despised. The style will often be odd, incorrect, overloaded, and slack, and almost always bold and vehement. Authors will aim at speed of execution more than at perfection of detail. Short writings will be more common than big books, wit more common than erudition, imagination more common than depth. An untutored and almost wild force will reign in thought, and often a very great variety and a remarkable fecundity in what it produces. Writers will try to astonish rather than to please, and will strive to sweep the passions along rather than to charm the taste.

Now and then there will no doubt be writers who wish to take another path. If they are of superior merit, they will succeed in

getting themselves read, in spite of both their faults and their virtues. But these exceptions will be rare, and even those who have thus departed from common practice in their work as a whole will always return to it in some details.

I have just painted two extreme states; but nations do not pass suddenly from the first to the second. They reach it only gradually and through infinite gradations. In the passage that leads a literate people from one to the other, there almost always comes a moment when the literary genius of democratic nations meets that of aristocracies, and both seem to want to reign jointly over the human mind.

These are passing periods, but very brilliant ones: one then has fecundity without exuberance, and movement without confusion. Such was the French literature of the eighteenth century.

I would go beyond my own thought if I said that a nation's literature is always subordinate to its social state and its political constitution. I know that, apart from these causes, there are several others that give literary works certain characteristics; but these seem to me the principal ones.

The relations between the social and political state of a people and the genius of its writers are always very numerous; whoever knows the one is never wholly ignorant of the other.

CHAPTER 14: ON THE LITERARY TRADE (DE L'INDUSTRIE LITTÉRAIRE)

In democracies writing becomes a trade, and authors seek sales more than lasting fame.

2.1.14 Democracy does not only bring a taste for letters into the industrial classes; it also brings the spirit of industry into literature.

In aristocracies, readers are hard to please and few in number; in democracies, they are less difficult to please, and their number is prodigious. It follows that among aristocratic peoples one can hope to succeed only by immense efforts, and that these efforts, which can bring a great deal of glory, can never earn much money. Among democratic nations, by contrast, a writer

may flatter himself that he will cheaply obtain a middling renown and a great fortune. For that he need not be admired; it is enough that people enjoy him.

The ever-growing crowd of readers, and their continual need for something new, ensure the sale of a book they hardly esteem.

In democratic times, the public often treats authors as kings usually treat their courtiers: it enriches them and despises them. What more do venal souls need, those born in courts or worthy of living in them?

Democratic literatures always swarm with authors who see in letters nothing but a trade, and for the few great writers to be found there, one counts sellers of ideas by the thousands.

CHAPTER 15: WHY THE STUDY OF GREEK AND LATIN LITERATURE IS PARTICULARLY USEFUL IN DEMOCRATIC SOCIETIES (POURQUOI L'ÉTUDE DE LA LITTÉRATURE GRECQUE ET LATINE EST PARTICULIÈREMENT UTILE DANS LES SOCIÉTÉS DÉMOCRATIQUES)

Studying the ancient classics corrects democratic faults, though most education should be practical.

2.1.15 What was called the people in the most democratic republics of antiquity bore little resemblance to what we call the people. In Athens, all citizens took part in public affairs; but there were only twenty thousand citizens out of more than three hundred fifty thousand inhabitants. All the others were slaves and performed most of the functions that in our day belong to the people and even to the middle classes.

Athens, with its universal suffrage, was therefore, after all, only an aristocratic republic in which all the nobles had an equal right to govern.

The struggle between the patricians and plebeians of Rome must be seen in the same light, as nothing more than an internal quarrel between the younger and elder sons of the same family. All of them in fact belonged to the aristocracy and shared its spirit.

One must also note that throughout antiquity books were rare and expensive, and that reproducing and circulating them was very difficult. These circumstances concentrated the taste for letters, and their use, in a small number of men, and so formed something like a small literary aristocracy out of the elite of a great political aristocracy. Accordingly, nothing suggests that among the Greeks and Romans letters were ever treated as a trade.

These peoples not only formed aristocracies but were also highly civilized and very free nations. They must therefore have given their literary works the particular vices and special qualities that characterize literature in aristocratic ages.

Indeed, one has only to glance at the writings antiquity has left us to see that its writers sometimes lacked variety and fecundity in their subjects, and boldness, movement, and generalization in their thought, but always displayed admirable art and care in detail. Nothing in their works seems done in haste or at random; everything is written for connoisseurs, and the pursuit of ideal beauty shows itself constantly. No literature brings into sharper relief than that of the ancients the qualities that writers in democracies naturally lack. There is, therefore, no literature better suited to study in democratic ages. Of all studies, this one is the most apt to combat the literary defects inherent in those ages. As for their natural qualities, these will spring up quite on their own, with no need to learn how to acquire them.

Here we must be quite clear.

A course of study may be useful to a people's literature and yet not suit its social and political needs.

Suppose one insisted on teaching nothing but letters in a society where everyone was habitually driven to make violent efforts to increase his fortune or to keep it. One would then have citizens who were very polished and very dangerous. Their social and political state would daily give them needs that their education would never teach them to satisfy, and so they would disturb the state in the name of the Greeks and Romans instead of making it fruitful by their industry.

It is evident that in democratic societies the interest of individuals, as well as the security of the state, requires that the education of the greatest number be scientific, commercial, and industrial rather than literary.

Greek and Latin should not be taught in every school. But it is important that those whose nature or fortune destines them to cultivate letters, or predisposes them to enjoy letters, should find schools where they can fully master ancient literature and become thoroughly imbued with its spirit. To achieve this, a few excellent universities would be worth more than a multitude of bad colleges, where superfluous studies badly done keep necessary studies from being done well.[22]

Among democratic nations, all those who aspire to excel in letters should often nourish themselves on the works of antiquity. It is a wholesome regimen.

Not that I consider the literary works of the ancients beyond reproach. I think only that they have special qualities that can serve wonderfully to counterbalance our particular defects. They hold us up on the side toward which we lean.

CHAPTER 16: HOW AMERICAN DEMOCRACY HAS MODIFIED THE ENGLISH LANGUAGE (COMMENT LA DÉMOCRATIE AMÉRICAINE A MODIFIÉ LA LANGUE ANGLAISE)

Democracy renews language constantly, mixing words from every class and trade.

2.1.16 If the reader has understood what I said earlier about letters in general, he will easily grasp what kind of influence the social state and democratic institutions can exert on language itself, which is the primary instrument of thought.

American authors, in truth, live more in England than in their own country, since they constantly study English writers and take them as their models every day. The population itself is another matter: it is more directly subject to the particular

22 In France a collège was a secondary school, whose curriculum was built largely on Latin and Greek.

causes that can act upon the United States. We must therefore attend to the spoken language rather than the written one if we wish to perceive the changes that the idiom of an aristocratic people can undergo when it becomes the language of a democracy.

Educated Englishmen, better judges of these delicate nuances than I can be myself, have often assured me that the educated classes of the United States differed notably in their language from the educated classes of Great Britain.

They complained not only that the Americans had brought many new words into use—the difference and distance between the two countries would have been enough to explain that—but that these new words were borrowed chiefly from the jargon of parties, from the mechanical arts, or from the language of business. They added that the Americans often took old English words in a new sense. Finally, they said that the inhabitants of the United States frequently mixed styles in a peculiar way, and sometimes put together words that, in the language of the mother country, were accustomed to avoid each other.

These remarks were made to me several times by people who seemed to me worthy of belief. They led me to reflect on the subject myself, and my reflections brought me by theory to the same point they had reached by practice.

In aristocracies, language must naturally share in the repose in which all things are held. Few new words are made, because few new things are made; and even if new things were made, people would strive to depict them with familiar words whose meaning tradition has fixed.

If the human mind there should at last stir of its own accord, or if light coming in from outside should awaken it, the new expressions it creates have a learned, intellectual, and philosophical character, which shows that they do not owe their birth to a democracy. When the fall of Constantinople had sent the sciences and letters flowing back toward the West, the French language found itself almost suddenly invaded by a multitude of new words, all of which had their roots in Greek and Latin.

France then saw a learned neologism, used only by the educated classes. Its effects never reached the people, or reached them only after a long time.[23]

All the nations of Europe presented the same spectacle in turn. Milton alone introduced more than six hundred words into the English language, nearly all drawn from Latin, Greek, and Hebrew.

The perpetual motion that reigns within a democracy tends, on the contrary, to renew the face of the language constantly, just as it renews the face of affairs. Amid this general agitation and this meeting of all minds, a great number of new ideas take shape; old ideas are lost or reappear, or else they subdivide into infinite small shades.

So there are often words that must go out of use, and others that must be brought in.

Democratic nations, moreover, love movement for its own sake. This can be seen in language as well as in politics. Even when they have no need to change words, they sometimes feel the desire to.

The genius of democratic peoples shows itself not only in the great number of new words they bring into use, but also in the nature of the ideas those new words represent.

Among these peoples, it is the majority that makes the law in matters of language, as in everything else. Its spirit shows itself there as it does elsewhere. Now, the majority is more occupied with business than with study, and with political and commercial interests than with philosophical speculation or belles-lettres. Most of the words it creates or accepts will bear the imprint of these habits. They will serve chiefly to express the needs of industry, the passions of parties, or the details of public administration. It is in that direction that the language will keep expanding, while it gradually abandons the ground of metaphysics and theology.

23 Constantinople fell to the Ottoman Turks in AD 1453; Greek scholars fleeing the city carried manuscripts and learning to Italy and western Europe.

As for the source from which democratic nations draw their new words, and the way they go about making them, both are easy to describe.

Men who live in democratic countries hardly know the language that was spoken in Rome and Athens, and they do not care to go back to antiquity to find the expression they lack. If they sometimes resort to learned etymologies, it is usually vanity that sends them searching for these in the depths of dead languages, and not erudition that naturally brings them to mind. It even happens at times that the most ignorant among them use such words the most. The thoroughly democratic desire to rise above one's sphere often leads them to try to dignify a very coarse trade with a Greek or Latin name. The lower the trade and the farther it is from learning, the more pompous and erudite the name. That is how our rope dancers have turned into acrobats and funambulists.[24]

Failing dead languages, democratic peoples readily borrow words from living ones. They are constantly in contact with one another, and men of different countries readily imitate each other, because they grow more alike every day.

But it is chiefly within their own language that democratic peoples look for ways to innovate. From time to time they take up forgotten expressions in their vocabulary and bring them back into the light. Or they take from a particular class of citizens a term that belongs to it and bring it, in a figurative sense, into everyday speech. In this way a multitude of expressions that at first belonged only to the special language of a party or a profession are swept into general circulation.

The most common expedient democratic peoples use to innovate in language is to give an expression already in use an unaccustomed meaning. This method is very simple, very quick, and very convenient. No learning is needed to use it well, and ignorance itself makes it easier to use. But it exposes the language to great dangers. By thus doubling the meaning of a

24 "Acrobat" comes from a Greek word for walking on tiptoe, and "funambulist" from the Latin for rope-walker.

word, democratic peoples sometimes make doubtful both the meaning they leave it and the one they give it.

An author begins by turning a familiar expression slightly away from its original meaning, and, having modified it in this way, adapts it as best he can to his subject. Another comes along and pulls the meaning in another direction. A third carries it off with him down a new road. Since there is no common arbiter, no permanent tribunal that can fix the meaning of the word once and for all, the word is left wandering. As a result, writers almost never seem to hold to a single thought. They always seem to aim at the middle of a cluster of ideas, leaving the reader to judge which one has been hit.

This is an unfortunate consequence of democracy. I would rather see the language bristle with Chinese, Tartar, or Huron words than see the meaning of French words made uncertain. Harmony and homogeneity are only secondary beauties of language. There is a great deal of convention in such matters, and one can, if need be, do without them. But there is no good language without clear terms.

Equality necessarily brings several other changes to language.

In aristocratic ages, each nation tends to keep apart from all the others and likes to have a character of its own. It often happens then that several peoples who share a common origin nevertheless become quite foreign to one another. While they can all still understand each other, they no longer all speak in the same way.

In those same ages, each nation is divided into a certain number of classes that see little of each other and never mix. Each of these classes takes on, and steadfastly preserves, intellectual habits peculiar to itself alone, and favors certain words and terms that are then handed down from generation to generation like inheritances. Within the same idiom one then finds a language of the poor and a language of the rich, a language of commoners and a language of nobles, a learned language and a vulgar one. The deeper the divisions and the more insurmountable

the barriers, the more this must be so. I would readily wager that among the castes of India language varies prodigiously, and that there is almost as much difference between the speech of a member of the lowest caste and that of a Brahmin as between their clothes.

When, on the contrary, men are no longer held in their place and see and communicate with one another constantly, when castes are destroyed and classes are renewed and intermingle, all the words of the language mix together. Those that cannot suit the greatest number perish. The rest form a common stock from which each person draws more or less at random. Almost all the different dialects that divided the languages of Europe are visibly tending to fade away. There are no patois in the New World, and they are disappearing from the Old every day.

This revolution in the social state affects style as well as language.

Not only does everyone use the same words, but people grow used to employing each of them indiscriminately. The rules that style had created are nearly destroyed. One hardly ever meets expressions that seem vulgar by their nature and others that seem distinguished. Individuals who have risen from various ranks have brought with them, wherever they arrived, the expressions and terms they were used to. So the origin of words has been lost like that of men, and language has become as mixed and confused as society.

I know that in the classification of words there are rules that do not belong to one form of society rather than another, but derive from the very nature of things. There are expressions and turns of phrase that are vulgar because the feelings they are meant to express are truly low, and others that are elevated because the objects they seek to depict are naturally very lofty.

The mixing of ranks will never make these differences disappear. But equality cannot fail to destroy what is purely conventional and arbitrary in the forms of thought. I am not even sure that the necessary classification I pointed to above will not always be less respected among a democratic people than

among any other. Among such a people there are no men whose education, enlightenment, and leisure permanently dispose them to study the natural laws of language, and who make those laws respected by observing them themselves.

THE TASTE FOR ABSTRACT WORDS

Democratic peoples love abstract and generic words, which enlarge thought but blur it.

I do not want to leave this subject without portraying democratic languages by one last feature, which will characterize them perhaps more than all the others.

I showed earlier that democratic peoples have a taste, and often a passion, for general ideas. This stems from qualities and defects peculiar to them. In democratic languages, this love of general ideas shows itself in the constant use of generic terms and abstract words, and in the way they are used. That is both the great merit and the great weakness of these languages.

Democratic peoples passionately love generic terms and abstract words, because these expressions enlarge thought. By allowing many objects to be packed into a small space, they aid the work of the intellect.

A democratic writer will readily speak abstractly of *the capacities* when he means capable men, without going into the details of the things to which that capacity applies. He will speak of *actualities* to depict at a single stroke the things happening before his eyes at this moment, and under the word *eventualities* he will include everything that can happen in the universe from the moment he speaks.[25]

Democratic writers constantly coin abstract words of this kind, or they take the language's existing abstract words in an ever more abstract sense.

What is more, to make their discourse quicker, they personify the object of these abstract words and make it act like a real

25 In French political language of the 1830s, *les capacités* meant people qualified by education or profession, much debated as candidates for the vote.

individual. They will say that *the force of things wills that the capacities govern*.

I am glad to explain what I mean by my own example:

I have often used the word equality in an absolute sense. Moreover, I have personified equality in several places, and so I have found myself saying that equality did certain things or refrained from certain others. One can be sure that the men of the age of Louis XIV would never have spoken this way. It would never have entered the mind of any of them to use the word equality without applying it to some particular thing, and they would sooner have given up the word than agree to make equality a living person.

These abstract words that fill democratic languages, and that are used at every turn without being tied to any particular fact, enlarge thought and veil it. They make expression quicker and the idea less clear. But in matters of language, democratic peoples prefer obscurity to effort.

Besides, I wonder whether vagueness does not hold a certain secret charm for those who speak and write among these peoples.

The men who live there are often left to the individual efforts of their own intelligence, and so they are almost always troubled by doubt. Moreover, since their situation constantly changes, they are never held firmly to any of their opinions by the very immobility of their fortunes.

Men who live in democratic countries therefore often have wavering thoughts, and they need very broad expressions to contain them. Since they never know whether the idea they express today will suit the new situation they will be in tomorrow, they naturally develop a taste for abstract terms. An abstract word is like a box with a false bottom: you put into it whatever ideas you like, and take them out again without anyone seeing.

Among all peoples, generic and abstract terms form the foundation of language. So I do not claim that such words are found only in democratic languages. I say only that in times of

equality men tend especially to increase the number of words of this kind. They tend always to take them in isolation, in their most abstract sense, and to use them at every turn, even when the needs of discourse do not require it.

CHAPTER 17: ON SOME SOURCES OF POETRY AMONG DEMOCRATIC NATIONS (DE QUELQUES SOURCES DE POÉSIE CHEZ LES NATIONS DÉMOCRATIQUES)

Equality dries up old sources of poetry such as gods, heroes, and the past.

2.1.17 Many very different meanings have been given to the word poetry. It would weary readers to investigate with them which of these different senses is best to choose. I prefer to tell them at once the one I have chosen.

Poetry, in my view, is the search for the ideal and its depiction.

Whoever cuts away part of what exists, adds a few imaginary features to the picture, and combines real circumstances that never in fact occur together, and so completes and enlarges nature—that person is the poet. Poetry, then, will aim not to represent the true but to adorn it, and to offer the mind a higher image.

Verse will seem to me the ideal beauty of language, and in that sense it will be eminently poetic; but verse alone will not constitute poetry.

I want to inquire whether, among the actions, feelings, and ideas of democratic peoples, there are not some that lend themselves to imagining the ideal, and that should therefore be considered natural sources of poetry.

It must first be acknowledged that the taste for the ideal, and the pleasure people take in seeing it depicted, are never as keen or as widespread among a democratic people as within an aristocracy.

Among aristocratic nations, it sometimes happens that the body acts as if on its own, while the soul is sunk in a repose that weighs on it. Among these nations the common people them-

selves often show poetic tastes, and their minds sometimes soar beyond and above their surroundings.

But in democracies, the love of material pleasures, the idea of something better, competition, and the nearby allure of success are like so many spurs that hurry each man along the career he has embraced and forbid him to stray from it for a single moment. The main effort of the soul goes in that direction. Imagination is not extinguished, but it devotes itself almost exclusively to conceiving the useful and representing the real.

Equality does not only turn men away from depicting the ideal; it also reduces the number of objects to depict.

Aristocracy, by keeping society immobile, favors the firmness and durability of positive religions, as it does the stability of political institutions.[26]

Not only does it keep the human mind in faith, but it also disposes it to adopt one faith rather than another. An aristocratic people will always be inclined to place intermediary powers between God and man.

One may say that in this respect aristocracy proves very favorable to poetry. When the universe is peopled with supernatural beings that the senses cannot perceive but the mind discovers, the imagination feels at ease. Poets find a thousand different subjects to depict, and they meet countless spectators ready to take an interest in their pictures.

In democratic ages, on the contrary, it sometimes happens that beliefs drift, unmoored, like the laws. Doubt then brings the poets' imagination back down to earth and confines them within the visible, real world.

Even when equality does not shake religions, it simplifies them. It draws attention away from secondary agents and turns it chiefly toward the sovereign master.

Aristocracy naturally leads the human mind to contemplate the past, and fixes it there. Democracy, on the contrary, gives men a kind of instinctive distaste for what is old. In this respect

26 "Positive religions": religions founded on a particular revelation, with established doctrines and rites, as opposed to natural religion.

aristocracy is far more favorable to poetry, for things usually grow larger and become veiled as they recede into the distance. On both these counts, they lend themselves more readily to the depiction of the ideal.

Having taken the past away from poetry, equality also takes away part of the present.

Among aristocratic peoples there are a certain number of privileged individuals whose existence lies, so to speak, outside and above the human condition. Power, wealth, glory, wit, refinement, and distinction in all things seem to belong to them by right. The crowd never sees them at close range, and does not follow them in detail. Little effort is needed to make the portrayal of these men poetic.

On the other hand, these same peoples contain ignorant, humble, and subjugated classes. These lend themselves to poetry by the very excess of their coarseness and wretchedness, as the others do by their refinement and grandeur. Moreover, the different classes that make up an aristocratic people are sharply separated and know one another poorly. So the imagination, in portraying them, can always add something to reality or take something away.

In democratic societies, where men are all very small and very much alike, each man, in looking at himself, instantly sees all the others. Poets who live in democratic ages can therefore never take one particular man as the subject of their painting. An object of middling size, seen distinctly from every side, will never lend itself to the ideal.

Thus equality, as it establishes itself on earth, dries up most of the old sources of poetry.

NEW SOURCES OF POETRY

Democratic poetry turns to the future, the nation, humanity, and the inner life of man.

Let us try to show how it uncovers new ones.

Doubt depopulated heaven, and the progress of equality reduced each man to better-known and smaller proportions. Poets could not yet imagine what to put in place of the great objects that were fleeing along with the aristocracy, so they turned their eyes to inanimate nature. Losing sight of heroes and gods, they set out first to paint rivers and mountains.

This gave birth, in the last century, to the poetry that has been called, above all others, descriptive.[27]

Some have thought that this embellished portrayal of the material and inanimate things that cover the earth was the poetry proper to democratic ages. I think this is a mistake. I believe it represents only a transitional period.

I am convinced that in the long run democracy turns the imagination away from everything outside man and fixes it on man alone.

Democratic peoples may well amuse themselves for a moment by contemplating nature, but they are truly stirred only by the sight of themselves. Only there are the natural sources of poetry found among these peoples. One may believe that all poets who refuse to draw from them will lose all sway over the souls of those they claim to charm. In the end such poets will have nothing but cold witnesses to their raptures.

I have shown how the idea of progress and of the indefinite perfectibility of the human species is natural to democratic ages.

Democratic peoples care little about what has been, but they readily dream about what will be. In that direction their imagination knows no limits; there it stretches and grows beyond all measure.

This offers poets a vast field and allows them to set their picture far back from the eye. Democracy, which closes the past to poetry, opens the future to it.

Since all the citizens of a democratic society are nearly equal and alike, poetry cannot attach itself to any one of them; but the

27 Eighteenth-century descriptive poetry includes James Thomson's *The Seasons* (1726–30) and the French poems of Jacques Delille.

nation itself offers itself to the poet's brush. The likeness of all individuals makes each of them, taken separately, unfit to be the subject of poetry. Yet it allows poets to enclose them all in a single image and at last to contemplate the people itself. Democratic nations see their own figure more clearly than any others do, and this great figure lends itself wonderfully to the portrayal of the ideal.

I will readily grant that the Americans have no poets. I cannot likewise admit that they have no poetic ideas.

People in Europe talk a great deal about the American wilderness, but the Americans themselves hardly think about it. The wonders of inanimate nature leave them unmoved. They notice the admirable forests around them, so to speak, only at the moment those forests fall beneath their axes. Their eyes are filled with another spectacle. The American people see themselves marching across this wilderness, draining the swamps, straightening the rivers, peopling the solitude, and subduing nature. This magnificent image of themselves does not appear to the Americans' imagination only now and then. One may say that it follows each of them in the least of his actions as in the most important, and that it always hovers before his mind.

Nothing could be imagined so petty, so dull, so full of paltry interests—so antipoetic, in a word—as the life of a man in the United States. Yet among the thoughts that guide it there is always one that is full of poetry, and that one is like the hidden sinew that gives vigor to all the rest.

In aristocratic ages each people, like each individual, tends to stay motionless and apart from all the others.

In democratic ages, men's extreme mobility and impatient desires make them constantly change place. The inhabitants of different countries mingle, see one another, listen to one another, and borrow from one another. So it is not only the members of a single nation who become alike; the nations themselves grow alike. Taken together, they form in the observer's eye no more than one vast democracy in which each

citizen is a people. This brings the figure of the human race into full daylight for the first time.

Everything that relates to the existence of the human race taken as a whole, to its vicissitudes, to its future, becomes a very rich mine for poetry.

The poets of aristocratic ages produced admirable paintings by taking as their subjects certain incidents in the life of a people or of a man. But none of them ever dared to enclose the destinies of the human species within his picture. Poets who write in democratic ages can undertake it.

Each man raises his eyes above his own country and at last begins to perceive humanity itself. At the same time, God reveals himself more and more to the human mind in his full and entire majesty.

In democratic ages faith in positive religions is often wavering, and belief in intermediary powers, whatever name they are given, grows dim. On the other hand, men are disposed to conceive a far vaster idea of the Divinity himself, and his intervention in human affairs appears to them in a new and greater light.

Perceiving the human race as a single whole, they readily conceive that one and the same design presides over its destinies. In the actions of each individual they are inclined to recognize the trace of the general and constant plan by which God guides the species.

This too may be regarded as a very abundant source of poetry that opens up in these ages.

Democratic poets will always seem petty and cold if they try to give bodily forms to gods, demons, or angels, or if they make them come down from heaven to fight over the earth.

But suppose they connect the great events they recount to God's general designs for the universe. Suppose that, without showing the hand of the sovereign master, they lead the reader into his thought. Then they will be admired and understood, for the imagination of their contemporaries follows this road of its own accord.

One may likewise foresee that poets who live in democratic ages will portray passions and ideas rather than persons and deeds.

In democracies, men's language, dress, and daily actions resist being imagined as ideal. These things are not poetic in themselves. Even if they were, they would cease to be, simply because they are too well known to everyone a poet might undertake to speak to about them. This forces poets constantly to pierce beneath the outer surface that the senses show them, in order to glimpse the soul itself. Now, nothing lends itself better to portraying the ideal than man viewed in this way, in the depths of his immaterial nature.

I do not need to range over heaven and earth to discover a marvelous object full of contrasts. It is full of infinite greatness and littleness, of deep obscurity and strange flashes of clarity. It can arouse pity, admiration, contempt, and terror all at once. I have only to consider myself. Man comes out of nothingness, passes through time, and will vanish forever into the bosom of God. He is seen only for a moment, wandering at the edge of the two abysses in which he is lost.

If man knew nothing at all of himself, he would not be poetic, for one cannot paint what one has no idea of. If he saw himself clearly, his imagination would stay idle and would have nothing to add to the picture. But man is uncovered enough to perceive something of himself, and veiled enough that the rest sinks into impenetrable darkness. He plunges into it ceaselessly, and always in vain, trying to grasp himself completely.

We must not expect, then, that among democratic peoples poetry will live on legends or feed on traditions and ancient memories. Nor should we expect it to try to repeople the universe with supernatural beings in whom neither readers nor poets any longer believe. Nor will it coldly personify virtues and vices that can be seen in their own form. All these resources fail it; but man remains, and that is enough for it. For these peoples, the chief and almost the sole subject of poetry will be human destinies. It will be man taken apart from his time and his coun-

try and set face to face with nature and God, with his passions, his doubts, his unheard-of prosperity, and his incomprehensible miseries. One can already confirm this by considering what the greatest poets have written since the world began its final turn toward democracy.

The writers of our day who have so admirably drawn the features of Childe Harold, René, and Jocelyn did not set out to recount the actions of a man. They sought to illuminate and enlarge certain still-obscure sides of the human heart.[28]

These are the poems of democracy.

Equality, then, does not destroy all the subjects of poetry; it makes them fewer and vaster.

CHAPTER 18: WHY AMERICAN WRITERS AND ORATORS ARE OFTEN BOMBASTIC (POURQUOI LES ÉCRIVAINS ET LES ORATEURS AMÉRICAINS SONT SOUVENT BOURSOUFLÉS)

Democratic writers swing from the very small to the vast, and so fall into bombast.

2.1.18 Americans generally handle business in clear, dry language, stripped of all ornament and often so simple as to be vulgar. Yet I have often noticed that they readily fall into bombast as soon as they attempt the poetic style. They are then relentlessly pompous from one end of a speech to the other. Seeing them lavish images on every occasion, one would think they had never said anything simply.

The English fall into a similar fault less often.

The cause of this is not hard to point out.

In democratic societies each citizen is habitually occupied in contemplating a very small object, namely himself. If he happens to raise his eyes higher, he sees only the immense image of society or the still larger figure of the human race. He has only very particular and very clear ideas, or very general and very vague notions; the space in between is empty.

28 These are the heroes of Byron's *Childe Harold's Pilgrimage* (1812–18), Chateaubriand's *René* (1802), and Lamartine's *Jocelyn* (1836).

So when he has been drawn out of himself, he always expects to be shown some prodigious object. Only at that price will he tear himself away for a moment from the petty, complicated cares that agitate and charm his life.

This seems to me to explain fairly well why men in democracies, whose affairs are generally so slight, demand such vast conceptions and such outsized portrayals from their poets.

Writers, for their part, seldom fail to obey these instincts, which they share. They constantly inflate their imagination and stretch it beyond measure. They make it reach the gigantic, and for the sake of the gigantic it often abandons the great.

In this way they hope to catch the eyes of the crowd at once and hold them easily fixed on themselves, and they often succeed. The crowd seeks only very vast objects in poetry. It has neither the time to measure exactly the proportions of everything set before it, nor taste sure enough to see readily where those proportions fail. Author and public corrupt each other at the same time.

We have seen, moreover, that among democratic peoples the sources of poetry are beautiful but not abundant. They are soon exhausted. Finding no more material for the ideal in what is real and true, poets leave both behind altogether and create monsters.

I am not afraid that the poetry of democratic peoples will prove timid or keep very close to the ground. I fear rather that it will constantly lose itself in the clouds and end up portraying wholly imaginary lands. I fear that the works of democratic poets will often offer immense and incoherent images, overloaded descriptions, and bizarre composites. I fear that the fantastic beings born of their minds will sometimes make us long for the real world.

CHAPTER 19: SOME OBSERVATIONS ON THE THEATER OF DEMOCRATIC PEOPLES (QUELQUES OBSERVATIONS SUR LE THÉÂTRE DES PEUPLES DÉMOCRATIQUES)

The theater shows democratic literary tastes first, freeing drama from rules and from the past.

2.1.19 When the revolution that has changed the social and political state of an aristocratic people begins to show itself in literature, it generally appears first in the theater, and it always remains visible there.

The spectator of a dramatic work is, in a sense, caught off guard by the impression it produces in him. He has no time to search his memory or consult the experts. He does not think of resisting the new literary instincts that are beginning to stir in him; he yields to them before he knows what they are.

Authors are quick to discover which way the public's taste is secretly leaning. They turn their works in that direction. Plays first serve to reveal the literary revolution that is being prepared, and they soon go on to complete it. If you want to judge in advance the literature of a people turning toward democracy, study its theater.

Plays, moreover, form the most democratic portion of literature even among aristocratic nations themselves. No literary pleasure is more within reach of the crowd than the pleasures of watching the stage. Neither preparation nor study is needed to feel them. They seize you in the midst of your preoccupations and your ignorance. When the still half-coarse love of the pleasures of the mind begins to reach a class of citizens, it drives that class straight to the theater. The theaters of aristocratic nations have always been filled with spectators who did not belong to the aristocracy. Only in the theater have the upper classes mingled with the middle and lower classes. Only there have they agreed, if not to accept the opinion of the lower classes, at least to let them give it. It is in the theater that scholars and men of letters have always had the hardest time making their taste prevail over that of the people, and keeping themselves from

being swept along by the people's taste. There the pit has often laid down the law to the boxes.[29]

If an aristocracy finds it hard to keep the people from invading the theater, it will easily be understood that the people must reign there as masters once democratic principles have entered the laws and the mores. Then ranks merge, and minds draw closer together as fortunes do. The upper class loses its power, its traditions, and its leisure along with its hereditary wealth.

So the tastes and instincts natural to democratic peoples in matters of literature will show themselves first in the theater, and one can foresee that they will burst in there violently. In written works, the literary laws of aristocracy will change little by little, gradually and, so to speak, legally. In the theater, they will be overthrown by riots.

The theater brings out in relief most of the qualities and nearly all the vices inherent in democratic literatures.

Democratic peoples hold erudition in very modest esteem, and they care little about what went on in Rome and Athens. They expect to be told about themselves, and what they demand is a picture of the present.

So when the heroes and mores of antiquity are often put on the stage, and care is taken there to stay very faithful to ancient traditions, that alone is enough to conclude that the democratic classes do not yet dominate the theater.

In the preface to *Britannicus*, Racine very humbly apologizes for having placed Junia among the Vestals. According to Aulus Gellius, he says, "no one was admitted below the age of six, nor above ten." One may well believe that he would not have thought of accusing himself of such a crime, or of defending himself against it, had he been writing in our day.[30]

A fact like this sheds light for me not only on the state of literature at the time it occurs, but also on the state of society itself.

29 The pit (parterre) was the cheap standing area in front of the stage. The boxes (loges) were the expensive seats of the wealthy and well-born.

30 Jean Racine's tragedy *Britannicus* (1669) is set in Nero's Rome. Aulus Gellius was a Roman writer of the 2nd century AD, author of the miscellany *Attic Nights*.

A democratic theater does not prove that the nation is a democracy. For, as we have just seen, democratic tastes may influence the stage even in aristocracies. But when the spirit of aristocracy alone reigns in the theater, that proves beyond question that the whole of society is aristocratic. One may then boldly conclude that the same learned and lettered class that directs the authors also commands the citizens and runs public affairs.

When an aristocracy governs the theater, its refined tastes and haughty inclinations very rarely fail to lead it to make, so to speak, a selection within human nature. Certain social conditions interest it above all, and it likes to see them portrayed on the stage. Certain virtues, and even certain vices, seem to it especially worthy of being shown there. It welcomes the depiction of these, while it keeps all the others out of its sight. In the theater, as elsewhere, it wants to meet only great lords, and it is moved only by kings. So it is with styles. An aristocracy readily imposes certain ways of speaking on dramatists; it wants everything to be said in that tone.

Thus the theater often ends up portraying only one side of man, or sometimes even representing what is not found in human nature at all. It rises above human nature and leaves it behind.

In democratic societies, spectators have no such preferences, and they rarely show such antipathies. They like to find on the stage the confused mixture of conditions, feelings, and ideas that they see before their eyes. The theater becomes more striking, more commonplace, and more true.

Sometimes, however, those who write for the theater in democracies also leave human nature behind, but they leave it from the opposite end from their predecessors. By dint of trying to reproduce in minute detail the small peculiarities of the present moment and the particular features of certain men, they forget to portray the general traits of the species.

When the democratic classes reign in the theater, they bring as much freedom to the treatment of the subject as to the very choice of subject.

Love of the theater is, of all literary tastes, the most natural to democratic peoples. So among these peoples the number of authors and of spectators grows constantly, as does the number of performances. Such a multitude cannot recognize the same rules or submit to the same laws, made up as it is of such diverse elements and scattered across so many different places. No agreement is possible among a great many judges who, having no way to find common ground, each hand down a separate verdict. Democracy generally makes literary rules and conventions uncertain. In the theater it abolishes them entirely, putting nothing in their place but the whim of each author and each audience.

It is also in the theater, above all, that one sees what I have already said elsewhere, in general terms, about style and art in democratic literatures. When one reads the criticism that the plays of the age of Louis XIV gave rise to, one is surprised at the public's great esteem for verisimilitude. It insisted that a man should always remain consistent with himself and do nothing that could not be easily explained and understood. It is equally surprising how much value was then placed on forms of language, and what petty quarrels over words dramatists were subjected to.

It seems that the men of the age of Louis XIV placed a greatly exaggerated value on details that are noticed in the study but are lost on the stage. For, after all, the chief purpose of a play is to be performed, and its first merit is to move the audience. This came from the fact that the spectators of that era were readers as well. After the performance, they awaited the writer at home, so as to finish judging him.

In democracies, people listen to plays but do not read them. Most of those who attend the theater are not looking for the pleasures of the mind there, but for the strong emotions of the heart. They do not expect to find a work of literature, but a spectacle. Provided the author speaks the language of the country correctly enough to be understood, and his characters arouse curiosity and awaken sympathy, they are satisfied. Asking noth-

ing more of fiction, they go straight back into the real world. Style is therefore less necessary there, for on the stage the observance of its rules is less noticed.

As for verisimilitude, one cannot often be new, unexpected, and swift while staying faithful to it. So it is neglected, and the public forgives this. You can count on the public not to worry about the paths by which you have led it, as long as you bring it at last before something that touches it. It will never reproach you for having moved it in spite of the rules.

The Americans show in full daylight the various instincts I have just described when they go to the theater. But it must be acknowledged that only a small number of them go as yet. Spectators and performances have increased prodigiously in the United States over the last forty years. Even so, the population still indulges in this kind of amusement only with extreme restraint.

This is due to particular causes, which the reader already knows and which need only be recalled in a few words:

The Puritans who founded the American republics were not only enemies of pleasure; they also professed a quite special horror of the theater. They regarded it as an abominable diversion. As long as their spirit reigned unchallenged, dramatic performances were completely unknown among them. These opinions of the first fathers of the colony have left deep traces in the minds of their descendants.

The extreme regularity of habits and the great strictness of mores that one sees in the United States have, moreover, so far been hardly favorable to the development of theatrical art.

There are no subjects for drama in a country that has witnessed no great political catastrophes, and where love always leads by a direct and easy road to marriage. People who spend every day of the week making their fortunes and Sunday praying to God offer nothing to the comic muse.

A single fact is enough to show that the theater is not very popular in the United States.

The laws of the Americans authorize freedom, and even license, of speech in all things. Yet the Americans have subjected dramatists to a kind of censorship. Theatrical performances can take place only when the township administrators permit them. This shows clearly that peoples are like individuals. They give themselves over without restraint to their chief passions, and then they take great care not to yield too much to the pull of tastes they do not have.

No portion of literature is bound to the current state of society by closer or more numerous ties than the theater.

The theater of one era can never suit the next if, between the two, a great revolution has changed the mores and the laws.

People still study the great writers of another century. But they no longer attend plays written for another audience. The dramatists of times past live only in books.

The traditional taste of a few men, vanity, fashion, or the genius of an actor can for a time sustain or revive an aristocratic theater in the midst of a democracy. But it soon falls of its own accord. No one overthrows it; it is abandoned.

CHAPTER 20: ON SOME TENDENCIES PECULIAR TO HISTORIANS IN DEMOCRATIC AGES (DE QUELQUES TENDANCES PARTICULIÈRES AUX HISTORIENS DANS LES SIÈCLES DÉMOCRATIQUES)

Democratic historians stress general causes and drift toward a fatalism that denies human freedom.

2.1.20 Historians who write in aristocratic ages usually make all events depend on the particular will and temperament of certain men. They readily trace the most important revolutions back to the slightest accidents. They shrewdly bring out the smallest causes, and often they fail to see the greatest.

Historians who live in democratic ages show entirely opposite tendencies.

Most of them attribute almost no influence to the individual over the destiny of the species, or to citizens over the fate of the people. But in return, they assign great general causes to all the

small particular facts. These opposite tendencies can be explained.

When historians of aristocratic ages look at the stage of the world, they first see a very small number of leading actors who run the whole play. These great figures stand at the front of the stage, and they catch the historians' eye and hold it. While the historians work to uncover the secret motives that make these figures act and speak, they forget the rest.

The importance of the things they see a few men do gives them an exaggerated idea of the influence one man can exert. It naturally inclines them to believe that one must always go back to the particular action of an individual to explain the movements of the crowd.

When, on the contrary, all citizens are independent of one another and each of them is weak, one finds no one who exercises very great power over the mass, and still less very lasting power. At first glance, individuals seem absolutely powerless over it. One would say that society moves forward all by itself, through the free and spontaneous cooperation of all the men who compose it.

This naturally leads the human mind to look for the general reason that could have struck so many minds at once in this way and turned them all in the same direction at the same time.

I am quite convinced that, even among democratic nations, the genius, vices, or virtues of certain individuals slow down or speed up the natural course of the people's destiny. But in times of equality, causes of this fortuitous and secondary kind are infinitely more varied, more hidden, more complicated, and less powerful. They are therefore harder to untangle and trace than in aristocratic ages. In those ages, one need only analyze the particular action of a single man, or of a few, amid the general facts.

The historian soon tires of such work; his mind gets lost in this labyrinth. Unable to see individual influences clearly and bring them sufficiently to light, he denies them. He prefers to talk to us about the nature of races, the physical constitution of

the country, or the spirit of civilization. That shortens his work and, at less cost, satisfies the reader better.

M. de La Fayette says somewhere in his Memoirs that the exaggerated system of general causes offers wonderful consolations to mediocre public men. I would add that it offers admirable ones to mediocre historians. It always supplies them with some grand reasons that quickly get them out of trouble at the hardest point in their book. Those reasons indulge the weakness or laziness of their minds while doing credit to their depth.[31]

For my part, I think there is no era in which one must not attribute some of the events of this world to very general facts and some to very particular influences. These two kinds of cause are always found together; only their proportion differs. General facts explain more in democratic ages than in aristocratic ages, and particular influences explain less. In aristocratic times, it is the reverse: particular influences are stronger, and general causes are weaker. The exception is if one counts as a general cause the very fact of inequality of conditions, which allows a few individuals to thwart the natural tendencies of all the others.

Historians who seek to portray what happens in democratic societies are therefore right to give general causes a large place and to devote themselves chiefly to discovering them. But they are wrong to deny entirely the particular action of individuals simply because it is hard to find and to trace.

Historians who live in democratic ages are not only drawn to give each fact a great cause; they are also inclined to link facts together and to build a system out of them.

In aristocratic ages, since historians' attention is constantly drawn to individuals, the sequence of events escapes them, or rather they do not believe in any such sequence. To them the thread of history seems broken at every moment by the passing of a single man.

31 The Marquis de La Fayette (1757–1834) was a French general in the American Revolution and a liberal figure in French politics. His memoirs were published posthumously in 1837–38.

In democratic ages, by contrast, the historian sees far fewer of the actors and far more of the acts, and so can easily establish a lineage and a methodical order among the acts.

Ancient literature, which has left us such fine histories, offers not a single great historical system, while the most wretched modern literatures teem with them. It seems that the ancient historians made too little use of those general theories that our own are always on the verge of abusing.

Those who write in democratic ages have another, more dangerous tendency.

When the trace of individuals' influence on nations is lost, we often see the world move without the mover being found. Because it becomes very hard to perceive and analyze the reasons that, acting separately on the will of each citizen, end by producing the movement of the people, we are tempted to believe that this movement is not voluntary, and that societies unknowingly obey a superior force that rules them.

Even if we were to discover here on earth the general fact that directs the individual will of every person, that would not save human freedom. A cause vast enough to apply at once to millions of men, and strong enough to bend them all together in the same direction, easily seems irresistible; once we have seen that people yielded to it, we come very close to believing that they could not resist it.

So historians who live in democratic times do not merely deny to a few citizens the power to act on the destiny of the people; they also take from peoples themselves the ability to change their own fate, and they subject them either to an inflexible providence or to a kind of blind fatality. In their view, each nation is bound beyond escape, by its position, its origin, its past, and its character, to a certain destiny that no effort of its own can alter. They make each generation answerable for the others, and so, going back from age to age and from necessary event to necessary event to the origin of the world, they forge an immense, tight chain that encircles the whole human race and binds it.

It is not enough for them to show how events came about; they also like to show that they could not have come about otherwise. They look at a nation that has reached a certain point in its history and assert that it was compelled to follow the path that led it there. That is easier than teaching how it might have managed to take a better road.

Reading the historians of aristocratic ages, and especially those of antiquity, one would think that to become master of his fate and to govern his fellows, a man need only know how to master himself. Leafing through the histories written in our time, one would say that man can do nothing, either over himself or around him. The historians of antiquity taught how to command; those of our day teach little but how to obey. In their writings the author often appears great, but humanity is always small.

If this doctrine of fatality, which holds such appeal for those who write history in democratic times, were to pass from writers to their readers, and so permeate the whole mass of citizens and take hold of the public mind, we can foresee that it would soon paralyze the movement of the new societies and turn Christians into Turks.[32]

I will add that such a doctrine is particularly dangerous in the age we live in. Our contemporaries are all too inclined to doubt free will, because each of them feels hemmed in on every side by his own weakness; but they still readily grant strength and independence to men united in a social body. We must take care not to obscure this idea, for the task is to raise souls up, not to finish beating them down.

32 Tocqueville alludes to the fatalism that Europeans of his day commonly attributed to the Ottoman Turks.

CHAPTER 21: ON PARLIAMENTARY ELOQUENCE IN THE UNITED STATES (DE L'ÉLOQUENCE PARLEMENTAIRE AUX ÉTATS-UNIS)

Members of democratic assemblies speak to please their electors, yet great debates speak to all mankind.

2.1.21 Among aristocratic peoples, all men are linked together and depend on one another; there is a hierarchical bond among them all by which each can be kept in his place and the whole body in obedience. Something similar is always found within the political assemblies of these peoples. Parties there naturally line up under certain leaders, whom they obey by a kind of instinct that is merely the result of habits acquired elsewhere. They carry the mores of the larger society into the smaller one.

In democratic countries, it often happens that a great many citizens are heading toward the same point; but each moves there, or at least flatters himself that he moves there, entirely on his own. Accustomed to regulate his movements only by his personal impulses, he finds it hard to accept a rule from outside. This taste for independence, and the habit of it, follow him into the nation's councils. If he agrees to join with others there in pursuit of the same aim, he wants at least to remain free to contribute to the common success in his own way.

That is why, in democratic lands, parties so impatiently endure being led, and show themselves subordinate only when the danger is very great. Even then, the authority of the leaders, which in such circumstances can go so far as to make people act and speak, almost never extends to the power of making them keep quiet.

Among aristocratic peoples, the members of political assemblies are at the same time members of the aristocracy. Each of them possesses in his own right a high and stable rank, and the place he occupies in the assembly is often less important in his eyes than the one he fills in the country. This consoles him for playing no part in the discussion of affairs there, and disposes him not to seek too eagerly a mediocre one.

In America, it usually happens that the representative is somebody only by virtue of his position in the assembly. He is therefore constantly tormented by the need to gain importance there, and he feels an impatient desire to bring his ideas into full view at every moment.

He is pushed in this direction not only by his own vanity, but by that of his electors and by the constant need to please them.

Among aristocratic peoples, the member of the legislature is rarely in close dependence on the electors; often he is, for them, a representative who is in some sense indispensable; sometimes he holds them in close dependence on himself; and if in the end they refuse him their votes, he easily gets himself elected elsewhere, or, giving up public life, retires into an idleness that still has its splendor.

In a democratic country like the United States, the representative almost never has a lasting hold on the minds of his electors. However small an electorate may be, democratic instability means that it is constantly changing its face. So it must be won over every day.

He is never sure of them; and if they abandon him, he is at once without resources. For he does not naturally hold a position high enough to be easily noticed by those who are not close at hand; and given the complete independence in which citizens live, he cannot hope that his friends or the government will readily impose him on an electorate that does not know him. So it is in the district he represents that all the seeds of his fortune are planted; it is from this corner of land that he must set out if he is to rise to command the people and influence the destinies of the world.

It is natural, then, that in democratic countries the members of political assemblies should think more of their electors than of their party, while in aristocracies they are more concerned with their party than with their electors.

Now, what one must say to please the electors is not always what one ought to do to serve well the political opinion they profess.

It is often in the general interest of a party that a representative belonging to it should never speak on great affairs he understands poorly; that he should speak little on the small ones that would hamper the progress of the great; and, most often of all, that he should keep entirely silent. Keeping quiet is the most useful service a mediocre speaker can render to the public good.

But that is not how the electors see it.

The people of a district entrust a citizen with a share in governing the state because they have formed a very lofty idea of his merit. Since men seem larger in proportion as they are surrounded by smaller objects, it is likely that the opinion formed of the delegate will be all the higher as talent is rarer among those he represents. So it will often happen that electors expect all the more from their representative the less they have to hope from him; and however incapable he may be, they cannot fail to demand of him signal efforts that match the rank they give him.

Beyond the state's legislator, the electors also see in their representative the natural protector of the district before the legislature; they are not even far from regarding him as the agent of each of those who elected him, and they flatter themselves that he will show no less zeal in advancing their private interests than those of the country.

So the electors take it for granted in advance that the representative they choose will be an orator; that he will speak often if he can; and that, should he have to restrain himself, he will at least strive to pack into his rare speeches an examination of all the great affairs of the state, together with an account of all the small grievances they themselves have to complain of. In this way, being unable to show himself often, he will display on each occasion what he is capable of; and instead of pouring himself out constantly, he will from time to time compress himself entirely into a small compass, thus providing a kind of brilliant and complete summary of his constituents and of himself. At this price, they promise him their next votes.

This drives to despair decent mediocrities who, knowing themselves, would never have come forward on their own. The

representative, thus spurred on, takes the floor to the great dismay of his friends, and, throwing himself rashly among the most celebrated orators, he muddles the debate and wearies the assembly.

All laws that tend to make the elected more dependent on the elector therefore change not only the conduct of legislators, as I have pointed out elsewhere, but also their language. They influence both public affairs and the way they are talked about.

There is hardly a member of Congress willing to return home without having sent at least one speech ahead of him, or who will tolerate being interrupted before he has managed to pack within the bounds of his harangue everything useful that can be said about the twenty-four states that make up the Union, and especially about the district he represents. So he parades in turn before the minds of his listeners great general truths that he himself often does not perceive and indicates only confusedly, and very minute particulars that he has no great ease in uncovering and setting out. Hence it very often happens that within this great body the discussion becomes vague and tangled, and seems to drag itself toward its intended goal rather than march toward it.

Something similar will always be seen, I think, in the public assemblies of democracies.

Fortunate circumstances and good laws might succeed in drawing into the legislature of a democratic people men far more remarkable than those the Americans send to Congress; but the mediocre men who find themselves there will never be prevented from complacently putting themselves on display, in full view, from every side.

The ill does not seem to me entirely curable, because it stems not only from the rules of the assembly but from its constitution and even from that of the country.

The inhabitants of the United States themselves seem to see the matter in this light, and they show their long experience of parliamentary life not by refraining from bad speeches, but by

bravely submitting to hear them. They resign themselves to it as to an ill that experience has taught them is inevitable.

We have shown the small side of political debate in democracies; let us show the great.

What has taken place in the English Parliament over the last hundred and fifty years has never had great resonance abroad; the ideas and feelings expressed by its orators have always found little sympathy even among the peoples placed closest to the great stage of British liberty. By contrast, from the very first debates held in the small colonial assemblies of America at the time of the revolution, Europe was stirred.

This was due not only to particular and chance circumstances, but to general and lasting causes.

I can see nothing more admirable or more powerful than a great orator debating great affairs within a democratic assembly. Since no class ever has its own representatives there, charged with upholding its interests, one always speaks to the whole nation and in the name of the whole nation. This enlarges thought and elevates language.

Since precedents have little sway there, and there are no longer privileges attached to certain properties, nor rights inherent in certain bodies or certain men, the mind is obliged to go back to general truths drawn from human nature in order to deal with the particular matter before it. From this arises, in the political debates of a democratic people, however small it may be, a character of generality that often makes them compelling for the human race. All men take an interest in them, because what is at issue is man, who is everywhere the same.[33]

Among the greatest aristocratic peoples, by contrast, the most general questions are almost always handled through particular reasons drawn from the customs of an era or the rights of a class, which interest only the class in question, or at most the people within which that class is found.

It is to this cause, as much as to the greatness of the French nation and to the favorable disposition of the peoples who listen

33 The French text reads “variétés,” evidently a misprint for “vérités” (truths).

to it, that we must attribute the great effect our political debates sometimes produce in the world.

Our orators often speak to all men, even when they are addressing only their fellow citizens.

Volume 2, Part 2

The influence of democracy on the sentiments of the Americans: equality and liberty, individualism, associations, self-interest rightly understood, and the taste for material well-being.

CHAPTER 1: WHY DEMOCRATIC PEOPLES SHOW A MORE ARDENT AND MORE LASTING LOVE FOR EQUALITY THAN FOR LIBERTY (POURQUOI LES PEUPLES DÉMOCRATIQUES MONTRENT UN AMOUR PLUS ARDENT ET PLUS DURABLE POUR L'ÉGALITÉ QUE POUR LA LIBERTÉ)

Equality, the defining fact of democratic ages, is loved more ardently and lastingly than liberty.

2.2.1 The first and most intense of the passions to which equality of conditions gives rise is, I need hardly say, the love of that same equality. No one will be surprised, then, that I speak of it before all the others.

Everyone has noticed that in our time, and especially in France, this passion for equality is taking a larger place in the human heart every day. It has been said a hundred times that our contemporaries have a far more ardent and far more tenacious love for equality than for liberty; but I do not find that anyone has yet gone back far enough to the causes of this fact. I shall try to do so.

One can imagine an extreme point at which liberty and equality meet and merge.

Suppose that all citizens take part in government and that each has an equal right to take part in it.

Since no one would then differ from his fellows, no one could exercise tyrannical power; men would be perfectly free because they would all be entirely equal, and they would all be perfectly equal because they would be entirely free. It is toward this ideal that democratic peoples tend.

That is the most complete form equality can take on earth; but there are a thousand others which, though not as perfect, are hardly less dear to those peoples.

Equality can be established in civil society without reigning in the political world. People can have the right to indulge in the same pleasures, to enter the same professions, to meet in the same places—in a word, to live in the same way and pursue wealth by the same means—without all taking the same part in government.

A kind of equality can even be established in the political world, even though there is no political liberty there. One is the equal of all one's fellows except one, who is master of all without distinction, and who takes the agents of his power equally from among them all.

It would be easy to make several other hypotheses in which very great equality could readily be combined with institutions that are more or less free, or even with institutions that are not free at all.

Although men cannot become absolutely equal without being entirely free, and equality in its most extreme degree therefore merges with liberty, we are thus justified in distinguishing the one from the other.

The taste men have for liberty and the one they feel for equality are, in fact, two distinct things, and I am not afraid to add that among democratic peoples they are two unequal things.

If you look closely, you will see that in every age there is one singular and dominant fact to which all the others are connected; this fact almost always gives birth to a mother idea, or a ruling passion, which in the end draws to itself and sweeps along in its course all feelings and all ideas. It is like a great river toward which each of the surrounding streams seems to run.

Liberty has shown itself to men at different times and in different forms; it has not attached itself exclusively to one social state, and it is found elsewhere than in democracies. It cannot, therefore, be the distinctive characteristic of democratic ages.

The particular and dominant fact that sets these ages apart is equality of conditions; the ruling passion that stirs men in those times is the love of that equality.

Do not ask what singular charm the men of democratic ages find in living as equals, or what particular reasons they may have for clinging so stubbornly to equality rather than to the other goods that society offers them: equality is the distinctive characteristic of the age in which they live, and that alone is enough to explain why they prefer it to everything else.

But apart from this reason, there are several others that will, in every age, habitually lead men to prefer equality to liberty.

If a people could ever succeed in destroying, or merely in reducing, the equality that reigns within it, it would do so only through long and painful efforts. It would have to modify its social state, abolish its laws, renew its ideas, change its habits, alter its mores. But to lose political liberty, it is enough not to hold on to it, and it slips away.

Men therefore cling to equality not only because it is dear to them; they also hold fast to it because they believe it must last forever.

That political liberty, in its excesses, can endanger the tranquility, the property, and the lives of private individuals—no one is so narrow-minded or so frivolous as not to see it. Only attentive and clear-sighted people, by contrast, perceive the dangers with which equality threatens us, and they usually avoid pointing them out. They know that the miseries they fear are far off, and they flatter themselves that these will strike only generations to come, about which the present generation hardly worries. The evils that liberty sometimes brings are immediate; they are visible to all, and all, more or less, feel them. The evils that extreme equality can produce appear only little by little; they creep gradually into the social body; they are seen only

now and then, and at the moment they become most violent, people have already grown too used to them to feel them.

The goods that liberty provides show themselves only in the long run, and it is always easy to fail to recognize the cause that gives rise to them.

The advantages of equality are felt right away, and every day one can see them flowing from their source.

Political liberty gives sublime pleasures, from time to time, to a certain number of citizens.

Equality provides each man, every day, with a multitude of small enjoyments. The charms of equality are felt at every moment, and they are within reach of all; the noblest hearts are not insensible to them, and the most common souls take delight in them. The passion that equality gives rise to must therefore be at once energetic and general.

Men cannot enjoy political liberty without buying it with some sacrifices, and they never seize it except with great effort. But the pleasures that equality procures offer themselves of their own accord. Each of the small incidents of private life seems to give rise to them, and to taste them one has only to live.

Democratic peoples love equality at all times, but there are certain periods when they carry their passion for it to the point of delirium. This happens at the moment when the old social hierarchy, long under threat, finally destroys itself after a last internal struggle, and the barriers that separated citizens are at last overturned. Men then rush upon equality as upon a conquest, and they cling to it as to a precious good that someone wants to snatch from them. The passion for equality penetrates the human heart on every side, spreads through it, and fills it entirely. Do not tell men that by surrendering blindly to an exclusive passion in this way they are endangering their dearest interests; they are deaf. Do not show them liberty slipping from their hands while they are looking elsewhere; they are blind, or rather they perceive in the whole universe only a single good worth desiring.

What precedes applies to all democratic nations. What follows concerns only ourselves.

In most modern nations, and in particular among all the peoples of the European continent, the taste for liberty and the idea of it began to emerge and develop only at the moment when conditions were starting to become equal, and as a consequence of that very equality. It was the absolute kings who worked hardest to level ranks among their subjects. Among these peoples, equality preceded liberty; equality was therefore an old fact when liberty was still something new; the one had already created opinions, customs, and laws of its own when the other appeared, alone and for the first time, in broad daylight. Thus the second still existed only in ideas and tastes, while the first had already penetrated habits, taken hold of mores, and given a particular turn to the smallest actions of life. How can we be surprised if the men of our day prefer the one to the other?

I think that democratic peoples have a natural taste for liberty; left to themselves, they seek it, they love it, and it pains them to see themselves kept from it. But for equality they have an ardent, insatiable, eternal, invincible passion; they want equality in liberty, and if they cannot have it, they still want it in slavery. They will endure poverty, subjection, barbarism, but they will not endure aristocracy.

This is true at all times, and especially in ours. All men and all powers that try to struggle against this irresistible force will be overthrown and destroyed by it. In our day, liberty cannot be established without its support, and despotism itself could not reign without it.

CHAPTER 2: ON INDIVIDUALISM IN DEMOCRATIC COUNTRIES (DE L'INDIVIDUALISME DANS LES PAYS DÉMOCRATIQUES)

Tocqueville defines individualism, a calm withdrawal into a private circle, and distinguishes it from selfishness.

2.2.2 I have shown how, in ages of equality, each man seeks his beliefs within himself; I want to show how, in the same ages, he turns all his feelings toward himself alone.

Individualism is a recent expression to which a new idea has given birth. Our fathers knew only selfishness.[1]

Selfishness is a passionate and exaggerated love of oneself, which leads a man to relate everything to himself alone and to prefer himself to everything.

Individualism is a reflective and peaceable feeling that disposes each citizen to cut himself off from the mass of his fellows and to withdraw to one side with his family and friends, so that, having thus created a little society for his own use, he willingly leaves the larger society to look after itself.

Selfishness is born of blind instinct; individualism proceeds from mistaken judgment rather than from depraved feeling. It has its source in defects of the mind as much as in vices of the heart.

Selfishness withers the seed of all the virtues; individualism at first dries up only the spring of the public virtues, but in the long run it attacks and destroys all the others, and is finally absorbed into selfishness.

Selfishness is a vice as old as the world. It belongs hardly more to one form of society than to another.

Individualism is democratic in origin, and it threatens to grow as conditions become equal.

Among aristocratic peoples, families remain for centuries in the same condition, and often in the same place. This makes all

the generations, so to speak, contemporaries. A man almost always knows his ancestors and respects them; he believes he can already see his great-grandchildren, and he loves them. He readily takes on duties toward both, and he frequently sacrifices his personal pleasures to beings who are no longer or who are not yet.

Aristocratic institutions also have the effect of binding each man closely to several of his fellow citizens.

Since classes are highly distinct and immobile within an aristocratic people, each of them becomes for its members a kind of little homeland, more visible and dearer than the larger one.

Since in aristocratic societies all citizens are placed in fixed positions, one above another, it also follows that each of them always sees above him a man whose protection he needs, and below him finds another whose help he can claim.

Men who live in aristocratic ages are therefore almost always closely bound to something placed outside themselves, and they are often inclined to forget themselves. It is true that in those same ages the general notion of the *fellow man* is obscure, and people hardly think of devoting themselves to the cause of humanity; but they often sacrifice themselves for particular men.

In democratic ages, by contrast, when the duties of each individual toward the species are much clearer, devotion to a single man becomes rarer: the bond of human affections stretches and loosens.

Among democratic peoples, new families constantly rise out of nothing, others constantly fall back into it, and all those that remain change their appearance; the fabric of time is torn at every moment, and the traces of generations fade. People easily forget those who came before them, and have no idea of those who will come after. Only those closest at hand are of interest.

1 The French word "individualisme" was a coinage of the 1820s; Tocqueville gives it the specific sense defined here, a calm withdrawal from public life into a private circle, as distinct from selfishness ("égoïsme").

As each class draws closer to the others and mingles with them, its members become indifferent to one another, almost like strangers.

Aristocracy had made of all the citizens a long chain reaching up from the peasant to the king; democracy breaks the chain and sets each link apart.

As conditions become equal, there are more and more individuals who, no longer rich enough or powerful enough to exercise great influence over the fate of their fellows, have nonetheless acquired or kept enough education and enough property to be self-sufficient. Such people owe nothing to anyone; they expect, so to speak, nothing from anyone; they grow used to thinking of themselves always in isolation, and they readily imagine that their whole destiny is in their own hands.

Thus not only does democracy make each man forget his ancestors, but it hides his descendants from him and separates him from his contemporaries; it constantly turns him back toward himself alone, and threatens in the end to confine him entirely within the solitude of his own heart.

CHAPTER 3: HOW INDIVIDUALISM IS GREATER AT THE CLOSE OF A DEMOCRATIC REVOLUTION THAN AT ANY OTHER TIME (COMMENT L'INDIVIDUALISME EST PLUS GRAND AU SORTIR D'UNE RÉVOLUTION DÉMOCRATIQUE QU'À UNE AUTRE ÉPOQUE)

Individualism peaks after a democratic revolution, when old hatreds between classes keep citizens apart.

2.2.3 It is above all at the moment when a democratic society is completing its formation on the ruins of an aristocracy that this isolation of men from one another, and the selfishness that follows from it, most readily strike the eye.

Such societies contain not only a great number of independent citizens; they are filled daily with men who, having arrived at independence only yesterday, are intoxicated with their new power. These men conceive a presumptuous confidence in their own strength, and, not imagining that they could ever again

need to ask their fellows for help, they do not hesitate to show that they think only of themselves.

An aristocracy usually falls only after a prolonged struggle, during which implacable hatreds have been kindled among the different classes. These passions survive the victory, and their traces can be followed amid the democratic confusion that succeeds it.

Those citizens who stood first in the destroyed hierarchy cannot forget their former greatness at once; for a long time they regard themselves as strangers within the new society. In all the equals that this society gives them they see oppressors, whose fate cannot arouse their sympathy; they have lost sight of their former equals and no longer feel bound to their fate by a common interest; each, withdrawing apart, therefore believes himself reduced to caring only for himself. Those, on the other hand, who were once placed at the bottom of the social ladder, and whom a sudden revolution has brought up to the common level, enjoy their newly acquired independence only with a kind of secret uneasiness; if they find some of their former superiors at their side, they cast glances of triumph and fear at them, and keep their distance.

So it is usually at the origin of democratic societies that citizens are most inclined to isolate themselves.

Democracy leads men not to draw close to their fellows; but democratic revolutions dispose them to flee one another, and perpetuate in the midst of equality the hatreds that inequality gave rise to.

The great advantage of the Americans is that they arrived at democracy without having to suffer democratic revolutions, and that they were born equal instead of becoming so.

CHAPTER 4: HOW THE AMERICANS COMBAT INDIVIDUALISM WITH FREE INSTITUTIONS (COMMENT LES AMÉRICAINS COMBATTENT L'INDIVIDUALISME PAR DES INSTITUTIONS LIBRES)

Free institutions, especially local self-government, draw Americans out of themselves and teach them to work together.

2.2.4 Despotism, which is fearful by nature, sees in the isolation of men the surest pledge of its own survival, and it usually devotes all its care to isolating them. There is no vice of the human heart that suits it as well as selfishness: a despot readily forgives the governed for not loving him, provided they do not love one another. He does not ask them to help him run the state; it is enough that they do not claim to direct it themselves. Those who claim to unite their efforts to create the common prosperity he calls turbulent and restless spirits, and, changing the natural meaning of words, he calls good citizens those who shut themselves up narrowly within themselves.

Thus the vices that despotism gives rise to are precisely those that equality favors. These two things complement and assist each other in a fatal way.

Equality places men side by side, with no common bond to hold them together. Despotism raises barriers between them and keeps them apart. Equality disposes them not to think of their fellows, and despotism turns indifference into a kind of public virtue for them.

Despotism, which is dangerous at all times, is therefore especially to be feared in democratic ages.

It is easy to see that in these same ages men have a particular need for liberty.

When citizens are forced to concern themselves with public affairs, they are necessarily drawn out of the midst of their individual interests and, from time to time, torn away from the sight of themselves.

From the moment common affairs are handled in common, each man sees that he is not as independent of his fellows as he

first imagined, and that, to obtain their support, he must often lend them his help.

When the public governs, there is no man who does not feel the value of public goodwill and who does not try to win it by gaining the esteem and affection of those among whom he must live.

Several of the passions that chill hearts and divide them are then obliged to retreat to the depths of the soul and hide there. Pride disguises itself; contempt does not dare show its face. Selfishness is afraid of itself.

Under a free government, since most public functions are elective, men whom loftiness of soul or restlessness of desire leaves cramped in private life feel every day that they cannot do without the population around them.

It then happens that people think of their fellows out of ambition, and that they often find it, in a sense, in their interest to forget themselves. I know that I may be met here with all the intrigues an election gives rise to, the shameful means candidates often use, and the slanders their enemies spread. These are occasions for hatred, and they recur all the more often as elections become more frequent.

These evils are great, no doubt, but they are passing, whereas the goods born along with them remain.

The desire to be elected may for a moment lead certain men to make war on one another; but in the long run this same desire leads all men to lend one another mutual support; and if an election happens by chance to divide two friends, the electoral system permanently draws together a multitude of citizens who would otherwise always have remained strangers to one another. Liberty creates particular hatreds, but despotism gives rise to general indifference.

The Americans have fought with liberty the individualism that equality was giving rise to, and they have defeated it.

The legislators of America did not believe that, to cure a disease so natural to the social body in democratic times and so fatal, it was enough to grant the nation as a whole a representa-

tion of itself; they thought it fitting, in addition, to give a political life to each part of the territory, so as to multiply endlessly the occasions for citizens to act together and to make them feel every day that they depend on one another.

In this they acted wisely.

The general affairs of a country occupy only the leading citizens. These gather in the same places only now and then; and since they often lose sight of one another afterward, no lasting bonds form between them. But when the particular affairs of a district are to be managed by the men who live in it, the same individuals are always in contact, and they are in a sense forced to know one another and to please one another.

It is hard to draw a man out of himself and interest him in the destiny of the whole state, because he poorly understands the influence the destiny of the state can have on his own lot. But if a road is to be run past the edge of his property, he will see at first glance that there is a connection between this small public matter and his greatest private affairs, and he will discover, without anyone pointing it out to him, the close bond that here unites private interest with the general interest.

It is therefore by entrusting citizens with the administration of small affairs, far more than by handing over to them the government of great ones, that one interests them in the public good and makes them see how constantly they need one another to bring it about.

A brilliant deed can suddenly win a people's favor; but to gain the love and respect of the population around you, it takes a long succession of small services rendered, of obscure good offices, a constant habit of kindness, and a well-established reputation for disinterestedness.

Local liberties, which lead a great number of citizens to value the affection of their neighbors and those close to them, thus constantly bring men back toward one another, in spite of the instincts that separate them, and force them to help one another.

In the United States, the wealthiest citizens take good care not to isolate themselves from the people; on the contrary, they constantly draw close to them, listen to them willingly, and talk with them every day. They know that the rich in democracies always need the poor, and that in democratic times one wins over the poor man by manners more than by benefits. The very size of the benefits, which throws the difference in conditions into relief, causes a secret irritation in those who receive them; but simplicity of manners has an almost irresistible charm: its familiarity wins people over, and even its roughness does not always displease.

This truth does not penetrate the minds of the rich all at once. They usually resist it as long as the democratic revolution lasts, and they do not even accept it immediately after that revolution is complete. They gladly consent to do good to the people; but they want to go on carefully keeping them at a distance. They believe that this is enough; they are mistaken. They would ruin themselves this way without warming the heart of the population around them. It is not the sacrifice of their money that the population asks of them; it is the sacrifice of their pride.

One would think that in the United States every imagination exhausts itself inventing ways to increase wealth and satisfy the needs of the public. The most enlightened inhabitants of each district constantly use their enlightenment to discover new secrets for increasing the common prosperity; and when they have found some, they hasten to hand them over to the crowd.

When one looks closely at the vices and weaknesses often displayed in America by those who govern, one is astonished at the growing prosperity of the people—and wrongly so. It is not the elected magistrate who makes American democracy prosper; it prospers because the magistrate is elective.

It would be unjust to believe that the patriotism of the Americans and the zeal each of them shows for the well-being of his fellow citizens have nothing real about them. Although private interest directs most human actions in the United States, as it does elsewhere, it does not govern them all.

I must say that I have often seen Americans make great and genuine sacrifices for the public cause, and I have noticed a hundred times that, when need arose, they almost never failed to give one another faithful support.

The free institutions that the inhabitants of the United States possess, and the political rights they make such use of, constantly remind each citizen, in a thousand ways, that he lives in society. They bring his mind back at every moment to the idea that the duty as well as the interest of men is to make themselves useful to their fellows; and since he sees no particular reason to hate them, being never either their slave or their master, his heart easily leans toward benevolence. People attend to the general interest first out of necessity, and then by choice; what was calculation becomes instinct; and by dint of working for the good of their fellow citizens, they finally acquire the habit of serving them and a taste for it.

Many people in France regard equality of conditions as a first evil, and political liberty as a second. When they are obliged to submit to the one, they strive at least to escape the other. And I say that, to combat the evils that equality can produce, there is only one effective remedy: political liberty.

CHAPTER 5: ON THE USE THE AMERICANS MAKE OF ASSOCIATION IN CIVIL LIFE (DE L'USAGE QUE LES AMÉRICAINS FONT DE L'ASSOCIATION DANS LA VIE CIVILE)

Americans associate for every purpose; in democracies associations must replace aristocracy's powerful individuals.

2.2.5 I do not mean to speak of the political associations by which men seek to defend themselves against the despotic action of a majority or against the encroachments of royal power. I have already treated that subject elsewhere. It is clear that if each citizen, as he becomes individually weaker and therefore less able to preserve his liberty on his own, did not learn the art of uniting with his fellows to defend it, tyranny would necessarily grow along with equality. Here I am concerned only with the

associations formed in civil life, whose purpose has nothing political about it.[2]

The political associations that exist in the United States are only one detail in the immense picture presented there by associations as a whole.

Americans of every age, every condition, and every cast of mind constantly unite. Not only do they have commercial and industrial associations in which all take part, but they also have a thousand other kinds: religious, moral, serious, trivial, very general and very specialized, immense and very small. Americans associate to hold celebrations, found seminaries, build inns, raise churches, distribute books, and send missionaries to the antipodes; in this way they create hospitals, prisons, and schools. And if, finally, it is a matter of bringing a truth to light or fostering a sentiment with the support of a great example: they associate. Wherever you see the government at the head of a new undertaking in France, and a great lord in England, count on finding an association in the United States.

In America I came across kinds of associations of which, I confess, I had not even had an idea, and I often admired the infinite art with which the inhabitants of the United States managed to set a common goal for the efforts of a great number of men and to get them to advance toward it freely.

I have since traveled through England, from which the Americans took some of their laws and many of their customs, and it seemed to me that people there were very far from making such constant and skillful use of association.

It often happens that Englishmen accomplish very great things on their own, whereas there is hardly an undertaking so small that Americans do not unite for it. Clearly the former regard association as a powerful means of action; but the latter seem to see it as the only means of action they have.

Thus the most democratic country on earth turns out to be the one where, in our day, men have most perfected the art of

2 Tocqueville discusses political association in the first volume (1.2.4).

pursuing in common the object of their common desires, and have applied this new science to the greatest number of objects.

Is this the result of an accident, or could there in fact be a necessary connection between associations and equality?

Aristocratic societies always contain within them, amid a multitude of individuals who can do nothing by themselves, a small number of very powerful and very rich citizens; each of these can carry out great undertakings single-handed.

In aristocratic societies, men do not need to unite in order to act, because they are held firmly together.

Each rich and powerful citizen there forms, as it were, the head of a permanent and compulsory association, made up of all those he holds in dependence on him and whom he makes contribute to carrying out his designs.

Among democratic peoples, by contrast, all citizens are independent and weak; they can do almost nothing by themselves, and none of them can compel his fellows to lend him their help. They all therefore fall into powerlessness if they do not learn to help one another freely.

If men living in democratic countries had neither the right nor the taste to unite for political ends, their independence would run great risks, but they could long preserve their wealth and their enlightenment; whereas if they did not acquire the habit of associating in ordinary life, civilization itself would be in peril. A people among whom individuals lost the power to do great things on their own, without acquiring the ability to accomplish them in common, would soon revert to barbarism.

Unfortunately, the same social state that makes associations so necessary to democratic peoples makes them more difficult for these peoples than for any others.

When several members of an aristocracy want to associate, they easily succeed in doing so. Since each of them brings great strength to the partnership, the number of members can be very small, and when the members are few, it is very easy for them to know one another, understand one another, and establish fixed rules.

The same ease is not found among democratic nations, where the associates must always be very numerous for the association to have any power.

I know that many of my contemporaries are not troubled by this. They claim that as citizens become weaker and less capable, the government must be made more skillful and more active, so that society can carry out what individuals can no longer do. They believe that in saying this they have answered everything. But I think they are mistaken.

A government could take the place of some of the largest American associations, and within the Union several individual states have already attempted it. But what political power could ever be equal to the countless multitude of small undertakings that American citizens carry out every day with the help of association?

It is easy to foresee that the time is approaching when man will be less and less able to produce, by himself alone, the commonest things and those most necessary to his life. The task of the social power will therefore grow without cease, and its very efforts will make that task vaster every day. The more it puts itself in the place of associations, the more individuals, losing the idea of associating, will need it to come to their aid: these are causes and effects that breed one another without rest. Will public administration end by directing every industry that a single citizen cannot manage on his own? and if a moment finally comes when, as a consequence of the extreme division of landed property, the land is divided up without end, so that it can no longer be cultivated except by associations of farmers, will the head of the government have to leave the helm of state and come hold the plow?

The morality and intelligence of a democratic people would run no smaller risks than its commerce and its industry if the government came to take the place of associations everywhere.

Feelings and ideas are renewed, the heart is enlarged, and the human mind develops only through the reciprocal action of men upon one another.

I have shown that this action is almost nil in democratic countries. It must therefore be created there artificially. And that is what associations alone can do.

When the members of an aristocracy adopt a new idea or conceive a new feeling, they place it, so to speak, beside themselves on the great stage where they themselves stand, and, by thus exposing it to the gaze of the crowd, they easily introduce it into the minds or hearts of all those around them.

In democratic countries only the social power is naturally in a position to act in this way, but it is easy to see that its action is always insufficient and often dangerous.

A government can no more suffice on its own to sustain and renew the circulation of feelings and ideas among a great people than it can conduct all of that people's industrial enterprises. As soon as it tries to step outside the political sphere and launch itself down this new path, it will exercise, even without meaning to, an unbearable tyranny; for a government knows only how to dictate precise rules; it imposes the feelings and ideas it favors, and it is always hard to tell its advice from its commands.

It will be worse still if it believes that it truly has an interest in nothing stirring. It will then hold itself motionless and let itself be weighed down by a willful sleep.

It is therefore necessary that it not act alone.

Among democratic peoples, it is associations that must take the place of the powerful private individuals whom equality of conditions has caused to disappear.

As soon as several inhabitants of the United States have conceived a feeling or an idea that they wish to bring forth into the world, they seek one another out, and, once they have found one another, they unite. From then on they are no longer isolated men, but a power that can be seen from afar and whose actions serve as an example; a power that speaks, and is listened to.

The first time I heard in the United States that a hundred thousand men had publicly pledged not to use strong liquor, the thing struck me as more amusing than serious, and at first I did

not quite see why these very temperate citizens were not content simply to drink water within their own families.[3]

I came to understand in the end that these hundred thousand Americans, alarmed by the spread of drunkenness around them, had wanted to give sobriety their patronage. They had acted precisely like a great lord who dresses very plainly in order to inspire ordinary citizens with contempt for luxury. One may well believe that, had these hundred thousand men lived in France, each of them would have appealed individually to the government, asking it to keep watch over the taverns throughout the kingdom.

Nothing, in my view, deserves our attention more than the intellectual and moral associations of America. The political and industrial associations of the Americans are easily perceived; but the others escape us; and if we do discover them, we understand them poorly, because we have almost never seen anything like them. Yet it must be recognized that they are as necessary to the American people as the former, and perhaps more so.

In democratic countries, the science of association is the mother science; the progress of all the others depends on the progress of that one.

Among the laws that govern human societies, there is one that seems more precise and clearer than all the others. If men are to remain civilized, or to become so, the art of associating must develop and improve among them in the same proportion as equality of conditions increases.

3 Tocqueville refers to the American temperance movement, organized from 1826 in the American Temperance Society, whose members took a public pledge of abstinence.

CHAPTER 6: ON THE RELATION BETWEEN ASSOCIATIONS AND NEWSPAPERS (DU RAPPORT DES ASSOCIATIONS ET DES JOURNAUX)

Newspapers bring scattered citizens together and sustain associations, and they multiply with local liberties.

2.2.6 When men are no longer bound to one another in a solid and permanent way, a large number of them cannot be brought to act in common unless each of those whose cooperation is needed is persuaded that his private interest obliges him to unite his efforts voluntarily with the efforts of all the others.

This can be done habitually and conveniently only with the help of a newspaper; only a newspaper can come and deposit the same thought in a thousand minds at the same moment.

A newspaper is an adviser that you need not go looking for, but that comes to you of its own accord and speaks to you every day, briefly, about the common business, without drawing you away from your private business.

Newspapers therefore become more necessary as men become more equal and individualism more to be feared. To believe that they serve only to guarantee liberty would be to diminish their importance: they maintain civilization.

I will not deny that in democratic countries newspapers often lead citizens to undertake very ill-considered enterprises in common; but if there were no newspapers, there would be almost no common action. The harm they cause is therefore much smaller than the harm they cure.

A newspaper does not merely suggest the same design to a large number of men; it supplies them with the means of carrying out in common the designs they would have conceived on their own.

The leading citizens of an aristocratic country can see one another from afar; and if they wish to join forces, they move toward one another, drawing a multitude in their wake.

In democratic countries, on the contrary, it often happens that a great number of men who have the desire or the need to

associate cannot do so, because, all being very small and lost in the crowd, they do not see one another and do not know where to find one another. Along comes a newspaper that holds up to view the feeling or idea that had occurred simultaneously, but separately, to each of them. At once all of them turn toward that light, and these wandering spirits, who had long been seeking one another in the darkness, at last meet and unite.

The newspaper has brought them together, and it remains necessary to them in order to keep them together.

For an association among a democratic people to have any power, it must be numerous. Those who compose it are therefore scattered over a wide area, and each of them is held in the place where he lives by the modesty of his means and by the multitude of small cares they demand. They must find a way to speak to one another every day without seeing one another, and to march in step without having met. Thus there is hardly a democratic association that can do without a newspaper.

There is therefore a necessary relation between associations and newspapers: newspapers make associations, and associations make newspapers; and if it was true to say that associations must multiply as conditions become equal, it is no less certain that the number of newspapers grows as associations multiply.

So it is that America is the country in the world where one finds at once the most associations and the most newspapers.

This relation between the number of newspapers and the number of associations leads us to discover another, between the state of the periodical press and the form of the country's administration, and teaches us that among a democratic people the number of newspapers must decrease or increase in proportion as administrative centralization is greater or lesser. For among democratic peoples the exercise of local powers cannot be entrusted to the leading citizens, as in aristocracies. These powers must either be abolished or their use handed over to a very great number of men. Those men form a true association, permanently established by law for the administration of a por-

tion of the territory, and they need a newspaper to come and find them every day in the midst of their small affairs and tell them what state the public business is in. The more numerous the local powers, the greater the number of those whom the law calls to exercise them; and the more this need makes itself felt at every moment, the more newspapers swarm.

It is the extraordinary fragmentation of administrative power, far more even than the great political liberty and the absolute independence of the press, that so remarkably multiplies the number of newspapers in America. If all the inhabitants of the Union were voters, under a system that limited their right to vote to choosing the legislators of their state, they would need only a small number of newspapers, because they would have only a few occasions to act together—very important ones, but very rare; but within the great national association, the law has established in every province, in every city, and so to speak in every village, small associations whose object is local administration. In this way the legislator has compelled every American to work daily with some of his fellow citizens on a common task, and each of them needs a newspaper to tell him what all the others are doing.

I think that a democratic people[4] that had no national representation, but a great number of small local powers, would end up with more newspapers than another people among whom a centralized administration existed alongside an elected legislature. What best explains to me the prodigious growth of the daily press in the United States is that I see, among the Americans, the greatest national liberty combined with local liberties of every kind.

It is generally believed in France and in England that it is enough to abolish the taxes that weigh on the press in order to increase the number of newspapers indefinitely. That greatly

4 TOCQUEVILLE'S NOTE. I say a *democratic people*. Administration can be highly decentralized among an aristocratic people without any need for newspapers making itself felt, because local powers are then in the hands of a very small number of men who either act in isolation or know one another and can easily meet and come to an understanding.

exaggerates the effects of such a reform. Newspapers multiply not only according to how cheap they are, but according to how often a great number of men need to communicate with one another and act in common.[5]

I would likewise attribute the growing power of newspapers to more general causes than those often put forward to explain it.

A newspaper can survive only on condition that it reproduces a doctrine or a feeling common to a great number of men. A newspaper therefore always represents an association whose members are its regular readers.

This association may be more or less defined, more or less narrow, more or less numerous; but it exists, at least in germ, in people's minds, by the mere fact that the newspaper does not die.

This brings us to one last reflection, which will close this chapter.

The more equal conditions become, the less strong men are individually, the more easily they let themselves be carried along by the current of the crowd, and the harder they find it to hold on alone to an opinion the crowd abandons.

The newspaper represents the association; one may say that it speaks to each of its readers in the name of all the others, and it carries them along all the more easily the weaker they are individually.

The sway of newspapers must therefore grow as men become equal.

5 Both countries then taxed newspapers through stamp duties; the English duty was sharply reduced in 1836.

CHAPTER 7: RELATIONS BETWEEN CIVIL ASSOCIATIONS AND POLITICAL ASSOCIATIONS (RAPPORTS DES ASSOCIATIONS CIVILES ET DES ASSOCIATIONS POLITIQUES)

Political associations act as free schools that teach the art of association used in civil life.

2.2.7 There is only one nation on earth where the unlimited freedom to associate for political purposes is used every day. That same nation is the only one in the world whose citizens have thought of making continual use of the right of association in civil life, and have succeeded in procuring for themselves in this way all the goods that civilization can offer.

Among all peoples where political association is forbidden, civil association is rare.

It is hardly likely that this is the result of chance; rather, one must conclude that there is a natural and perhaps necessary relation between these two kinds of associations.

Some men happen to have a common interest in a certain matter. It may be a commercial enterprise to manage or an industrial operation to conclude; they meet and unite; in this way they gradually grow familiar with association.

The more the number of these small common affairs grows, the more men acquire, even without knowing it, the ability to pursue great ones in common.

Civil associations therefore make political associations easier; but, on the other hand, political association remarkably develops and perfects civil association.

In civil life, each man can, strictly speaking, imagine that he is able to suffice for himself. In politics, he could never imagine it. When a people has a public life, the idea of association and the desire to associate therefore present themselves every day to the minds of all citizens: whatever natural reluctance men may have to act in common, they will always be ready to do so in the interest of a party.

Thus politics spreads the taste and the habit of association; it makes a host of men who would otherwise always have lived alone want to unite, and teaches them the art of doing so.

Politics does not merely give rise to many associations; it creates very vast ones.

In civil life it is rare for a single interest to draw a great number of men naturally toward common action. Only with much art can such an interest be created.

In politics, the occasion presents itself of its own accord at every moment. Now, it is only in large associations that the general value of association becomes manifest. Citizens who are individually weak do not form a clear idea in advance of the strength they can gain by uniting; it must be shown to them before they understand it. Hence it is often easier to gather a multitude for a common purpose than a few men; a thousand citizens do not see the interest they have in uniting; ten thousand perceive it. In politics, men unite for great undertakings, and the advantage they draw from association in important affairs teaches them, in a practical way, the interest they have in using it in lesser ones.

A political association draws a multitude of individuals out of themselves all at once; however separated they may naturally be by age, mind, or fortune, it brings them together and puts them in contact. They meet once and learn to meet again ever after.

One cannot join most civil associations without putting part of one's own property at risk; this is true of all industrial and commercial companies. When men are still little versed in the art of associating and do not know its main rules, they fear that, in joining together in this way for the first time, they will pay dearly for their experience. They therefore prefer to deprive themselves of a powerful means of success rather than run the dangers that come with it. But they hesitate less to take part in political associations, which seem to them free of peril, because they do not risk their money in them. Now, they cannot belong to such associations for long without discovering how order is

kept among a large number of men, and by what method they are made to advance, in agreement and methodically, toward the same goal. There they learn to submit their will to that of all the others and to subordinate their individual efforts to the common action—all things that are no less necessary to know in civil associations than in political ones.

Political associations can therefore be regarded as great free schools, where all citizens come to learn the general theory of associations.

Even if political association did not directly serve the progress of civil association, to destroy the former would still be to harm the latter.

When citizens can associate only in certain cases, they regard association as a rare and peculiar procedure, and it hardly occurs to them to think of it.

When they are allowed to associate freely in all things, they end by seeing in association the universal, and so to speak the only, means that men can use to attain the various ends they set themselves. Every new need immediately awakens the idea of it. The art of association then becomes, as I said above, the mother science; everyone studies it and applies it.

When some associations are forbidden and others permitted, it is hard to tell the former from the latter in advance. In doubt, people abstain from all of them, and a sort of public opinion

takes hold that tends to make any association whatever seem a bold and almost illicit undertaking[6].

It is therefore an illusion to believe that the spirit of association, suppressed at one point, will nonetheless develop with the same vigor at all the others, and that it will be enough to allow men to carry out certain undertakings in common for them to hasten to try. When citizens have the ability and the habit of associating for all things, they will associate as readily for small things as for great ones. But if they can associate only for small things, they will not even find the desire or the capacity to do so. In vain will you leave them complete freedom to pursue their trade in common: they will make only listless use of the rights they are granted; and after exhausting yourselves in efforts to keep them away from forbidden associations, you will be surprised to find that you cannot persuade them to form the permitted ones.

I do not say that there can be no civil associations in a country where political association is prohibited; for men can never live in society without engaging in some common undertaking. But I maintain that in such a country civil associations will always be very few in number, feebly conceived, and unskillfully run, and that they will never embrace vast designs, or will fail in trying to carry them out.

This naturally leads me to think that freedom of association in political matters is not as dangerous to public tranquility as is

supposed, and that it might happen that, after shaking the state for a time, it strengthens it.

In democratic countries, political associations are, so to speak, the only powerful private persons who aspire to direct the state. So the governments of our day regard associations of this kind in the same light as the kings of the Middle Ages regarded the great vassals of the crown: they feel a sort of instinctive horror of them and fight them at every opportunity.

They have, on the contrary, a natural goodwill toward civil associations, because they have easily discovered that these, instead of directing the minds of citizens toward public affairs, serve to distract them from such affairs, and, by involving them more and more in projects that cannot be accomplished without public peace, turn them away from revolutions. But they fail to notice that political associations prodigiously multiply and facilitate civil associations, and that in avoiding a dangerous evil they deprive themselves of an effective remedy. When you see the Americans associating freely, every day, in order to make a political opinion prevail, to raise a statesman to office, or to wrest power from another, you find it hard to understand how men so independent do not constantly fall into license.

If, on the other hand, you come to consider the infinite number of industrial undertakings carried on in common in the United States, and you see the Americans on every side working

6 TOCQUEVILLE'S NOTE. This is especially true when it is the executive power that is charged with permitting or forbidding associations at its arbitrary will. When the law confines itself to prohibiting certain associations and leaves it to the courts to punish those who disobey, the harm is far smaller; each citizen then knows more or less in advance what to expect; he judges himself, as it were, before his judges do, and, keeping away from forbidden associations, he gives himself to permitted ones. This is how all free peoples have always understood that the right of association could be restricted. But if the lawgiver were to charge one man with sorting out in advance which associations are dangerous and which useful, and left him free to destroy any association in the bud or to let it be born, then, since no one could any longer foresee in which cases one may associate and in which one must refrain, the spirit of association would be struck entirely inert. The first of these two laws attacks only certain associations; the second is aimed at society itself and wounds it. I can conceive of a regular government resorting to the first, but I grant no government the right to enact the second.

tirelessly to carry out some important and difficult design that the slightest revolution could throw into confusion, you easily grasp why these people, so well occupied, are not tempted to disturb the state or to destroy a public calm from which they profit.

Is it enough to perceive these things separately, and must we not discover the hidden knot that ties them together? It is within political associations that Americans of every station, every cast of mind, and every age acquire, day by day, a general taste for association and grow familiar with its use. There they see one another in great numbers, talk to one another, come to understand one another, and spur one another on to all sorts of undertakings. They then carry the notions thus acquired into civil life and put them to a thousand uses.

It is thus by enjoying a dangerous freedom that the Americans learn the art of making the perils of freedom smaller.

If one picks a particular moment in the existence of a nation, it is easy to prove that political associations disturb the state and paralyze industry; but take the whole life of a people, and it will perhaps be easy to show that freedom of association in political matters favors the well-being and even the tranquility of citizens.

I said in the first part of this work: "Unlimited freedom of association cannot be confused with freedom to write: the one is at once less necessary and more dangerous than the other. A nation can set limits to it without ceasing to be master of itself; it must sometimes do so in order to remain so." And further on I added: "One cannot hide from oneself that unlimited freedom of association in political matters is, of all freedoms, the last that a people can bear. If it does not make the people fall into anarchy, it brings them, so to speak, to the brink of it at every moment."[7]

Thus I do not believe that a nation is always at liberty to leave citizens the absolute right to associate in political matters, and I

7 Both passages come from the chapter on political association in the United States in the first volume (1.2.4).

even doubt that, in any country and at any period, it would be wise to set no limits on freedom of association.

Such and such a people, it is said, could not keep peace within its borders, inspire respect for the laws, or found a lasting government unless it confined the right of association within narrow limits. Such goods are precious, no doubt, and I can understand that, to acquire or preserve them, a nation would consent to impose great constraints on itself for a time; but still it is well that it should know exactly what these goods cost it.

That a man's arm should be cut off to save his life, I understand; but I will not have anyone assure me that he is going to be as dexterous as if he still had both arms.

CHAPTER 8: HOW THE AMERICANS COMBAT INDIVIDUALISM WITH THE DOCTRINE OF SELF-INTEREST RIGHTLY UNDERSTOOD (COMMENT LES AMÉRICAINS COMBATTENT L'INDIVIDUALISME PAR LA DOCTRINE DE L'INTÉRÊT BIEN ENTENDU)

Americans argue that virtue is useful, a modest doctrine Tocqueville judges best suited to democratic times.

2.2.8 When the world was ruled by a small number of powerful and wealthy individuals, they liked to form a sublime idea of man's duties; they took pleasure in professing that it is glorious to forget oneself and that it is fitting to do good without self-interest, as God himself does. That was the official moral doctrine of the time.

I doubt that men were more virtuous in aristocratic ages than in others, but it is certain that people there spoke constantly of the beauties of virtue; only in secret did they study in what respect it is useful. But as the imagination soars less high and each person withdraws into himself, moralists take fright at this idea of sacrifice and no longer dare to offer it to the human mind. They therefore confine themselves to inquiring whether the individual advantage of citizens might not lie in working for the happiness of all, and when they have discovered one of those points where private interest comes to meet the general

interest and merge with it, they hasten to bring it to light; little by little, similar observations multiply. What was only an isolated remark becomes a general doctrine, and people finally believe they see that man, in serving his fellows, serves himself, and that his private interest is to do good.

I have already shown, in several places in this work, how the inhabitants of the United States almost always knew how to combine their own well-being with that of their fellow citizens. What I want to note here is the general theory by means of which they manage it.

In the United States, people hardly ever say that virtue is beautiful. They maintain that it is useful, and they prove it every day. American moralists do not claim that one must sacrifice oneself for one's fellows because it is a great thing to do; but they boldly say that such sacrifices are as necessary to the one who makes them as to the one who benefits from them.

They have seen that, in their country and in their time, man was being drawn back toward himself by an irresistible force, and, losing hope of stopping it, they thought only of guiding it.

So they do not deny that every man may follow his own interest, but they strive to prove that it is in each man's interest to be honest.

I do not wish to go into the details of their reasons here, which would take me away from my subject; let it suffice to say that they have convinced their fellow citizens.

Long ago Montaigne said: "Even if I did not follow the straight road for its straightness, I would follow it for having found by experience that, in the end, it is usually the happiest and the most useful."[8]

The doctrine of self-interest rightly understood is therefore not new, but among the Americans of our day it has been universally accepted; it has become popular there: one finds it at the bottom of every action; it shows through in every speech. It

8 Michel de Montaigne (1533–1592), French essayist; Tocqueville quotes his *Essays* in their sixteenth-century spelling.

is heard no less from the mouths of the poor than from those of the rich.

In Europe, the doctrine of self-interest is much cruder than in America, but at the same time it is less widespread there and, above all, less displayed; and among us people still feign, every day, great devotion that they no longer feel.

The Americans, on the contrary, like to explain almost all the acts of their lives by self-interest rightly understood; they complacently show how enlightened love of themselves constantly leads them to help one another and disposes them to sacrifice willingly a part of their time and wealth to the good of the state. I think that in this they often fail to do themselves justice; for in the United States, as elsewhere, one sometimes sees citizens give way to the disinterested and unreflecting impulses that are natural to man; but the Americans hardly ever admit that they yield to impulses of this kind; they would rather give credit to their philosophy than to themselves.

I could stop here and not attempt to judge what I have just described. The extreme difficulty of the subject would be my excuse. But I do not wish to take advantage of it, and I would rather that my readers, seeing my aim clearly, refuse to follow me than leave them in suspense.

Self-interest rightly understood is not a lofty doctrine, but it is a clear and sure one. It does not seek to attain great objects; but it attains, without too much effort, all those it aims at. Since it is within reach of every intelligence, everyone grasps it easily and retains it without trouble. Adapting itself marvelously to human weaknesses, it easily gains great sway, and it has no difficulty keeping it, because it turns personal interest against itself and, to direct the passions, uses the very goad that stirs them.

The doctrine of self-interest rightly understood does not produce great acts of devotion; but it prompts small sacrifices every day. By itself it could not make a man virtuous; but it forms a multitude of citizens who are orderly, temperate, moderate, provident, and masters of themselves; and if it does not lead dir-

ectly to virtue through the will, it brings men imperceptibly closer to it through habit.

If the doctrine of self-interest rightly understood came to dominate the moral world entirely, extraordinary virtues would no doubt be rarer. But I also think that gross depravity would then be less common. The doctrine of self-interest rightly understood perhaps prevents some men from rising far above the ordinary level of humanity; but a great many others who were falling below it meet it and hold on there. Consider a few individuals: it lowers them. Look at the species: it raises it.

I will not be afraid to say that the doctrine of self-interest rightly understood seems to me, of all philosophical theories, the one best suited to the needs of the men of our time, and that I see in it the most powerful safeguard they have left against themselves. It is therefore chiefly toward it that the minds of today's moralists must turn. Even if they judged it imperfect, it would still have to be adopted as necessary.

I do not believe, all things considered, that there is more selfishness among us than in America; the only difference is that there it is enlightened, and here it is not. Every American knows how to sacrifice part of his private interests to save the rest. We want to hold on to everything, and often everything slips away from us.

All around me I see only people who seem bent on teaching their contemporaries every day, by word and example, that what is useful is never dishonorable. Shall I never find, at last, some who will undertake to make them understand how what is honorable can be useful?

No power on earth can prevent the growing equality of conditions from turning the human mind toward the pursuit of the useful, or from disposing each citizen to withdraw into himself.

We must therefore expect individual interest to become, more than ever, the principal if not the sole motive of men's actions; but it remains to be seen how each man will understand his individual interest.

If citizens, in becoming equal, remained ignorant and coarse, it is hard to foresee what stupid excess their selfishness might reach. Nor could one say in advance into what shameful miseries they would plunge themselves for fear of sacrificing some part of their well-being to the prosperity of their fellows.

I do not believe that the doctrine of self-interest, as it is preached in America, is evident in all its parts; but it contains a great many truths so evident that one need only enlighten men for them to see them. Enlighten them, then, at any cost. The age of blind devotion and instinctive virtues is already fleeing far from us, and I see the time approaching when freedom, public peace, and social order itself will not be able to do without enlightenment.

CHAPTER 9: HOW THE AMERICANS APPLY THE DOCTRINE OF SELF-INTEREST RIGHTLY UNDERSTOOD IN MATTERS OF RELIGION (COMMENT LES AMÉRICAINS APPLIQUENT LA DOCTRINE DE L'INTÉRÊT BIEN ENTENDU EN MATIÈRE DE RELIGION)

Self-interest rightly understood is compatible with religion, which Americans often practice for reasons of interest.

2.2.9 If the doctrine of self-interest rightly understood had only this world in view, it would be far from sufficient; for there are a great many sacrifices that can find their reward only in the next. And whatever mental effort one makes to prove the utility of virtue, it will always be hard to make a man live well who does not want to die.

It is therefore necessary to know whether the doctrine of self-interest rightly understood can easily be reconciled with religious beliefs.

The philosophers who teach this doctrine tell men that, to be happy in life, one must keep watch over one's passions and carefully restrain their excess; that lasting happiness can be gained only by denying oneself a thousand passing pleasures; and, in short, that one must constantly master oneself in order to serve oneself better.

The founders of almost all religions have used much the same language. Without pointing men to a different road, they have merely moved the goal further off. Instead of placing the reward for the sacrifices they impose in this world, they have put it in the next.

Still, I refuse to believe that all who practice virtue in a religious spirit act only with a view to a reward.

I have met zealous Christians who constantly forgot themselves in order to work more ardently for the happiness of all. I have heard them claim that they acted thus only to earn the blessings of the next world; but I cannot help thinking that they deceive themselves. I respect them too much to believe them.

Christianity tells us, it is true, that we must prefer others to ourselves in order to gain heaven; but Christianity also tells us that we must do good to our fellows out of love of God. That is a magnificent expression. Man penetrates by his intelligence into the divine thought; he sees that God's aim is order; he freely joins in this great design. And while sacrificing his particular interests to this admirable order of all things, he expects no other reward than the pleasure of contemplating it.

So I do not believe that self-interest is the only motive of religious men. But I think that self-interest is the chief means that religions themselves use to guide men, and I have no doubt that it is by this side that they take hold of the crowd and become popular.

Thus I do not see clearly why the doctrine of self-interest rightly understood should turn men away from religious beliefs; on the contrary, I think I can make out how it draws them closer to those beliefs.

Suppose that, to attain happiness in this world, a man resists instinct on every occasion and coldly reasons out every act of his life. Suppose that, instead of yielding blindly to the heat of his first desires, he has learned the art of fighting them, and that he has grown used to sacrificing, without effort, the pleasure of the moment to the lasting interest of his whole life.

If such a man has faith in the religion he professes, it will cost him little to submit to the constraints it imposes. Reason itself advises him to do so, and habit has prepared him in advance to bear it.

And if he has come to doubt the object of his hopes, he will not easily let that stop him. He will judge it wise to risk some of the goods of this world in order to keep his claim to the immense inheritance promised him in the next.

"If one is wrong in believing the Christian religion true," said Pascal, "there is not much to lose; but what a misfortune to be wrong in believing it false!"[9]

The Americans do not affect a crude indifference to the next life; they take no childish pride in scorning dangers they hope to escape.

They therefore practice their religion without shame and without weakness. Yet even in the midst of their zeal one usually sees something so calm, so methodical, and so calculated that it seems to be reason far more than the heart that leads them to the foot of the altar.

Not only do the Americans follow their religion out of self-interest, but they often place in this world the interest one may have in following it. In the Middle Ages, priests spoke only of the next life; they hardly bothered to prove that a sincere Christian can be a happy man here below.

But American preachers constantly come back to earth, and only with great difficulty can they take their eyes off it. To move their listeners more effectively, they show them every day how religious beliefs favor freedom and public order. Listening to them, it is often hard to tell whether the main object of religion is to secure eternal bliss in the next world or well-being in this one.

9 Blaise Pascal (1623–1662), French mathematician and religious thinker; the line paraphrases the reasoning of his famous "wager" in the *Pensées*.

CHAPTER 10: ON THE TASTE FOR MATERIAL WELL-BEING IN AMERICA (DU GOÛT DU BIEN-ÊTRE MATÉRIEL EN AMÉRIQUE)

The passion for material well-being is a middle-class passion, and in America it is general.

2.2.10 In America the passion for material well-being is not always exclusive, but it is general; if not everyone experiences it in the same way, everyone feels it. The concern to satisfy the body's slightest needs and to provide for life's small comforts preoccupies every mind there.

Something similar is becoming more and more visible in Europe.

Among the causes that produce these similar effects in the two worlds, there are several that bear on my subject and that I must point out.

When wealth is fixed by inheritance in the same families, one sees a great many men who enjoy material well-being without feeling an exclusive taste for well-being.

What binds the human heart most keenly is not the peaceful possession of a precious object but the imperfectly satisfied desire to possess it and the unceasing fear of losing it.

In aristocratic societies the rich, never having known any condition but their own, have no fear of changing it; they can scarcely imagine another. For them, then, material well-being is not the aim of life; it is a way of living. They regard it, as it were, as existence itself, and enjoy it without thinking about it.

Since the natural and instinctive taste that all men feel for well-being is thus satisfied without effort and without fear, their souls turn elsewhere and attach themselves to some more difficult and greater undertaking that animates them and carries them along.

Thus, even amid material pleasures, the members of an aristocracy often display a proud contempt for those very pleasures, and they find remarkable strength when at last they must do without them. All the revolutions that have disturbed or des-

troyed aristocracies have shown how easily people accustomed to luxuries could do without necessities, whereas men who have toiled their way up to comfort can scarcely live after losing it.

If I pass from the upper ranks to the lower classes, I shall see similar effects produced by different causes.

Among nations where aristocracy dominates society and holds it motionless, the people end by growing used to poverty, as the rich do to their opulence. The rich are not preoccupied with material well-being because they possess it without effort; the people do not think about it because they despair of acquiring it and do not know it well enough to desire it.

In societies of this kind the imagination of the poor is thrown back toward the next world. The miseries of real life hem it in, but it escapes them and goes looking for its pleasures beyond.

When, on the contrary, ranks are mingled and privileges destroyed, when patrimonies are divided and enlightenment and freedom spread, the longing to acquire well-being presents itself to the imagination of the poor, and the fear of losing it to the mind of the rich. A multitude of middling fortunes arises. Those who own them have enough material pleasures to acquire a taste for them, and not enough to be content with them. They never obtain them except with effort and never indulge in them without trembling.

So they are constantly bent on pursuing or holding on to these pleasures, so precious, so incomplete, and so fleeting.

I look for a passion natural to men who are both stirred and limited by the obscurity of their origins or the modesty of their fortunes, and I find none better suited than the taste for well-being. The passion for material well-being is essentially a middle-class passion. It grows and spreads with that class; it becomes predominant along with it. From there it reaches the upper ranks of society and descends into the midst of the people.

In America I never met a citizen so poor that he did not cast a look of hope and envy at the pleasures of the rich, and whose

imagination did not seize in advance on the goods that fate stubbornly refused him.

On the other hand, I never saw among the rich of the United States that lofty disdain for material well-being which sometimes shows itself even within the most opulent and dissolute aristocracies.

Most of these rich men were once poor. They have felt the spur of need; they long fought against a hostile fortune; and now that victory is won, the passions that accompanied the struggle outlive it. They remain as if intoxicated amid these small pleasures that they pursued for forty years.

Not that one fails to meet in the United States, as elsewhere, a fair number of rich men who, holding their property by inheritance, possess without effort an opulence they did not earn. But even these show themselves no less attached to the pleasures of material life. The love of well-being has become the national and dominant taste; the great current of human passions runs in that direction and sweeps everything along in its course.

CHAPTER 11: ON THE PARTICULAR EFFECTS THAT THE LOVE OF MATERIAL PLEASURES PRODUCES IN DEMOCRATIC AGES (DES EFFETS PARTICULIERS QUE PRODUIT L'AMOUR DES JOUISSANCES MATÉRIELLES DANS LES SIÈCLES DÉMOCRATIQUES)

In democracies the love of material pleasures breeds a quiet, decent materialism, not aristocratic debauchery.

2.2.11 One might think, from what precedes, that the love of material pleasures must constantly drag the Americans toward disorderly mores, unsettle families, and in the end endanger the fate of society itself.

But it is not so: the passion for material pleasures produces different effects within democracies than among aristocratic peoples.

It sometimes happens that weariness with public affairs, excess of wealth, the ruin of beliefs, and the decline of the state gradually turn the heart of an aristocracy toward material pleas-

ures alone. At other times the power of the prince or the weakness of the people, without robbing the nobles of their fortune, forces them to withdraw from power and, closing to them the path to great undertakings, abandons them to the restlessness of their desires. They then fall heavily back upon themselves and seek in the pleasures of the body forgetfulness of their past greatness.

When the members of an aristocratic body turn thus exclusively to the love of material pleasures, they usually concentrate on that side alone all the energy that the long habit of power has given them.

For such men the pursuit of well-being is not enough; they need sumptuous depravity and dazzling corruption. They pay magnificent worship to matter, and they seem to vie with one another to excel in the art of brutalizing themselves.

The stronger, more glorious, and freer an aristocracy has been, the more depraved it will then show itself; and however splendid its virtues may have been, I venture to predict that they will always be outshone by the brilliance of its vices.

The taste for material pleasures does not carry democratic peoples to such excesses. There the love of well-being shows itself as a tenacious, exclusive, universal passion, but a restrained one. It is not a question of building vast palaces, of conquering or outwitting nature, of draining the universe the better to sate one man's passions. It is a matter of adding a few toises to one's fields, planting an orchard, enlarging a house, making life easier and more comfortable at every moment, warding off inconvenience, and satisfying the slightest needs without effort and almost without cost.[10] These objects are small, but the soul clings to them. It considers them every day and at very close range; in the end they hide the rest of the world from it, and they sometimes come to stand between it and God.

10 The toise was an old French measure of length, about two meters.

This, it will be said, can apply only to those citizens whose fortune is modest; the rich will display tastes similar to those they showed in aristocratic ages. I dispute this.

Where material pleasures are concerned, the wealthiest citizens of a democracy will not display tastes very different from those of the people—whether because, having risen from among the people, they truly share them, or because they believe they must submit to them. In democratic societies the sensuality of the public has taken on a certain moderate and quiet pace, to which all souls are expected to conform. It is as hard there to escape the common rule through one's vices as through one's virtues.

The rich who live among democratic nations therefore aim at satisfying their slightest needs rather than at extraordinary pleasures. They gratify a multitude of small desires and give themselves up to no great disorderly passion. Thus they fall into softness rather than into debauchery.

This particular taste that men of democratic ages conceive for material pleasures is not by nature opposed to order; on the contrary, it often needs order in order to be satisfied. Nor is it hostile to orderly mores, for good morals are useful to public tranquility and favor industry. It often even comes to combine with a kind of religious morality: people want to be as well off as possible in this world without giving up their chances in the next.

Among material goods, there are some whose possession is criminal; people take care to abstain from them. There are others whose use religion and morality allow; to these people give up their heart, their imagination, and their life without reserve. In striving to seize them, they lose sight of those more precious goods that make up the glory and greatness of the human race.

What I hold against equality is not that it leads men to pursue forbidden pleasures; it is that it absorbs them entirely in the search for permitted ones.

Thus a kind of decent materialism could well become established in the world. It would not corrupt souls, but it would

soften them, and in the end it would quietly slacken all their springs of action.

CHAPTER 12: WHY SOME AMERICANS DISPLAY SO EXALTED A SPIRITUALISM (POURQUOI CERTAINS AMÉRICAINS FONT VOIR UN SPIRITUALISME SI EXALTÉ)

Itinerant preachers and strange sects show how a materialist society provokes bursts of fervent spirituality.

2.2.12 Although the desire to acquire the goods of this world is the dominant passion of the Americans, there are moments of respite when their souls seem suddenly to break the material bonds that hold them and to rush impetuously toward heaven.

In every state of the Union, but chiefly in the half-settled regions of the West, one sometimes meets itinerant preachers who carry the divine word from place to place.[11]

Whole families—old people, women, and children—cross rough country and push through empty woods, coming from very far away to hear them. Once they have found them, they listen for several days and nights, forgetting the care of their affairs and even the most pressing needs of the body.

Here and there within American society one finds souls filled with an exalted and almost fierce spiritualism, of a kind one hardly meets in Europe. From time to time strange sects arise there that strive to open extraordinary paths to eternal happiness. Religious madness is very common there.

This should not surprise us.

It was not man who gave himself the taste for the infinite and the love of what is immortal. These sublime instincts are not born of a whim of his will: they have their unshakable foundation in his nature; they exist in spite of his efforts. He can hinder and distort them, but he cannot destroy them.

11 Tocqueville is describing the revival preaching and camp meetings of the Second Great Awakening.

The soul has needs that must be satisfied. However much care is taken to distract it from itself, it soon grows bored, restless, and agitated amid the pleasures of the senses.

If the minds of the great majority of the human race were ever concentrated solely on the search for material goods, one may expect that a prodigious reaction would take place in the souls of a few men. These men would throw themselves headlong into the world of spirits, for fear of remaining entangled in the too narrow fetters that the body seeks to impose on them.

It should not be surprising, then, if in the midst of a society that thought only of the earth one were to meet a small number of individuals who wished to look only at heaven. I would be surprised if mysticism did not soon make progress among a people preoccupied solely with its well-being.

It is said that it was the persecutions of the emperors and the tortures of the circus that peopled the deserts of the Thebaid. For my part, I think it was far more the delights of Rome and the Epicurean philosophy of Greece.[12]

If the social state, circumstances, and laws did not confine the American mind so closely to the pursuit of well-being, it would probably show more reserve and more experience when it came to concern itself with immaterial things, and it would moderate itself without difficulty. But it feels imprisoned within limits that it seems never to be allowed to leave. As soon as it goes beyond those limits, it does not know where to settle, and it often runs on without stopping, past the bounds of common sense.

12 The Thebaid, the region of Upper Egypt around Thebes, was where early Christian hermits and monks settled from the 3rd century AD.

CHAPTER 13: WHY THE AMERICANS ARE SO RESTLESS IN THE MIDST OF THEIR WELL-BEING (POURQUOI LES AMÉRICAINS SE MONTRENT SI INQUIETS AU MILIEU DE LEUR BIEN-ÊTRE)

Americans pursue well-being feverishly, and equality's endless competition leaves them restless and melancholy.

2.2.13 In certain remote districts of the Old World one still sometimes comes across small populations that have been, as it were, forgotten amid the universal tumult and have stayed motionless while everything around them was moving. Most of these peoples are very ignorant and very wretched. They take no part in the affairs of government, and governments often oppress them. Yet they usually show a serene face, and they often display a cheerful humor.

In America I saw the freest and most enlightened men, placed in the happiest condition in the world. It seemed to me that a kind of cloud habitually covered their features; they appeared grave and almost sad even in their pleasures.

The principal reason for this is that the former do not think about the ills they endure, while the latter constantly dwell on the goods they do not have.

It is a strange thing to see with what feverish ardor the Americans pursue well-being, and how constantly they are tormented by a vague fear of not having chosen the shortest road that can lead to it.

The inhabitant of the United States clings to the goods of this world as if he were sure never to die. He is in such a hurry to seize those that pass within his reach that one would think he feared at every moment he might stop living before he had enjoyed them. He seizes them all, but without holding them tight, and he soon lets them slip from his hands to run after new pleasures.

In the United States a man carefully builds a house to spend his old age in, and he sells it while the roof is being put on. He plants a garden, and he rents it out just as he was about to taste

its fruits. He clears a field, and he leaves the harvesting of its crops to others. He takes up a profession, and leaves it. He settles in a place, which he soon leaves to carry his changing desires elsewhere. If his private affairs give him some respite, he immediately plunges into the whirlwind of politics. And when, toward the end of a year filled with work, he still has some leisure left, he carries his restless curiosity here and there across the vast expanse of the United States. In this way he will travel five hundred leagues in a few days, the better to distract himself from his happiness.

Death finally comes and stops him before he has grown tired of this useless pursuit of a complete happiness that always flees.

At first one is astonished to see the singular agitation displayed by so many happy men in the very midst of their abundance. Yet this spectacle is as old as the world; what is new is to see a whole people present it.

The taste for material pleasures must be considered the primary source of the secret restlessness that shows itself in the actions of the Americans, and of the inconstancy of which they give daily examples.

He who has shut his heart up in the search for the goods of this world alone is always in a hurry, for he has only a limited time to find them, take hold of them, and enjoy them. The thought of the brevity of life constantly spurs him on. Besides the goods he possesses, he imagines at every moment a thousand others that death will prevent him from tasting if he does not hurry. This thought fills him with anxiety, fear, and regret. It keeps his soul in a kind of ceaseless trepidation that leads him to change his plans and his place at every moment.

If the taste for material well-being is joined by a social state in which neither law nor custom keeps anyone in his place any longer, this restlessness of mind receives one more great stimulus. Men will then be seen continually changing course, for fear of missing the shortest road to happiness.

It is easy to understand, moreover, that if men who passionately seek material pleasures desire keenly, they must also be

easily discouraged. Since the final object is enjoyment, the means of reaching it must be quick and easy; otherwise the trouble of acquiring the pleasure would exceed the pleasure. Most souls there are therefore at once ardent and soft, violent and enervated. Death is often less feared there than having to keep up one's efforts toward the same goal.

Equality leads by a still more direct road to several of the effects I have just described.

When all the prerogatives of birth and fortune are destroyed, when all professions are open to all, and when one can rise by one's own efforts to the top of each of them, an immense and easy career seems to open before men's ambition, and they readily imagine that they are called to great destinies. But that is a mistaken view, which experience corrects every day. The same equality that allows each citizen to conceive vast hopes makes all citizens individually weak. It limits their strength on every side, even as it allows their desires to expand.

Not only are they powerless by themselves, but at every step they encounter immense obstacles that they had not noticed at first.

They have destroyed the irksome privileges of a few of their fellows; they meet the competition of all. The barrier has changed its shape rather than its place. When men are more or less alike and follow the same road, it is very hard for any one of them to walk fast and break through the uniform crowd that surrounds and presses him.

This constant opposition between the instincts that equality gives rise to and the means it supplies for satisfying them torments and wearies souls.

One can imagine men who have reached a degree of liberty that satisfies them entirely. They then enjoy their independence without restlessness and without ardor. But men will never establish an equality that is enough for them.

However hard a people tries, it will not succeed in making conditions perfectly equal within it. And if it had the misfortune to reach that absolute and complete leveling, there would still

remain the inequality of intelligence, which comes directly from God and will always escape the laws.

However democratic the social state and political constitution of a people may be, one can therefore count on each of its citizens always seeing several points near him that stand above him, and one can foresee that he will obstinately turn his gaze in that direction alone. When inequality is the common law of a society, the greatest inequalities do not strike the eye; when everything is nearly level, the smallest ones offend it. That is why the desire for equality always becomes more insatiable as equality grows greater.

Among democratic peoples, men easily obtain a certain equality; they cannot attain the equality they desire. That equality retreats before them every day, yet without ever passing out of their sight, and as it withdraws it draws them on in pursuit. Constantly they believe they are about to seize it, and constantly it escapes their grasp. They see it closely enough to know its charms; they do not come close enough to enjoy it; and they die before having fully savored its delights.

It is to these causes that one must attribute the singular melancholy that the inhabitants of democratic countries often display in the midst of their abundance. They also explain the disgust with life that sometimes seizes these people amid an easy and tranquil existence.

In France people complain that the number of suicides is growing. In America suicide is rare, but insanity is said to be more common there than anywhere else.

These are different symptoms of the same malady.

However agitated they may be, the Americans do not kill themselves, because religion forbids them to do so. Materialism hardly exists among them, so to speak, even though the passion for material well-being is general.

Their will holds firm, but their reason often gives way.

In democratic times pleasures are keener than in aristocratic ages, and above all the number of those who taste them is infinitely greater. On the other hand, it must be recognized that

hopes and desires are more often disappointed in such times, souls more stirred and more restless, and cares more acute.

CHAPTER 14: HOW THE TASTE FOR MATERIAL PLEASURES IS JOINED, AMONG THE AMERICANS, TO THE LOVE OF LIBERTY AND TO CARE FOR PUBLIC AFFAIRS (COMMENT LE GOÛT DES JOUISSANCES MATÉRIELLES S'UNIT CHEZ LES AMÉRICAINS À L'AMOUR DE LA LIBERTÉ ET AU SOIN DES AFFAIRES PUBLIQUES)

Americans see liberty as the best guarantee of their well-being and do not trade it for order.

2.2.14 When a democratic state turns into an absolute monarchy, the activity that was previously directed toward both public and private affairs suddenly comes to be concentrated on the latter. For some time the result is great material prosperity; but soon the movement slows down and the growth of production comes to a halt.

I do not know whether one can name a single manufacturing and commercial people, from the Tyrians to the Florentines and the English, that was not a free people. There is therefore a close bond and a necessary relation between these two things: liberty and industry.[13]

This is generally true of all nations, but especially of democratic nations.

I showed above how men who live in ages of equality constantly need association to obtain almost all the goods they covet. I also showed how great political liberty perfected the art of association among them and spread it widely. In such ages, therefore, liberty is particularly useful to the production of wealth. One can see, by contrast, that despotism is particularly hostile to it.

The nature of absolute power in democratic ages is neither cruel nor brutal, but it is meticulous and meddlesome. A despot-

13 The Tyrians were the people of Tyre, the leading trading city of ancient Phoenicia.

ism of this kind, although it does not trample humanity underfoot, is directly opposed to the genius of commerce and to the instincts of industry.

Thus the men of democratic times need to be free in order to obtain more easily the material pleasures for which they constantly long.

Yet it sometimes happens that the excessive taste they conceive for these same pleasures delivers them to the first master who comes along. The passion for well-being then turns against itself and, without realizing it, drives away the object of its desires.

There is, in fact, a very perilous passage in the life of democratic peoples.

When the taste for material pleasures develops among one of these peoples more rapidly than enlightenment and the habits of liberty, there comes a moment when men are carried away, as if beside themselves, at the sight of the new goods they are ready to seize. Preoccupied solely with making their fortunes, they no longer see the close bond that unites the private fortune of each of them with the prosperity of all. There is no need to wrest from such citizens the rights they possess; they willingly let those rights slip away themselves. The exercise of their political duties seems to them a tiresome interruption that distracts them from their industry. If it is a question of choosing their representatives, of lending support to authority, or of dealing together with the common concern, they lack the time. They cannot squander such precious time on useless work. These are games for idle people, unsuited to serious men occupied with the serious interests of life. Such people believe they are following the doctrine of self-interest, but they have only a crude idea of it. To look after what they call their affairs the better, they neglect the chief one, which is to remain masters of themselves.

Since the citizens who work do not want to give any thought to public affairs, and the class that might take on this care to fill its leisure no longer exists, the place of government is, as it were, empty.

If, at this critical moment, a clever and ambitious man happens to seize power, he finds the way open to every usurpation.

Let him see to it for a while that all material interests prosper, and he will easily be excused from the rest. Above all, let him guarantee good order. Men who have a passion for material pleasures usually discover how the agitations of freedom disturb well-being before they perceive how freedom serves to procure it. At the slightest noise of public passions breaking in upon the small pleasures of their private lives, they wake up and grow anxious. For a long time the fear of anarchy keeps them constantly in suspense, always ready to fling themselves out of freedom at the first disorder.

I readily grant that public peace is a great good; yet I do not want to forget that it is through good order that all peoples have arrived at tyranny. It certainly does not follow that peoples should scorn public peace; but it must not be enough for them. A nation that asks nothing of its government but the maintenance of order is already a slave at the bottom of its heart; it is a slave to its well-being, and the man who is to put it in chains may appear.

The despotism of factions is no less to be feared there than that of one man.

When the mass of citizens wants to concern itself only with private affairs, the smallest parties need not despair of becoming masters of public affairs.

It is then not rare to see on the vast stage of the world, as in our theaters, a multitude represented by a few men. These alone speak in the name of an absent or inattentive crowd; they alone act amid universal immobility. They dispose of all things as their whim dictates, they change the laws, and they tyrannize over mores at will. And one is astonished to see into how few, how weak, and how unworthy hands a great people can fall.

Until now, the Americans have happily avoided all the reefs I have just pointed out; and in this they truly deserve to be admired.

There is perhaps no country on earth where one meets fewer idle people than in America, or where all who work are more ardent in the pursuit of well-being. But if the Americans' passion for material pleasures is violent, at least it is not blind, and reason, though powerless to moderate it, directs it.

An American attends to his private interests as if he were alone in the world, and the next moment he devotes himself to public affairs as if he had forgotten them. At times he seems driven by the most selfish greed, at times by the most ardent patriotism. The human heart cannot be divided in this way. The inhabitants of the United States show, by turns, so strong and so similar a passion for their well-being and their freedom that one must believe these passions unite and merge somewhere in their souls. The Americans, in fact, see in their freedom the best instrument and the greatest guarantee of their well-being. They love each of these two things through the other. So they do not think that taking part in public affairs is none of their business. On the contrary, they believe that their main business is to secure for themselves a government that allows them to acquire the goods they desire and does not forbid them to enjoy in peace those they have already acquired.

CHAPTER 15: HOW RELIGIOUS BELIEFS FROM TIME TO TIME TURN THE SOULS OF THE AMERICANS TOWARD IMMATERIAL PLEASURES (COMMENT LES CROYANCES RELIGIEUSES DÉTOURNENT DE TEMPS EN TEMPS L'ÂME DES AMÉRICAINS VERS LES JOUISSANCES IMMATÉRIELLES)

The Sabbath turns Americans toward higher things; democracies need religion and belief in the soul's immortality.

2.2.15 In the United States, when the seventh day of each week arrives, the commercial and industrial life of the nation seems suspended; all noise ceases. A deep repose, or rather a kind of solemn recollection, takes its place; the soul at last regains possession of itself and contemplates itself.

On this day the places devoted to commerce are deserted. Each citizen, surrounded by his children, goes to church; there

he hears strange discourses that seem little suited to his ear. He is told of the countless evils caused by pride and covetousness. He is spoken to of the need to govern his desires, of the refined pleasures attached to virtue alone, and of the true happiness that accompanies it.

Back in his home, he is not seen rushing to the ledgers of his business. He opens the book of the Holy Scriptures, and there he finds sublime or touching depictions of the greatness and goodness of the Creator, of the infinite magnificence of God's works, of the lofty destiny reserved for human beings, of their duties, and of their rights to immortality.

Thus, from time to time, the American escapes, as it were, from himself. Tearing himself away for a moment from the petty passions that agitate his life and the passing interests that fill it, he suddenly enters an ideal world where all is great, pure, and eternal.

In another part of this work I looked for the causes to which the maintenance of the Americans' political institutions should be attributed, and religion seemed to me one of the principal ones. Now that I am concerned with individuals, I find it again, and I see that it is no less useful to each citizen than to the state as a whole.[14]

The Americans show by their practice that they feel the full necessity of moralizing democracy through religion. What they think about themselves in this regard is a truth with which every democratic nation must be imbued.

I have no doubt that the social and political constitution of a people disposes it to certain beliefs and certain tastes, in which it then readily abounds; while these same causes steer it away from certain opinions and certain inclinations without its working at it on its own, and, so to speak, without its suspecting it.

The whole art of the legislator consists in discerning well in advance these natural inclinations of human societies, so as to know where the citizens' efforts must be aided and where it would rather be necessary to slow them down. For these obliga-

14 See 1.2.9.

tions differ according to the times. Nothing is fixed but the goal toward which humankind must always strive; the means of bringing it there vary endlessly.

If I had been born in an aristocratic age, in a nation where the hereditary wealth of some and the irremediable poverty of others equally turned men away from the idea of improvement and held their souls as if benumbed in the contemplation of another world, I would wish it were possible for me to stimulate in such a people the sense of needs. I would seek to discover quicker and easier means of satisfying the new desires I had aroused; and, turning the greatest efforts of the human mind toward the physical sciences, I would try to spur it on to the pursuit of well-being.

If it happened that a few men were recklessly inflamed in the pursuit of wealth and displayed an excessive love of material pleasures, I would not be alarmed; these particular traits would soon disappear in the general physiognomy.

The legislators of democracies have other concerns.

Give democratic peoples enlightenment and freedom, and leave them alone. They will easily manage to draw from this world all the goods it can offer; they will perfect each of the useful arts and make life every day more comfortable, easier, and pleasanter; their social state naturally pushes them in this direction. I do not fear that they will stop.

But while man takes pleasure in this honest and legitimate pursuit of well-being, it is to be feared that he may in the end lose the use of his most sublime faculties, and that, in wishing to improve everything around him, he may in the end degrade himself. That is where the danger lies, and nowhere else.

The legislators of democracies, then, and all the honest and enlightened men who live in them, must apply themselves unceasingly to lifting up souls and keeping them raised toward heaven. All who care about the future of democratic societies must unite, and all must, in concert, make continual efforts to spread within these societies the taste for the infinite, the sense of greatness, and the love of immaterial pleasures.

If, among the opinions of a democratic people, there should be some of those harmful theories that tend to make people believe that everything perishes with the body, consider the men who profess them the natural enemies of that people.

There are many things in the materialists that offend me. Their doctrines seem to me pernicious, and their pride revolts me. If their system could be of any use to man, it would seem to be by giving him a modest idea of himself. But they do not show that this is so; and when they believe they have sufficiently established that they are nothing but brutes, they appear as proud as if they had proved they were gods.

Materialism is, among all nations, a dangerous disease of the human mind; but it must be especially feared among a democratic people, because it combines marvelously with the vice of the heart most familiar to such peoples.

Democracy favors the taste for material pleasures. This taste, if it becomes excessive, soon disposes men to believe that everything is nothing but matter; and materialism, in its turn, finishes sweeping them along with mad ardor toward those very pleasures. Such is the fatal circle into which democratic nations are driven. It is good that they should see the danger and hold themselves back.

Most religions are only general, simple, and practical means of teaching men the immortality of the soul. That is the greatest advantage a democratic people draws from beliefs, and it is what makes them more necessary to such a people than to any other.

When, therefore, any religion has put down deep roots within a democracy, beware of shaking it; rather, preserve it carefully as the most precious inheritance of aristocratic ages. Do not seek to tear men away from their old religious opinions in order to substitute new ones, lest, in the passage from one faith to another, the soul find itself for a moment empty of beliefs, and the love of material pleasures come to spread through it and fill it entirely.

Assuredly, metempsychosis is no more reasonable than materialism; yet if a democracy absolutely had to choose between the two, I would not hesitate, and I would judge that its citizens run less risk of brutalizing themselves by thinking that their soul will pass into the body of a pig than by believing that it is nothing.[15]

Belief in an immaterial and immortal principle, united for a time with matter, is so necessary to man's greatness that it still produces fine effects even when the notion of rewards and punishments is not joined to it, and one confines oneself to believing that after death the divine principle enclosed in man is absorbed into God or goes on to animate another creature.

Even such people regard the body as the secondary and inferior portion of our nature, and they despise it even while they submit to its influence; whereas they have a natural esteem and a secret admiration for the immaterial part of man, though they sometimes refuse to submit to its rule. That is enough to give a certain elevated turn to their ideas and their tastes, and to make them strive disinterestedly, and as if of their own accord, toward pure feelings and great thoughts.

It is not certain that Socrates and his school held very settled opinions about what was to happen to man in the next life; but the single belief on which they were firm—that the soul has nothing in common with the body and survives it—was enough to give Platonic philosophy the kind of sublime impulse that distinguishes it.[16]

When one reads Plato, one notices that in the times before him, and in his own, there were many writers who advocated materialism. These writers have not come down to us, or have come down only very incompletely. So it has been in almost every age: most great literary reputations have been joined to spiritualism. The instinct and taste of humankind support this

15 Metempsychosis: the transmigration of souls, the belief that at death the soul passes into another body, human or animal.

16 Socrates (469–399 BC), Athenian philosopher and teacher of Plato (c. 428–348 BC), through whose dialogues his thought is chiefly known.

doctrine; they often save it in spite of men themselves, and keep afloat the names of those who attach themselves to it. One must not believe, therefore, that at any time, and whatever the political state, the passion for material pleasures and the opinions connected with it can suffice for an entire people.[17] The heart of man is vaster than one supposes; it can hold at once the taste for the goods of earth and the love of those of heaven. Sometimes it seems to give itself wildly to one of the two; but it is never long without thinking of the other.

While it is easy to see that it is particularly in times of democracy that it matters to make spiritualist opinions prevail, it is not easy to say what those who govern democratic peoples must do to make them prevail.

I believe in neither the prosperity nor the durability of official philosophies; and as for state religions, I have always thought that, if they could sometimes serve the interests of political power for a moment, they always became, sooner or later, fatal to the Church.

Nor am I among those who judge that, to raise religion in the eyes of peoples and bring honor to the spiritualism it professes, it is good to grant its ministers indirectly a political influence that the law denies them.

I am so deeply aware of the almost inevitable dangers that beliefs run when their interpreters meddle in public affairs, and I am so convinced that Christianity must at all costs be maintained within the new democracies, that I would rather chain the priests inside the sanctuary than let them out of it.

What means, then, remain to authority for bringing men back to spiritualist opinions, or for keeping them in the religion that suggests them?

What I am about to say will do me great harm in the eyes of politicians. I believe that the only effective means governments can use to bring honor to the dogma of the immortality of the soul is to act every day as if they believed it themselves; and I

17 Spiritualism here is the philosophical doctrine that the soul or mind is distinct from matter, not the later practice of communicating with the dead.

think it is only by conforming scrupulously to religious morality in great affairs that they can flatter themselves they are teaching citizens to know it, love it, and respect it in small ones.

CHAPTER 16: HOW AN EXCESSIVE LOVE OF WELL-BEING CAN HARM WELL-BEING (COMMENT L'AMOUR EXCESSIF DU BIEN-ÊTRE PEUT NUIRE AU BIEN-ÊTRE)

A great soul serves even the body's needs; content with material goods alone, men would stop progressing.

2.2.16 There is more connection than one thinks between the perfecting of the soul and the improvement of the goods of the body. Man can keep these two things distinct and consider each of them in turn; but he cannot separate them entirely without in the end losing sight of both.

Beasts have the same senses as we do and nearly the same appetites: there is no material passion that we do not share with them, and whose germ is not found in a dog as well as in ourselves.

Why is it, then, that animals know how to provide only for their first and coarsest needs, while we vary our pleasures endlessly and keep increasing them?

What makes us superior to the beasts in this respect is that we use our soul to find the material goods toward which instinct alone leads them. In man, the angel teaches the brute the art of satisfying itself. It is because man is capable of rising above the goods of the body, and of despising even life—something of which the beasts have not even the idea—that he knows how to multiply those same goods to a degree they could not conceive either.

Whatever elevates, enlarges, and expands the soul makes it more capable of succeeding even in those of its undertakings that do not concern it at all.

Whatever enervates or lowers it, on the contrary, weakens it for all things, the most important as well as the least, and threatens to make it almost as powerless for the one as for the other. Thus the soul must remain great and strong, if only so

that it can, from time to time, put its strength and greatness at the service of the body.

If men ever managed to content themselves with material goods, it is likely that they would gradually lose the art of producing them, and would end by enjoying them without discernment and without progress, like the brutes.

CHAPTER 17: HOW, IN TIMES OF EQUALITY AND DOUBT, IT IS IMPORTANT TO SET THE GOAL OF HUMAN ACTIONS FAR AHEAD (COMMENT DANS LES TEMPS D'ÉGALITÉ ET DE DOUTE, IL IMPORTE DE RECULER L'OBJET DES ACTIONS HUMAINES)

In ages of doubt, moralists and governments must teach people to pursue long-term goals and banish chance.

2.2.17 In ages of faith, the final goal of life is placed beyond life.

The men of those times therefore grow accustomed naturally, and so to speak without meaning to, to contemplating over a long succession of years a fixed object toward which they are constantly moving; and they learn, by imperceptible degrees, to repress a thousand small passing desires, the better to satisfy that great and permanent desire that torments them. When these same men turn to the things of the earth, these habits reappear. They readily set for their actions here below a general and definite goal toward which all their efforts are directed. One does not see them throwing themselves every day into new attempts; rather, they have settled designs that they never tire of pursuing.

This explains why religious peoples have often accomplished such lasting things. It turned out that, by concerning themselves with the other world, they had come upon the great secret of succeeding in this one.

Religions instill a general habit of behaving with a view to the future. In this they are no less useful to happiness in this life than to felicity in the next. It is one of their greatest political aspects.

But as the light of faith grows dim, men's vision narrows, and one would say that each day the object of human actions seems closer to them.

Once they have grown accustomed to no longer concerning themselves with what is to happen after their life, one sees them easily fall back into that complete and brutish indifference to the future which accords all too well with certain instincts of the human species. As soon as they have lost the habit of placing their chief hopes in the long term, they are naturally inclined to want to fulfill their slightest desires without delay; and it seems that from the moment they despair of living for eternity, they are disposed to act as though they were to exist for only a single day.

In ages of unbelief, therefore, it is always to be feared that men will constantly abandon themselves to the daily chance of their desires, and that, renouncing entirely any attempt to obtain what cannot be acquired without long efforts, they will found nothing great, peaceful, or lasting.

If, among a people so disposed, the social state happens to become democratic, the danger I am pointing out increases.

When everyone is constantly seeking to change places, when an immense competition is open to all, when wealth is accumulated and dissipated in a few moments amid the tumult of democracy, then the idea of sudden and easy fortune, of great possessions easily gained and lost, the image of chance in all its forms, presents itself to the human mind. The instability of the social state comes to reinforce the natural instability of desires. Amid these perpetual fluctuations of fate, the present looms larger; it hides the future, which fades away, and men want to think only of the next day.

In those countries where, by an unfortunate conjunction, irreligion and democracy meet, philosophers and those who govern must constantly strive to set the object of human actions farther off in men's eyes; that is their great task.

Confining himself within the spirit of his age and his country, the moralist must learn to defend himself there. Let him strive

each day to show his contemporaries how, even amid the perpetual motion that surrounds them, it is easier than they suppose to conceive and carry out long undertakings. Let him make them see that, although humanity has changed its face, the methods by which men can secure prosperity in this world have remained the same, and that among democratic peoples, as elsewhere, it is only by resisting a thousand small, particular, everyday passions that one can manage to satisfy the general passion for happiness that torments them.

The task of those who govern is no less clearly marked out.

In all times it is important that those who lead nations conduct themselves with a view to the future. But this is even more necessary in democratic ages of unbelief than in any others. By acting in this way, the leaders of democracies not only make public affairs prosper but also teach private individuals, by their example, the art of conducting private affairs.

Above all, they must strive to banish chance from the political world as far as possible.

The sudden and undeserved rise of a courtier produces only a passing impression in an aristocratic country, because the whole body of institutions and beliefs ordinarily forces men to advance slowly along paths they cannot leave.

But nothing is more pernicious than such examples set before the eyes of a democratic people. They finish driving its heart headlong down a slope toward which everything is already pulling it. It is therefore chiefly in times of skepticism and equality that one must take care that the favor of the people, or that of the prince—which chance grants or withholds—does not take the place of knowledge and services. It is to be wished that every advancement there should appear to be the fruit of effort, so that there is no eminence too easily attained, and that ambition is forced to fix its gaze on the goal for a long time before reaching it.

Governments must apply themselves to restoring to men that taste for the future which religion and the social state no longer inspire, and, without saying so, they must teach citizens every

day, in practice, that wealth, fame, and power are the rewards of work; that great successes lie at the end of long-held desires; and that nothing lasting is obtained except what is acquired with difficulty.

When men have grown used to foreseeing from very far off what is to happen to them here below, and to nourishing themselves on hopes about it, it becomes hard for them always to stop their minds at the precise bounds of life, and they are very close to crossing those limits in order to cast their gaze beyond.

I do not doubt, therefore, that by accustoming citizens to think of the future in this world, one would gradually bring them closer to religious beliefs, without their knowing it themselves.

Thus the means that allows men to do without religion, up to a certain point, is perhaps, after all, the only one left to us for leading the human race back to faith by a long detour.

CHAPTER 18: WHY, AMONG THE AMERICANS, ALL HONEST PROFESSIONS ARE CONSIDERED HONORABLE (POURQUOI, CHEZ LES AMÉRICAINS, TOUTES LES PROFESSIONS HONNÊTES SONT RÉPUTÉES HONORABLES)

Since everyone in America works for wages, work is honored and every honest profession is respectable.

2.2.18 Among democratic peoples, where there is no hereditary wealth, everyone works for a living, or has worked, or was born of people who worked. The idea of work as the necessary, natural, and respectable condition of humanity therefore presents itself to the human mind on every side.

Not only is work not held in dishonor among these peoples; it is held in honor. Prejudice is not against it but for it. In the United States, a rich man believes he owes it to public opinion to devote his leisure to some industrial or commercial undertaking, or to some public duties. He would think himself of ill repute if he spent his life merely in living. It is to escape this obligation to work that so many rich Americans come to Europe:

there they find remnants of aristocratic societies in which idleness is still honored.

Equality does not merely rehabilitate the idea of work; it raises up the idea of work that brings a profit.

In aristocracies it is not exactly work that is despised; it is work for the sake of profit. Work is glorious when it is ambition or virtue alone that leads a man to undertake it. Under aristocracy, however, it constantly happens that the man who works for honor is not insensible to the lure of gain. But these two desires meet only in the depths of his soul. He takes great care to hide from every eye the place where they unite. He readily hides it from himself. In aristocratic countries there are hardly any public officials who do not claim to serve the state disinterestedly. Their salary is a detail to which they sometimes give little thought, and to which they always affect to give none.

Thus the idea of gain remains distinct from that of work. However joined they may be in fact, thought keeps them apart.

In democratic societies, on the contrary, these two ideas are always visibly united. Since the desire for well-being is universal, fortunes are modest and fleeting, and everyone needs to increase his resources or to prepare new ones for his children, all see very clearly that it is gain which, if not wholly, at least in part, moves them to work. Even those who act chiefly with a view to glory are forced to grow used to the thought that this is not their only motive, and they discover, whether they like it or not, that the desire to live mingles in them with the desire to make their lives illustrious.

From the moment when, on the one hand, work seems to all citizens an honorable necessity of the human condition, and when, on the other, work is always visibly done, wholly or partly, out of consideration for the wage, the immense gap that separated the various professions in aristocratic societies disappears. If they are not all alike, they at least share one common feature.

There is no profession in which one does not work for money. The wage, which is common to all, gives them all a family resemblance.

This helps explain the opinions the Americans hold about the various professions.

American servants do not think themselves degraded because they work, for everyone around them works. They do not feel lowered by the idea that they receive a wage, for the President of the United States also works for a wage. He is paid to command, just as they are paid to serve.

In the United States, professions are more or less arduous, more or less lucrative, but they are never high or low. Every honest profession is honorable.

CHAPTER 19: WHAT INCLINES ALMOST ALL AMERICANS TOWARD INDUSTRIAL PROFESSIONS (CE QUI FAIT PENCHER PRESQUE TOUS LES AMÉRICAINS VERS LES PROFESSIONS INDUSTRIELLES)

Equality turns Americans away from slow agriculture toward commerce and industry, with recurrent industrial crises.

2.2.19 I do not know whether, of all the useful arts, agriculture is not the one that improves least quickly among democratic nations. Often one would even say that it stands still, because several others seem to be racing ahead.

By contrast, almost all the tastes and habits born of equality naturally lead men toward commerce and industry.

I picture to myself a man who is active, enlightened, free, comfortably off, and full of desires. He is too poor to live in idleness; he is rich enough to feel himself above the immediate fear of want, and he thinks of improving his lot. This man has acquired a taste for material pleasures; a thousand others give themselves over to this taste before his eyes; he himself has begun to indulge it, and he burns to increase the means of satisfying it further. Meanwhile life is slipping by, and time is pressing. What will he do?

Cultivating the land promises his efforts almost certain but slow results. One grows rich at it only little by little and with toil. Agriculture suits only the rich, who already have a large surplus, or the poor, who ask only to live. His choice is made: he sells his field, leaves his home, and goes off to take up some risky but lucrative profession.

Now, democratic societies abound in people of this kind; and as equality of conditions grows greater, their number increases.

Democracy, then, does not merely multiply the number of workers; it leads men to one kind of work rather than another; and while it gives them a distaste for agriculture, it steers them toward commerce and industry[18].

This spirit shows itself even among the richest citizens.

In democratic countries a man, however wealthy one supposes him to be, is almost always dissatisfied with his fortune, because he finds himself less rich than his father was and fears that his sons will be less rich than he. Most of the rich in democracies therefore dream constantly of ways to acquire wealth, and they naturally turn their eyes toward commerce and industry, which seem to them the quickest and most powerful means of getting it. On this point they share the instincts of the poor man without having his needs; or rather, they are driven by the most imperious of all needs: that of not falling in the world.

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18 TOCQUEVILLE'S NOTE. It has been remarked several times that manufacturers and merchants are possessed by an immoderate taste for material pleasures, and commerce and industry have been blamed for it; I believe that here the effect has been taken for the cause.

It is not commerce and industry that suggest the taste for material pleasures to men, but rather this taste that draws men toward industrial and commercial careers, where they hope to satisfy themselves more completely and more quickly.

If commerce and industry increase the desire for well-being, that is because every passion grows stronger the more one attends to it, and increases with every effort one makes to sate it.

All the causes that make love of the goods of this world predominate in the human heart develop commerce and industry. Equality is one of these causes. It favors commerce not directly, by giving men a taste for trade, but indirectly, by strengthening and spreading in their souls the love of well-being.

In aristocracies, the rich are at the same time the ones who govern. The attention they constantly give to great public affairs turns them away from the petty cares that commerce and industry demand. If, nevertheless, one of them should happen to turn his will toward trade, the will of the body at once comes to bar his way. However much one rises up against the rule of numbers, one never entirely escapes its yoke. Even within the aristocratic bodies that most stubbornly refuse to recognize the rights of the national majority, a particular majority forms and governs[19].

[Note] There are, however, aristocracies that have engaged eagerly in commerce and cultivated industry with success. The history of the world offers several striking examples. But in general one must say that aristocracy is not favorable to the development of industry and commerce. Only aristocracies of money are an exception to this rule.

In those, there is hardly a desire that does not need wealth in order to be satisfied. The love of wealth becomes, so to speak, the highway of human passions. All the others lead into it or cross it.

The taste for money and the thirst for esteem and power then merge so completely in the same souls that it becomes hard to tell whether men are greedy out of ambition or ambitious out of greed. This is what happens in England, where people want to be rich in order to attain honors, and desire honors as a display of wealth. The human mind is then seized from every side and drawn toward commerce and industry, which are the shortest roads to opulence.

This, moreover, seems to me an exceptional and transitory fact. When wealth has become the only mark of aristocracy, it is very hard for the rich to keep power to themselves alone and exclude everyone else from it.

Aristocracy of birth and pure democracy stand at the two extremes of the social and political state of nations; in between lies the aristocracy of money. It comes close to the aristocracy of birth in that it confers great privileges on a small number of citizens. It is akin to democracy in that these privileges can be acquired by everyone in turn. It often forms a kind of natural transition between the two, and one cannot say

19 TOCQUEVILLE'S NOTE. See the note at the end of the volume.

whether it is closing the reign of aristocratic institutions or already opening the new era of democracy.[20]

In democratic countries, money does not lead its possessor to power but often keeps him from it, and so the rich do not know what to do with their leisure. The restlessness and the scale of their desires, the extent of their resources, and the taste for the extraordinary felt by almost all who rise above the crowd, in whatever way, press them to act. The only road open to them is commerce. In democracies there is nothing greater or more brilliant than commerce; it is commerce that draws the public's gaze and fills the imagination of the crowd; toward it all energetic passions are directed. Nothing can keep the rich from devoting themselves to it—neither their own prejudices nor anyone else's. The rich in democracies never form a body with its own mores and its own discipline; the particular ideas of their class do not hold them back, and the general ideas of their country push them on. Moreover, the great fortunes seen among a democratic people almost always have a commercial origin, so several generations must pass before their owners have entirely lost the habits of trade.

Confined within the narrow space that politics leaves them, the rich in democracies therefore throw themselves into commerce from every side. There they can spread out and make use of their natural advantages. In a sense, the very boldness and size of their industrial undertakings show how little they would have thought of industry had they been born within an aristocracy.

The same remark, furthermore, applies to all men in democracies, whether poor or rich.

Those who live amid democratic instability constantly have the image of chance before their eyes, and they end by loving all undertakings in which chance plays a part.

20 The French text here reads "des italiens"; the standard editions have "des nations," which is followed here.

They are therefore all drawn toward commerce, not only for the gain it promises them but from love of the excitement it gives them.

The United States of America emerged only half a century ago from the colonial dependence in which England held it; great fortunes there are very few, and capital is still scarce. Yet no people on earth has made such rapid progress in commerce and industry as the Americans. They are today the second maritime nation in the world. Their manufactures must struggle against almost insurmountable natural obstacles, yet they keep expanding every day.

In the United States, the greatest industrial undertakings are carried out without difficulty, because the whole population takes part in industry, and the poorest citizen as well as the most opulent willingly join their efforts in it. So one is astonished every day to see the immense works carried out with ease by a nation that contains, so to speak, no rich men. The Americans arrived only yesterday on the soil they inhabit, and they have already overturned the whole order of nature to their profit. They have joined the Hudson to the Mississippi and linked the Atlantic Ocean with the Gulf of Mexico, across more than five hundred leagues of continent separating these two seas.[21] The longest railroads built to date are in America.

But what strikes me most in the United States is not the extraordinary size of a few industrial undertakings; it is the countless multitude of small ones.

Almost all the farmers of the United States have combined some trade with farming; most have made farming itself a trade.

It is rare for an American farmer to settle permanently on the land he occupies. Especially in the new provinces of the West, people clear a field in order to sell it again, not to harvest it. They build a farm expecting that the state of the country will

21 This was done by way of the Erie Canal (1825), joining the Hudson to the Great Lakes, and the Ohio canals, linking the lakes to the Ohio River and so to the Mississippi.

soon change as its population grows, and that they will then get a good price for it.

Every year a swarm of inhabitants from the North comes down to the South and settles in the regions where cotton and sugarcane grow. These men cultivate the land so as to make it yield, in a few years, enough to make them rich, and they already glimpse the moment when they can return home to enjoy the comfort thus acquired. The Americans thus carry the spirit of trade into agriculture, and their industrial passions show themselves there as elsewhere.

The Americans make immense progress in industry because all of them are engaged in industry at once; and for this same reason they are subject to very unexpected and very formidable industrial crises.

Since they all engage in commerce, commerce among them is subject to influences so numerous and so complicated that it is impossible to foresee the difficulties that may arise. Since each of them is involved in industry to some degree, at the slightest shock to business all private fortunes stumble at once, and the state totters.

I believe that recurring industrial crises are an endemic disease among the democratic nations of our day. The disease can be made less dangerous, but not cured, because it stems not from an accident but from the very temperament of these peoples.

CHAPTER 20: HOW AN ARISTOCRACY COULD ARISE FROM INDUSTRY (COMMENT L'ARISTOCRATIE POURRAIT SORTIR DE L'INDUSTRIE)

The division of labor degrades workers and raises masters, creating a harsh but limited manufacturing aristocracy.

2.2.20 I have shown how democracy favors the development of industry and multiplies the number of industrialists beyond measure; we shall now see by what roundabout path industry might in turn lead men back toward aristocracy.

It has been recognized that when a worker is occupied every day with only the same detail, the work as a whole is produced more easily, more quickly, and more economically.

It has likewise been recognized that the larger the scale on which an industry is undertaken, with great capital and great credit, the cheaper its products.

These truths had long been glimpsed, but they have been demonstrated in our time. They are already applied to several very important industries, and the lesser ones are taking them up one after another.

I see nothing in the political world that ought to concern the legislator more than these two new axioms of industrial science.

When an artisan devotes himself constantly and exclusively to making a single object, he ends by performing this work with remarkable dexterity. But at the same time he loses the general faculty of applying his mind to directing the work. Each day he becomes more skillful and less resourceful, and one may say that in him the man is degraded as the workman is perfected.

What can be expected of a man who has spent twenty years of his life making pinheads? And to what can that powerful human intelligence, which has often moved the world, now be applied in him, if not to seeking the best way of making pinheads![22]

When a worker has used up a considerable portion of his life in this way, his thought has come to a halt forever near the daily object of his labors. His body has acquired certain fixed habits from which he is no longer free to depart. In a word, he no longer belongs to himself but to the trade he has chosen. In vain have laws and mores taken care to break down every barrier around this man and to open to him, on every side, a thousand different roads to fortune. An industrial theory more powerful than mores and laws has tied him to a trade, and often to a place he cannot leave. It has assigned him a certain place in society that he cannot leave. Amid the universal movement, it has made him immobile.

22 An allusion to Adam Smith's pin factory, the opening example of the division of labor in *The Wealth of Nations* (1776).

As the principle of the division of labor is applied more completely, the worker becomes weaker, narrower, and more dependent. The art advances; the artisan regresses. On the other hand, it becomes ever more evident that the products of an industry are more perfect and less costly the larger the factory and the greater the capital. As this happens, very rich and very enlightened men come forward to exploit industries that until then had been left to ignorant or impoverished artisans. The scale of the efforts required and the immensity of the results to be gained attract them.

Thus, at the same time that industrial science constantly lowers the class of workers, it raises that of masters.

While the worker confines his intelligence more and more to the study of a single detail, the master surveys a wider whole each day, and his mind expands in proportion as the other's contracts. Soon the latter will need nothing but physical strength without intelligence; the former needs science, and almost genius, to succeed. The one resembles more and more the administrator of a vast empire, and the other a brute.

Here, then, master and worker have nothing in common, and they differ more each day. They are connected only as the two end links of a long chain. Each occupies a place made for him, which he does not leave. The one is in continual, close, and necessary dependence on the other, and seems born to obey, as the other seems born to command.

What is this, if not aristocracy?

As conditions become more and more equal throughout the body of the nation, the demand for manufactured goods spreads and grows. Cheapness, which brings these goods within reach of modest fortunes, becomes a greater element of success.

So it happens every day that wealthier and more enlightened men devote their riches and their knowledge to industry. By opening large workshops and strictly dividing labor, they seek to satisfy the new desires that appear on every side.

Thus, as the mass of the nation turns toward democracy, the particular class engaged in industry becomes more aristocratic.

Men appear more and more alike in the one and more and more different in the other, and inequality increases in the small society in proportion as it decreases in the large one.

So it is that, when one goes back to the source, one seems to see aristocracy issuing by a natural effort from the very heart of democracy.

But this aristocracy does not resemble those that preceded it.

It will be noted, first, that it applies only to industry, and only to some industrial occupations at that. It is therefore an exception, a monstrosity, within the social state as a whole.

The small aristocratic societies that certain industries form amid the immense democracy of our day contain, like the great aristocratic societies of ancient times, a few very opulent men and a very wretched multitude. These poor have few means of leaving their condition and becoming rich, but the rich constantly become poor, or leave trade after realizing their profits. Thus the elements that make up the class of the poor are more or less fixed; but the elements that make up the class of the rich are not. To tell the truth, although there are rich men, the class of the rich does not exist; for these rich men have no common spirit or aims, no common traditions or hopes. There are, then, members, but no body.

Not only are the rich not firmly united among themselves, but one may say there is no true bond between the poor man and the rich.

They are not fixed permanently side by side; at every moment interest brings them together and separates them. The worker depends on masters in general, but not on any particular master. These two men see each other at the factory and do not know each other elsewhere, and while they touch at one point, they remain far apart at all others. The manufacturer asks of the worker only his labor, and the worker expects of him only his wages. The one does not undertake to protect, nor the other to defend, and they are bound permanently neither by habit nor by duty. The aristocracy founded by trade almost never settles

amid the industrial population it directs; its aim is not to govern that population but to make use of it.

An aristocracy so constituted cannot have a great hold on those it employs; and should it manage to seize them for a moment, they soon slip away from it. It does not know how to will and cannot act.

The landed aristocracy of past ages was obliged by law, or believed itself obliged by mores, to come to the aid of its servants and relieve their miseries. But the manufacturing aristocracy of our day impoverishes and brutalizes the men it uses, then hands them over in times of crisis to public charity to be fed. This follows naturally from what precedes. Between worker and master relations are frequent, but there is no true association.

I think that, all things considered, the manufacturing aristocracy we see rising before our eyes is one of the harshest that have ever appeared on earth; but it is at the same time one of the most limited and least dangerous.

Nevertheless, it is in this direction that the friends of democracy should constantly turn an anxious gaze; for if permanent inequality of conditions and aristocracy ever make their way into the world again, one can predict that they will enter by this door.

Volume 2, Part 3

The influence of democracy on mores: manners, servants, the family, women, honor, ambition, revolutions and democratic armies.

CHAPTER 1: HOW MORES BECOME GENTLER AS CONDITIONS BECOME EQUAL (COMMENT LES MŒURS S'ADOUCISSENT À MESURE QUE LES CONDITIONS S'ÉGALISENT)

Tocqueville argues that equality, by making people alike, widens sympathy and softens mores.

2.3.1 For several centuries now we have watched conditions growing more equal, and at the same time we find mores growing gentler. Do these two things merely happen at the same time, or is there some secret bond between them, such that one cannot advance without moving the other forward?

Several causes can combine to make a people's mores less harsh; but of all these causes, the most powerful seems to me to be equality of conditions. In my view, then, equality of conditions and the softening of mores are not merely contemporaneous events; they are also correlative facts.

When fabulists want to interest us in the actions of animals, they give them human ideas and passions. Poets do the same when they speak of spirits and angels. There is no misery so deep, and no happiness so pure, that it can hold our minds and seize our hearts unless it is ourselves who are shown to us in another guise.

This applies very well to the subject now before us.

When all men within an aristocratic society are irrevocably ranked according to their profession, their property, and their birth, the members of each class all regard themselves as children of the same family. They feel for one another a continual and active sympathy that can never be found to the same degree among the citizens of a democracy.

But the same is not true of the different classes in relation to one another.

Among an aristocratic people each caste has its own opinions, its own feelings, its own rights, its own mores, its own separate existence. Thus the men who compose it do not resemble all the others; they do not have the same way of thinking or of feeling, and they scarcely believe that they belong to the same humanity.

They therefore cannot properly understand what the others feel, nor judge the others by themselves.

Yet they are sometimes seen to help one another with ardor; but this does not contradict what has just been said.

The very aristocratic institutions that had made beings of the same species so different had nonetheless united them to one another by a very tight political bond.

Although the serf took no natural interest in the fate of the nobles, he still believed himself bound to devote himself to the one among them who was his lord. And although the noble believed himself to be of another nature than the serfs, he nonetheless judged that his duty and his honor obliged him to defend those who lived on his estates, at the risk of his own life.

It is evident that these mutual obligations arose not from natural right but from political right, and that society obtained more than humanity alone could have done. It was not to the man that one felt bound to lend support; it was to the vassal or to the lord. Feudal institutions made people very sensitive to the sufferings of certain men, not to the miseries of the human species. They gave mores generosity rather than gentleness. Though they inspired great acts of devotion, they did not give rise to true sympathies; for there is real sympathy only between

people who are alike, and in aristocratic ages one sees one's like only in the members of one's own caste.

When the chroniclers of the Middle Ages, who all belonged to the aristocracy by birth or by habit, report the tragic end of a noble, their grief knows no bounds; whereas they recount the massacre and torture of common people in a single breath, without batting an eye.

It is not that these writers felt a habitual hatred or a systematic contempt for the people. War between the various classes of the state had not yet been declared. They obeyed an instinct rather than a passion; since they formed no clear idea of the sufferings of the poor, they took little interest in their fate.

The same was true of the common people once the feudal bond happened to break. The very ages that saw so many heroic acts of devotion by vassals to their lords also witnessed unheard-of cruelties, committed from time to time by the lower classes against the upper.

We must not think that this mutual insensibility was due only to a lack of order and enlightenment; for traces of it are found again in the following centuries, which, while becoming orderly and enlightened, still remained aristocratic.

In the year 1675 the lower classes of Brittany rose up over a new tax. These tumultuous disturbances were put down with unparalleled atrocity. Here is how Madame de Sévigné, a witness to these horrors, describes them to her daughter:[1]

Les Rochers, October 3, 1675.[2]

"Heavens, my daughter, how amusing your letter from Aix is! At least reread your letters before you send them. Let yourself be surprised by their charm, and let that pleasure console you for the trouble of writing so many. So you have kissed all of Provence? There would be no satisfaction in kissing all of Brittany, unless one liked the smell of wine. Do you want news of

1 Madame de Sévigné (1626–1696) was a French noblewoman whose letters, chiefly to her daughter, Madame de Grignan, are classics of French prose. The 1675 uprising is known as the Revolt of the Stamped Paper.

2 Les Rochers was Madame de Sévigné's estate near Vitré, in Brittany.

Rennes? A tax of a hundred thousand écus has been levied, and if this sum is not found within twenty-four hours, it will be doubled and collected by the soldiers. A whole long street has been driven out and banished, and it is forbidden, on pain of death, to take in its inhabitants. So one saw all these wretched people—women just out of childbed, old men, children—wandering in tears out of the city, not knowing where to go, with no food and nothing to lie on. The day before yesterday they broke on the wheel the fiddler who had started the dancing and the looting of the stamped paper; he was quartered, and his four quarters displayed at the four corners of the city. Sixty townsmen have been seized, and tomorrow the hanging begins. This province is a fine example for the others, above all of respecting governors and their ladies, and of not throwing stones into their garden[3].[4]

"Yesterday Madame de Tarente was in her woods in enchanting weather. There is no question of a room or a collation. She comes in by the gate and leaves the same way..."[5]

In another letter she adds:

"You speak very amusingly of our miseries; we are no longer being broken on the wheel so much—one a week, to keep justice going. It is true that hanging now seems to me a refreshment. I have quite another idea of justice since I came to this region. Your galley slaves seem to me a company of respectable people who have withdrawn from the world to lead a pleasant life."

It would be wrong to believe that Madame de Sévigné, who wrote these lines, was a selfish and barbarous creature. She loved her children passionately and was very sensitive to the sorrows of her friends; one even perceives, in reading her, that she treated her vassals and servants with kindness and indul-

3 TOCQUEVILLE'S NOTE. To appreciate the point of this last joke, one must remember that Madame de Grignan was the governor's lady of Provence.

4 The stamped paper was official paper required for legal documents; the new tax on it helped set off the revolt.

5 Madame de Tarente, the Princess of Tarente, born Amélie of Hesse-Kassel, was a neighbor of Madame de Sévigné's near Vitré.

gence. But Madame de Sévigné had no clear conception of what it was to suffer when one was not a nobleman.

In our day, the hardest man, writing to the most unfeeling person, would not dare to indulge in cold blood in the cruel banter I have just reproduced. Even if his own private mores allowed him to do so, the general mores of the nation would forbid it.

Where does this come from? Have we more sensibility than our fathers? I do not know; but certainly our sensibility extends to more objects.

When ranks are nearly equal among a people, all men have roughly the same way of thinking and feeling, so each of them can judge in a moment the sensations of all the others: he casts a quick glance at himself, and that is enough. There is thus no misery that he cannot easily conceive, and whose extent a secret instinct does not reveal to him. It makes no difference that strangers or enemies are concerned: imagination at once puts him in their place. It mingles something personal with his pity and makes him suffer himself while the body of his fellow man is being torn apart.

In democratic ages men rarely devote themselves to one another; but they show a general compassion for all members of the human species. They are never seen inflicting needless suffering, and when they can relieve the pains of others without much harm to themselves, they take pleasure in doing so. They are not disinterested, but they are gentle.

Although the Americans have, so to speak, turned selfishness into a social and philosophical theory, they are nonetheless very open to pity.

There is no country where criminal justice is administered with more leniency than in the United States. While the English seem intent on carefully preserving the bloody traces of the Middle Ages in their penal legislation, the Americans have almost eliminated the death penalty from their codes.

North America is, I believe, the only country on earth where, for fifty years, not a single citizen has been put to death for political offenses.

What finally proves that this singular gentleness of the Americans comes chiefly from their social state is the way they treat their slaves.

There is perhaps, all things considered, no European colony in the New World where the physical condition of Black people is less harsh than in the United States. Yet the slaves there still endure frightful miseries and are constantly exposed to very cruel punishments.

It is easy to see that the fate of these unfortunate people inspires little pity in their masters, and that the masters see in slavery not only a fact from which they profit but also an evil that scarcely touches them. Thus the same man who is full of humanity toward his fellows when they are also his equals becomes insensible to their pains as soon as equality ceases. It is to this equality, then, even more than to civilization and enlightenment, that his gentleness must be attributed.

What I have just said of individuals applies to a certain extent to peoples.

When each nation has its own separate opinions, beliefs, laws, and customs, it regards itself as forming by itself the whole of humanity and is moved only by its own sufferings. If war breaks out between two peoples so disposed, it cannot fail to be waged with barbarity.

At the height of their enlightenment, the Romans slaughtered enemy generals after dragging them in triumph behind a chariot, and threw prisoners to the beasts for the amusement of the people. Cicero, who laments so loudly at the idea of a citizen nailed to a cross, finds nothing to object to in these atrocious abuses of victory. It is evident that in his eyes a foreigner is not of the same human species as a Roman.[6]

6 An allusion to Cicero's speeches against Verres (70 BC), which denounce the crucifixion of the Roman citizen Gavius in Sicily.

Conversely, as peoples become more like one another, they show more compassion for one another's miseries, and the law of nations grows gentler.

CHAPTER 2: HOW DEMOCRACY MAKES THE ORDINARY RELATIONS OF THE AMERICANS SIMPLER AND EASIER (COMMENT LA DÉMOCRATIE REND LES RAPPORTS HABITUELS DES AMÉRICAINS PLUS SIMPLES ET PLUS AISÉS)

English reserve abroad is traced to an uncertain aristocracy of money; Americans meet one another easily.

2.3.2 Democracy does not bind men strongly to one another, but it makes their ordinary relations easier.

Two Englishmen meet by chance at the antipodes; they are surrounded by strangers whose language and mores they barely know.

These two men first look each other over with great curiosity and a kind of secret uneasiness. Then they turn away, or, if they do approach each other, they take care to speak only in a constrained and distracted manner, and to say things of little importance.

Yet there is no enmity between them; they have never seen each other before, and each takes the other to be quite respectable. Why, then, do they take such pains to avoid each other?

We must go back to England to understand it.

When birth alone, independent of wealth, ranks men, each knows precisely the point he occupies on the social ladder; he does not seek to rise and does not fear to fall. In a society so organized, men of different castes have little contact with one another; but when chance brings them together, they readily approach each other, neither hoping nor fearing to merge with one another. Their relations are not based on equality, but they are not constrained.

When an aristocracy of money succeeds the aristocracy of birth, this is no longer so.

The privileges of a few are still very great, but the possibility of acquiring them is open to all. It follows that those who possess them are constantly preoccupied by the fear of losing them or seeing them shared, while those who do not yet have them want at all costs to possess them—or, if they cannot succeed, to appear to possess them, which is not impossible. Since men's social worth is no longer fixed visibly and permanently by blood, and varies infinitely with wealth, ranks still exist, but one no longer sees clearly and at first glance who occupies them.

At once a muffled war breaks out among all the citizens. Some strive, by a thousand artifices, to make their way, in reality or in appearance, among those above them; others fight ceaselessly to drive back these usurpers of their rights. Or rather, the same man does both: while he seeks to slip into the higher sphere, he struggles relentlessly against the pressure coming from below.

Such is the state of England today, and I think it is chiefly to this state of affairs that what I have just described must be traced.

Since aristocratic pride is still very great among the English, and the boundaries of the aristocracy have become uncertain, everyone fears at every moment being tricked into familiarity. Unable to judge at first glance the social position of those one meets, one prudently avoids coming into contact with them. People fear that by rendering small services they may form, despite themselves, an ill-matched friendship; they dread good offices, and they shun the indiscreet gratitude of a stranger as carefully as his hatred.

Many people explain this singular unsociability and this reserved and taciturn temper of the English by purely physical causes. I grant that blood may indeed count for something here; but I believe that the social state counts for much more. The example of the Americans proves it.

In America, where privileges of birth have never existed and where wealth gives its possessor no particular right, strangers readily gather in the same places and find neither advantage nor danger in freely sharing their thoughts with one another. If they

happen to meet, they neither seek each other out nor avoid each other. Their manner of approach is therefore natural, frank, and open. One can see that they hope for and fear almost nothing from one another, and that they make no more effort to display the place they occupy than to hide it. If their bearing is often cold and serious, it is never haughty or constrained. When they do not speak to one another, it is because they are not in the mood to talk, not because they believe it is in their interest to keep silent.

In a foreign country, two Americans are friends at once, simply because they are Americans. No prejudice pushes them apart, and their common homeland draws them together. For two Englishmen the same blood is not enough: the same rank must bring them together.

The Americans notice this unsociable temper of the English toward one another just as we do, and they are no less astonished by it than we are ourselves. Yet the Americans are bound to England by origin, religion, language, and in part by mores; they differ from it only in their social state. It is therefore fair to say that the reserve of the English stems far more from the constitution of the country than from that of its citizens.

CHAPTER 3: WHY THE AMERICANS ARE SO LITTLE TOUCHY IN THEIR OWN COUNTRY AND SO TOUCHY IN OURS (POURQUOI LES AMÉRICAINS ONT SI PEU DE SUSCEPTIBILITÉ DANS LEUR PAYS ET SE MONTRENT SI SUSCEPTIBLES DANS LE NÔTRE)

Americans shrug off slights at home but turn touchy and status-anxious when they travel in Europe.

2.3.3 The Americans have a vindictive temperament, like all serious and reflective peoples. They almost never forget an offense; but it is not at all easy to offend them, and their resentment is as slow to kindle as it is to die out.

In aristocratic societies, where a small number of individuals direct everything, the outward relations of men with one another are subject to more or less fixed conventions. Everyone

then believes he knows precisely by what sign it is proper to show his respect or to mark his goodwill, and etiquette is a science of which no one is presumed ignorant.

These customs of the highest class then serve as a model for all the others. Moreover, each of these classes draws up a separate code of its own, to which all its members are bound to conform.

The rules of politeness thus form a complicated body of law that is difficult to master completely, yet from which no one may depart without danger. As a result, men are exposed day after day to inflicting or receiving cruel wounds without meaning to.

But as ranks fade away, and as men differing in education and birth mingle and blend in the same places, it becomes almost impossible to agree on the rules of good manners. Since the law is uncertain, disobeying it is no crime, even in the eyes of those who know it. People therefore attend to the substance of actions rather than to their form, and they are at once less civil and less quarrelsome.

There are a host of small courtesies that an American does not insist on: he judges that they are not owed to him, or he supposes that others do not know they owe them to him. So he either fails to notice that he has been slighted or he forgives it; his manners become less courteous as a result, and his mores simpler and more manly.

This mutual indulgence that the Americans display, and this manly confidence they show in one another, also result from a more general and deeper cause. I already pointed to it in the preceding chapter.

In the United States, ranks differ only very slightly in civil society and not at all in the political world. An American therefore does not think himself bound to pay special attentions to any of his fellows, nor does he dream of demanding any for himself. Since he does not see that it is in his interest to seek eagerly the company of certain of his fellow citizens, he finds it hard to imagine that his own company is being rejected. Despising no

one on account of condition, he does not imagine that anyone despises him for the same reason, and until he has clearly perceived the insult, he does not believe that anyone means to affront him.

Their social state naturally disposes the Americans not to take offense easily in small things. And, on the other hand, the democratic liberty they enjoy completes the work of instilling this gentleness into the national mores.

The political institutions of the United States constantly bring citizens of all classes into contact and force them to pursue great undertakings in common. People so occupied have hardly any time to think about the details of etiquette, and besides, they have too great an interest in living in harmony to dwell on them. So they easily grow used to considering, in those they meet, feelings and ideas rather than manners, and they do not let themselves be stirred up over trifles.

I have often noticed that in the United States it is no easy matter to make a man understand that his presence is unwelcome. To get there, roundabout means are not always enough.

I contradict an American at every turn to make him feel that his talk tires me, and at every moment I see him make fresh efforts to convince me. I keep an obstinate silence, and he imagines I am reflecting deeply on the truths he is laying before me. When at last I suddenly slip away from his pursuit, he supposes that some pressing business calls me elsewhere. This man will not understand that he is wearing me out unless I tell him so, and I shall be able to escape him only by becoming his mortal enemy.

What is surprising at first is that this same man, transported to Europe, suddenly becomes fussy and difficult to deal with, so much so that I often find it as hard not to offend him as I used to find it to displease him. These two very different effects are produced by the same cause.

Democratic institutions generally give men a vast idea of their country and of themselves. The American leaves his country with his heart swollen with pride. He arrives in Europe and

notices at once that people there are not nearly as preoccupied as he had imagined with the United States and the great people who live there. This begins to upset him.

He has heard it said that conditions are not equal in our hemisphere. He does indeed notice that among the nations of Europe the trace of ranks has not been entirely erased, and that wealth and birth there retain uncertain privileges which are as hard for him to ignore as to define. This spectacle surprises and unsettles him, because it is entirely new to him; nothing he has seen in his own country helps him understand it. He is therefore profoundly ignorant of what place he ought to occupy in this half-destroyed hierarchy, among these classes that are distinct enough to hate and despise one another, yet close enough that he is always apt to confuse them. He is afraid of setting himself too high, and above all of being ranked too low. This double danger keeps his mind constantly ill at ease and continually hampers his actions as well as his words.

Tradition has taught him that in Europe ceremonial varied endlessly according to condition. This memory of another time completes his confusion, and he fears all the more not receiving the consideration due to him because he does not know exactly what it consists of. So he always walks like a man surrounded by traps; society is not relaxation for him but serious work. He weighs your slightest moves, questions your glances, and carefully analyzes everything you say, for fear it may contain some hidden allusion that wounds him. I do not know whether there was ever a country squire more punctilious than he on the matter of good manners. He strives to obey the slightest laws of etiquette himself, and he will not tolerate the neglect of any of them toward him. He is at once full of scruples and full of demands. He would like to do enough, but he fears doing too much, and since he does not clearly know where either limit lies, he keeps to an awkward and haughty reserve.

Nor is that all; here is yet another twist of the human heart.

An American talks every day about the admirable equality that reigns in the United States; he boasts of it aloud on his

country's behalf. But he secretly grieves over it on his own behalf, and he aspires to show that he, for his part, is an exception to the general order he extols.

You hardly ever meet an American who does not wish to be connected, at least a little, by birth to the first founders of the colonies; and as for offshoots of the great families of England, America seemed to me entirely covered with them.

When a wealthy American lands in Europe, his first concern is to surround himself with all the riches of luxury. He is so afraid of being taken for the plain citizen of a democracy that he twists and turns in a hundred ways to present a new image of his wealth before you each day. He usually lodges in the most conspicuous quarter of the city, and he has numerous servants who surround him constantly.

I heard an American complain that in the leading salons of Paris one met only mixed company. The taste prevailing there did not seem pure enough to him, and he deftly let it be understood that, in his opinion, manners there lacked distinction. He could not get used to seeing wit concealed in this way beneath vulgar forms.

Such contrasts should not be surprising.

If the trace of the old aristocratic distinctions were not so completely erased in the United States, the Americans would appear less simple and less tolerant in their own country, and less demanding and less awkward in ours.

CHAPTER 4: CONSEQUENCES OF THE THREE PRECEDING CHAPTERS (CONSÉQUENCES DES TROIS CHAPITRES PRÉCÉDENTS)

Pity, easy dealings and shared weakness make democratic citizens ready to help one another.

2.3.4 When men feel a natural pity for one another's ills, and when easy and frequent dealings bring them together every day without any touchiness dividing them, it is easy to understand that they will lend one another their help when need arises. When an American calls for the assistance of his fellows, it is

very rare for them to refuse it, and I have often observed that they gave it spontaneously and with great zeal.

If some unforeseen accident occurs on the public road, people come running from every side to the victim. If some great and unexpected misfortune strikes a family, the purses of a thousand strangers open without difficulty, and modest but very numerous gifts come to relieve its distress.

It often happens, among the most civilized nations on the globe, that an unfortunate man finds himself as isolated in the midst of the crowd as the Indian in his woods; this is almost never seen in the United States. The Americans, who are always cold in their manners and often coarse, almost never show themselves unfeeling, and if they are in no hurry to offer services, they do not refuse to render them.

None of this contradicts what I said earlier about individualism. I even see that these things agree rather than conflict.

Equality of conditions, even as it makes men feel their independence, shows them their weakness. They are free, but exposed to a thousand accidents, and experience soon teaches them that, although they do not habitually need the help of others, there almost always comes some moment when they cannot do without it.

We see every day in Europe that men of the same profession readily help one another. They are all exposed to the same ills, and that is enough to make them seek to protect one another against them, however hard or selfish they may otherwise be. So when one of them is in danger, and the others can rescue him by a small, passing sacrifice or a sudden burst of effort, they do not fail to try. It is not that they take a deep interest in his fate; for if, by chance, their efforts to help him prove useless, they forget him at once and return to their own concerns. But a sort of tacit and almost involuntary agreement has formed among them, by which each owes the others a momentary support that he in turn may claim for himself.

Extend to a whole people what I say of a single class, and you will understand my meaning.

There does in fact exist among all the citizens of a democracy a convention analogous to the one I am describing. All feel subject to the same weakness and the same dangers, and their interest, as well as their sympathy, makes it a law for them to lend one another mutual assistance when needed.

The more alike conditions become, the more men display this reciprocal readiness to oblige one another.

In democracies, where great benefits are hardly ever conferred, good offices are constantly rendered. It is rare for a man there to show great devotion, but everyone is obliging.

CHAPTER 5: HOW DEMOCRACY MODIFIES THE RELATIONS BETWEEN SERVANT AND MASTER (COMMENT LA DÉMOCRATIE MODIFIE LES RAPPORTS DU SERVITEUR ET DU MAÎTRE)

Aristocratic servants form a fixed class bound to their masters; democratic servants are free contractors and equals.

2.3.5 An American who had traveled for a long time in Europe said to me one day:

"The English treat their servants with a haughtiness and an imperiousness of manner that surprise us. On the other hand, the French sometimes treat theirs with a familiarity, or show them a politeness, that we cannot conceive of. One would think they were afraid to command. The bearing proper to superior and inferior is poorly maintained."

This remark is accurate, and I have made it myself many times.

I have always regarded England as the country in the world where, in our time, the bond of domestic service is tightest, and France as the land on earth where it is loosest. Nowhere has the master seemed to me higher or lower than in these two countries.

The Americans stand between these extremes.

That is the superficial and visible fact. One must go back a long way to discover its causes.

No society has yet been seen in which conditions were so equal that there were neither rich nor poor, and consequently neither masters nor servants.

Democracy does not prevent these two classes of men from existing, but it changes their spirit and modifies their relations.

Among aristocratic peoples, servants form a distinct class, which varies no more than that of the masters. A fixed order soon arises within it. In the former class as in the latter, one soon sees a hierarchy appear, with numerous classifications and marked ranks, and generations succeed one another without positions changing. They are two societies superimposed one upon the other, always distinct but governed by analogous principles.

This aristocratic constitution affects the ideas and mores of the servants scarcely less than those of the masters, and although the effects differ, it is easy to recognize the same cause.

Both form small nations in the midst of the larger one, and in the end certain permanent notions of what is just and unjust take shape among them. The various acts of human life are seen there in a particular light that does not change. In the society of servants, as in that of masters, men exert great influence on one another. They acknowledge fixed rules, and where there is no law, they meet a public opinion that guides them. Settled habits and a kind of established order prevail there.

These men, whose destiny is to obey, doubtless do not understand glory, virtue, probity, and honor in the same way as the masters. But they have made for themselves a servants' glory, servants' virtues, and a servants' probity, and they conceive, if I may put it this way, a kind of servile honor[7].

Because a class is low, one must not suppose that all who belong to it are low-hearted. That would be a great mistake. However inferior the class may be, the man who stands first in

7 TOCQUEVILLE'S NOTE. If one examines closely and in detail the principal opinions that guide these men, the analogy appears more striking still. One is astonished to find among them, just as among the haughtiest members of a feudal hierarchy, pride of birth, respect for ancestors and descendants, contempt for the inferior, fear of contact, and a taste for etiquette, for traditions, and for antiquity.

it, and who has no thought of leaving it, finds himself in an aristocratic position. That position inspires in him elevated sentiments, a lofty pride, and a respect for himself that make him fit for great virtues and uncommon deeds.

Among aristocratic peoples, it was not rare to find, in the service of the great, noble and vigorous souls who bore servitude without feeling it, and who submitted to their master's will without fearing his anger.

But this was almost never so in the lower ranks of the domestic class. One can see that the man at the very bottom of a hierarchy of valets stands very low indeed.

The French had created a word expressly for this lowest of the aristocracy's servants. They called him the lackey.

The word "lackey" served as the ultimate term, when all others failed, to represent human baseness. Under the old monarchy, when people wanted to portray a vile and degraded being in a single stroke, they said he had *the soul of a lackey*. That alone was enough. The meaning was complete and understood.

The permanent inequality of conditions does not merely give servants certain particular virtues and vices; it also places them in a particular position with respect to their masters.

Among aristocratic peoples, the poor man is broken in from childhood to the idea of being commanded. Whichever way he turns his eyes, he at once sees the image of hierarchy and the spectacle of obedience.

In countries where the permanent inequality of conditions prevails, the master therefore easily obtains from his servants a prompt, complete, respectful, and willing obedience, because they revere in him not only the master but the class of masters. He bears down on their will with the full weight of the aristocracy.

He commands their acts; to a certain degree he even directs their thoughts. In aristocracies, the master often exercises, even without knowing it, a prodigious sway over the opinions, habits, and mores of those who obey him, and his influence reaches much further still than his authority.

In aristocratic societies, there are not only hereditary families of valets as well as hereditary families of masters; the same families of valets also settle, for several generations, beside the same families of masters. They are like parallel lines that neither merge nor diverge. This prodigiously modifies the mutual relations of these two orders of persons.

Thus, under aristocracy, master and servant bear no natural resemblance to each other; fortune, education, opinions, and rights place them, on the contrary, an immense distance apart on the scale of beings. Yet time ends by binding them together. A long community of memories attaches them, and, however different they are, they grow alike. In democracies, by contrast, where they are naturally almost the same, they always remain strangers to each other.

Among aristocratic peoples, then, the master comes to regard his servants as an inferior and secondary part of himself, and he often takes an interest in their lot, by a final effort of selfishness.

The servants, for their part, are not far from seeing themselves in the same light, and they sometimes identify with the person of the master, so that in the end they become his appendage, in their own eyes as in his.

In aristocracies, the servant occupies a subordinate position that he cannot leave; beside him is another man, who holds a superior rank that he cannot lose. On one side, obscurity, poverty, and obedience, forever; on the other, glory, wealth, and command, forever. These conditions are always different and always close, and the bond that unites them is as lasting as they are.

In this extreme situation, the servant ends by losing interest in himself. He detaches himself from himself; he deserts himself, as it were, or rather he transfers his whole self into his master, and there he creates an imaginary personality. He complacently adorns himself with the wealth of those who command him; he glories in their glory, exalts himself with their nobility, and feeds endlessly on a borrowed grandeur, which he often prizes more than those who possess it fully and truly.

There is something at once touching and ridiculous in so strange a merging of two existences.

These passions of masters, transferred into the souls of valets, take on the natural dimensions of the place they occupy: they shrink and are debased. What was pride in the master becomes childish vanity and paltry pretension in his servants. The servants of a great lord are usually very punctilious about the deference owed to him, and they care more about his slightest privileges than he does himself.

One still sometimes meets among us one of these old servants of the aristocracy; he outlives his kind and will soon disappear along with it.

In the United States, I saw no one who resembled him. Not only do the Americans not know the man in question; one has great difficulty making them understand that he exists. They find it scarcely less difficult to conceive of him than we do to imagine what a slave was among the Romans, or a serf in the Middle Ages. All these men are in fact, though in different degrees, the products of one and the same cause. Together they recede far from our sight and slip away each day into the obscurity of the past, along with the social state that gave rise to them.

Equality of conditions makes new beings of servant and master, and establishes new relations between them.

When conditions are nearly equal, men constantly change places. There is still a class of valets and a class of masters, but they are not always made up of the same individuals, nor above all of the same families; and there is no more permanence in command than in obedience.

Since servants do not form a separate people, they have no customs, prejudices, or mores of their own; one does not observe among them any distinctive turn of mind or particular way of feeling. They know neither the vices nor the virtues of a station; instead they share the enlightenment, ideas, sentiments, virtues, and vices of their contemporaries, and they are honest or roguish in the same way as the masters.

Conditions are no less equal among the servants than among the masters.

As there are no marked ranks or permanent hierarchy in the class of servants, one must not expect to find in it the baseness and the greatness that appear in aristocracies of valets, as in all other aristocracies.

I never saw anything in the United States that could call to mind the idea of the elite servant, whose memory we have preserved in Europe; but neither did I find there the idea of the lackey. All trace of both has been lost there.

In democracies, servants are not only equal among themselves; one may say that they are, in a sense, the equals of their masters.

This needs explaining if it is to be properly understood.

At any moment the servant can become a master, and he aspires to become one; the servant is therefore not a different man from the master.

Why, then, does the one have the right to command, and what compels the other to obey? The temporary and free agreement of their two wills. By nature neither is inferior to the other; they become so only temporarily, through the effect of the contract. Within the limits of this contract, one is the servant and the other the master; outside it, they are two citizens, two men.

What I ask the reader to consider carefully is that this is not merely the notion servants form of their own condition. Masters view domestic service in the same light, and the precise bounds of command and obedience are as clearly fixed in the mind of the one as in that of the other.

When most citizens have long since reached a roughly similar condition, and equality is an old and accepted fact, the public sense, which exceptions never sway, sets in a general way certain limits to a man's worth, above or below which it is difficult for anyone to remain for long.

In vain do wealth and poverty, command and obedience, accidentally set great distances between two men; public opinion, founded on the usual order of things, draws them toward

the common level and creates between them a kind of imaginary equality, despite the real inequality of their conditions.

This all-powerful opinion ends by penetrating the very souls of those whose interest might arm them against it; it modifies their judgment even as it subjugates their will.

In the depths of their souls, master and servant no longer perceive any profound difference between them, and they neither hope nor fear ever to find one. They are therefore without contempt and without anger, and they feel neither humble nor proud when they look at each other.

The master judges that the contract is the sole origin of his power, and the servant finds in it the sole cause of his obedience. They do not quarrel over the positions they occupy relative to each other; each easily sees his own and keeps to it.

In our armies, the soldier is drawn from roughly the same classes as the officers and can rise to the same posts. Out of the ranks, he considers himself perfectly equal to his superiors, and in fact he is; but under the colors he has no hesitation in obeying, and his obedience, though voluntary and defined, is no less prompt, clear, and willing.

This gives an idea of what takes place between servant and master in democratic societies.

It would be foolish to believe that there could ever arise between these two men any of those ardent and deep attachments that sometimes kindle within aristocratic households, or that striking examples of devotion should be expected to appear there.

In aristocracies, servant and master see each other only now and then, and often they speak to each other only through an intermediary. Yet they usually hold firmly to each other.

Among democratic peoples, servant and master are very close: their bodies constantly touch; their souls do not mingle. They have occupations in common; they almost never have interests in common.

Among these peoples, the servant always regards himself as a passerby in his masters' home. He did not know their forebears;

he will not see their descendants; he has nothing lasting to expect from them. Why would he merge his existence with theirs, and where would this strange surrender of himself come from? Their relative positions have changed; their relations must change too.

I would like to support everything I have said with the example of the Americans; but I cannot do so without carefully distinguishing persons and places.

In the South of the Union, slavery exists. Nothing I have just said can therefore apply there.

In the North, most servants are freedmen or the sons of freedmen. These men occupy a disputed position in public esteem: the law draws them toward their master's level; mores stubbornly push them away from it. They themselves do not clearly discern their place, and they almost always appear either insolent or groveling.[8]

But in these same northern provinces, particularly in New England, one meets a fairly large number of white people who agree, for wages, to submit temporarily to the will of their fellows. I have heard it said that these servants usually fulfill the duties of their station with exactness and intelligence, and that, without believing themselves naturally inferior to the man who commands them, they readily submit to obeying him.

It seemed to me that they carried into servitude some of the manly habits that independence and equality give rise to. Having once chosen a hard condition, they do not seek roundabout ways of escaping it, and they respect themselves enough not to refuse their masters an obedience they have freely promised.

The masters, for their part, require of their servants only the faithful and strict performance of the contract. They do not ask them for marks of deference; they do not claim their love or their devotion; it is enough for them to find them punctual and honest.

8 Tocqueville means formerly enslaved Black people and their descendants.

It would therefore not be true to say that under democracy the relations of servant and master are disordered; they are ordered in another way. The rule is different, but there is a rule.

I need not inquire here whether this new state I have just described is inferior to the one that preceded it, or merely different. It is enough for me that it is regulated and fixed; for what matters most to find among men is not a particular order, but order.

MASTERS AND SERVANTS IN REVOLUTIONARY TIMES

In times of transition master and servant distrust each other, and the household becomes a site of muffled war.

But what shall I say of those sad and turbulent periods when equality is founded amid the tumult of a revolution, and democracy, having established itself in the social state, is still struggling painfully against prejudices and mores?

Already the law, and in part opinion, proclaim that there is no natural and permanent inferiority between servant and master. But this new faith has not yet penetrated to the depths of the master's mind, or rather his heart rejects it. In the secret of his soul, the master still believes that he belongs to a special and superior species; but he dares not say so, and he lets himself be drawn, shuddering, toward the common level. As a result his command becomes at once timid and harsh. He no longer feels toward his servants the protective and benevolent sentiments that long, uncontested power always produces, and he is surprised that, having changed himself, his servant changes too. He wants the servant, who is only passing through domestic service, so to speak, to acquire regular and permanent habits there. He wants him to be satisfied with and proud of a servile position that he is bound to leave sooner or later. He wants him to devote himself to a man who can neither protect him nor ruin him. In short, he wants him to attach himself by an eternal bond to beings who are like him and who last no longer than he does.

Among aristocratic peoples, it often happens that the state of domestic service does not debase the souls of those who submit to it. They neither know nor imagine any other, and the prodigious inequality they see between themselves and the master seems to them the necessary and inevitable effect of some hidden law of Providence.

In a democracy, there is nothing degrading about the state of domestic service. It is freely chosen and temporarily adopted, public opinion does not brand it with disgrace, and it creates no permanent inequality between servant and master.

But during the passage from one social condition to the other, there almost always comes a moment when men's minds waver between the aristocratic notion of subjection and the democratic notion of obedience.

Obedience then loses its moral character in the eyes of the one who obeys. He no longer regards it as an obligation that is in some sense divine, and he does not yet see it in its purely human aspect. To him it is neither sacred nor just, and he submits to it as to a fact that is degrading and useful.

At that moment a confused and incomplete image of equality presents itself to the minds of servants. At first they cannot tell whether the equality to which they are entitled is to be found within the state of domestic service itself or outside it. In the depths of their hearts they rebel against an inferiority to which they have submitted of their own accord and from which they profit. They consent to serve, and they are ashamed to obey. They love the advantages of servitude, but not the master; or, to put it better, they are not sure that it is not they who ought to be the masters, and they are inclined to regard the man who commands them as the unjust usurper of their right.

It is then that one sees in every citizen's home something like the sad spectacle that political society presents. There a muffled civil war goes on ceaselessly between powers that are always suspicious and rival. The master is ill-disposed and lenient, the servant ill-disposed and unruly. The one constantly seeks to evade, by dishonest reservations, the obligation to protect and

to pay; the other, the obligation to obey. Between them the reins of household management hang loose, and each strives to seize them. The lines that divide authority from tyranny, liberty from license, and right from fact seem to them tangled and confused, and no one knows precisely what he is, what he can do, or what he ought to do.

Such a state is not democratic but revolutionary.

CHAPTER 6: HOW DEMOCRATIC INSTITUTIONS AND MORES TEND TO RAISE RENTS AND SHORTEN THE TERMS OF LEASES (COMMENT LES INSTITUTIONS ET LES MŒURS DÉMOCRATIQUES TENDENT À ÉLEVER LE PRIX ET À RACCOURCIR LA DURÉE DES BAUX)

Democracy turns the bond between landlord and tenant into a cash contract and shortens leases.

2.3.6 What I have said of servants and masters applies, up to a point, to landowners and tenant farmers. The subject nevertheless deserves to be considered separately.

In America there are, so to speak, no tenant farmers; every man owns the field he cultivates.

It must be acknowledged that democratic laws tend powerfully to increase the number of landowners and to reduce the number of tenant farmers. Yet what happens in the United States must be attributed far less to the institutions of the country than to the country itself. In America land costs little, and everyone easily becomes an owner. It yields little, and its produce could only with difficulty be divided between an owner and a tenant farmer.

America is therefore unique in this, as in other things, and it would be a mistake to take it as an example.

I think that in democratic countries, just as in aristocracies, there will be landowners and tenant farmers; but they will not be bound to each other in the same way.

In aristocracies, rents are paid not only in money but in respect, affection, and services. In democratic countries they are paid only in money. When patrimonies are divided and

change hands, and the permanent relationship that existed between families and the land disappears, it is mere chance that brings owner and tenant farmer into contact. They come together for a moment to negotiate the terms of the contract, and then lose sight of each other. They are two strangers brought together by interest, who strictly negotiate a piece of business whose only subject is money.

As property is divided and wealth is scattered here and there over the whole surface of the country, the nation fills up with people whose old opulence is in decline, and with the newly rich, whose needs grow faster than their resources. For all of them the smallest profit matters, and none of them feels inclined to let any of his advantages slip away or to lose any portion of his income.

As ranks merge and very large and very small fortunes alike become rarer, there is less distance every day between the social condition of the owner and that of the tenant farmer; neither has any natural, uncontested superiority over the other. Now, between two men who are equal and not well off, what can a lease be about? What but money!

A man who owns a whole district and possesses a hundred farms understands that his task is to win the hearts of several thousand men at once, and this seems to him worth the effort. To attain so great an object, he readily makes sacrifices.

The man who owns a hundred arpents does not trouble himself with such concerns, and it hardly matters to him whether he wins the particular goodwill of his tenant.[9]

An aristocracy does not die like a man, in a single day. Its principle is slowly destroyed in the depths of men's souls before it is attacked in the laws. Long before war breaks out against it, therefore, one sees the bond that had until then united the upper classes to the lower gradually loosening. Indifference and contempt betray themselves on one side; on the other, envy and hatred. Relations between poor and rich become rarer and less gentle; the price of leases rises. This is not yet the result of the

9 The arpent was an old French unit of land, roughly equal to an acre.

democratic revolution, but it is its sure herald. For an aristocracy that has let the heart of the people slip from its hands for good is like a tree dead at the roots, which the winds overturn all the more easily the taller it is.

Over the past fifty years, rents have risen prodigiously, not only in France but in most of Europe. The remarkable progress made by agriculture and industry during the same period is not enough, in my view, to explain this phenomenon. One must look to some other cause, more powerful and more hidden. I think this cause should be sought in the democratic institutions that several European peoples have adopted, and in the democratic passions that agitate all the others to a greater or lesser degree.

I have often heard great English landowners congratulate themselves that nowadays they draw much more money from their estates than their fathers did.

They may be right to rejoice; but they certainly do not know what they are rejoicing about. They think they are making a net profit, and they are only making an exchange. It is their influence they are selling for ready cash; and what they gain in money, they will soon lose in power.

There is yet another sign by which one can easily recognize that a great democratic revolution is taking place or is in preparation.

In the Middle Ages, almost all land was leased in perpetuity, or at least for very long terms. When one studies the domestic economy of that time, one finds that ninety-nine-year leases were more common then than twelve-year leases are today.

People then believed in the immortality of families; conditions seemed fixed forever, and society as a whole seemed so immobile that no one imagined anything would ever stir within it.

In ages of equality, the human mind takes another turn. It readily imagines that nothing lasts. The idea of instability possesses it.

In this frame of mind, the landowner, and the tenant farmer himself, feel a kind of instinctive horror of long-term obliga-

tions; they are afraid of finding themselves constrained one day by the agreement from which they profit today. They vaguely expect some sudden and unforeseen change in their condition. They fear themselves: they are afraid that, if their tastes change, they will be distressed at being unable to give up what had been the object of their desires. And they are right to fear it; for in democratic ages, what is most changeable, amid the movement of all things, is the heart of man.

CHAPTER 7: THE INFLUENCE OF DEMOCRACY ON WAGES (INFLUENCE DE LA DÉMOCRATIE SUR LES SALAIRES)

Wages tend to rise under equality, except in large-scale industry, where a few employers dominate many workers.

2.3.7 Most of the remarks I made above about servants and masters can be applied to masters and workers.

As the rules of the social hierarchy are less observed, as the great sink and the humble rise, and as poverty, like wealth, ceases to be hereditary, one sees the distance, in fact and in opinion, that separated the worker from the master shrink day by day.

The worker conceives a higher idea of his rights, of his future, of himself; a new ambition and new desires fill him, new needs besiege him. At every moment he casts covetous eyes on the profits of the man who employs him; in order to come to share them, he strives to raise the price of his labor, and he usually ends up succeeding.

In democratic countries, as elsewhere, most industries are run with little capital by men whom neither wealth nor education raises above the common level of those they employ. These industrial entrepreneurs are very numerous; their interests differ; and so they cannot easily come to an understanding among themselves and combine their efforts.

Workers, for their part, almost all have some secure resources that allow them to refuse their services when they are not granted what they consider the just reward of labor.

In the continual struggle between these two classes over wages, the forces are therefore evenly divided, and successes alternate.

It is even likely that in the long run the interest of the workers will prevail. The high wages they have already obtained make them less dependent on their masters every day, and the more independent they become, the more easily they can obtain higher wages.

I shall take as an example the industry that in our time is still the most widely practiced among us, as among almost all the nations of the world: the cultivation of the land.

In France, most of those who hire out their services to cultivate the soil own a few plots themselves, which, if need be, allow them to subsist without working for others. When they come to offer their hands to the large landowner or the neighboring tenant farmer and are refused a certain wage, they withdraw to their small holding and wait for another opportunity to present itself.

I think that, taking things as a whole, one may say that the slow and progressive rise of wages is one of the general laws governing democratic societies. As conditions become more equal, wages rise; and as wages rise, conditions become more equal.

But in our day there is one great and unfortunate exception.

I showed in a previous chapter how aristocracy, driven out of political society, had withdrawn into certain parts of the industrial world and had established its dominion there in another form.[10]

This has a powerful influence on the level of wages.

Since one must already be very rich to undertake the great industries I am speaking of, those who undertake them are very few. Being few, they can easily league together and set the price of labor as they please.

Their workers, by contrast, are very numerous, and their number keeps growing. From time to time there are periods of

10 See 2.2.20, on how an aristocracy may arise from industry.

extraordinary prosperity during which wages rise beyond all measure and draw the surrounding populations into the factories. Now, once men have entered this line of work, we have seen that they cannot leave it, because they soon acquire habits of body and mind there that unfit them for any other labor. These men generally have little education, skill, or resources; they are therefore almost at the mercy of their master. When competition or other chance circumstances reduce his profits, he can cut their wages almost at will, and easily recover from them what fortune takes from him.

If they refuse to work by common agreement, the master, being a rich man, can easily wait, without ruining himself, until necessity brings them back to him; but they must work every day in order not to die, for they have hardly any property but their hands. Oppression has long since impoverished them, and the poorer they become, the easier they are to oppress. It is a vicious circle from which they have no way of escaping.

We should not be surprised, then, if wages here, after sometimes rising suddenly, fall permanently, while in other occupations the price of labor, which generally grows only little by little, increases without cease.

This state of dependence and misery in which part of the industrial population finds itself in our time is an exceptional fact, contrary to everything around it; but for that very reason none is graver, or more deserving of the legislator's particular attention. For when the whole of society is in motion, it is difficult to keep one class motionless; and when the greater number are constantly opening new roads to fortune, it is difficult to make a few bear their needs and their desires in peace.

CHAPTER 8: THE INFLUENCE OF DEMOCRACY ON THE FAMILY (INFLUENCE DE LA DÉMOCRATIE SUR LA FAMILLE)

Paternal authority weakens, family relations grow warmer, and brothers are bound by affection rather than interest.

2.3.8 I have just examined how, among democratic peoples and among the Americans in particular, equality of conditions modifies the relations of citizens with one another.

I want to go further and enter the bosom of the family. My aim here is not to look for new truths, but to show how facts already known bear on my subject.

Everyone has noticed that in our day new relations have been established among the different members of the family, that the distance that once separated the father from his sons has diminished, and that paternal authority has been, if not destroyed, at least altered.

Something analogous, but more striking still, can be seen in the United States.

In America the family, taking the word in its Roman and aristocratic sense, does not exist. A few traces of it are found only during the first years after the children are born. The father then exercises, without opposition, the domestic dictatorship that his sons' weakness makes necessary, and that their interest, as well as his unquestionable superiority, justifies.

But as soon as the young American approaches manhood, the bonds of filial obedience loosen day by day. Master of his thoughts, he soon becomes master of his conduct as well. In America there is, strictly speaking, no adolescence. On leaving early childhood, the man appears and begins to trace his own path.

It would be wrong to believe that this comes about after an internal struggle in which the son has won, by a kind of moral violence, the freedom his father refused him. The same habits, the same principles that drive the one to seize independence dispose the other to regard its use as an unquestionable right.

So in the son one sees none of those hateful and disordered passions that continue to agitate men long after they have escaped an established power. The father feels none of those regrets, full of bitterness and anger, that usually outlive fallen power: he saw from afar the limits at which his authority was to expire, and when time has brought him to those limits, he abdicates without difficulty. The son foresaw well in advance the precise moment when his own will would become his rule, and he takes hold of freedom without haste and without effort, as a possession that is owed to him and that no one seeks to take away[11].

It may not be useless to show how these changes taking place in the family are closely linked to the social and political revolution that is reaching completion before our eyes.

There are certain great social principles that a people either makes penetrate everywhere or allows to survive nowhere.

In countries organized aristocratically and hierarchically, power never addresses itself directly to the whole body of the governed. Since men are bound to one another, it is enough to

11 TOCQUEVILLE'S NOTE. The Americans have not yet thought, however, as we have in France, of stripping fathers of one of the principal elements of power by taking away their freedom to dispose of their property after death. In the United States the right to make a will is unlimited.

In this, as in almost everything else, it is easy to see that if the political legislation of the Americans is much more democratic than ours, our civil legislation is infinitely more democratic than theirs. This is easily understood.

Our civil legislation was the work of a man who saw it in his interest to satisfy the democratic passions of his contemporaries in everything that was not directly and immediately hostile to his power. He willingly allowed a few popular principles to rule property and govern families, provided no one claimed to introduce them into the direction of the state. While the democratic torrent overflowed onto the civil laws, he hoped to shelter easily behind the political laws. This view is at once full of skill and full of selfishness; but such a compromise could not last. For in the long run political society cannot fail to become the expression and image of civil society; and it is in this sense that one can say there is nothing more political in a people than its civil legislation.

TRANSLATOR'S NOTE. French law, under the Civil Code of 1804, reserved a fixed share of every estate for the children, limiting what a parent could freely bequeath.

TRANSLATOR'S NOTE. The man is Napoleon Bonaparte, under whom the French Civil Code (1804) was drawn up.

lead those at the top. The rest follow. This applies to the family as to every association that has a head. Among aristocratic peoples, society, strictly speaking, knows only the father. It holds the sons only through the father's hands; it governs him, and he governs them. So the father there has not only a natural right. He is given a political right to command. He is the author and support of the family; he is also its magistrate.

In democracies, where the arm of government reaches out to find each man individually in the midst of the crowd and bend him singly to the common laws, there is no need of any such intermediary; in the eyes of the law the father is only a citizen, older and richer than his sons.

When most conditions are very unequal, and inequality of conditions is permanent, the idea of the superior grows in men's imaginations; even if the law grants him no prerogatives, custom and opinion concede them to him. When, on the contrary, men differ little from one another and do not always remain unlike, the general notion of the superior becomes weaker and less clear; in vain does the will of the legislator strive to place the one who obeys far beneath the one who commands; mores draw these two men closer together and pull them each day toward the same level.

So if I see no special privileges granted to the head of the family in the legislation of an aristocratic people, I shall nonetheless be certain that his power there is highly respected and more extensive than within a democracy; for I know that, whatever the laws, the superior will always seem higher and the inferior lower in aristocracies than among democratic peoples.

When men live in the memory of what has been rather than in preoccupation with what is, and care far more about what their ancestors thought than they try to think for themselves, the father is the natural and necessary link between past and present, the ring where these two chains end and join. In aristocracies, then, the father is not only the political head of the family; he is the organ of tradition, the interpreter of custom, the arbiter of mores. He is listened to with deference; he is

approached only with respect, and the love felt for him is always tempered by fear.

As the social state becomes democratic, and men adopt as a general principle that it is good and legitimate to judge all things for oneself, taking the old beliefs as information and not as rule, the power of opinion that the father exercises over his sons diminishes, as does his legal power.

The division of estates that democracy brings about contributes perhaps more than anything else to changing the relations between father and children.

When the father of a family has little property, he and his son live constantly in the same place and work together at the same tasks. Habit and need bring them together and force them to communicate with each other at every moment; so a kind of familiar intimacy cannot fail to arise between them, one that makes authority less absolute and sits ill with the outward forms of respect.

Now among democratic peoples, the class that owns these small fortunes is precisely the one that gives ideas their power and mores their turn. It makes its opinions prevail everywhere along with its wishes, and even those most inclined to resist its commands end by letting themselves be carried along by its example. I have seen fiery enemies of democracy whose children addressed them as *tu*.[12]

Thus, at the same time that power slips away from the aristocracy, one sees disappear whatever was austere, conventional, and legal in paternal power, and a kind of equality takes hold around the domestic hearth.

I do not know whether, all things considered, society loses by this change; but I am inclined to believe that the individual gains by it. I think that as mores and laws become more democratic, the relations between father and son become more intimate and gentler; rule and authority are met with less often; trust

12 *Tu* is the familiar form of "you" in French, used with intimates and equals rather than with those owed formal respect.

and affection are often greater, and it seems that the natural bond tightens while the social bond loosens.

In the democratic family the father exercises scarcely any power but that which people are glad to grant to the tenderness and experience of an old man. His orders might perhaps be ignored; but his advice is usually full of power. If he is not surrounded by official marks of respect, his sons at least approach him with confidence. There is no recognized formula for addressing him; but he is spoken to constantly and gladly consulted every day. The master and the magistrate have vanished; the father remains.

To judge the difference between the two social states on this point, one need only look through the family correspondence that aristocracies have left us. Its style is always correct, ceremonious, rigid, and so cold that the natural warmth of the heart can scarcely be felt through the words.

Among democratic peoples, by contrast, in everything a son says to his father there is something free, familiar, and tender at once, which reveals at first glance that new relations have been established within the family.

An analogous revolution modifies the relations of the children with one another.

In the aristocratic family, as in aristocratic society, every place is marked out. Not only does the father occupy a rank apart and enjoy immense privileges; the children themselves are not equal among themselves: age and sex irrevocably fix each one's rank and assure him certain prerogatives. Democracy overturns or lowers most of these barriers.

In the aristocratic family the eldest son, inheriting the greater part of the property and nearly all the rights, becomes the head and, up to a point, the master of his brothers. To him go greatness and power; to them, mediocrity and dependence. Yet it would be wrong to believe that among aristocratic peoples the privileges of the eldest benefited him alone, and that they aroused nothing around him but envy and hatred.

The eldest usually strives to procure wealth and power for his brothers, because the general luster of the house reflects on the one who represents it; and the younger sons seek to smooth the way for all the eldest's undertakings, because the greatness and strength of the head of the family make him ever more able to raise up all its offshoots.

The various members of the aristocratic family are thus very closely bound to one another; their interests are linked, their minds agree; but their hearts rarely understand each other.

Democracy too binds brothers to one another; but it goes about it in a different way.

Under democratic laws, children are perfectly equal, and therefore independent; nothing forcibly draws them together, but nothing drives them apart either; and since they have a common origin, grow up under the same roof, are the object of the same care, and no special prerogative distinguishes or separates them, the sweet, youthful intimacy of early childhood readily springs up among them. Once the bond has been formed at the beginning of life, few occasions arise to break it; for brotherhood brings them together every day without constraining them.

So it is not through interests but through shared memories and the free sympathy of opinions and tastes that democracy binds brothers to one another. It divides their inheritance, but it allows their souls to merge.

The gentleness of these democratic mores is so great that even the partisans of aristocracy are won over by it, and after tasting it for a while they are not tempted to return to the respectful, cold forms of the aristocratic family. They would gladly keep the domestic habits of democracy, provided they could reject its social state and its laws. But these things hang together, and one cannot enjoy the former without enduring the latter.

What I have just said of filial love and brotherly affection must be understood of all the passions that spring spontaneously from nature itself.

When a certain way of thinking or feeling is the product of a particular state of humanity, nothing of it remains once that state changes. Thus the law can bind two citizens very tightly to each other; abolish the law, and they part. There was nothing tighter than the knot that bound vassal to lord in the feudal world. Now these two men no longer know each other. The fear, the gratitude, and the love that once linked them have vanished. No trace of them is to be found.

But it is not so with the feelings natural to the human species. Rarely does the law, in striving to bend these in a certain way, fail to weaken them; rarely, in trying to add to them, does it fail to take something away; and rarely are they not stronger when left to themselves.

Democracy, which destroys or obscures nearly all the old social conventions and keeps men from easily settling on new ones, makes most of the feelings born of those conventions disappear entirely. But it only modifies the others, and often it gives them an energy and a gentleness they did not have before.

I think it is not impossible to sum up in a single sentence the whole meaning of this chapter and of several that precede it. Democracy loosens social bonds, but it tightens natural ones. It draws relatives together at the same time as it separates citizens.

CHAPTER 9: THE EDUCATION OF YOUNG WOMEN IN THE UNITED STATES (ÉDUCATION DES JEUNES FILLES AUX ÉTATS-UNIS)

American girls are given early freedom and knowledge so that their own reason guards their virtue.

2.3.9 There have never been free societies without mores, and, as I said in the first part of this work, it is woman who makes the mores. Everything that bears on the condition of women, on their habits and their opinions, therefore has great political interest in my eyes.[13]

13 Tocqueville is referring to 1.2.9, where he discusses the influence of women on American mores.

Among almost all Protestant nations, young women are infinitely more in command of their own actions than among Catholic peoples.

This independence is greater still in those Protestant countries that, like England, have kept or won the right to govern themselves. Freedom then enters the family through political habits and through religious beliefs.

In the United States, the doctrines of Protestantism combine with a very free constitution and a very democratic social state; and nowhere is a young woman left to herself sooner or more completely.

Long before the young American woman has reached marriageable age, she begins to be freed, little by little, from her mother's tutelage. Before she has fully left childhood behind, she already thinks for herself, speaks freely, and acts on her own. The great spectacle of the world is constantly displayed before her. Far from trying to hide it from her sight, people reveal it more and more to her eyes each day, and teach her to regard it with a firm and calm gaze. Thus the vices and dangers that society presents are soon revealed to her; she sees them clearly, judges them without illusion, and faces them without fear; for she is full of confidence in her own strength, and her confidence seems to be shared by everyone around her.

So one should almost never expect to find in the young American woman that virginal candor in the midst of awakening desires, nor those naive and artless graces that usually accompany, in the European girl, the passage from childhood to youth. It is rare for an American woman, whatever her age, to display a childish timidity and ignorance. Like the young woman of Europe, she wants to please; but she knows exactly at what price. If she does not give herself up to evil, at least she knows it; she has pure morals rather than a chaste mind.

I have often been surprised, and almost alarmed, to see the remarkable dexterity and happy boldness with which these young American women managed to steer their thoughts and their words among the reefs of lively conversation; a philo-

sopher would have stumbled a hundred times on the narrow path they traveled without mishap and without effort.

Indeed, it is easy to see that even amid the independence of her early youth, the American woman never entirely ceases to be mistress of herself. She enjoys all permitted pleasures without abandoning herself to any of them, and her reason never lets go of the reins, though it often seems to let them hang loose.

In France, where we still mix together so strangely, in our opinions and in our tastes, the debris of every age, we often give women a timid, secluded, almost convent-like education, as in the time of aristocracy, and then we suddenly abandon them, without guide or help, amid the disorders inseparable from a democratic society.

The Americans are more consistent with themselves.

They have seen that, in the midst of a democracy, individual independence could not fail to be very great, youth precocious, tastes poorly restrained, custom changeable, public opinion often uncertain or powerless, paternal authority weak, and marital power contested.

In this state of affairs, they judged that there was little chance of being able to repress in woman the most tyrannical passions of the human heart, and that it was safer to teach her the art of combating them herself. Since they could not prevent her virtue from often being in danger, they wanted her to know how to defend it, and they relied more on the free effort of her will than on barriers that had been shaken or destroyed. Instead of keeping her distrustful of herself, they therefore constantly seek to increase her confidence in her own strength. Having neither the means nor the desire to keep the young woman in perpetual and complete ignorance, they have hastened to give her an early knowledge of all things. Far from hiding the world's corruptions from her, they wanted her to see them from the outset and to train herself to flee them; and they preferred to safeguard her decency rather than to show too much respect for her innocence.

Although the Americans are a very religious people, they have not relied on religion alone to defend woman's virtue; they have sought to arm her reason. In this, as in many other circumstances, they have followed the same method. They first made incredible efforts to get individual independence to regulate itself, and only when they had reached the furthest limits of human strength did they finally call religion to their aid.

I know that such an education is not without danger; nor am I unaware that it tends to develop judgment at the expense of imagination, and to make women virtuous and cold rather than tender wives and agreeable companions to man. If society is calmer and better ordered for it, private life often has less charm. But these are secondary ills, which a greater interest must lead us to brave. Having reached the point where we now stand, we are no longer free to choose: a democratic education is needed to protect woman from the dangers with which the institutions and mores of democracy surround her.

CHAPTER 10: HOW THE YOUNG WOMAN CAN STILL BE SEEN IN THE WIFE (COMMENT LA JEUNE FILLE SE RETROUVE SOUS LES TRAITS DE L'ÉPOUSE)

The free American girl accepts the strict duties of marriage by her own choice and bears hardship with resolve.

2.3.10 In America, a woman's independence is lost irretrievably in the bonds of marriage. If the young unmarried woman is less constrained there than anywhere else, the wife submits to stricter obligations. The one makes her father's house a place of freedom and pleasure; the other lives in her husband's home as in a cloister.

These two states, so different, are perhaps not as contrary as one supposes, and it is natural for the Americans to pass through the one to arrive at the other.

Religious peoples and industrial nations have a particularly serious idea of marriage. The former regard the regularity of a woman's life as the best guarantee and the surest sign of the pur-

ity of her morals. The latter see in it the sure pledge of the order and prosperity of the household.

The Americans are at once a Puritan nation and a commercial people; their religious beliefs as well as their industrial habits therefore lead them to demand of woman a self-denial and a continual sacrifice of her pleasures to her affairs that is rarely asked of her in Europe. Thus there reigns in the United States an inexorable public opinion that carefully confines woman within the small circle of domestic interests and duties and forbids her to step outside it.

When she enters society, the young American woman finds these notions firmly established; she sees the rules that flow from them; she is soon convinced that she could not escape for a moment from the customs of her contemporaries without at once putting at risk her peace, her honor, and even her social existence; and she finds, in the firmness of her reason and in the manly habits her education has given her, the energy to submit to them.

One may say that it is from the use of independence that she has drawn the courage to bear its sacrifice without struggle or complaint when the moment has come to impose it on herself.

Moreover, the American woman never falls into the bonds of marriage as into a trap laid for her simplicity and ignorance. She has been taught in advance what would be expected of her, and it is of her own accord and freely that she places herself under the yoke. She bears her new condition courageously, because she chose it.

Since in America paternal discipline is very lax and the conjugal bond very tight, a young woman enters into that bond only with caution and with apprehension. Early marriages are hardly ever seen there. American women therefore marry only when their reason has been exercised and matured, whereas elsewhere most women usually begin to exercise and mature their reason only within marriage.

I am, moreover, very far from believing that this great change, which takes place in all the habits of women in the

United States as soon as they are married, should be attributed solely to the constraint of public opinion. Often they impose it on themselves by the sole effort of their will.

When the time has come to choose a husband, that cold and austere reason, enlightened and strengthened by a free view of the world, tells the American woman that a light and independent spirit within the bonds of marriage is a source of endless trouble, not of pleasure; that the amusements of the girl cannot become the recreations of the wife; and that for a woman the sources of happiness lie in the marital home. Seeing clearly and in advance the only road that can lead to domestic happiness, she sets out on it from her very first steps, and follows it to the end without trying to turn back.

This same vigor of will that young American wives display in bending suddenly and without complaint to the austere duties of their new state is found, moreover, in all the great trials of their lives.

There is no country in the world where private fortunes are more unstable than in the United States. It is not rare for the same man, in the course of his life, to climb and descend all the rungs that lead from opulence to poverty.

American women bear these upheavals with a calm and indomitable energy. One would say that their desires contract with their fortune as easily as they expand.

Most of the adventurers who go each year to people the empty lands of the West belong, as I said in my first work, to the old Anglo-American race of the North. Many of these men who rush so boldly toward wealth already enjoyed a comfortable life in their home region. They take their companions with them, and make them share the countless dangers and hardships that always mark the beginning of such enterprises. I have often met, right at the edge of the wilderness, young women who, after being raised amid all the refinements of the great cities of New England, had passed almost without transition from their parents' rich home to a poorly sealed hut deep in a forest.[14]

14 "My first work" is the first volume of *Democracy in America* (1835).

Fever, solitude, and tedium had not broken the springs of their courage. Their features seemed worn and faded, but their gaze was steady. They appeared at once sad and resolute.

I have no doubt that these young American women had stored up, in their early education, the inner strength they were then drawing upon.

So in the United States it is still the young girl who reappears in the features of the wife; the role has changed, the habits differ, the spirit is the same.

[Note] In the journal of my travels I find the following passage, which will complete the picture of the trials often endured by American women who agree to go with their husbands into the wilderness. Nothing recommends this portrait to the reader except its great truthfulness.

...From time to time we come upon new clearings. All these settlements look alike. I am going to describe the one where we stopped this evening; it will leave me with an image of all the others.

The little bell that pioneers take care to hang around their cattle's necks, so as to find them in the woods, told us from very far off that we were nearing the clearing. Soon we heard the sound of the ax felling the trees of the forest. As we draw nearer, traces of destruction announce the presence of civilized man. Cut branches cover the road; trunks half charred by fire or mutilated by the ax still stand in our path.

We continue on our way and reach a wood whose trees all seem to have been struck by sudden death; in the middle of summer they present nothing but the image of winter. Examining them more closely, we see that a deep ring has been cut into their bark, which stopped the flow of the sap and soon killed them. We learn that this is in fact how the pioneer usually begins. He cannot cut down all the trees that cover his new property in the first year. So he sows corn beneath their branches, and by striking them dead he keeps them from shading his crop.

Beyond this field—an incomplete sketch, civilization's first step into the wilderness—we suddenly catch sight of the owner's cabin. It stands in the middle of a plot more carefully cultivated than the rest, but where man is still waging an unequal struggle against the forest. There the trees have been cut down but not uprooted, and their trunks still litter and encumber the ground they once shaded. Around these dried-out remains, wheat, oak shoots, plants of every species and grasses of every kind grow pell-mell and rise together from an unruly, half-wild soil.

It is in the midst of this vigorous and varied vegetation that the pioneer's house rises—or, as it is called in that country, the *log house*. Like the field around it, this rustic dwelling has the look of new and hurried work. Its length does not seem to us to exceed thirty feet, nor its height fifteen. Its walls and its roof are made of unsquared tree trunks, between which moss and earth have been packed to keep the cold and the rain from getting inside.

With night approaching, we decide to go and ask the owner of the *log house* for shelter.

At the sound of our footsteps, some children who were rolling about among the debris of the forest jump up and run toward the house, as if frightened at the sight of a man. Meanwhile two big half-wild dogs, ears pricked and long muzzles thrust forward, come out of their kennel and, growling, move up to cover their young masters' retreat. The pioneer himself appears at the door of his dwelling. He casts a quick, searching glance at us and signals to his dogs to go back inside. He sets them the example himself, without showing that the sight of us arouses either his curiosity or his uneasiness.

We enter the *log house*. The interior in no way recalls the cottages of European peasants; one finds there more of the superfluous and less of the necessary.

There is only one window, from which hangs a muslin curtain. On a hearth of beaten earth a large fire crackles, lighting the whole inside of the building. Above the hearth one sees a fine rifle, a deerskin, and eagle feathers. To the right of the chimney hangs a map of the United States, which the wind lifts and stirs as it slips through the chinks in the wall. Next to it, on a shelf made of a roughly squared plank, stand a few books:

I notice the Bible, the first six books of Milton, and two plays by Shakespeare. Along the walls stand trunks instead of wardrobes. In the center is a crudely made table whose legs, of wood still green and not stripped of its bark, seem to have sprouted of their own accord from the ground it stands on. On this table I see a teapot of English porcelain, silver spoons, a few chipped cups, and some newspapers.[15]

The master of this dwelling has the angular features and lean limbs that distinguish the inhabitant of New England. It is clear that this man was not born in the solitude where we find him. His physical constitution alone is enough to show that his early years were spent in an intellectual society. He belongs to that restless, reasoning, adventurous race which

15 The Milton is presumably *Paradise Lost* (1667), John Milton's epic poem in twelve books.

does coldly what only the ardor of the passions can explain, and which submits for a time to the wild life in order better to conquer and civilize the wilderness.

When the pioneer sees us crossing his threshold, he comes to meet us and holds out his hand, as is the custom; but his face remains rigid. He is the first to speak, questioning us about what is happening in the world, and once he has satisfied his curiosity he falls silent; one would think him weary of bores and of noise. We question him in turn, and he gives us all the information we need. Then, without eagerness but with diligence, he sees to our needs. Watching him devote himself to these kindly attentions, why do we feel our gratitude cool in spite of ourselves?

It is because he himself, in offering hospitality, seems to be submitting to a painful necessity of his lot: he sees in it a duty his position imposes on him, not a pleasure.

At the other end of the hearth sits a woman rocking a small child on her knees; she nods to us without breaking off. Like the pioneer, this woman is in the prime of life. Her bearing seems above her station, and her dress even betrays a taste for finery not quite extinguished. But her delicate limbs look wasted, her features are weary, her eye is gentle and grave. Spread across her whole face one sees a religious resignation, a deep peace of the passions, and an indefinable natural, tranquil firmness that faces all the ills of life without either fearing or defying them.

Her children crowd around her; they are full of health, high spirits, and energy—true sons of the wilderness. From time to time their mother casts looks at them full of melancholy and joy. Seeing their strength and her weakness, one would say that she had exhausted herself in giving them life, and that she does not regret what they have cost her.

The house the emigrants live in has no inner partitions and no loft. In its single room the whole family gathers in the evening for shelter. This dwelling is, by itself, a little world, as it were; it is the ark of civilization, lost in the midst of an ocean of foliage. A hundred paces farther on, the eternal forest spreads its shade all around, and solitude begins again.

CHAPTER 11: HOW EQUALITY OF CONDITIONS HELPS TO MAINTAIN GOOD MORALS IN AMERICA (COMMENT L'ÉGALITÉ DES CONDITIONS CONTRIBUE À MAINTENIR LES BONNES MŒURS EN AMÉRIQUE)

Tocqueville argues that equality and free choice in marriage make American morals stricter than Europe's.

2.3.11 There are philosophers and historians who have said, or implied, that women were stricter or laxer in their morals according to how far from the equator they lived. That is getting off cheaply; on that reckoning, a globe and a pair of compasses would suffice to solve in an instant one of the most difficult problems that humanity presents.

> [Note] It is not equality of conditions that makes men immoral and irreligious. But when men are immoral and irreligious at the same time as they are equal, the effects of immorality and irreligion readily show themselves outwardly. This is because men have little influence over one another, and there is no class that can take it upon itself to police society. Equality of conditions never creates the corruption of morals, but it sometimes lets it show.

I do not see that this materialist doctrine is borne out by the facts.

The same nations have shown themselves chaste or dissolute at different periods of their history. The regularity or disorder of their morals therefore depended on certain changing causes, and not solely on the nature of the country, which did not change.

I will not deny that in certain climates the passions arising from the mutual attraction of the sexes are particularly ardent. But I think that this natural ardor can always be stimulated or restrained by the social state and by political institutions.

Although the travelers who have visited North America differ among themselves on several points, they all agree in observing that morals there are infinitely stricter than anywhere else.

It is evident that on this point the Americans are far superior to their fathers, the English. A superficial look at the two nations is enough to show it.

In England, as in all the other countries of Europe, public malice is constantly at work on the weaknesses of women. One often hears philosophers and statesmen there complain that morals are not regular enough, and the literature suggests as much every day.

In America all books, novels included, assume that women are chaste, and no one there tells tales of love affairs.

This great regularity of American morals is no doubt due in part to the country, the race, and the religion. But all these causes, which are found elsewhere too, are still not enough to explain it. For that one must turn to some particular reason.

That reason seems to me to be equality and the institutions that flow from it.

Equality of conditions does not by itself produce regularity of morals; but there can be no doubt that it facilitates and increases it.

Among aristocratic peoples, birth and fortune often make man and woman such different beings that they can never manage to be united. Passion draws them together, but the social state and the ideas it suggests prevent them from binding themselves to each other in a permanent and open way. From this, necessarily, arise a great number of fleeting and clandestine unions. Nature secretly compensates itself for the constraint that the laws impose on it.

Things are not the same once equality of conditions has brought down all the barriers, imaginary or real, that separated man from woman. Then there is no young girl who does not believe she can become the wife of the man who prefers her, and this makes disorderly morals before marriage very difficult. For however credulous the passions may be, there is hardly any way for a woman to persuade herself that she is loved when the man is perfectly free to marry her and does not.

The same cause operates within marriage, though more indirectly.

Nothing serves better to legitimize illegitimate love, in the eyes of those who feel it or of the crowd that looks on, than unions that are forced or made by chance[16].

In a country where a woman always exercises her choice freely, and where education has enabled her to choose well, public opinion is inexorable toward her faults.

The rigorism of the Americans springs in part from this. They regard marriage as a contract that is often burdensome, but one whose every clause must nonetheless be strictly carried out. For each party could know all those clauses in advance, and was entirely free not to commit to anything at all.

What makes fidelity more binding makes it easier.

In aristocratic countries the aim of marriage is to unite property rather than persons; and so it sometimes happens there that the husband is taken from school and the wife from the nurse's arms. It is not surprising that the conjugal bond which holds the two spouses' fortunes together should leave their hearts to wander at will. This follows naturally from the spirit of the contract.

When, on the contrary, each person always chooses a companion for himself, with nothing outside to hinder or even guide him, it is usually nothing but similarity of tastes and ideas that

16 TOCQUEVILLE'S NOTE. It is easy to convince oneself of this truth by studying the various literatures of Europe.

When a European wants to portray in his fiction one of those great catastrophes within marriage that are seen so often among us, he takes care to arouse the reader's pity in advance by showing him ill-matched or coerced characters. Although long tolerance has long since loosened our morals, he would find it hard to interest us in the misfortunes of these characters if he did not begin by making their fault excusable. This device hardly ever fails. The daily spectacle we witness prepares us from afar for indulgence.

American writers could not make such excuses seem plausible to their readers; their customs and their laws stand in the way. Despairing of making disorder attractive, they do not depict it. It is partly to this cause that we must attribute the small number of novels published in the United States.

brings man and woman together; and this same similarity keeps them side by side and holds them there.

Our forefathers had formed a singular opinion on the subject of marriage.

They had noticed that the few love matches made in their day had almost always ended disastrously. From this they firmly concluded that in such matters it was very dangerous to consult one's own heart. Chance seemed to them more clear-sighted than choice.

Yet it was not very hard to see that the examples before their eyes proved nothing.

I will note first that if democratic peoples grant women the right to choose their husbands freely, they take care to furnish their minds in advance with the enlightenment, and their wills with the strength, that such a choice may require. Among aristocratic peoples, by contrast, young girls slip furtively away from paternal authority and throw themselves of their own accord into the arms of a man they have been given neither the time to know nor the capacity to judge. Such girls lack all these safeguards. One cannot be surprised that they make bad use of their free will the first time they use it. Nor can one be surprised that they fall into such cruel errors when, without having received a democratic education, they try to follow the customs of democracy in marrying.

But there is more.

When a man and a woman seek to come together across the inequalities of an aristocratic social state, they have immense obstacles to overcome. Having broken or loosened the bonds of filial obedience, they must then, by one last effort, escape the sway of custom and the tyranny of opinion. And when at last they have reached the end of this hard undertaking, they find themselves like strangers among their natural friends and their kin: the prejudice they have overcome cuts them off from them. This situation soon breaks their courage and embitters their hearts.

If, then, spouses joined in this way are first unhappy and then guilty, this must not be put down to their having freely chosen each other, but rather to their living in a society that does not allow such choices.

We must not forget, moreover, that the same effort that violently wrenches a man out of a common error almost always carries him beyond reason. To dare to declare war, even a legitimate war, on the ideas of one's age and country, one must have a certain violent and adventurous turn of mind, and people of this character, whatever direction they take, rarely attain happiness and virtue. And this, to say it in passing, is what explains why, in the most necessary and most sacred revolutions, so few moderate and honest revolutionaries are to be found.

So if, in an aristocratic age, a man happens to take it into his head to consult no considerations in marriage other than his own opinion and taste, and disorder in morals and misery soon afterward make their way into his household, we must not be astonished. But when this same way of acting is in the natural and ordinary order of things, when the social state makes it easy, when paternal power lends itself to it, and when public opinion extols it, we cannot doubt that the inner peace of families will be the greater for it, and that conjugal fidelity will be better kept.

Almost all men in democracies pursue a political career or practice a profession. At the same time, the modest size of fortunes there obliges the woman to confine herself every day within her home, in order to preside over the details of household management herself, and very closely.

All these distinct and compulsory labors are like so many natural barriers which, by separating the sexes, make the solicitations of the one rarer and less ardent, and the resistance of the other easier.

Not that equality of conditions can ever succeed in making man chaste; but it gives the disorder of his morals a less dangerous character. Since no one then has the leisure or the opportunity to assail virtues that wish to defend themselves, one sees at

the same time a great number of courtesans and a multitude of honest women.

Such a state of things produces deplorable individual miseries, but it does not prevent the social body from being sound and strong; it does not destroy family ties, and it does not enervate the nation's mores. What endangers society is not great corruption among a few; it is laxity among all. In the eyes of the legislator, prostitution is much less to be feared than gallantry.[17]

This tumultuous and constantly harried life that equality gives men does not only turn them away from love by depriving them of the leisure to indulge in it; it also draws them away from it by a more secret but surer path.

All men who live in democratic times contract, more or less, the intellectual habits of the industrial and commercial classes. Their minds take a serious, calculating, and matter-of-fact turn; they readily turn away from the ideal to head toward some visible and nearby goal that presents itself as the natural and necessary object of desire. Equality does not thereby destroy the imagination; but it limits it, and lets it fly only by skimming the ground.

There is nothing less given to reverie than the citizens of a democracy, and one hardly sees any who are willing to abandon themselves to those idle and solitary contemplations that usually precede, and that produce, the great agitations of the heart.

They set great store, it is true, by securing that kind of deep, steady, and peaceful affection that makes for the charm and security of life; but they do not willingly chase after violent and capricious emotions that disturb and shorten it.

I know that all the foregoing applies fully only to America, and cannot, for the present, be extended in a general way to Europe.

In the half century during which laws and habits have been pushing several European peoples toward democracy with unparalleled energy, we do not see that among these nations the

17 "Gallantry" (galanterie): the polished culture of flirtation and discreet love affairs in fashionable society.

relations between man and woman have become more orderly and more chaste. The contrary can even be glimpsed in some places. Certain classes are better regulated; general morality seems more lax. I shall not be afraid to point this out, for I feel no more inclined to flatter my contemporaries than to disparage them.

This spectacle must grieve us, but not surprise us. The happy influence that a democratic social state can exert on the regularity of habits is one of those facts that can be discovered only over time. If equality of conditions is favorable to good morals, the social labor that makes conditions equal is very damaging to them.

In the fifty years that France has been transforming itself, we have rarely had liberty, but always disorder. Amid this universal confusion of ideas and this general upheaval of opinions, in this incoherent mixture of the just and the unjust, the true and the false, right and fact, public virtue has become uncertain and private morality unsteady.

But all revolutions, whatever their object and their agents, have at first produced similar effects. Even those that ended by tightening the bonds of morals began by loosening them.

The disorders we often witness do not, therefore, seem to me a lasting fact. Curious signs already point to this.

There is nothing more wretchedly corrupt than an aristocracy that keeps its wealth while losing its power, and that, reduced to vulgar pleasures, still possesses immense leisure. The energetic passions and great thoughts that once animated it then vanish from it, and one finds there hardly anything but a multitude of small, gnawing vices that cling to it like worms to a corpse.

No one disputes that the French aristocracy of the last century was very dissolute, while old habits and ancient beliefs still maintained respect for morals in the other classes.

Nor will it be hard to agree that, in our time, a certain severity of principles is visible among the remnants of that same aristocracy, whereas disorder in morals has seemed to spread

through the middle and lower ranks of society. So the very families that showed themselves the most lax fifty years ago show themselves today the most exemplary, and democracy seems to have improved the morals of the aristocratic classes alone.

The revolution divided the fortunes of the nobles, forced them to attend diligently to their affairs and their families, shut them up under the same roof as their children, and finally gave a more reasonable and serious turn to their thoughts. In doing so it instilled in them, without their noticing it themselves, respect for religious beliefs and a love of order, of peaceful pleasures, of domestic joys, and of well-being—while the rest of the nation, which naturally had these same tastes, was swept toward disorder by the very effort required to overturn the laws and political customs.

The old French aristocracy has undergone the consequences of the revolution, and it neither felt the revolutionary passions nor shared the often anarchic impulse that produced the revolution. It is easy to conceive, then, that it should feel the salutary influence of this revolution on its morals before even those who made it.

It is therefore permissible to say, though the thing may at first seem surprising, that in our day it is the most anti-democratic classes of the nation that best show the kind of morality it is reasonable to expect from democracy.

I cannot help believing that when we have obtained all the effects of the democratic revolution, and have emerged from the tumult it has given rise to, what is true today only of a few will gradually become true of all.

CHAPTER 12: HOW THE AMERICANS UNDERSTAND THE EQUALITY OF MAN AND WOMAN (COMMENT LES AMÉRICAINS COMPRENNENT L'ÉGALITÉ DE L'HOMME ET DE LA FEMME)

Americans give men and women separate spheres but regard them as equal in worth, reason and courage.

2.3.12 I have shown how democracy destroyed or modified the various inequalities that society gives rise to; but is that all? Does it not finally come to act on that great inequality between man and woman, which until our day has seemed to have its eternal foundations in nature?

I think that the social movement that brings son and father, servant and master, and, in general, inferior and superior closer to the same level raises woman, and must increasingly make her the equal of man.

But here, more than ever, I feel the need to be well understood; for there is no subject on which the crude and disorderly imagination of our age has given itself freer rein.

There are people in Europe who, confusing the different attributes of the sexes, claim to make man and woman beings who are not only equal but alike. They give both the same functions, impose the same duties on them, and grant them the same rights; they mix them in all things—work, pleasures, affairs. One can easily conceive that by striving in this way to make one sex equal to the other, one degrades them both; and that from such a crude jumbling of the works of nature nothing could ever come but weak men and immodest women.

This is not how the Americans have understood the kind of democratic equality that can be established between woman and man. They thought that, since nature had established so great a difference between the physical and moral constitution of man and that of woman, its clearly indicated aim was to put their different faculties to different uses. And they judged that progress did not consist in having dissimilar beings do roughly the same things, but in getting each of them to perform its task

as well as possible. The Americans have applied to the two sexes the great principle of political economy that dominates industry in our day.[18] They have carefully divided the functions of man and woman, so that the great work of society might be better done.

America is the country in the world where the most constant care has been taken to trace clearly separate lines of action for the two sexes, and where the wish has been that both should walk at an equal pace, but always along different paths. You do not see American women directing the external affairs of the family, running a business, or, in short, entering the political sphere; but neither do you meet any who are obliged to devote themselves to the hard labor of plowing, or to any of the strenuous exertions that call for physical strength. There are no families so poor as to be an exception to this rule. If the American woman cannot escape from the peaceful circle of domestic occupations, she is, on the other hand, never forced to leave it.

Hence American women, who often display a manly reason and a wholly virile energy, generally keep a very delicate appearance and always remain women in their manners, though they sometimes show themselves men in mind and heart.

Nor have the Americans ever imagined that the consequence of democratic principles was to overthrow marital power and introduce a confusion of authority into the family. They thought that every association, to be effective, must have a head, and that the natural head of the conjugal association was the man. They therefore do not deny him the right to direct his partner; and they believe that in the small society of husband and wife, as in the great political society, the object of democracy is to regulate and legitimize necessary powers, not to destroy all power.

This opinion is not peculiar to one sex and opposed by the other.

I have not noticed that American women regarded conjugal authority as a successful usurpation of their rights, or that they

18 The principle meant is the division of labor, made famous by Adam Smith's *Wealth of Nations* (1776).

believed it demeaning to submit to it. On the contrary, I seemed to see that they took a kind of pride in the voluntary surrender of their will, and that they placed their greatness in bending to the yoke of their own accord, not in escaping it. That, at least, is the sentiment expressed by the most virtuous; the others keep silent, and in the United States one does not hear an adulterous wife noisily claiming the rights of woman while trampling underfoot her most sacred duties.

It has often been remarked that in Europe a certain contempt can be detected even amid the flattery that men lavish on women: although the European often makes himself the slave of woman, one sees that he never sincerely believes her his equal.

In the United States, women are hardly ever praised; but they are shown every day that they are esteemed.

The Americans constantly show full confidence in the reason of their partner and a deep respect for her liberty. They judge that her mind is as capable as man's of discovering the naked truth, and her heart firm enough to follow it; and they have never sought to shelter the virtue of the one any more than that of the other from prejudice, ignorance, or fear.

It seems that in Europe, where people submit so readily to the despotic sway of women, they nonetheless deny them some of the greatest attributes of the human species and regard them as seductive but incomplete beings. And what one cannot wonder at enough is that women themselves end up seeing themselves in the same light, and are not far from regarding as a privilege the license left them to show themselves frivolous, weak, and timid. American women claim no such rights.

On the other hand, one would say that, in matters of morals, we have granted man a sort of singular immunity, so that there is, as it were, one virtue for his use and another for his partner's, and that, according to public opinion, the same act may be by turns a crime or merely a fault.

The Americans know nothing of this iniquitous division of duties and rights. Among them, the seducer is as dishonored as his victim.

It is true that the Americans rarely show women the eager attentions with which people in Europe like to surround them; but their conduct always shows that they assume women to be virtuous and refined. They have such great respect for women's moral freedom that in their presence everyone watches his words carefully, lest they be forced to hear language that offends them. In America, a young woman undertakes a long journey alone and without fear.

The legislators of the United States, who have softened almost every provision of the penal code, punish rape with death; and there is no crime that public opinion pursues with more relentless zeal. This is understandable. The Americans can conceive of nothing more precious than a woman's honor, and nothing so deserving of respect as her independence. They therefore consider no punishment too severe for those who take these from her against her will.

In France, where the same crime carries much milder penalties, it is often hard to find a jury that will convict. Is this contempt for modesty, or contempt for women? I cannot help believing that it is both.

Thus the Americans do not believe that man and woman have either the duty or the right to do the same things. But they show the same esteem for the role of each, and they regard them as beings of equal worth, though their destinies differ. They do not give a woman's courage the same form or the same use as a man's, but they never doubt her courage. And if they consider that a man and his companion should not always use their intelligence and their reason in the same way, they judge, at least, that the reason of the one is as sound as that of the other, and her intelligence as clear.

The Americans, who have allowed the inferiority of woman to persist in society, have thus done all in their power to raise her to the level of man in the intellectual and moral world. In this, they seem to me to have admirably understood the true notion of democratic progress.

For my part, I will not hesitate to say it: although in the United States a woman hardly ever leaves the domestic circle, and is in some respects very dependent within it, nowhere has her position seemed to me higher. I am now nearing the end of this book, in which I have shown so many considerable things done by the Americans. If someone were to ask me to what I think the singular prosperity and growing strength of this people should chiefly be attributed, I would answer that it is to the superiority of its women.

CHAPTER 13: HOW EQUALITY NATURALLY DIVIDES THE AMERICANS INTO A MULTITUDE OF SMALL PRIVATE SOCIETIES (COMMENT L'ÉGALITÉ DIVISE NATURELLEMENT LES AMÉRICAINS EN UNE MULTITUDE DE PETITES SOCIÉTÉS PARTICULIÈRES)

Equal citizens who mix in public life still sort themselves into small private circles.

2.3.13 One might be inclined to think that the ultimate consequence and necessary effect of democratic institutions is to mingle citizens together in private life as well as in public life, and to force them all to lead a common existence.

That is to understand the equality democracy gives rise to in a very crude and very tyrannical form.

There is no social state and no set of laws that can make men so alike that education, fortune, and tastes do not put some difference between them. And if different men may sometimes find it in their interest to do the same things in common, we must believe that they will never find their pleasure in it. So whatever is done, they will always slip out of the legislator's hand. Escaping at some point from the circle in which one seeks to enclose them, they will set up, alongside the great political society, small private societies bound together by similarity of conditions, habits, and mores.

In the United States, citizens have no preeminence over one another; they owe one another neither obedience nor respect. Together they administer justice and govern the state, and in

general they all come together to deal with the affairs that bear on their common destiny. But I have never heard it said that anyone claimed to bring them all to amuse themselves in the same way, or to make merry together indiscriminately in the same places.

The Americans, who mingle so easily within the walls of political assemblies and courts, divide themselves, on the contrary, with great care into small and very distinct associations, in order to enjoy the pleasures of private life apart. Each of them willingly acknowledges all his fellow citizens as his equals, but he never admits more than a very small number of them as his friends and guests.

This seems to me very natural. As the circle of public society widens, we must expect the sphere of private relations to contract. Instead of imagining that the citizens of the new societies will end up living in common, I rather fear that they will finally come to form nothing but very small cliques.

Among aristocratic peoples, the various classes are like vast enclosures, which one cannot leave and cannot enter. The classes do not communicate with one another; but within each of them, men are bound to deal with one another every day. Even when they would not naturally suit one another, the general fitness of a common condition draws them together.

But when neither law nor custom takes it upon itself to establish frequent and habitual relations between certain men, the chance resemblance of opinions and inclinations decides the matter. This makes private societies endlessly varied.

In democracies, citizens never differ much from one another, and they are naturally so close that at any moment they may all be merged into a common mass. There a multitude of artificial and arbitrary classifications arise, by means of which each person seeks to set himself apart, for fear of being swept into the crowd against his will.

It can never be otherwise; for human institutions can be changed, but not man. Whatever the general effort of a society to make citizens equal and alike, the private pride of individuals

will always seek to escape the common level, and will want to create, somewhere, an inequality from which it profits.

In aristocracies, men are separated from one another by high, immovable barriers; in democracies, they are divided by a multitude of small, almost invisible threads, which are broken at every moment and constantly moved about.

Thus, whatever the progress of equality, a great number of small private associations will always form among democratic peoples in the midst of the great political society. But none of them will resemble, in its manners, the upper class that leads aristocracies.

CHAPTER 14: SOME REFLECTIONS ON AMERICAN MANNERS (QUELQUES RÉFLEXIONS SUR LES MANIÈRES AMÉRICAINES)

Democratic manners are less refined and less dignified than aristocratic ones, but more sincere.

2.3.14 At first sight nothing seems less important than the outward form of human actions, and there is nothing to which men attach more value. They grow used to everything except living in a society that does not have their manners. The influence that the social and political state exerts on manners is therefore worth examining seriously.

Manners spring, in general, from the very depths of mores; and they also sometimes result from an arbitrary convention among certain men. They are at once natural and acquired.

Some men find that they are first without dispute and without effort. Every day they have great matters before their eyes to occupy them, and they leave the details to others. They live amid a wealth they did not acquire and do not fear to lose. One can understand that such men feel a kind of lofty disdain for the petty interests and material cares of life, and that there is a natural grandeur in their thought that their words and manners reveal.

In democratic countries, manners usually have little grandeur, because private life there is very small. They are often

vulgar, because thought has few occasions there to rise above preoccupation with domestic interests.

True dignity of manners consists in always appearing in one's place, neither higher nor lower; that is within reach of the peasant as much as of the prince. In democracies all places seem uncertain; hence manners there, which are often proud, are seldom dignified. Moreover, they are never very well regulated or very studied.

Men who live in democracies are too mobile for any number of them to succeed in establishing a code of etiquette and in making sure that it is followed. So each person acts more or less as he pleases. There is always a certain incoherence in manners, because they conform to each person's individual feelings and ideas rather than to an ideal model set in advance for everyone to imitate.

Still, this is far more noticeable just after aristocracy has fallen than when it has long been destroyed.

At such a time, new political institutions and new mores bring together in the same places men whom education and habits still make enormously unlike, and they often force these men to live in common. This constantly brings out glaring incongruities. People still remember that a precise code of politeness once existed; but they no longer know either what it contains or where it is to be found. Men have lost the common law of manners, and they have not yet made up their minds to do without it. Instead, each strives to form some arbitrary and changing rule out of the remnants of old customs. As a result, manners have neither the regularity and grandeur they often display among aristocratic peoples, nor the simple and free turn one sometimes notices in them in democracy; they are at once constrained and unconstrained.

That is not the normal state.

When equality is complete and long-established, all men have roughly the same ideas and do roughly the same things, so they have no need to agree or to copy one another in order to act and speak in the same way. One constantly sees a multitude of

small dissimilarities in their manners, but no great differences. They never resemble one another perfectly, because they do not have the same model; they are never very unlike, because they have the same condition. At first sight, one would say that the manners of all Americans are exactly alike. Only on very close inspection does one notice the particulars in which they all differ.

The English have made great sport of American manners. What is peculiar is that most of those who have painted such an amusing picture of them for us belonged to the English middle classes, to whom that same picture applies very well. So these merciless detractors usually present an example of what they criticize in the United States; they do not notice that they are mocking themselves, to the great delight of their country's aristocracy.[19]

Nothing does democracy more harm than the outward form of its mores. Many people who could readily put up with its vices cannot bear its manners.

I cannot accept, however, that there is nothing to praise in the manners of democratic peoples.

In aristocratic nations, all those who are close to the first class usually try hard to resemble it, which produces very ridiculous and very dull imitations. If democratic peoples do not have the model of grand manners among them, they at least escape having to see poor copies of it every day.

In democracies, manners are never as refined as among aristocratic peoples; but neither do they ever appear so coarse. One hears there neither the crude language of the populace nor the noble and select expressions of great lords. There is often triviality in mores, but no brutality or baseness.

I have said that in democracies no precise code of etiquette can take shape. This has its drawback and its advantages. In aristocracies, the rules of propriety impose the same appearance on

19 Tocqueville likely has in mind English travel books such as Frances Trollope's *Domestic Manners of the Americans* (1832) and Basil Hall's *Travels in North America* (1829).

everyone; they make all members of the same class alike, despite their particular inclinations; they adorn natural character and hide it. Among democratic peoples, manners are neither as studied nor as regular, but they are often more sincere. They form a kind of light, loosely woven veil, through which each man's true feelings and individual ideas can easily be seen. Thus the form and the substance of human actions there often stand in close relation, and if the great picture of humanity is less ornate, it is truer. And so, in one sense, one may say that the effect of democracy is not exactly to give men certain manners, but to keep them from having manners.

One can sometimes find in a democracy the feelings, passions, virtues, and vices of aristocracy, but not its manners. These are lost and vanish beyond recall once the democratic revolution is complete.

It seems that there is nothing more lasting than the manners of an aristocratic class, for it keeps them for some time after losing its property and its power. Yet there is nothing so fragile, for scarcely have they disappeared when no trace of them remains, and it is hard to say what they were once they are gone. A change in the social state works this marvel; a few generations are enough.

The principal features of aristocracy remain engraved in history after aristocracy is destroyed, but the delicate and light forms of its mores vanish from men's memory almost as soon as it falls. Men cannot conceive of them once they no longer have them before their eyes. These forms slip away from them without their seeing or feeling it. For to experience the kind of refined pleasure that distinguished and select manners afford, habit and education must have prepared the heart for it, and one easily loses the taste for it along with the practice.

Thus democratic peoples not only cannot have the manners of aristocracy; they neither conceive of them nor desire them. They do not imagine them; for them, it is as if those manners had never existed.

One should not attach too much importance to this loss; but one may be allowed to regret it.

I know that more than once the same men have had very distinguished mores and very vulgar feelings; the inner life of courts has shown clearly enough that grand exteriors could often hide very base hearts. But if aristocratic manners did not create virtue, they sometimes adorned virtue itself. It was no ordinary spectacle, that of a numerous and powerful class in which all the outward acts of life seemed at every moment to reveal a natural loftiness of feeling and thought, a delicacy and regularity of taste, and an urbanity of mores.

The manners of the aristocracy gave fine illusions about human nature; and although the picture was often false, one felt a noble pleasure in looking at it.

CHAPTER 15: ON THE GRAVITY OF THE AMERICANS, AND WHY IT DOES NOT KEEP THEM FROM OFTEN DOING RASH THINGS (DE LA GRAVITÉ DES AMÉRICAINS ET POURQUOI ELLE NE LES EMPÊCHE PAS DE FAIRE SOUVENT DES CHOSES INCONSIDÉRÉES)

Americans are grave because they are absorbed in serious affairs, and rash because they attend to each only briefly.

2.3.15 People who live in democratic countries do not value the simple, boisterous, and coarse amusements in which the common people indulge in aristocracies; they find them childish or dull. Nor do they show much more taste for the intellectual and refined amusements of the aristocratic classes. They need something productive and substantial in their pleasures, and they want real enjoyments mixed in with their merriment.

In aristocratic societies, the people readily give themselves up to bursts of tumultuous and noisy gaiety that suddenly tear them away from the contemplation of their miseries. The inhabitants of democracies do not like to feel themselves dragged so violently out of themselves, and it is always with regret that they lose sight of themselves. To such frivolous transports they prefer

grave and silent relaxations that resemble business and do not make them forget it entirely.

Many an American, instead of going out in his leisure hours to dance merrily in the public square, as people of his trade still do in a large part of Europe, withdraws alone into the depths of his house to drink. This man enjoys two pleasures at once: he thinks about his business, and he gets respectably drunk at home with his family.

I used to believe that the English were the most serious nation on earth, but I have seen the Americans, and I have changed my mind.

I do not mean that temperament does not count for a great deal in the character of the inhabitants of the United States. I think, however, that political institutions contribute to it even more.

I believe the gravity of the Americans springs in part from their pride. In democratic countries even the poor man has a high idea of his personal worth. He contemplates himself with satisfaction and readily believes that others are looking at him. In this frame of mind he watches his words and his actions carefully, and he does not let himself go, for fear of revealing what he lacks. He imagines that to appear dignified he must remain grave.

But I see another cause, more intimate and more powerful, that instinctively produces in the Americans this gravity that so astonishes me.

Under despotism, peoples give way from time to time to outbursts of wild joy; but in general they are gloomy and withdrawn, because they are afraid.

In absolute monarchies tempered by custom and mores, they often display an even and cheerful temper, because, having some liberty and a fair degree of security, they are kept away from the weightiest cares of life. But all free peoples are grave, because their minds are habitually absorbed in the prospect of some dangerous or difficult undertaking.

This is especially so among free peoples constituted as democracies. There are then, in every class, countless people constantly preoccupied with the serious affairs of government; and those who give no thought to directing the public fortune are wholly given over to the cares of increasing their private fortunes. Among such a people, gravity is no longer peculiar to certain individuals; it becomes a national habit.

People speak of the small democracies of antiquity, whose citizens went to the public square wearing garlands of roses and spent almost all their time in dances and spectacles. I no more believe in such republics than in Plato's; or, if things really went on there as we are told, I do not hesitate to assert that these so-called democracies were made up of elements very different from ours, and had nothing in common with ours but the name.[20]

It should not be thought, moreover, that in the midst of all their labors the people who live in democracies consider themselves to be pitied; the contrary is what one observes. No men are more attached to their condition than they are. They would find life tasteless if they were freed from the cares that torment them, and they show themselves more attached to their worries than aristocratic peoples are to their pleasures.

I ask myself why these same democratic peoples, who are so grave, sometimes behave so rashly.

The Americans, who almost always keep a composed bearing and a cool manner, nevertheless often let themselves be carried far beyond the bounds of reason by a sudden passion or an ill-considered opinion, and they sometimes commit, in all seriousness, remarkable acts of folly.

This contrast should not surprise us.

There is a kind of ignorance that springs from extreme openness. In despotic states, men do not know how to act because they are told nothing; in democratic nations, they often act at random because there has been an effort to tell them everything. The former do not know; the latter forget. The main

20 Plato's *Republic* describes an ideal city that Tocqueville treats as imaginary.

features of each picture vanish for them amid the multitude of details.

One is astonished at all the imprudent remarks a public man sometimes allows himself in free states, and above all in democratic states, without being compromised by them; whereas in absolute monarchies a few words that slip out by chance are enough to expose him forever and ruin him beyond recovery.

This is explained by what precedes. When one speaks in the midst of a great crowd, many words go unheard, or are at once erased from the memory of those who hear them; but in the silence of a mute and motionless multitude, the faintest whispers strike the ear.

In democracies, men are never settled; a thousand chances keep making them change place, and there almost always reigns in their lives something unforeseen and, so to speak, improvised. So they are often forced to do what they have learned badly, to speak about what they hardly understand, and to take up work for which no long apprenticeship has prepared them.

In aristocracies, each man has only one goal, which he pursues unceasingly; but among democratic peoples, a man's existence is more complicated. It is rare for the same mind not to embrace several objects at once, and often objects quite foreign to one another. Since he cannot know them all well, he is easily satisfied with imperfect notions.

When the inhabitant of a democracy is not pressed by his needs, he is at least pressed by his desires; for among all the goods around him, he sees none that is entirely beyond his reach. So he does everything in haste, constantly settles for approximations, and never stops for more than a moment to consider each of his actions.

His curiosity is at once insatiable and cheaply satisfied; for he cares more about knowing a great deal quickly than about knowing well.

He hardly has the time, and soon loses the taste, for going deeply into things.

Thus democratic peoples are grave because their social and political state constantly leads them to occupy themselves with serious matters; and they act rashly because they give only a little time and attention to each of these matters.

The habit of inattention must be considered the greatest vice of the democratic mind.

CHAPTER 16: WHY THE NATIONAL VANITY OF THE AMERICANS IS MORE RESTLESS AND MORE QUARRELSOME THAN THAT OF THE ENGLISH (POURQUOI LA VANITÉ NATIONALE DES AMÉRICAINS EST PLUS INQUIÈTE ET PLUS QUERELLEUSE QUE CELLE DES ANGLAIS)

American national vanity is restless and demanding, while English pride is calm and aloof.

2.3.16 All free peoples show themselves proud of themselves; but national pride does not manifest itself in the same way among all of them.

The Americans, in their dealings with foreigners, seem impatient of the slightest criticism and insatiable for praise. The faintest compliment pleases them, and the greatest rarely suffices to satisfy them. They badger you at every moment to get you to praise them; and if you resist their entreaties, they praise themselves. One would say that, doubting their own merit, they want to have a picture of it before their eyes at every instant. Their vanity is not only greedy; it is restless and envious. It grants nothing while constantly demanding. It begs and quarrels at once.

[Note] If we set aside all those who do not think and those who dare not say what they think, we will still find that the immense majority of Americans appears satisfied with the political institutions that govern it; and in fact I believe it is. I regard this state of public opinion as an indication, but not as a proof, of the absolute goodness of American laws. National pride, the satisfaction that legislation gives to certain dominant passions, chance events, unnoticed vices, and above all the interest of a majority that silences its opponents, can for a long time deceive a whole people as well as a single man.

> Look at England throughout the eighteenth century. Did any nation ever lavish more incense on itself? Was any people ever more perfectly pleased with itself? Everything in its constitution was good then, everything was beyond reproach, down to its most visible defects. Today a multitude of Englishmen seem occupied only with proving that this same constitution was defective in a thousand places. Who was right, the English people of the last century or the English people of our day?
>
> The same thing happened in France. It is certain that under Louis XIV the great mass of the nation was passionately attached to the form of government that then ruled society. Those who believe that the French character was debased at that time are greatly mistaken. In that century there may have been servitude in France in certain respects, but the spirit of servitude was certainly not there. The writers of the time felt a kind of genuine enthusiasm in raising royal power above all others, and even the obscure peasant in his cottage took pride in the glory of the sovereign and died gladly crying: "Long live the king!"[21]
>
> These same forms have become odious to us. Who was mistaken, the French of Louis XIV or the French of our day?
>
> So it is not on the dispositions of a people alone that one must rely in judging its laws, since these dispositions change from one century to the next, but on higher grounds and a more general experience.
>
> The love a people shows for its laws proves only one thing: that one should not be in a hurry to change them.

I tell an American that the country he lives in is beautiful; he replies: "True, there is none like it in the world!" I admire the liberty its inhabitants enjoy, and he answers: "Liberty is a precious gift! But very few peoples are worthy of enjoying it." I remark on the purity of morals that reigns in the United States: "I can understand," he says, "that a foreigner who has been struck by the corruption visible in all other nations should be astonished at this sight. " At last I leave him to the contemplation of himself; but he comes back to me and does not let me go until he has managed to make me repeat what I have just said to him. One could not imagine a more tiresome and talkative patriotism. It wearies even those who respect it.

It is not so with the English. The Englishman calmly enjoys the advantages, real or imaginary, that in his eyes his country

possesses. If he grants nothing to other nations, neither does he ask anything for his own. The criticism of foreigners does not move him, and their praise hardly flatters him. He keeps toward the whole world a reserve full of disdain and ignorance. His pride needs no nourishment; it lives on itself.

That two peoples so recently sprung from the same stock should show themselves so opposed to each other in their way of feeling and speaking is remarkable.

In aristocratic countries, the great possess immense privileges, on which their pride rests without seeking to feed on the petty advantages connected with them. Since these privileges came to them by inheritance, they regard them in some sense as a part of themselves, or at least as a natural right inherent in their persons. They therefore have a calm sense of their superiority; they do not think of boasting of prerogatives that everyone perceives and no one denies them. They are not astonished enough by them to talk about them. They remain motionless amid their solitary grandeur, sure that everyone sees them there without their trying to display themselves, and that no one will attempt to dislodge them.

When an aristocracy conducts public affairs, its national pride naturally takes this reserved, unconcerned, and haughty form, and all the other classes of the nation imitate it.

When, on the contrary, conditions differ little, the slightest advantages matter. Since each person sees around him a million people who possess advantages quite similar or comparable, pride becomes demanding and jealous; it fastens on trifles and defends them stubbornly.

In democracies, since conditions are very fluid, men have almost always acquired recently the advantages they possess. This makes them take infinite pleasure in displaying them, to show others and to assure themselves that they enjoy them; and since at any moment these advantages may slip away from them, they are constantly in alarm and strive to show that they

21 Louis XIV reigned as king of France from 1643 to 1715, the high point of absolute monarchy.

still hold them. Men who live in democracies love their country in the same way they love themselves, and they carry the habits of their private vanity over into their national vanity.

The restless and insatiable vanity of democratic peoples is so bound up with the equality and fragility of conditions that the members of the proudest nobility show exactly the same passion in those small portions of their existence where there is something unstable and contested.

An aristocratic class always differs profoundly from the other classes of the nation in the extent and permanence of its prerogatives; but it sometimes happens that some of its members differ from one another only by small, fleeting advantages that they may lose and gain every day.

The members of a powerful aristocracy have been seen, gathered in a capital or at a court, fiercely contending there for the frivolous privileges that depend on the whims of fashion or the will of the master. They then displayed toward one another precisely the same childish jealousies that drive the men of democracies, the same eagerness to seize the slightest advantages their equals disputed with them, and the same need to display to every eye those they enjoyed.

If courtiers ever took it into their heads to have national pride, I have no doubt they would display one exactly like that of democratic peoples.

CHAPTER 17: HOW THE FACE OF SOCIETY IN THE UNITED STATES IS AT ONCE AGITATED AND MONOTONOUS (COMMENT L'ASPECT DE LA SOCIÉTÉ, AUX ÉTATS-UNIS, EST TOUT À LA FOIS AGITÉ ET MONOTONE)

American society seems constantly agitated, yet monotonous, because the love of wealth drives almost everything.

2.3.17 It seems that nothing is better suited to arouse and feed curiosity than the sight of the United States. Fortunes, ideas, and laws there are constantly changing. One would say that motionless nature itself is in motion, so much is it transformed every day by the hand of man.

In the long run, however, the sight of this restless society seems monotonous, and after contemplating this shifting scene for a while the onlooker grows bored.

Among aristocratic peoples, each man is more or less fixed in his sphere, but men are prodigiously unlike one another. Their passions, ideas, habits, and tastes are fundamentally different. Nothing moves there; everything differs.

In democracies, by contrast, all men are alike and do more or less the same things. They are subject, it is true, to great and constant changes of fortune. But since the same successes and the same setbacks keep coming around, only the names of the actors change; the play is the same. The face of American society is agitated, because men and things change constantly; and it is monotonous, because all the changes are alike.

Men who live in democratic times have many passions, but most of their passions end in the love of wealth or arise from it. This is not because their souls are smaller, but because money really matters more in such times.

When citizens are all independent and indifferent to one another, the cooperation of each can be obtained only by paying for it. This multiplies the uses of wealth without limit and raises its value.

Once the prestige that clung to old things has vanished, birth, rank, and profession no longer distinguish men, or barely do. Little remains but money to create very visible differences among them and to set a few apart from all the rest. The distinction that springs from wealth grows as all the others disappear or diminish.

Among aristocratic peoples, money leads to only a few points on the vast circumference of desire; in democracies it seems to lead to them all.

So the love of wealth is usually found, as a principal or a secondary motive, at the bottom of what Americans do. This gives all their passions a family likeness and soon makes the spectacle of them tiresome.

This perpetual return of the same passion is monotonous; so are the particular methods this passion uses to satisfy itself.

In a settled and peaceful democracy like that of the United States, where one cannot grow rich through war, public office, or political confiscations, the love of wealth steers men chiefly toward industry. Now industry, which often brings such great disorders and such great disasters, can nevertheless prosper only through very regular habits and a long succession of small, very uniform acts. The livelier the passion, the more regular the habits and the more uniform the acts. One may say that it is the very violence of their desires that makes Americans so methodical. It troubles their souls, but it orders their lives.

What I say of America applies, moreover, to almost all the men of our day. Variety is vanishing from the human race; the same ways of acting, thinking, and feeling are found in every corner of the world. This is not only because all peoples deal with one another more and copy one another more faithfully. It is because in each country men, drifting ever further from the ideas and feelings peculiar to a caste, a profession, or a family, arrive at the same time at what lies closest to the constitution of man, which is everywhere the same. They thus become alike, though they have not imitated one another. They are like travelers scattered through a great forest whose paths all lead to a single point. If they all catch sight of the central point at once and turn their steps toward it, they draw imperceptibly closer to one another, without seeking, seeing, or knowing one another, and in the end they will be surprised to find themselves gathered in the same place. All peoples who take as the object of their study and imitation not this or that man but man himself will end by meeting in the same mores, like those travelers at the clearing where the paths converge.

CHAPTER 18: ON HONOR IN THE UNITED STATES AND IN DEMOCRATIC SOCIETIES (DE L'HONNEUR AUX ÉTATS-UNIS ET DANS LES SOCIÉTÉS DÉMOCRATIQUES)

Honor is defined as the particular code of a people or class, illustrated by feudal honor.

2.3.18 It seems that men use two quite distinct methods in the public judgment they pass on the actions of their fellows. Sometimes they judge them by the simple notions of just and unjust that are spread over the whole earth; sometimes they assess them by very particular notions that belong to only one country and one era. These two rules often differ; sometimes they conflict; but they never entirely merge, nor do they destroy each other.

[1] The word *honneur* is not always taken in the same sense in French.

1. It means, first, the esteem, glory, and regard that one obtains from one's fellows: it is in this sense that one speaks of *winning honor*;

2. Honor also means the body of rules by which one obtains this glory, esteem, and regard. Thus one says *that a man has always strictly conformed to the laws of honor; that he has betrayed his honor*. In writing the present chapter, I have always taken the word *honor* in this latter sense.

At the height of its power, honor governs the will more than belief. Even when men submit to its commands without hesitation or complaint, they still feel, by a kind of obscure but powerful instinct, that there exists a more general, older, and holier law, which they sometimes disobey without ceasing to know it. There are actions that have been judged at once upright and dishonorable. Refusing a duel has often been such a case.

I believe these phenomena can be explained otherwise than by the whims of certain individuals and certain peoples, as has been done until now.

The human race has permanent and general needs, which have given rise to moral laws; to the breach of these laws all men, everywhere and always, have naturally attached the idea

of blame and shame. To evade them they have called *doing wrong*; to submit to them, *doing right*.

Within the vast human association, moreover, narrower associations take shape, which are called peoples; and within these, still smaller ones, which are called classes or castes.

Each of these associations forms something like a particular species within the human race. Although it does not differ essentially from the mass of mankind, it holds itself somewhat apart and has needs of its own. It is these special needs that modify to some degree, and in certain countries, the way of looking at human actions and the esteem in which they should be held.

The general and permanent interest of the human race is that men not kill one another. But it may happen that the particular and momentary interest of a people or a class is, in certain cases, to excuse and even to honor homicide.

Honor is nothing other than this particular rule, founded on a particular state of things, by which a people or a class hands out blame or praise.

Nothing is more unproductive for the human mind than an abstract idea. I therefore hasten toward the facts. An example will bring my meaning to light.

I shall choose the most extraordinary kind of honor that has ever appeared in the world, and the one we know best: the aristocratic honor born within feudal society. I shall explain it by what has just been said, and I shall explain what has just been said by it.

I need not inquire here when and how the aristocracy of the Middle Ages arose, why it had cut itself off so sharply from the rest of the nation, or what had founded and strengthened its power. I find it standing, and I seek to understand why it viewed most human actions in so peculiar a light.

What strikes me first is that in the feudal world actions were not always praised or blamed according to their intrinsic worth. Sometimes they were valued solely in relation to the person who performed them or the person they were done to, which offends

the general conscience of mankind. Thus certain acts were of no consequence when done by a commoner, yet dishonored a noble; others changed character depending on whether the person who suffered from them belonged to the aristocracy or lived outside it.

When these various opinions arose, the nobility formed a body apart within the people, which it dominated from the inaccessible heights to which it had withdrawn. To maintain this particular position, which was the source of its strength, it needed more than political privileges: it needed virtues and vices for its own use.

That this virtue or that vice should belong to the nobility rather than to commoners; that a given action should be of no consequence when done to a villein, or reprehensible when a noble was concerned—this was often arbitrary. But that honor or shame should be attached to a man's actions according to his rank followed from the very constitution of an aristocratic society. This has indeed been seen in every country that has had an aristocracy. As long as a single trace of one remains, these oddities reappear: seducing a woman of color barely harms an American's reputation; marrying her dishonors him.

In some cases feudal honor prescribed revenge and branded the forgiveness of injuries as shameful; in others it commanded men imperiously to master themselves and enjoined self-forgetfulness. It did not make a law of humanity or gentleness, but it extolled generosity. It valued liberality more than beneficence. It allowed men to grow rich by gambling or by war, but not by work. It preferred great crimes to small gains. Greed offended it less than miserliness; violence often pleased it, while cunning and treachery always seemed contemptible to it.

These strange notions were not born of the mere whim of those who conceived them.

A class that has managed to place itself at the head of and above all the others, and that strives constantly to keep that supreme rank, must especially honor the virtues that have grandeur and brilliance and that combine easily with pride and

the love of power. It does not hesitate to upset the natural order of conscience in order to put those virtues before all others. One can even understand why it readily raises certain bold and dazzling vices above the quiet and modest virtues. Its condition in a sense compels it to do so.

Ahead of all the virtues, and in place of many of them, the nobles of the Middle Ages put military courage.

This too was a peculiar opinion that arose necessarily from the peculiarity of the social state.

The feudal aristocracy was born by war and for war. It had found its power in arms and maintained it by arms. Nothing, then, was more necessary to it than military courage, and it was natural that it should glorify that courage above everything else. Whatever displayed it outwardly, even at the expense of reason and humanity, was therefore approved and often commanded by the aristocracy. Human whim showed itself only in the details.

That a man should regard a slap on the cheek as an enormous insult and be obliged to kill, in single combat, the one who had struck him so lightly—that is the arbitrary part. But that a noble could not calmly accept an insult and was dishonored if he let himself be struck without fighting—this followed from the very principles and needs of a military aristocracy.

It was therefore true, up to a point, to say that honor behaved capriciously; but the caprices of honor were always confined within certain necessary limits. This particular rule, which our forefathers called honor, is so far from seeming to me an arbitrary law that I would readily undertake to trace its most incoherent and bizarre prescriptions back to a small number of fixed and unchanging needs of feudal societies.

If I followed feudal honor into the field of politics, I would have no more trouble explaining its conduct there.

The social state and political institutions of the Middle Ages were such that the national power never governed the citizens directly. In their eyes it hardly existed; each knew only a certain man whom he was bound to obey. It was through that man that,

without knowing it, each was connected to all the others. In feudal societies, then, the whole public order turned on the feeling of loyalty to the very person of the lord. Once that was destroyed, one fell at once into anarchy.

Loyalty to the political chief was, moreover, a feeling whose value every member of the aristocracy saw daily, for each of them was at once lord and vassal and had to command as well as obey.

To remain loyal to one's lord, to sacrifice oneself for him if need be, to share his fortune good or bad, to help him in his undertakings whatever they might be—such were the first prescriptions of feudal honor in political matters. A vassal's betrayal was condemned by opinion with extraordinary severity. A specially infamous name was created for it: it was called *felony*.[22]

By contrast, one finds in the Middle Ages only slight traces of a passion that was the very life of ancient societies. I mean patriotism. The very word patriotism is not old in our language[23].

Feudal institutions hid the fatherland from view; they made love of it less necessary. They made men forget the nation by inspiring passion for a man. So one does not find that feudal honor ever made it a strict law to remain loyal to one's country.

It is not that love of country did not exist in our forefathers' hearts; but there it formed only a kind of weak and obscure instinct, which has grown clearer and stronger as classes have been destroyed and power centralized.

This is clearly shown by the opposite judgments that the peoples of Europe pass on the various events of their history, depending on the generation doing the judging. What chiefly dishonored the Constable of Bourbon in the eyes of his contemporaries was that he bore arms against his king; what dishonors

22 In feudal law, felony originally meant a vassal's breach of faith toward his lord, which could cost him his fief.

23 TOCQUEVILLE'S NOTE. The word *patrie* itself does not appear in French authors until the sixteenth century.

TRANSLATOR'S NOTE. *Patrie*: fatherland, homeland.

him most in our eyes is that he made war on his country. We condemn him as much as our ancestors did, but for other reasons.[24]

To clarify my meaning, I chose feudal honor because feudal honor has more sharply marked features, and is better known, than any other. I could have taken my example elsewhere; I would have reached the same goal by another road.

Although we know the Romans less well than we know our own ancestors, we know nonetheless that they held particular opinions about glory and dishonor that did not derive solely from general notions of good and evil. Many human actions were viewed there in a different light depending on whether a citizen or a foreigner, a free man or a slave, was concerned; certain vices were glorified, and certain virtues had been raised above all others.

"Now in those days," says Plutarch in the *Life of Coriolanus*, "prowess was honored and prized in Rome above all the other virtues. Proof of this is that it was called *virtus*, the very name of virtue, the name of the general kind being given to one particular species. So much so that virtue in Latin was as much as to say valor." Who does not recognize here the particular need of that singular association which had been formed for the conquest of the world?[25]

Every nation will lend itself to similar observations; for, as I said above, whenever men gather into a particular society, an honor is immediately established among them—that is, a body of opinions of their own about what ought to be praised or blamed; and these particular rules always have their source in the special habits and the special interests of the association.

24 Charles III, Duke of Bourbon (1490–1527), Constable of France, went over to Emperor Charles V and fought against Francis I, notably at Pavia in 1525.
25 Tocqueville quotes the 16th-century French translation of Plutarch's *Lives* by Jacques Amyot.

This applies, to a certain extent, to democratic societies as well as to others. We shall find proof of it among the Americans[26].

AMERICAN HONOR

American honor prizes work, commercial daring, chastity and enterprising courage over military valor.

Scattered among the opinions of the Americans, one still comes across a few stray notions from the old aristocratic honor of Europe. These traditional opinions are very few in number; they have little root and little power. They are a religion of which a few temples are left standing, but in which people no longer believe.

Amid these half-effaced notions of an imported honor, a few new opinions appear which constitute what might be called, in our day, American honor.

I have shown how the Americans are constantly driven toward commerce and industry. Their origin, their social state, their political institutions, the very place they inhabit draw them irresistibly in that direction. For the present, then, they form an almost exclusively industrial and commercial association, set in the midst of a new and immense country which it is its principal object to exploit. Such is the characteristic feature that, in our day, most particularly distinguishes the American people from all others.

All the peaceful virtues that tend to give the social body a regular pace and to favor trade must therefore be especially honored among this people; and one cannot neglect them without falling into public contempt.

All the turbulent virtues, which often bring luster to society but still more often bring disorder, occupy, on the contrary, a subordinate rank in the opinion of this same people. One can

26 TOCQUEVILLE'S NOTE. I am speaking here of the Americans who live in the regions where slavery does not exist. They are the only ones who can present the complete picture of a democratic society.

neglect them without losing the esteem of one's fellow citizens, and one would perhaps risk losing it by acquiring them.

The Americans make no less arbitrary a classification among the vices.

There are certain inclinations, condemnable in the eyes of the general reason and the universal conscience of mankind, which happen to agree with the particular and temporary needs of the American association; and it disapproves of them only feebly, and sometimes it praises them. I will cite in particular the love of wealth and the secondary inclinations connected with it. To clear, fertilize, and transform this vast uninhabited continent which is his domain, the American needs the daily support of an energetic passion; that passion can only be the love of wealth. The passion for wealth is therefore not stigmatized in America, and, provided it does not exceed the limits that public order assigns to it, it is honored. The American calls noble and estimable ambition what our medieval forefathers called servile greed; just as he gives the name of blind and barbarous frenzy to the conquering ardor and warlike temper that threw them every day into new combats.

In the United States, fortunes are destroyed and rebuilt without difficulty. The country is boundless and full of inexhaustible resources. The people have all the needs and all the appetites of a growing being, and whatever efforts they make, they are always surrounded by more goods than they can seize. What is to be feared among such a people is not the ruin of a few individuals, soon repaired; it is the inactivity and softness of all. Boldness in industrial enterprises is the first cause of their rapid progress, their strength, their greatness. Industry is for them like a vast lottery in which a small number of men lose every day but in which the state constantly wins; such a people must therefore look favorably on boldness in industry and honor it. Now, every bold enterprise puts at risk the fortune of the man who undertakes it and the fortunes of all who trust him. The Americans, who make a sort of virtue of commercial rashness, cannot in any case stigmatize the rash.

Hence the remarkable indulgence shown in the United States toward the merchant who goes bankrupt: his honor does not suffer from such an accident. In this the Americans differ not only from the European peoples but from all the commercial nations of our day; and indeed, in their position and their needs, they resemble none of them.

In America, all the vices that tend to impair the purity of morals and destroy the conjugal union are treated with a severity unknown in the rest of the world. At first sight this contrasts strangely with the tolerance shown there on other points. One is surprised to find in the same people a morality at once so lax and so austere.

These things are not as incoherent as one supposes. Public opinion in the United States represses only mildly the love of wealth, which serves the industrial greatness and the prosperity of the nation; and it particularly condemns bad morals, which distract the human mind from the pursuit of well-being and disturb the internal order of the family, so necessary to success in business. To be esteemed by their fellows, the Americans are therefore compelled to submit to regular habits. It is in this sense that one can say they make it a point of honor to be chaste.

American honor agrees with the old honor of Europe on one point. It puts courage at the head of the virtues and makes it the greatest of moral necessities for a man; but it does not view courage in the same light.

In the United States, martial valor is little prized; the courage best known and most esteemed is the kind that makes a man brave the fury of the ocean to reach port sooner, and bear without complaint the hardships of the wilderness and solitude, crueler than all hardships; the courage that makes one almost insensible to the sudden collapse of a painfully acquired fortune and immediately prompts fresh efforts to build a new one. Courage of this kind is chiefly necessary to the maintenance and prosperity of the American association, and it is particularly

honored and glorified by it. One cannot show oneself lacking in it without dishonor.

I find one last feature: it will bring the idea of this chapter fully into relief.

In a democratic society like that of the United States, where fortunes are small and insecure, everyone works, and work leads to everything. This has turned the point of honor around and directed it against idleness.

In America I have sometimes met rich young men, by temperament averse to any strenuous effort, who were obliged to take up a profession. Their nature and their fortune allowed them to remain idle; public opinion imperiously forbade it, and it had to be obeyed. By contrast, among the European nations where aristocracy still struggles against the torrent carrying it away, I have often seen—I have seen, I repeat—men constantly spurred by their needs and desires remain idle so as not to lose the esteem of their equals, submitting more readily to boredom and straitened means than to work.

Who does not perceive in these two so contrary obligations two different rules which nevertheless both emanate from honor?

What our forefathers called honor par excellence was, in truth, only one of its forms. They gave a generic name to what was only a species. Honor is therefore found in democratic ages as in aristocratic times. But it will not be difficult to show that in the former it presents a different face.

WHY HONOR WEAKENS IN DEMOCRACIES

Tocqueville argues that honor's rules grow fewer, vaguer and weaker as inequality fades.

Not only are its prescriptions different; we shall see that they are fewer and less clear, and that its laws are followed more slackly.

A caste is always in a far more particular situation than a people. There is nothing more exceptional in the world than a small society always made up of the same families—like the aris-

tocracy of the Middle Ages, for example—whose object is to concentrate and retain within itself, exclusively and by inheritance, enlightenment, wealth, and power.

Now, the more exceptional a society's position, the more numerous its special needs, and the more the notions of its honor, which correspond to those needs, multiply.

The prescriptions of honor will therefore always be fewer among a people not divided into castes than among any other. If nations should come into being in which it is hard even to find classes, honor there will be confined to a small number of precepts, and these precepts will diverge less and less from the moral laws adopted by humanity at large.

Thus the prescriptions of honor will be less peculiar and less numerous in a democratic nation than in an aristocracy.

They will also be more obscure; this follows necessarily from what precedes.

Since the characteristic features of honor are fewer and less singular, they must often be hard to discern.

There are still other reasons.

Among the aristocratic nations of the Middle Ages, generations succeeded one another in vain; each family was like an immortal and perpetually motionless man; ideas there scarcely varied more than conditions.

Each man therefore always had the same objects before his eyes, which he viewed from the same standpoint; his eye gradually penetrated into the smallest details, and his perception could not fail, in the long run, to become clear and distinct. Thus not only did the men of feudal times have very extraordinary opinions that constituted their honor, but each of these opinions took a sharp and precise shape in their minds.

It can never be so in a country like America, where all the citizens are on the move; where society, modifying itself every day, changes its opinions along with its needs. In such a country one glimpses the rule of honor; one rarely has the leisure to look at it steadily.

Even if society were motionless, it would still be difficult to fix the meaning that should be given to the word honor.

In the Middle Ages, since each class had its own honor, the same opinion was never accepted at once by a very large number of men; this made it possible to give it a settled and precise form—all the more so because all who accepted it, occupying a perfectly identical and highly exceptional position, were naturally disposed to agree on the prescriptions of a law made for them alone.

Honor thus became a complete and detailed code, in which everything was foreseen and ordained in advance, and which offered human actions a fixed and ever-visible rule. In a democratic nation like the American people, where ranks are mingled and the whole of society forms a single mass whose elements are all alike without being entirely the same, there can never be exact agreement in advance on what honor permits and forbids.

There do exist among this people certain national needs that give rise to common opinions in matters of honor; but such opinions never present themselves at the same time, in the same manner, and with equal force to the minds of all citizens; the law of honor exists, but it often lacks interpreters.

The confusion is much greater still in a democratic country like ours, where the different classes that made up the old society, having come to mix without yet being able to merge, daily carry into one another's midst the diverse and often contrary notions of their honor; where each man, following his whims, abandons part of his fathers' opinions and keeps the rest; so that, amid so many arbitrary standards, no common rule can ever be established. It is then almost impossible to say in advance which actions will be honored or condemned. These are wretched times; but they do not last.

In democratic nations, honor, being ill defined, is necessarily less powerful; for it is difficult to apply with certainty and firmness a law that is imperfectly known. Public opinion, the natural and sovereign interpreter of the law of honor, not seeing clearly to which side blame or praise should tip, pronounces its

verdict only hesitantly. Sometimes it contradicts itself; often it stays motionless and lets things take their course.

The relative weakness of honor in democracies stems from several other causes as well.

In aristocratic countries, the same honor is only ever accepted by a certain number of men, often limited and always set apart from the rest of their fellows. In their minds, therefore, honor easily blends and merges with the idea of everything that distinguishes them. It appears to them as the distinctive feature of their countenance; they apply its various rules with all the ardor of personal interest, and they put, if I may express myself so, passion into obeying it.

This truth is very plainly revealed when one reads the medieval customals on the subject of judicial duels. One sees there that nobles were required, in their quarrels, to use lance and sword, whereas villeins used the staff among themselves, "given," the customs add, "*that villeins have no honor*." This did not mean, as people imagine today, that these men were contemptible; it meant only that their actions were not judged by the same rules as those of the aristocracy.[27]

What is surprising at first sight is that, when honor reigns with this full power, its prescriptions are generally very strange; so that it seems to be obeyed the better the further it appears to stray from reason; whence some have occasionally concluded that honor was strong precisely because of its extravagance.

These two things do in fact have the same origin; but the one does not follow from the other.

Honor is bizarre in proportion as it represents needs that are more particular and felt by a smaller number of men; and it is because it represents needs of this kind that it is powerful. Honor is therefore not powerful because it is bizarre; rather, it is bizarre and powerful for the same reason.

I will make one more observation.

Among aristocratic peoples, all ranks differ, but all ranks are fixed. Each person occupies within his sphere a place he cannot

leave, and there he lives among other men who are bound around him in the same way. In these nations, then, no one can hope or fear not to be seen. There is no man placed so low that he lacks his own stage, or who can escape blame or praise through his obscurity.

In democratic states, by contrast, where all citizens are mixed together in the same crowd and are constantly in motion, public opinion has no hold; its object vanishes at every moment and slips away from it. Honor there will therefore always be less imperious and less pressing. For honor acts only with the public in view, and in this it differs from simple virtue, which lives on itself and is content with its own testimony.

If the reader has fully grasped all that precedes, he must have understood that there exists between inequality of conditions and what we have called honor a close and necessary relationship which, if I am not mistaken, had never yet been clearly pointed out. I must therefore make one last effort to bring it fully to light.

A nation sets itself apart within the human race. Apart from certain general needs inherent in the human species, it has its own particular interests and needs. Immediately there arise within it, in matters of blame and praise, certain opinions peculiar to it, which its citizens call honor.

Within this same nation, a caste comes to be established which, separating itself in turn from all the other classes, acquires particular needs, and these in turn give rise to special opinions. The honor of this caste, a bizarre compound of the particular notions of the nation and the still more particular notions of the caste, will stray as far as can be imagined from the simple and general opinions of mankind. We have reached the extreme point; let us now come back down.

Ranks mingle; privileges are abolished. Once the men who make up the nation have again become alike and equal, their interests and needs merge, and one sees all the singular notions

27 Customals were written compilations of a region's customary law; the judicial duel was trial by combat. Villeins were non-noble peasants.

that each caste called honor fade away one after another. Honor now springs only from the particular needs of the nation itself; it represents the nation's individuality among peoples.

If, finally, one were allowed to suppose that all races merged, and that all the peoples of the world came to have the same interests and the same needs, and were no longer distinguished from one another by any characteristic trait, people would cease entirely to attribute a conventional value to human actions. All would view them in the same light; the general needs of humanity, which conscience reveals to every man, would be the common measure. Then one would find in this world only the simple and general notions of good and evil, to which the ideas of praise or blame would be attached by a natural and necessary bond.

Thus, to sum up my whole thought at last in a single formula: it is the dissimilarities and inequalities among men that have created honor; honor weakens as these differences fade, and it would disappear along with them.

CHAPTER 19: WHY ONE FINDS IN THE UNITED STATES SO MANY AMBITIOUS MEN AND SO FEW GREAT AMBITIONS (POURQUOI ON TROUVE AUX ÉTATS-UNIS TANT D'AMBITIEUX ET SI PEU DE GRANDES AMBITIONS)

Ambition is universal in democracies but rarely aims high, because advancement is slow and energies go to small gains.

2.3.19 The first thing that strikes one in the United States is the countless multitude of those who are trying to rise out of their original condition. The second is the small number of great ambitions that stand out amid this universal movement of ambition. There is no American who does not seem consumed by the desire to rise; but one sees almost none who appear to entertain very vast hopes or to aim very high. All want constantly to acquire property, reputation, and power; few conceive of any of these things on a grand scale. And this is surprising at first sight. For one sees nothing, either in the mores or in the laws of Amer-

ica, that should limit desires there and keep them from taking flight in every direction.

It seems hard to attribute this singular state of affairs to equality of conditions; for at the moment this same equality became established among us, it immediately gave rise to almost limitless ambitions. I believe, however, that it is chiefly in the social state and the democratic mores of the Americans that the cause of what I have just described must be sought.

Every revolution enlarges men's ambition. This is especially true of a revolution that overthrows an aristocracy.

When the old barriers that separated the crowd from fame and power suddenly come down, there is an impetuous and universal upward rush toward those grandeurs that were long envied and are at last permitted to be enjoyed. In this first exhilaration of triumph, nothing seems impossible to anyone. Not only do desires have no limits, but the power to satisfy them has almost none. In the midst of this general and sudden renewal of customs and laws, in this vast confusion of all men and all rules, citizens rise and fall with unheard-of speed, and power passes so quickly from hand to hand that no one need despair of seizing it in his turn.

It must also be remembered that the people who destroy an aristocracy have lived under its laws. They have seen its splendors, and without knowing it they have let themselves be permeated by the feelings and ideas it had conceived. So at the moment an aristocracy dissolves, its spirit still hovers over the mass, and its instincts are preserved long after it has been defeated.

Ambitions therefore always appear very great as long as the democratic revolution lasts; and the same will be true for some time after it is over.

The memory of the extraordinary events men have witnessed does not fade from their minds in a day. The passions the revolution had aroused do not disappear with it. The feeling of instability persists in the midst of order. The idea that success comes easily outlives the strange vicissitudes that gave birth to

it. Desires remain very vast while the means of satisfying them diminish every day. The taste for great fortunes survives, though great fortunes become rare; and on all sides one sees disproportionate and unhappy ambitions catch fire, burning secretly and fruitlessly in the heart that holds them.

Little by little, however, the last traces of the struggle fade; the remnants of the aristocracy finish disappearing. The great events that accompanied its fall are forgotten; peace follows war; the sway of rules is reborn within the new world; desires there come into proportion with means; needs, ideas, and feelings link together; men complete their leveling: democratic society is at last settled.

If we consider a democratic people that has reached this permanent and normal state, it will present a spectacle quite different from the one we have just contemplated, and we can easily judge that, if ambition grows great while conditions are becoming equal, it loses that character once they are equal.

Since great fortunes are divided and knowledge has spread, no one is wholly deprived of education or of property. Class privileges and disabilities having been abolished, and men having broken forever the bonds that held them motionless, the idea of progress presents itself to each one's mind; the desire to rise springs up in every heart at once; every man wants to leave his place. Ambition is the universal sentiment.

But if equality of conditions gives all citizens some resources, it prevents any of them from having very extensive resources, and this necessarily confines desires within rather narrow limits. Among democratic peoples, then, ambition is ardent and continual, but it cannot usually aim very high; and life is ordinarily spent there in eagerly coveting small objects that one sees within reach.

What chiefly turns men in democracies away from great ambition is not the smallness of their fortune but the violent effort they make every day to improve it. They force their souls to use all their strength to do mediocre things, which cannot fail

soon to narrow their vision and circumscribe their power. They could be much poorer and still remain greater.

The small number of opulent citizens to be found within a democracy are no exception to this rule. A man who rises by degrees toward wealth and power acquires, in that long labor, habits of prudence and restraint that he cannot afterward shake off. One does not enlarge one's soul by stages, as one does one's house.

A similar remark applies to the sons of this same man. They were born, it is true, into a high position, but their parents were humble. They grew up amid feelings and ideas from which it is hard for them to free themselves later; and it is likely that they will inherit their father's instincts along with his property.

It may happen, on the contrary, that the poorest offspring of a powerful aristocracy displays a vast ambition, because the traditional opinions of his lineage and the general spirit of his caste still hold him up for a time above his fortune.

Another thing that keeps men in democratic times from readily giving themselves over to the ambition for great things is the time they foresee must pass before they are in a position to undertake them. "High birth is a great advantage," Pascal said; "from eighteen or twenty it puts a man in line for advancement, as another might be at fifty; that is thirty years gained without effort." Those thirty years are usually what the ambitious in democracies lack. Equality, which leaves everyone free to reach anything, prevents anyone from rising quickly.[28]

In a democratic society, as elsewhere, there are only a certain number of great fortunes to be made; and since the careers leading to them are open to every citizen without distinction, everyone's progress must necessarily slow down. As the candidates seem much alike, and it is hard to choose among them without violating the principle of equality, which is the supreme law of democratic societies, the first idea that occurs is to make them

28 Blaise Pascal (1623–1662), French mathematician and religious thinker; the quotation comes from his *Pensées*.

all march at the same pace and subject them all to the same tests.

As men become more alike, then, and as the principle of equality penetrates more peacefully and more deeply into institutions and mores, the rules of advancement become more inflexible and advancement slower; the difficulty of quickly reaching any considerable degree of greatness increases.

Out of hatred of privilege and the difficulty of choosing, people come to force all men, whatever their stature, through the same channel. They subject them all without distinction to a multitude of small preliminary exercises, amid which their youth is lost and their imagination dies out; so that they despair of ever fully enjoying the goods held out to them; and when at last they are able to do extraordinary things, they have lost the taste for them.

In China, where equality of conditions is very great and very old, a man passes from one public office to another only after submitting to a competitive examination. He meets this test at every step of his career, and the idea of it has become so ingrained in the mores that I remember reading a Chinese novel in which the hero, after many vicissitudes, at last wins the heart of his beloved by passing a good examination. Great ambitions find it hard to breathe in such an atmosphere.[29]

What I say of politics extends to everything; equality produces the same effects everywhere. Where the law does not take on the task of regulating and slowing men's movement, competition is enough to do it.

In a well-settled democratic society, then, great and rapid rises are rare; they are exceptions to the common rule. It is their singularity that makes people forget how few they are.

Men in democracies end up glimpsing all these things. In the long run they notice that the legislator opens before them a limitless field in which all can easily take a few steps, but which no one can flatter himself he will cross quickly. Between them-

29 Probably *Iu-kiao-li, or the Two Cousins*, a Chinese novel translated into French by Jean-Pierre Abel-Rémusat in 1826.

selves and the vast, final object of their desires they see a multitude of small intermediate barriers that they must slowly get over; this sight wearies their ambition in advance and discourages it. So they give up those distant and doubtful hopes, to seek nearby pleasures that are less lofty and easier to attain. The law does not limit their horizon, but they narrow it themselves.

I have said that great ambitions were rarer in democratic ages than in times of aristocracy. I add that when, despite these natural obstacles, they do arise, they have a different face.

In aristocracies, the course open to ambition is often wide, but its limits are fixed. In democratic countries, ambition usually moves within a narrow field; but if it happens to break out of it, there seems to be nothing left to limit it. Since men there are weak, isolated, and mobile, since precedents have little authority and laws little duration, resistance to novelty is feeble, and the social body never seems very upright or very firmly seated. So when the ambitious once have power in hand, they think they can dare anything; and when it slips from their grasp, they immediately think of overturning the state to regain it. This gives great political ambition a violent and revolutionary character that one rarely sees in it, to the same degree, in aristocratic societies.

A multitude of small and very sensible ambitions, from the midst of which a few great, ill-regulated desires spring up now and then: such is usually the picture democratic nations present. An ambition that is proportioned, moderate, and vast is hardly ever found there.

I have shown elsewhere by what secret force equality made the passion for material pleasures, and the exclusive love of the present, predominate in the human heart. These various instincts mingle with the feeling of ambition and tinge it, so to speak, with their colors.

I think that ambitious men in democracies concern themselves less than any others with the interests and judgments of the future: the present moment alone occupies and absorbs them. They quickly complete many undertakings rather than

raise a few very lasting monuments; they love success far more than glory. What they ask of men above all is obedience. What they want before anything else is dominion. Their mores have almost always remained less lofty than their station, which is why they very often carry very vulgar tastes into an extraordinary fortune, and seem to have risen to sovereign power only to procure petty and coarse pleasures more easily.

I believe that in our day it is very necessary to purify, regulate, and proportion the feeling of ambition, but that it would be very dangerous to try to impoverish it and to repress it beyond measure. We must try to set it outer limits in advance, which it will never be allowed to cross; but we must take care not to hamper its flight too much within the permitted bounds.

I confess that, for democratic societies, I fear the boldness of desires much less than their mediocrity. What seems to me most to be feared is that, amid the small, incessant occupations of private life, ambition may lose its drive and its greatness; that human passions may there grow calmer and lower at the same time; so that every day the bearing of the social body becomes more tranquil and less lofty.

I think, therefore, that the leaders of these new societies would be wrong to try to lull the citizens into a happiness that is too smooth and too peaceful, and that it is good for them sometimes to give them difficult and perilous affairs to manage, so as to raise ambition and open a stage for it.

Moralists constantly complain that the favorite vice of our age is pride.

This is true in a certain sense: there is in fact no one who does not believe himself worth more than his neighbor, or who consents to obey his superior. But it is very false in another sense, for this same man, who can bear neither subordination nor equality, nonetheless holds himself in such contempt that he believes himself made only to enjoy vulgar pleasures. He willingly stops at mediocre desires without daring to take on lofty enterprises: he can scarcely imagine them.

Far, then, from believing that we should recommend humility to our contemporaries, I would like efforts to be made to give them a larger idea of themselves and of their species. Humility is not healthy for them; what they lack most, in my opinion, is pride. I would gladly give up several of our small virtues for this vice.

CHAPTER 20: ON OFFICE-SEEKING AS A TRADE IN CERTAIN DEMOCRATIC NATIONS (DE L'INDUSTRIE DES PLACES CHEZ CERTAINES NATIONS DÉMOCRATIQUES)

Where commerce offers few outlets, equality turns ambitious citizens into seekers of government posts.

2.3.20 In the United States, as soon as a citizen has some education and some resources, he seeks to grow rich in commerce and industry, or else he buys a field covered with forest and becomes a pioneer. All he asks of the state is that it not come and disturb him in his labors, and that it secure their fruits to him.

Among most European peoples, when a man begins to feel his strength and to enlarge his desires, the first idea that occurs to him is to obtain a public post. These different effects, arising from one and the same cause, deserve that we pause here for a moment to consider them.

When public functions are few in number, poorly paid, and unstable, and when, on the other hand, industrial careers are numerous and productive, it is toward industry and not toward administration that the new and impatient desires to which equality gives rise every day turn from all sides.

But if, at the same time that ranks are being equalized, enlightenment remains incomplete or minds remain timid, or if commerce and industry, hampered in their growth, offer only difficult and slow means of making a fortune, then citizens, despairing of improving their lot by themselves, rush tumultuously to the head of state and ask for his help. Making themselves more comfortable at the expense of the public treasury seems to them, if not the only path they have, at least the easiest path and the one most open to all for escaping a condition that no longer

satisfies them: the pursuit of public office becomes the most widely followed of all trades.

This must be so above all in great centralized monarchies, where the number of salaried posts is immense and the existence of public officials fairly secure, so that no one despairs of obtaining a post and enjoying it peacefully, like an inheritance.

I will not say that this universal and immoderate desire for public functions is a great social evil; that it destroys the spirit of independence in each citizen and spreads a venal and servile temper through the whole body of the nation; that it stifles the manly virtues there. Nor will I point out that a trade of this kind creates only unproductive activity, and agitates the country without making it fruitful: all of that is easily understood.

But I do wish to note that a government that encourages such a tendency risks its tranquility and puts its very life in great peril.

I know that in a time like ours, when we see the love and respect once attached to power gradually dying out, it may seem necessary to those who govern to bind each man more tightly through his interest, and that they find it convenient to use his very passions to keep him in order and in silence. But this cannot last long, and what may seem for a certain period to be a source of strength surely becomes, in the long run, a great cause of disturbance and weakness.

Among democratic peoples, as among all others, the number of public posts eventually reaches its limits; but among these same peoples the number of the ambitious has none. It grows constantly, by a gradual and irresistible movement, as conditions become more equal; it stops only when men run out.

When, therefore, ambition has no outlet except administration alone, the government necessarily ends by meeting a permanent opposition, for its task is to satisfy, with limited means, desires that multiply without limit. We must be thoroughly convinced that, of all the peoples in the world, the hardest to contain and to direct is a people of office-seekers. Whatever efforts its leaders make, they can never satisfy it, and one must always

fear that it will at last overturn the constitution of the country and change the face of the state, simply from the need to make offices fall vacant.

The princes of our time, who strive to draw toward themselves alone all the new desires that equality arouses, and to satisfy them, will therefore end, if I am not mistaken, by regretting that they ever embarked on such an enterprise. They will discover one day that they have put their power at risk by making it so necessary, and that it would have been more honest and safer to teach each of their subjects the art of being self-sufficient.

CHAPTER 21: WHY GREAT REVOLUTIONS WILL BECOME RARE (POURQUOI LES GRANDES RÉVOLUTIONS DEVIENDRONT RARES)

Tocqueville argues that property-owning democratic majorities fear upheaval and cling to settled ways.

2.3.21 A people that has lived for centuries under a regime of castes and classes reaches a democratic social state only through a long series of more or less painful transformations, by means of violent efforts, and after numerous vicissitudes during which property, opinions, and power rapidly change hands.

Even after this great revolution is over, the revolutionary habits it created can still be seen persisting for a long time, and deep agitations follow in its wake.

As all this takes place at the moment when conditions are becoming equal, people conclude that there is a hidden relation and a secret bond between equality itself and revolutions, such that the one cannot exist without the others arising.

On this point, reasoning seems to agree with experience.

Among a people whose ranks are nearly equal, no visible bond unites men and holds them firmly in their place. None of them has the permanent right or the power to command, and none has obedience as his lot; but each, being provided with some education and some resources, can choose his own path and walk apart from all his fellows.

The same causes that make citizens independent of one another push them every day toward new and restless desires, and spur them on ceaselessly.

It therefore seems natural to believe that in a democratic society ideas, things, and men must eternally change their forms and their places, and that democratic ages will be times of rapid and incessant transformation.

Is this in fact so? Does equality of conditions carry men habitually and permanently toward revolutions? Does it contain some disruptive principle that prevents society from settling down and disposes citizens to renew their laws, their doctrines, and their mores ceaselessly? I do not believe so. The subject is important; I ask the reader to follow me closely.

Almost all the revolutions that have changed the face of peoples have been made either to consecrate equality or to destroy it. Set aside the secondary causes that have produced the great upheavals of mankind, and you will almost always arrive at inequality. It is the poor who have wanted to seize the property of the rich, or the rich who have tried to enchain the poor. If, then, you can found a state of society in which everyone has something to keep and little to take, you will have done much for the peace of the world.

I am not unaware that in a great democratic people there are always some very poor citizens and some very rich ones. But the poor, instead of forming the immense majority of the nation, as always happens in aristocratic societies, are few in number, and the law has not bound them to one another by the ties of an irremediable and hereditary destitution.

The rich, for their part, are scattered and powerless; they have no privileges that draw attention; their very wealth, no longer incorporated in the land and represented by it, is elusive and, as it were, invisible. Just as there are no longer hereditary lines of the poor, there are no longer hereditary lines of the rich; the rich emerge every day from the midst of the crowd and constantly return to it. They therefore do not form a separate class that could easily be defined and despoiled; and since, moreover,

they are tied by a thousand secret threads to the mass of their fellow citizens, the people could hardly strike at them without wounding itself. Between these two extremes of democratic societies there is an innumerable multitude of nearly identical men who, without being exactly either rich or poor, own enough property to desire order and not enough to excite envy.

These men are naturally enemies of violent upheavals; their immobility keeps everything above and below them at rest, and holds the social body steady on its base.

Not that even they are satisfied with their present fortune, or that they feel a natural horror of a revolution whose spoils they would share without suffering its evils. On the contrary, they desire with unequaled ardor to grow rich; but the difficulty is knowing whom to take from. The same social state that constantly suggests desires to them confines those desires within necessary limits. It gives men more freedom to change and less interest in change.

Not only do men in democracies not naturally desire revolutions; they fear them.

There is no revolution that does not threaten acquired property to some degree. Most of those who live in democratic countries are property owners; they do not merely have property, they live in the condition in which men set the highest value on their property.

If we consider attentively each of the classes of which society is composed, it is easy to see that there are none in which the passions that property gives rise to are fiercer and more tenacious than in the middle classes.

The poor often care little about what they possess, because they suffer far more from what they lack than they enjoy the little they have. The rich have many passions to satisfy other than the passion for wealth, and, moreover, the long and wearisome enjoyment of a great fortune sometimes ends by making them almost insensible to its pleasures.

But men who live in a comfort equally removed from opulence and from destitution set an immense value on their prop-

erty. As they are still very close to poverty, they see its hardships at close range, and they dread them; between poverty and themselves there is nothing but a small patrimony, on which they at once fix their fears and their hopes. At every moment they take a greater interest in it through the constant worries it causes them, and they grow attached to it through the daily efforts they make to increase it. The idea of giving up the smallest part of it is unbearable to them, and they regard its total loss as the worst of misfortunes. Now, it is precisely the number of these ardent and anxious small property owners that equality of conditions constantly increases.

Thus, in democratic societies, the majority of citizens does not see clearly what it could gain from a revolution, and it feels at every moment, and in a thousand ways, what it could lose by one.

I have said elsewhere in this work how equality of conditions naturally pushed men toward industrial and commercial careers, and how it increased and diversified landed property; I have shown, finally, how it inspired in each man an ardent and constant desire to increase his well-being. Nothing is more contrary to revolutionary passions than all these things.

It may happen that, in its final outcome, a revolution serves industry and commerce; but its first effect will almost always be to ruin manufacturers and merchants, because it cannot fail to change, at the very outset, the general state of consumption, and to upset temporarily the proportion that existed between production and needs.

I know, moreover, of nothing more opposed to revolutionary mores than commercial mores. Commerce is naturally the enemy of all violent passions. It loves middle courses, delights in compromise, and carefully avoids anger. It is patient, supple, and insinuating, and it resorts to extreme measures only when the most absolute necessity compels it. Commerce makes men independent of one another; it gives them a high idea of their individual worth; it leads them to want to manage their own

affairs, and teaches them to succeed at it. It therefore disposes them to liberty, but it turns them away from revolutions.

In a revolution, owners of movable property have more to fear than anyone else. For, on the one hand, their property is often easy to seize, and, on the other, it can vanish completely at any moment. Landowners have less to dread on this score: though they may lose the income from their lands, they hope at least to keep the land itself through all the vicissitudes. So we see that the former are far more frightened than the latter at the prospect of revolutionary upheavals.

Peoples are therefore less inclined to revolutions as movable property multiplies and diversifies among them, and as the number of those who own it grows larger.

Moreover, whatever profession men take up, and whatever kind of property they enjoy, one trait is common to them all.

No one is fully satisfied with his present fortune, and all strive every day, by a thousand different means, to increase it. Consider any one of them at any period of his life, and you will find him preoccupied with some new plans whose object is to increase his comfort. Do not talk to him about the interests and rights of humankind; this small domestic enterprise absorbs all his thoughts for the moment and makes him wish to put off public agitations to another time.

This does not merely keep them from making revolutions; it turns them away from wanting to. Violent political passions have little hold on men who have thus attached their whole soul to the pursuit of well-being. The ardor they bring to small affairs calms them about great ones.

It is true that, from time to time, enterprising and ambitious citizens arise in democratic societies whose immense desires cannot be satisfied by following the common road. These men love revolutions and call for them; but they have great difficulty bringing them about unless extraordinary events come to their aid.

One does not struggle to good effect against the spirit of one's age and country; and a man, however powerful we suppose him

to be, has difficulty getting his contemporaries to share feelings and ideas that the whole of their desires and feelings rejects. We must not believe, then, that once equality of conditions, having become an old and undisputed fact, has stamped its character on mores, men will readily let themselves be hurled into hazardous ventures in the wake of a reckless leader or a bold innovator.

Not that they resist him openly, by means of clever schemes, or even with a premeditated intention of resisting. They do not fight him energetically; they even applaud him at times; but they do not follow him. To his fire they secretly oppose their inertia; to his revolutionary instincts, their conservative interests; their stay-at-home tastes to his adventurous passions; their good sense to the flights of his genius; to his poetry, their prose. With a thousand efforts he rouses them for a moment, and soon they slip away from him and, as if dragged down by their own weight, they fall back. He exhausts himself trying to stir this indifferent and distracted crowd, and in the end he finds himself reduced to impotence, not because he is defeated, but because he is alone.

I do not claim that men who live in democratic societies are naturally immobile. I think, on the contrary, that perpetual motion reigns within such a society, and that no one there knows rest; but I believe that men move about within certain limits that they rarely go beyond. Every day they vary, alter, or renew secondary things; they take great care not to touch the principal ones. They love change; but they dread revolutions.

Although the Americans constantly modify or repeal some of their laws, they are far from displaying revolutionary passions. It is easy to see, from the speed with which they stop and calm down when public agitation begins to grow threatening, at the very moment when passions seem most aroused, that they dread a revolution as the greatest of misfortunes, and that each of them is inwardly resolved to make great sacrifices to avoid one. There is no country in the world where the feeling for property shows itself more active and more anxious than in the

United States, and where the majority displays less inclination toward doctrines that threaten to alter in any way the established order of property.

I have often noticed that theories which are revolutionary by nature—in that they can be realized only through a complete and sometimes sudden change in the condition of property and of persons—are infinitely less in favor in the United States than in the great monarchies of Europe. If a few men profess them, the mass rejects them with a kind of instinctive horror.

I do not hesitate to say that most of the maxims customarily called democratic in France would be outlawed by the democracy of the United States. This is easily understood. In America people have democratic ideas and passions; in Europe we still have revolutionary passions and ideas.

If America ever undergoes great revolutions, they will be brought about by the presence of Black people on the soil of the United States; that is to say, it will not be equality of conditions but, on the contrary, their inequality that gives rise to them.

When conditions are equal, each person readily withdraws into himself and forgets the public. If the legislators of democratic peoples did not seek to correct this baneful tendency, or if they encouraged it in the belief that it turns citizens away from political passions and so keeps them from revolutions, they might end up producing the very evil they wish to avoid; and a moment might come when the disorderly passions of a few men, aided by the unintelligent selfishness and the faintheartedness of the greater number, would end by forcing the social body to undergo strange vicissitudes.

In democratic societies, it is hardly anyone but small minorities who desire revolutions; but minorities can sometimes make them.

I am not saying, then, that democratic nations are safe from revolutions; I am saying only that the social state of these nations does not incline them toward revolutions, but rather draws them away. Democratic peoples, left to themselves, do not readily embark on great adventures; they are drawn toward

revolutions only unawares; they sometimes undergo them, but they do not make them. And I add that, once they have been allowed to acquire enlightenment and experience, they do not let them be made.

I am well aware that in this matter public institutions themselves can do a great deal; they foster or restrain the instincts born of the social state. I do not maintain, then, I repeat, that a people is safe from revolutions merely because conditions are equal within it; but I believe that, whatever the institutions of such a people, great revolutions there will always be infinitely less violent and rarer than is supposed; and I can easily foresee a certain political state which, combining with equality, would make society more stationary than it has ever been in our West.

THE STABILITY OF OPINIONS

Equality makes opinions hard to change, and Tocqueville fears stagnation more than revolution.

What I have just said about facts applies in part to ideas.

Two things are astonishing in the United States: the great mobility of most human actions, and the singular fixity of certain principles. Men are constantly in motion; the human mind seems almost immobile.

Once an opinion has spread over American soil and taken root there, it seems that no power on earth is able to uproot it. In the United States, general doctrines in matters of religion, philosophy, morality, and even politics do not vary, or at least they change only after a hidden and often imperceptible labor; even the crudest prejudices fade only with inconceivable slowness amid this friction of things and men repeated a thousand times over.

I hear it said that it is in the nature and habits of democracies to change their feelings and thoughts at every moment. That may be true of small democratic nations, like those of antiquity, which could be gathered entire in a public square and then swayed at an orator's whim. I saw nothing of the kind within the

great democratic people that occupies the opposite shores of our ocean. What struck me in the United States is how hard it is to disabuse the majority of an idea it has conceived and to detach it from a man it has adopted. Neither writings nor speeches can do much there; experience alone succeeds, and even then it sometimes has to be repeated.

This is surprising at first; closer examination explains it.

I do not believe it is as easy as people imagine to uproot the prejudices of a democratic people; to change its beliefs; to substitute new religious, philosophical, political, and moral principles for those that have once become established there; in a word, to make great and frequent revolutions in minds there. Not that the human mind is idle there; it is constantly in motion; but it exerts itself in endlessly varying the consequences of known principles and in discovering new consequences, rather than in seeking new principles. It turns nimbly around itself rather than springing forward with a swift and direct effort; it extends its sphere little by little through small, continual, hurried movements; it does not shift it all at once.

Men equal in rights, in education, in fortune—men, in a word, of like condition—necessarily have needs, habits, and tastes that differ little. Since they see things from the same angle, their minds naturally incline toward similar ideas; and although each of them may depart from his contemporaries and form beliefs of his own, they all end up meeting again, without knowing it and without wanting it, in a certain number of common opinions.

The more attentively I consider the effects of equality on the intellect, the more I am persuaded that the intellectual anarchy we are witnessing is not, as several suppose, the natural state of democratic peoples. I believe it should rather be regarded as an accident peculiar to their youth, appearing only in that period of transition when men have already broken the ancient bonds that tied them to one another, yet still differ prodigiously in origin, education, and mores; so that, having kept very diverse ideas, instincts, and tastes, they are no longer prevented by anything from bringing them forward. Men's principal opinions

become alike as conditions come to resemble one another. Such appears to me to be the general and permanent fact; the rest is fortuitous and passing.

I believe it will rarely happen that, within a democratic society, a man will conceive at a single stroke a system of ideas very far removed from the one his contemporaries have adopted; and if such an innovator did appear, I imagine he would at first have great difficulty getting a hearing, and still more getting himself believed.

When conditions are nearly alike, one man does not easily let himself be persuaded by another. Since they all see one another at very close range, have learned the same things together, and lead the same life, they are not naturally inclined to take one of their number as a guide and follow him blindly: people seldom take the word of someone like themselves, their equal.

It is not only confidence in the enlightenment of particular individuals that weakens among democratic nations; as I have said elsewhere, the general idea of the intellectual superiority that any one man may acquire over all the others soon grows dim.

As men become more alike, the dogma of the equality of intellects gradually works its way into their beliefs, and it becomes harder for any innovator, whoever he may be, to acquire and exercise great power over the mind of a people. In such societies, then, sudden intellectual revolutions are rare; for if we cast our eyes over the history of the world, we see that it is far less the force of an argument than the authority of a name that has produced the great and rapid changes in human opinion.

Note, moreover, that since men who live in democratic societies are not bound to one another by any tie, each of them has to be convinced; whereas in aristocratic societies it is enough to be able to act on the minds of a few—all the others follow. If Luther had lived in an age of equality, and had not had lords and

princes for his listeners, he might have found it harder to change the face of Europe.[30]

Not that men in democracies are naturally very convinced of the certainty of their opinions, or very firm in their beliefs; they often have doubts that, in their eyes, no one can resolve. It sometimes happens in such times that the human mind would gladly shift its ground; but since nothing pushes or directs it powerfully, it oscillates in place and does not move[31].

Once one has won the confidence of a democratic people, it is still no small matter to gain its attention. It is very hard to get a hearing from men who live in democracies unless one is talking to them about themselves. They do not listen to the things they are told, because they are always very preoccupied with the things they are doing.

There are, in fact, few idle people among democratic nations. Life there is spent amid motion and noise, and men are so busy acting that little time is left them for thinking. What I especially wish to point out is that they are not only occupied, but passionate about their occupations. They are perpetually in action, and each of their actions absorbs their soul: the fire they bring to business keeps them from catching fire for ideas.

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30 Martin Luther (1483–1546), German leader of the Protestant Reformation, whose cause was taken up by many German princes.

31 TOCQUEVILLE'S NOTE. When I ask what state of society is most favorable to great revolutions of the intellect, I find that it lies somewhere between the complete equality of all citizens and the absolute separation of classes.

Under a caste system, generations succeed one another without men changing their place; some expect nothing more, and others hope for nothing better. Imagination falls asleep amid this universal silence and immobility, and the very idea of movement no longer occurs to the human mind.

When classes have been abolished and conditions have become nearly equal, all men are constantly in motion, but each of them is isolated, independent, and weak. This latter state differs prodigiously from the former; yet it resembles it in one respect: great revolutions of the human mind are very rare in it.

But between these two extremes in the history of peoples there comes an intermediate age, a glorious and troubled period, when conditions are not fixed enough for the intellect to slumber, and are unequal enough for men to exercise very great power over one another's minds, and for a few to be able to modify the beliefs of all. It is then that powerful reformers arise, and that new ideas suddenly change the face of the world.

I think it is very hard to stir the enthusiasm of a democratic people for any theory whatsoever that has no visible, direct, and immediate bearing on the daily practice of its life. Such a people therefore does not easily abandon its old beliefs. For it is enthusiasm that hurls the human mind off the beaten paths, and that makes great intellectual revolutions as well as great political ones.

Thus democratic peoples have neither the leisure nor the taste to go in search of new opinions. Even when they come to doubt the ones they hold, they keep them nonetheless, because changing them would take too much time and examination; they keep them not as certain, but as established.

There are other reasons, more powerful still, that stand in the way of any great change taking place easily in the doctrines of a democratic people. I pointed them out at the beginning of this book.

If, within such a people, individual influences are weak and almost nil, the power the mass exercises over the mind of each individual is very great. I have given the reasons for this elsewhere. What I wish to say now is that it would be wrong to believe that this depends solely on the form of government, and that the majority must lose its intellectual dominion along with its political power.

In aristocracies, men often have a greatness and a strength of their own. When they find themselves at odds with most of their fellows, they withdraw into themselves, and there they find support and consolation. It is not so among democratic peoples. With them, public favor seems as necessary as the air one breathes, and to be at odds with the mass is, so to speak, not to live. The mass has no need to use the laws to bend those who do not think as it does. It is enough for it to disapprove of them. The feeling of their isolation and their impotence at once overwhelms them and drives them to despair.

Whenever conditions are equal, general opinion presses with immense weight on the mind of each individual; it envelops, directs, and oppresses it. This stems from the very constitution of

society far more than from its political laws. As all men grow more alike, each feels weaker and weaker in the face of all. Finding nothing that raises him far above them and sets him apart from them, he distrusts himself as soon as they oppose him. Not only does he doubt his strength, he comes to doubt his right, and he is very close to admitting that he is wrong when the greater number says so. The majority has no need to compel him; it convinces him.

However the powers of a democratic society are organized and balanced, it will therefore always be very difficult there to believe what the mass rejects, and to profess what it condemns.

This wonderfully favors the stability of beliefs.

Once an opinion has taken hold among a democratic people and become established in the minds of the greater number, it goes on to survive by itself and perpetuates itself without effort, because no one attacks it. Those who at first rejected it as false end by accepting it as general, and those who go on opposing it in their hearts show nothing of it; they take good care not to engage in a struggle both dangerous and useless.

It is true that when the majority of a democratic people changes its opinion, it can bring about strange and sudden revolutions in the world of minds as it pleases; but it is very difficult for its opinion to change, and almost as difficult to establish that it has changed.

It sometimes happens that time, events, or the individual and solitary efforts of minds end by shaking a belief or gradually destroying it, without anything showing outwardly. No one attacks it openly. No one bands together to make war on it. Its followers leave it one by one, quietly; but each day a few abandon it, until at last it is shared by only a few.

In this state, it still reigns.

Since its enemies go on keeping silent, or share their thoughts only in secret, they themselves are long unable to be sure that a great revolution has taken place, and in their doubt they stay still. They watch and keep silent. The majority no longer believes, but it still seems to believe, and this empty phantom of

a public opinion is enough to chill innovators and keep them silent and respectful.

We live in an age that has seen the most rapid changes take place in men's minds. Yet it may well be that the principal human opinions will soon be more stable than they have been in the preceding centuries of our history. That time has not come, but perhaps it is approaching.

The more closely I examine the needs and natural instincts of democratic peoples, the more I am persuaded that if equality ever becomes established in a general and permanent way in the world, great intellectual and political revolutions will become very difficult, and rarer than is supposed.

Because men in democracies always seem agitated, uncertain, breathless, ready to change their will and their place, people imagine that they are about to abolish their laws all at once, adopt new beliefs, and take on new mores. They do not consider that if equality inclines men to change, it also suggests to them interests and tastes that need stability to be satisfied. It pushes them on and at the same time holds them back; it spurs them and binds them to the earth; it inflames their desires and limits their strength.

This is what is not discovered at first: the passions that draw citizens apart from one another in a democracy show themselves of their own accord. But one does not see at first glance the hidden force that holds them back and brings them together.

Dare I say it amid the ruins that surround me? What I fear most for the generations to come is not revolutions.[32]

If citizens go on shutting themselves ever more narrowly within the circle of petty domestic interests, and stirring restlessly within it, one may fear that they will end by becoming all but inaccessible to those great and powerful public emotions that disturb peoples but also develop and renew them. When I see property becoming so mobile, and the love of property so anxious and so ardent, I cannot help fearing that men will reach the point of regarding every new theory as a danger, every

32 Tocqueville was writing in a France shaken by the revolutions of 1789 and 1830.

innovation as an unwelcome disturbance, every social advance as a first step toward revolution, and that they will refuse to move at all for fear of being swept away. I tremble, I confess, lest they at last let themselves be so thoroughly possessed by a cowardly love of present pleasures that all concern for their own future and that of their descendants vanishes, and lest they prefer to drift along the course of their destiny rather than make, when needed, a sudden and vigorous effort to set it right.

People believe that the new societies will change their face every day, and I, for my part, fear that they will end by being too unchangeably fixed in the same institutions, the same prejudices, the same mores. I fear that the human race will come to a halt and confine itself; that the mind will bend and fold back upon itself forever without producing new ideas; that man will exhaust himself in small, solitary, and sterile movements; and that, for all its ceaseless motion, humanity will no longer advance.

CHAPTER 22: WHY DEMOCRATIC PEOPLES NATURALLY DESIRE PEACE, AND DEMOCRATIC ARMIES NATURALLY DESIRE WAR (POURQUOI LES PEUPLES DÉMOCRATIQUES DÉSIRENT NATURELLEMENT LA PAIX, ET LES ARMÉES DÉMOCRATIQUES NATURELLEMENT LA GUERRE)

Democratic peoples love peace, while their armies, hungry for promotion, long for war.

2.3.22 The same interests, the same fears, the same passions that turn democratic peoples away from revolutions keep them from war; the military spirit and the revolutionary spirit grow weaker at the same time and for the same reasons.

The ever-growing number of property owners who are friends of peace; the growth of movable wealth, which war devours so quickly; that gentleness of mores, that softness of heart, that disposition to pity which equality inspires; that coolness of reason which leaves men little susceptible to the poetic and violent emotions born amid arms—all these causes combine to extinguish the military spirit.

I believe one may accept it as a general and constant rule that, among civilized peoples, warlike passions will become rarer and less intense as conditions become more equal.

War, however, is an accident to which all peoples are subject, democratic peoples as well as others. Whatever taste these nations may have for peace, they must hold themselves ready to repel war, or, in other words, they must have an army.

Fortune, which has done such singular things in favor of the inhabitants of the United States, has placed them in the midst of a wilderness where they have, so to speak, no neighbors. A few thousand soldiers are enough for them; but this is American, not democratic.

Equality of conditions, and the mores and institutions that derive from it, do not exempt a democratic people from the obligation to maintain armies, and its armies always exert a very great influence on its fate. It is therefore singularly important to inquire into the natural instincts of those who make them up.

Among aristocratic peoples, especially those where birth alone determines rank, inequality is found in the army as in the nation: the officer is the noble, the soldier is the serf. The one is necessarily called to command, the other to obey. In aristocratic armies, therefore, the soldier's ambition has very narrow limits.

That of the officers is not unlimited either.

An aristocratic body is not only part of a hierarchy; it always contains a hierarchy within itself. Its members are placed one above another in a certain fixed order. This one is naturally called by birth to command a regiment, and that one a company; having reached these utmost limits of their hopes, they stop of their own accord and consider themselves content with their lot.

There is, first of all, one great cause that, in aristocracies, cools the officer's desire for promotion.

Among aristocratic peoples, the officer, apart from his rank in the army, also holds a high rank in society; in his eyes the former is almost always merely an accessory of the latter. In tak-

ing up the profession of arms, the noble obeys not so much ambition as a sort of duty that his birth imposes on him. He enters the army in order to spend the idle years of his youth there honorably, and to be able to bring back home, and among his peers, some honorable memories of military life. But his chief aim is not to acquire wealth, esteem, and power there, for he possesses these advantages in his own right and enjoys them without leaving home.

In democratic armies, every soldier can become an officer, which makes the desire for promotion general and extends the limits of military ambition almost infinitely.

For his part, the officer sees nothing that naturally and necessarily stops him at one grade rather than another, and each grade has an immense value in his eyes, because his rank in society almost always depends on his rank in the army.

Among democratic peoples, it often happens that the officer has no wealth but his pay, and can expect esteem only from his military honors. Every time he changes position, therefore, he changes fortune, and he becomes, in a sense, another man. What was an accessory of existence in aristocratic armies has thus become the main thing, the whole, existence itself.

Under the old French monarchy, officers were addressed only by their title of nobility. In our day, they are addressed only by their military title. This small change in the forms of speech is enough to show that a great revolution has taken place in the constitution of society and in that of the army.

Within democratic armies, the desire to advance is almost universal; it is ardent, tenacious, continual; it grows with all the other desires and dies only with life. Now it is easy to see that, of all the armies in the world, those in which promotion must be slowest in peacetime are democratic armies. Since the number of grades is naturally limited, the number of competitors almost countless, and the inflexible law of equality weighs on all, no one can make rapid progress, and many cannot move from their place at all. Thus the need to advance is greater there, and the ease of advancing less, than anywhere else.

All the ambitious men in a democratic army therefore wish vehemently for war, because war empties places and at last makes it possible to violate that right of seniority which is the only privilege natural to democracy.

We thus arrive at this singular conclusion: that of all armies, those that most ardently desire war are democratic armies, and that of all peoples, those that most love peace are democratic peoples. And what makes the thing more extraordinary still is that equality produces both these contrary effects at once.

Citizens, being equal, conceive every day the desire, and discover the possibility, of changing their condition and increasing their well-being. This disposes them to love peace, which makes industry prosper and allows each man to carry his small undertakings quietly through to the end. On the other hand, this same equality, by raising the value of military honors in the eyes of those who follow the profession of arms, and by making those honors accessible to all, makes soldiers dream of battlefields. On both sides the restlessness of heart is the same, the taste for pleasures just as insatiable, the ambition equal; only the means of satisfying it differs.

These opposing dispositions of the nation and the army expose democratic societies to great dangers.

When the military spirit deserts a people, the military profession at once ceases to be honored, and military men fall to the lowest rank of public officials. They are little esteemed and no longer understood. What then happens is the opposite of what is seen in aristocratic ages. It is no longer the leading citizens who enter the army, but the least. Men give themselves to military ambition only when no other is allowed them. This creates a vicious circle that is hard to escape. The elite of the nation avoids the military profession because that profession is not honored; and it is not honored because the elite of the nation no longer enters it.

So we must not be surprised if democratic armies often show themselves restless, grumbling, and dissatisfied with their lot, even though physical conditions there are usually much easier,

and discipline less strict, than in any others. The soldier feels himself in an inferior position, and his wounded pride ends by giving him a taste for war, which makes him necessary, or a love of revolutions, during which he hopes to win, weapons in hand, the political influence and personal esteem that are denied him.

The composition of democratic armies makes this last danger very much to be feared.

In a democratic society, almost all citizens have property to preserve; but democratic armies are led, in general, by proletarians. Most of them have little to lose in civil disturbances. The mass of the nation naturally fears revolutions much more there than in aristocratic ages; but the leaders of the army dread them far less.

Moreover, since among democratic peoples, as I said earlier, the richest, best-educated, and most capable citizens rarely enter the military career, the army as a whole ends up forming a small nation apart, where intelligence is less broad and habits are coarser than in the larger nation. Now, this small uncivilized nation possesses the weapons, and it alone knows how to use them.

What in fact increases the danger that the military and turbulent spirit of the army poses to democratic peoples is the peaceable temper of the citizens. There is nothing so dangerous as an army within a nation that is not warlike. There, the excessive love of all citizens for tranquility puts the constitution at the mercy of the soldiers every day.

One can therefore say, as a general rule, that if democratic peoples are naturally inclined toward peace by their interests and their instincts, they are constantly drawn toward war and revolutions by their armies.

Military revolutions, which are almost never to be feared in aristocracies, are always to be dreaded in democratic nations. These dangers must be ranked among the most formidable of all those their future holds. Statesmen must apply their attention unceasingly to finding a remedy for them.

When a nation feels itself inwardly troubled by the restless ambition of its army, the first thought that comes to mind is to give this inconvenient ambition war as its object.

I do not wish to speak ill of war; war almost always enlarges a people's thinking and lifts up its heart. There are cases where it alone can halt the excessive development of certain inclinations that equality naturally gives rise to. In such cases it must be regarded as necessary for certain inveterate diseases to which democratic societies are subject.

War has great advantages; but one must not flatter oneself that it diminishes the danger just pointed out. It only suspends it, and the danger returns more terrible afterward; for the army bears peace much more impatiently after having tasted war. War would be a remedy only for a people that always wanted glory.

I foresee that all the warrior princes who arise within great democratic nations will find it easier to conquer with their army than to make it live in peace after victory. There are two things a democratic people will always find very hard to do: to begin a war and to end it.

If, moreover, war has particular advantages for democratic peoples, on the other hand it exposes them to certain dangers that aristocracies do not have to fear to the same degree. I will cite only two.

If war satisfies the army, it hampers and often drives to despair that countless crowd of citizens whose small passions need peace every day in order to be satisfied. It therefore risks producing, in another form, the very disorder it is meant to prevent.

There is no long war that does not put liberty at great risk in a democratic country. It is not that one must fear, precisely, seeing victorious generals seize sovereign power by force after each victory, in the manner of Sulla and Caesar. The danger is of another sort. War does not always deliver democratic peoples over to military government. But among these peoples it cannot fail to increase the powers of the civil government immensely. It almost inevitably centralizes in that government's hands the direction of all men and the use of all things. If it does not lead sud-

denly to despotism by violence, it brings people there gently through habit.[33]

All those who seek to destroy liberty within a democratic nation should know that the surest and shortest means of succeeding is war. That is the first axiom of the science.

When the ambition of officers and soldiers becomes something to fear, one remedy seems to present itself: to increase the number of posts to be given out by enlarging the army. This relieves the present ill, but it commits the future all the more.

Enlarging the army can produce a lasting effect in an aristocratic society. In such societies military ambition is limited to a single kind of men, and for each man it stops at a certain limit, so that one can manage to satisfy nearly all those who feel it.

But among a democratic people nothing is gained by enlarging the army, because the number of the ambitious there always grows in exactly the same proportion as the army itself. Those whose wishes you have granted by creating new positions are immediately replaced by a new crowd that you cannot satisfy, and the first ones soon begin complaining again themselves. For the same agitation of mind that reigns among the citizens of a democracy is seen in the army: what men want there is not to attain a certain rank, but always to advance. If their desires are not very vast, they are endlessly reborn. A democratic people that enlarges its army therefore only soothes the ambition of military men for a moment; but soon that ambition becomes more formidable, because those who feel it are more numerous.

For my part, I think that a restless and turbulent spirit is an ill inherent in the very constitution of democratic armies, and that one must give up trying to cure it. The legislators of democracies must not flatter themselves that they will find a military organization that has in itself the power to calm and restrain military men. They would exhaust themselves in vain efforts before achieving it.

33 Sulla (138–78 BC) and Julius Caesar (100–44 BC) were Roman generals who used their armies to seize power in Rome.

It is not in the army that the remedy for the army's vices can be found, but in the country.

Democratic peoples naturally fear turmoil and despotism. It is only a matter of turning these instincts into considered, intelligent, and stable tastes. Suppose that citizens have at last learned to make peaceful and useful use of liberty and have felt its benefits, and that they have acquired a manly love of order and have voluntarily submitted to rule. When these same citizens enter the military career, they bring these habits and these mores with them, unknowingly and almost in spite of themselves. The general spirit of the nation, penetrating the particular spirit of the army, tempers the opinions and desires that military life gives rise to; or else, through the all-powerful force of public opinion, it holds them down. Have enlightened, orderly, steadfast, and free citizens, and you will have disciplined and obedient soldiers.

Any law that repressed the turbulent spirit of the army in a way that tended to diminish the spirit of civil liberty within the nation, and to obscure the idea of right and of rights there, would therefore defeat its own purpose. It would favor the establishment of military tyranny much more than it would hinder it.

After all, and whatever one does, a large army within a democratic people will always be a great danger. The most effective means of diminishing that danger will be to reduce the army; but that is a remedy not every people is able to use.

CHAPTER 23: WHICH CLASS IN DEMOCRATIC ARMIES IS THE MOST WARLIKE AND THE MOST REVOLUTIONARY (QUELLE EST, DANS LES ARMÉES DÉMOCRATIQUES, LA CLASSE LA PLUS GUERRIÈRE ET LA PLUS RÉVOLUTIONNAIRE)

Noncommissioned officers are the most restless part of a democratic army; senior officers and conscripts the least.

2.3.23 It is of the essence of a democratic army to be very large relative to the people that supplies it; I will give the reasons later.

On the other hand, men who live in democratic times seldom choose the military career.

Democratic peoples are therefore soon led to give up voluntary recruitment and to resort to compulsory enlistment. The necessity of their condition obliges them to adopt this latter means, and one can easily predict that all of them will adopt it.

Since military service is compulsory, its burden is shared indiscriminately and equally by all citizens. This too follows necessarily from the condition of these peoples and from their ideas. The government there can do nearly whatever it wants, provided it addresses itself to everyone at once. It is the inequality of the weight, and not the weight itself, that usually makes people resist.

Now, since military service is common to all citizens, it obviously follows that each of them remains under the colors for only a few years.

Thus it is in the nature of things that the soldier is only passing through the army. Among most aristocratic nations, by contrast, soldiering is a trade that the soldier takes up, or that is imposed on him, for his whole life.

This has great consequences. Among the soldiers who make up a democratic army, some become attached to military life. But the greater number are brought under the flag in this way against their will and are always ready to return to their homes. They do not regard themselves as seriously committed to the military career and think only of leaving it.

These men do not acquire the needs that this career gives rise to, and they never share more than half of its passions. They submit to their military duties, but their souls remain attached to the interests and desires that filled them in civilian life. They therefore do not take on the spirit of the army; rather, they bring the spirit of society into the army and preserve it there. Among democratic peoples, it is the private soldiers who remain most fully citizens. It is over them that national habits keep the strongest hold and public opinion the most power. It is above all through the soldiers that one can hope to instill in a democratic

army the love of liberty and the respect for rights that one has managed to inspire in the people itself. The opposite happens in aristocratic nations, where the soldiers end up having nothing in common with their fellow citizens. They come to live among them as strangers, and often as enemies.

In aristocratic armies, the conservative element is the officer. The officer alone has kept close ties with civil society and never gives up the intention of returning sooner or later to take his place in it again. In democratic armies, it is the soldier, and for exactly similar reasons.

On the other hand, it often happens that in these same democratic armies the officer acquires tastes and desires entirely separate from those of the nation. This is understandable.

Among democratic peoples, the man who becomes an officer breaks all the ties that bound him to civilian life. He leaves it forever and has no interest in returning to it. His true homeland is the army, since he is nothing except by the rank he holds in it. He therefore follows the fortunes of the army, rises or sinks with it, and from then on directs his hopes toward it alone. Since the officer has needs quite distinct from those of the country, he may ardently desire war, or work toward a revolution, at the very moment when the nation most longs for stability and peace.

Yet there are causes that temper his warlike and restless disposition. If ambition is universal and continual among democratic peoples, we have seen that it is rarely great. Consider the man who came from the middling classes of the nation and has risen through the lower ranks of the army to an officer's commission. He has already taken an immense step. He has gained a foothold in a sphere higher than the one he occupied in civil society, and there he has acquired rights that most democratic nations will always regard as inalienable[34]. He readily stops

34 TOCQUEVILLE'S NOTE. The officer's position is, in fact, much more secure among democratic peoples than among others. The less the officer is in himself, the more value his rank has by comparison, and the more the legislator finds it just and necessary to secure him in its enjoyment.

after this great effort and thinks of enjoying his conquest. Fear of jeopardizing what he possesses already softens in his heart the desire to acquire what he lacks. Having cleared the first and greatest obstacle that held back his progress, he resigns himself with less impatience to the slowness of his advance. This cooling of ambition grows as he rises higher in rank and finds he has more to lose by taking chances. If I am not mistaken, the least warlike and also the least revolutionary part of a democratic army will always be its head.

What I have just said of the officer and the soldier does not apply to a numerous class that occupies the intermediate place between them in all armies: I mean the noncommissioned officers.

This class of noncommissioned officers had not yet appeared in history before the present century. It is destined henceforth, I think, to play a part in it.

Like the officer, the noncommissioned officer has in his mind broken all the ties that bound him to civil society. Like him, he has made soldiering his career, and, perhaps more than the officer, he has turned all his desires in that one direction. But he has not yet reached, as the officer has, a high and solid point where he is free to stop and breathe easily while waiting until he can climb higher.

By the very nature of his functions, which cannot change, the noncommissioned officer is condemned to lead an obscure, narrow, uncomfortable, and precarious existence. So far he sees only the dangers of military life. He knows only its privations and its obedience, which are harder to bear than the dangers. He suffers all the more from his present hardships because he knows that the constitution of society and that of the army allow him to free himself from them. Indeed, from one day to the next he may become an officer. He will then command; he will have honors, independence, rights, pleasures. Not only does this object of his hopes seem immense to him, but until he grasps it he is never sure of reaching it. His rank has nothing irrevocable about it. Every day he is wholly at the mercy of his superiors'

arbitrary will, and the needs of discipline imperatively demand that it be so. A slight fault or a whim can always make him lose, in a moment, the fruit of several years of labor and effort. Until he has reached the rank he covets, then, he has accomplished nothing. Only there does he seem to begin his career. In a man constantly spurred on in this way by his youth, his needs, his passions, the spirit of his time, his hopes, and his fears, a desperate ambition cannot fail to be kindled.

So the noncommissioned officer wants war. He wants it always and at any price, and if war is denied him, he longs for revolutions, which suspend the authority of rules. Amid them he hopes, thanks to the confusion and to political passions, to drive out his officer and take his place. And it is not impossible that he will bring them about, for he wields great influence over the soldiers through a shared origin and shared habits, although he differs greatly from them in his passions and desires.

It would be wrong to believe that these different dispositions of the officer, the noncommissioned officer, and the soldier belong to one particular time or country. They will show themselves in every age and among all democratic nations.

In every democratic army, it will always be the noncommissioned officer who least represents the peaceful and orderly spirit of the country, and the soldier who best represents it. The soldier will bring into military life the strength or the weakness of the national mores; in the army he will show a faithful image of the nation. If the nation is ignorant and weak, he will let himself be drawn into disorder by his leaders, without knowing it or against his will. If it is enlightened and energetic, he will himself hold them to order.

CHAPTER 24: WHAT MAKES DEMOCRATIC ARMIES WEAKER THAN OTHER ARMIES AT THE START OF A CAMPAIGN, AND MORE FORMIDABLE WHEN THE WAR GOES ON (CE QUI REND LES ARMÉES DÉMOCRATIQUES PLUS FAIBLES QUE LES AUTRES ARMÉES EN ENTRANT EN CAMPAGNE, ET PLUS REDOUTABLES QUAND LA GUERRE SE PROLONGE)

Democratic armies start wars badly after long peace but grow formidable as war goes on.

2.3.24 Any army that takes the field after a long peace runs the risk of being defeated; any army that has long been at war has a good chance of winning. This truth applies particularly to democratic armies.

In aristocracies, the military profession, being a privileged career, is honored even in peacetime. Men of great talent, great enlightenment, and great ambition take it up. The army is in every respect on a level with the nation, and it often rises above it.

We have seen how, among democratic peoples, by contrast, the elite of the nation gradually turned away from the military career to seek esteem, power, and above all wealth by other paths. After a long peace—and in democratic times periods of peace are long—the army is always inferior to the country itself. It is in this state that war finds it; and until war has changed it, there is danger for the country and for the army.

I have shown how, in democratic armies and in peacetime, the right of seniority was the supreme and inflexible law of promotion. As I have said, this follows not only from the constitution of these armies but from the very constitution of the people, and it will always be found.

Moreover, since among these peoples the officer counts for something in the country only through his military position, and draws from it all his standing and all his comfort, he does not retire or get dismissed from the army until the very last stages of life.

These two causes mean that when, after a long period of repose, a democratic people at last takes up arms, all the leaders of its army turn out to be old men. I do not mean only the generals but also the junior officers, most of whom have stood still or have been able to advance only step by step. If one looks at a democratic army after a long peace, one is surprised to see that all the soldiers are barely out of childhood and all the leaders are in decline. The former lack experience, and the latter lack vigor.

This is a major cause of defeat, for the first condition for conducting war well is to be young. I would not have dared to say so if the greatest general of modern times had not said it.[35]

These two causes do not act in the same way on aristocratic armies.

Since men there advance by right of birth far more than by right of seniority, every rank always contains a certain number of young men, who bring to war all the first energy of body and soul.

Moreover, since the men who seek military honors among an aristocratic people have an assured position in civil society, they rarely wait for the approach of old age to overtake them in the army. After devoting the most vigorous years of their youth to the profession of arms, they retire of their own accord and go home to spend what remains of their mature years.

A long peace not only fills democratic armies with old officers; it also gives all officers habits of body and mind that make them ill suited to war. A man who has long lived in the peaceful, lukewarm atmosphere of democratic mores at first bends with difficulty to the hard labors and austere duties that war imposes. If he does not lose his taste for arms altogether, he at least acquires ways of living that prevent him from winning.

Among aristocratic peoples, the softness of civil life has less influence on military mores, because among these peoples it is the aristocracy that leads the army. Now an aristocracy, however steeped in luxury it may be, always has several passions

35 The general meant is Napoleon Bonaparte.

besides those of well-being, and it willingly sacrifices its well-being for a time in order to satisfy those other passions more fully.

I have shown how, in democratic armies in peacetime, promotion is extremely slow. At first the officers bear this state of affairs with impatience; they grow agitated, anxious, and despairing. But in the long run most of them resign themselves. Those with the most ambition and resources leave the army. The others finally scale their tastes and desires down to their modest lot and end up viewing the military profession from a civilian standpoint. What they prize most in it is the comfort and stability that come with it. On the security of this small fortune they build their whole picture of the future, and they ask only to be able to enjoy it in peace.

Thus a long peace not only fills democratic armies with old officers; it often gives the instincts of old men even to those in them who are still in the prime of life.

I have also shown how, among democratic nations in peacetime, the military career was little honored and little pursued.

This public disfavor is a very heavy weight bearing on the spirit of the army. Souls are as if bent by it, and when war finally comes, they cannot recover their elasticity and vigor in a moment.

No such cause of moral weakening is found in aristocratic armies. The officers there are never lowered in their own eyes or in those of their peers, because they are great in themselves, apart from their military greatness.

Even if the influence of peace were felt by both armies in the same way, the results would still be different.

[Note] In the chapter to which this note refers, I have just pointed out one danger. I want to indicate another, which is rarer but would be far more to be feared if it ever appeared.

Equality naturally suggests to men a love of material pleasures and a taste for well-being. If these were to take hold of the mind of a democratic people and come to fill it entirely, the national mores would become so hostile to the military spirit that the armies themselves might end up loving peace, despite the particular interest that leads

them to desire war. Placed amid this universal softness, the soldiers would come to think it better to rise gradually, but comfortably and without effort, in peacetime than to buy rapid promotion at the price of the fatigues and miseries of camp life.

In that frame of mind, the army would take up its arms without ardor and use them without energy. It would let itself be led against the enemy rather than march against it of its own accord.

One should not believe that this peaceable disposition would keep the army away from revolutions. Revolutions, and especially military revolutions, which are usually very swift, often involve great dangers but not long labors. They satisfy ambition at less cost than war. In them one risks only one's life, which men in democracies value less than their comforts.

Nothing is more dangerous to the liberty and tranquility of a people than an army that fears war, because, no longer seeking its greatness and influence on the battlefield, it wants to find them elsewhere. It could therefore happen that the men who make up a democratic army would lose the interests of the citizen without acquiring the virtues of the soldier, and that the army would cease to be warlike without ceasing to be turbulent.

I will repeat here what I have already said above. The remedy for such dangers lies not in the army but in the country. A democratic people that preserves manly mores will always find warlike mores in its soldiers when it needs them.

When the officers of an aristocratic army have lost the warlike spirit and the desire to rise by arms, they still keep a certain respect for the honor of their order and an old habit of being first and setting the example. But when the officers of a democratic army no longer have the love of war and military ambition, nothing remains.

I think, therefore, that a democratic people that undertakes a war after a long peace runs a much greater risk of defeat than any other. But it must not let itself be easily discouraged by reverses, for its army's chances grow with the very length of the war.

As war drags on, it at last tears all the citizens away from their peaceful labors and wrecks their small enterprises. When that happens, the very passions that made them value peace so

highly turn toward arms. War, having destroyed all industries, itself becomes the great and only industry. Equality has given birth to ardent and ambitious desires, and from every side these are then directed toward war alone. That is why these same democratic nations, which are so hard to drag onto the battlefield, sometimes do prodigious things there once they have finally been made to take up arms.

As war draws all eyes more and more toward the army, and people see it create great reputations and great fortunes in a short time, the elite of the nation takes up the profession of arms. All the naturally enterprising, proud, and warlike spirits are drawn in that direction, and they now come not only from the aristocracy but from the whole country.

Since the number of competitors for military honors is immense, and war roughly pushes each man into his proper place, great generals always emerge in the end. A long war does to a democratic army what a revolution does to the people itself. It breaks the rules and brings forth all the extraordinary men. Officers whose souls and bodies have grown old in peace are pushed aside, retire, or die. In their place presses a crowd of young men whom war has already hardened and whose desires it has broadened and inflamed. These men want to rise at any cost and to keep on rising. After them come others with the same passions and the same desires, and after those, still others, with no limits but those of the army. Equality allows ambition to all, and death takes care of providing chances for every ambition. Death constantly opens the ranks, empties the posts, closes careers and opens them.

There is, moreover, a hidden affinity between military mores and democratic mores, which war reveals.

Men in democracies naturally have a passionate desire to acquire quickly the goods they covet and to enjoy them easily. Most of them adore chance and fear death much less than toil. It is in this spirit that they conduct commerce and industry. Carried onto the battlefield, this same spirit leads them to risk their lives readily in order to secure the prizes of victory in a single

moment. No greatness satisfies the imagination of a democratic people more than military greatness—a brilliant and sudden greatness, obtained without labor, by risking only one's life.

Thus, while interest and tastes turn the citizens of a democracy away from war, the habits of their souls prepare them to wage it well. They easily become good soldiers as soon as they can be torn away from their business and their well-being.

If peace is particularly harmful to democratic armies, war therefore secures for them advantages that other armies never have. These advantages are barely noticeable at first, but in the long run they cannot fail to give them victory.

An aristocratic people at war with a democratic nation that does not manage to ruin it in the first campaigns always runs a great risk of being defeated by it.

CHAPTER 25: ON DISCIPLINE IN DEMOCRATIC ARMIES (DE LA DISCIPLINE DANS LES ARMÉES DÉMOCRATIQUES)

Discipline in democratic armies rests on the soldier's reason and will rather than habit and servitude.

2.3.25 It is a widely held opinion, especially among aristocratic peoples, that the great equality reigning in democracies eventually makes the soldier independent of the officer there and so destroys the bond of discipline.

This is a mistake. There are in fact two kinds of discipline, which must not be confused.

Suppose the officer is the noble and the soldier the serf, one rich and the other poor, the first enlightened and strong and the second ignorant and weak. Then it is easy to establish the tightest bond of obedience between these two men. The soldier is broken to military discipline before he even enters the army, so to speak; or rather, military discipline is merely a refinement of social servitude. In aristocratic armies, the soldier quite easily becomes, as it were, insensible to everything except the orders of his leaders. He acts without thinking, triumphs without ardor, and dies without complaint. In this state he is no longer a man, but he is still a very formidable animal trained for war.

Democratic peoples must give up hope of ever obtaining from their soldiers the blind, meticulous, resigned, and unvarying obedience that aristocratic peoples impose on theirs without difficulty. The state of society does not prepare soldiers for it, and democratic peoples would risk losing their natural advantages by trying to acquire those others artificially. Among democratic peoples, military discipline must not try to crush the free flight of souls; it can aspire only to direct it. The obedience it creates is less exact, but more impetuous and more intelligent. Its root lies in the very will of the one who obeys. It rests not only on his instinct but on his reason, and so it often tightens of its own accord as danger makes it necessary. The discipline of an aristocratic army readily slackens in war, because that discipline rests on habits, and war disrupts those habits. The discipline of a democratic army, on the contrary, grows firmer in the face of the enemy, because each soldier then sees very clearly that he must keep quiet and obey in order to win.

The peoples who have accomplished the greatest things through war have known no discipline other than the one I am describing. Among the ancients, only free men and citizens were admitted into the armies. They differed little from one another and were accustomed to treating one another as equals. In this sense one can say that the armies of antiquity were democratic, even though they emerged from the bosom of aristocracy. And so there reigned in those armies a kind of familiar comradeship between officer and soldier. One is convinced of this by reading Plutarch's Lives of the great commanders.[36] In them the soldiers speak constantly and very freely to their generals, and the generals willingly listen to their soldiers' speeches and answer them. It is by words and example, far more than by constraint and punishment, that they lead them. They seem companions as much as chiefs.

I do not know whether the Greek and Roman soldiers ever perfected the small details of military discipline to the same

36 Plutarch (c. AD 46–after 119) was a Greek biographer whose *Parallel Lives* pairs famous Greek and Roman statesmen and generals.

degree as the Russians. But that did not prevent Alexander from conquering Asia, and Rome the world.

CHAPTER 26: SOME CONSIDERATIONS ON WAR IN DEMOCRATIC SOCIETIES (QUELQUES CONSIDÉRATIONS SUR LA GUERRE DANS LES SOCIÉTÉS DÉMOCRATIQUES)

Equality makes wars rarer but larger, decided by numbers, and makes civil wars short.

2.3.26 Sometimes the principle of equality develops not in one nation only but at the same time among several neighboring peoples, as can be seen in Europe today. When it does, the men who inhabit these various countries, despite the disparity of their languages, customs and laws, nevertheless resemble one another in this: they fear war equally and conceive the same love for peace[37]. In vain do ambition or anger arm princes. A kind of apathy and universal goodwill calms them in spite of themselves and makes the sword fall from their hands: wars become rarer.

As equality develops in several countries at once, it simultaneously pushes their inhabitants toward industry and commerce. Then not only do their tastes become alike, but their interests mingle and become entangled. No nation can inflict harms on the others that do not fall back upon itself, and all end by regarding war as a calamity almost as great for the victor as for the vanquished.

Thus, on the one hand, it is very difficult in democratic ages to draw peoples into fighting one another; but on the other, it is almost impossible for two of them to make war on each other in isolation. The interests of all are so intertwined, their opinions and needs so alike, that none can remain at rest when the others

37 TOCQUEVILLE'S NOTE. The fear of war that the European peoples display is not due solely to the progress equality has made among them; I hardly need, I think, to point this out to the reader. Apart from this permanent cause, there are several accidental ones that are very powerful. I will cite, before all others, the extreme weariness left behind by the wars of the Revolution and the Empire.

are in motion. Wars therefore become rarer; but when they arise, they cover a vaster field.

Neighboring democratic peoples do not merely become alike on a few points, as I have just said; they end by resembling one another on almost all[38].

Now, this similarity among peoples has very important consequences where war is concerned.

In the fifteenth century the Swiss Confederation made the greatest and most powerful nations of Europe tremble, whereas today its power is exactly proportionate to its population. When I ask myself why, I find that the Swiss have become like all the men around them, and those men like the Swiss. Since numbers alone now make the difference among them, victory necessarily belongs to the biggest battalions. One of the results of the democratic revolution taking place in Europe is therefore to make numerical strength prevail on every battlefield. It also compels

38 TOCQUEVILLE'S NOTE. This comes not only from the fact that these peoples have the same social state, but from the fact that this same social state is such that it naturally leads men to imitate one another and to blend together.

When citizens are divided into castes and classes, not only do they differ from one another, but they have neither the taste nor the desire to resemble one another. On the contrary, each seeks more and more to keep his own opinions and habits intact and to remain himself. The spirit of individuality is very much alive.

Sometimes a people has a democratic social state—that is, there are no longer castes or classes within it, and all its citizens are roughly equal in education and in property. Then the human mind travels in the opposite direction. Men resemble one another, and what is more, they suffer, in a sense, from not resembling one another. Far from wishing to preserve whatever may still set each of them apart, they ask only to lose it, so as to merge into the common mass, which alone represents right and strength in their eyes. The spirit of individuality is almost destroyed.

In times of aristocracy, even those who are naturally alike aspire to create imaginary differences among themselves. In times of democracy, even those who are naturally unlike ask only to become alike, and they copy one another, so constantly is each man's mind drawn into the general movement of humanity.

Something similar can also be observed from one people to another. Two peoples might have the same aristocratic social state and yet remain quite distinct and very different, because the spirit of aristocracy is to individualize itself. But two neighboring peoples could not have the same democratic social state without promptly adopting similar opinions and mores, because the spirit of democracy makes men tend to assimilate.

all small nations to merge into the large ones, or at least to fall in with their policy.

Since the deciding factor in victory is numbers, it follows that every people must strive with all its might to bring as many men as possible onto the battlefield.

When one could enlist under one's colors a kind of troops superior to all others, like the Swiss infantry or the French knights of the sixteenth century, people did not think it necessary to raise very large armies. But this is no longer so when all soldiers are of equal worth.

The same cause that gives rise to this new need also supplies the means of satisfying it. For, as I have said, when all men are alike, they are all weak. The social power is naturally much stronger among democratic peoples than anywhere else. At the same time as these peoples feel the desire to call their entire male population to arms, they therefore have the ability to assemble it there. This is why, in ages of equality, armies seem to grow as the military spirit dies out.

In these same ages, the manner of waging war also changes, and for the same causes.

Machiavelli says in his book The Prince "that it is much more difficult to subjugate a people led by a prince and barons than a nation led by a prince and slaves." So as to offend no one, let us put public officials in place of slaves, and we shall have a great truth, very applicable to our subject.[39]

It is very difficult for a great aristocratic people to conquer its neighbors or to be conquered by them. It cannot conquer them, because it can never gather all its forces and hold them together for long. It cannot be conquered, because the enemy everywhere finds small centers of resistance that stop him. I would compare war in an aristocratic country to war in mountain country: the defeated constantly find opportunities to rally in new positions and hold firm there.

39 Niccolò Machiavelli (1469–1527), *The Prince* (1532), chapter 4, contrasting the Turkish sultan, who rules through servants, with the king of France, who rules alongside hereditary barons; Tocqueville paraphrases.

Precisely the opposite is seen among democratic nations.

They easily bring all their available forces onto the battlefield, and when such a nation is rich and populous, it readily becomes a conqueror. But once it has been defeated and its territory entered, it has few resources left, and if the enemy goes so far as to seize its capital, the nation is lost. This is easily explained: since each citizen is individually very isolated and very weak, no one can either defend himself or offer others a point of support. In a democratic country, nothing is strong but the state. Once the state's military force has been destroyed by the destruction of its army, and its civil power paralyzed by the capture of its capital, the rest forms nothing more than a multitude without order and without strength. Such a multitude cannot struggle against the organized power that is attacking it. I know that the danger can be lessened by creating provincial liberties and, consequently, provincial bodies with a life of their own; but this remedy will always be insufficient.

Not only will the population then be unable to continue the war, but it is to be feared that it will not even wish to try.

According to the law of nations adopted by civilized nations, the aim of wars is not to appropriate the property of private individuals, but only to seize political power. Private property is destroyed only incidentally, and in order to attain the second object.

When an aristocratic nation is invaded after the defeat of its army, the nobles, although they are also the rich, prefer to go on defending themselves individually rather than submit. For if the victor remained master of the country, he would take away their political power, which they value even more than their property. They therefore prefer fighting to conquest, which for them is the greatest of misfortunes. And they easily carry the people along with them, because the people have long been in the habit of following and obeying them, and besides have almost nothing to risk in war.

In a nation where equality of conditions prevails, on the contrary, each citizen has only a small share in political power, and

often none at all. On the other hand, all are independent and have property to lose. As a result, conquest is far less feared there, and war far more, than among an aristocratic people. It will always be very difficult to induce a democratic population to take up arms when war is carried onto its territory. That is why it is so necessary to give these peoples rights, and a political spirit that suggests to each citizen some of the interests that move the nobles in aristocracies.

The princes and other leaders of democratic nations must remember this: only the passion and the habit of freedom can contend successfully against the habit and the passion of well-being. I can imagine nothing better prepared for conquest, in the event of reverses, than a democratic people without free institutions.

Formerly, armies took the field with few soldiers; they fought small engagements and conducted long sieges. Now they fight great battles, and as soon as they can advance freely, they rush on the capital, so as to end the war at a single stroke.

Napoleon, it is said, invented this new system. It was not in the power of any man, whoever he might be, to create such a system. The way Napoleon waged war was suggested to him by the state of society in his time. It succeeded because it was marvelously suited to that state, and because he was putting it into practice for the first time. Napoleon was the first to travel, at the head of an army, the road to every capital. But it was the ruin of feudal society that had opened that road to him. One may well believe that if this extraordinary man had been born three hundred years earlier, he would not have reaped the same fruits from his method, or rather, he would have had a different method.

I will add only one more word, about civil wars, for I fear I may exhaust the reader's patience.

Most of what I have said about foreign wars applies all the more to civil wars. Men who live in democratic countries do not naturally have the military spirit. They sometimes acquire it when they have been dragged onto battlefields against their

will. But to rise up en masse of their own accord, and voluntarily expose themselves to the miseries of war, and above all to those that civil war brings—this is a course the man of democracies will not bring himself to take. Only the most adventurous citizens consent to throw themselves into such a gamble; the mass of the population remains motionless.

Even if it wished to act, it would not easily succeed. For it finds within itself no old and well-established influences to which it is willing to submit; no leaders already known who might gather the discontented, organize them and lead them; no political powers placed beneath the national power that might effectively support the resistance offered to it.

In democratic countries, the moral power of the majority is immense, and the material forces at its disposal are out of all proportion to those that can at first be assembled against it. The party that sits in the seat of the majority, speaks in its name and wields its power, therefore triumphs in a moment and without effort over all individual resistance. It does not even give such resistance time to be born; it crushes it in the germ.

Those among these peoples who wish to make a revolution by force of arms therefore have no other recourse than to seize, by surprise, the fully assembled machinery of government. This can be done by a sudden stroke rather than by a war; for from the moment there is a regular war, the party that represents the state is almost always sure to win.

The only case in which a civil war could arise would be one in which the army split, one part raising the standard of revolt and the other remaining loyal. An army forms a small society, very tightly bound and full of vitality, which is capable of being self-sufficient for some time. The war might be bloody, but it would not be long. Either the rebel army would draw the government over to itself by the mere display of its strength, or by its first victory, and the war would be over. Or else the struggle would begin in earnest, and the part of the army not supported by the organized power of the state would soon disperse of its own accord or be destroyed.

We may therefore accept it as a general truth that in ages of equality civil wars will become much rarer and shorter[40].

40 TOCQUEVILLE'S NOTE. It is understood, of course, that I am speaking here of *unitary* democratic nations, and not of confederated democratic nations. In confederations, the preponderant power always resides, despite the fictions, in the state governments and not in the federal government. Civil wars there are therefore only foreign wars in disguise.

Volume 2, Part 4

The influence of democratic ideas and sentiments on political society: the centralization of power and the kind of despotism democratic nations have to fear.

CHAPTER 1: EQUALITY NATURALLY GIVES MEN A TASTE FOR FREE INSTITUTIONS (L'ÉGALITÉ DONNE NATURELLEMENT AUX HOMMES LE GOÛT DES INSTITUTIONS LIBRES)

Equality gives men a taste for independence that leads toward free institutions, and also a hidden road toward servitude.

2.4.1 Equality, which makes men independent of one another, gives them the habit of following only their own will in their private actions, and a taste for doing so. This complete independence, which they continually enjoy toward their equals and in the conduct of private life, disposes them to look upon all authority with a discontented eye, and soon suggests to them the idea and the love of political liberty. Men who live in such times therefore walk down a natural slope that leads them toward free institutions. Take any one of them at random. Go back, if you can, to his primitive instincts. You will find that, among the various forms of government, the one he conceives of first and values most is the government whose head he has elected and whose acts he oversees.

Of all the political effects that equality of conditions produces, it is this love of independence that first strikes the eye and that timid minds fear most. One cannot say they are altogether wrong to do so, for anarchy has a more frightening aspect in democratic countries than elsewhere. Since citizens have no

hold over one another, the moment the national power that keeps them all in their places fails, it seems that disorder must at once reach its height. Each citizen goes off his own way, and the social body seems about to be reduced suddenly to dust.

I am convinced, however, that anarchy is not the principal evil that democratic ages must fear, but the least.

Equality, in fact, produces two tendencies. One leads men directly to independence and can suddenly push them as far as anarchy. The other leads them by a longer, more hidden, but surer road toward servitude.

Peoples easily see the first and resist it; they let themselves be carried along by the other without seeing it. It is therefore particularly important to point it out.

For my part, far from reproaching equality for the indocility it inspires, it is chiefly for this that I praise it. I admire it when I see it lay down, deep in the mind and heart of every man, that obscure notion of political independence and that instinctive inclination toward it. In this way it prepares the remedy for the evil to which it gives rise. This is what binds me to it.

CHAPTER 2: THAT THE IDEAS OF DEMOCRATIC PEOPLES ABOUT GOVERNMENT NATURALLY FAVOR THE CONCENTRATION OF POWERS (QUE LES IDÉES DES PEUPLES DÉMOCRATIQUES EN MATIÈRE DE GOUVERNEMENT SONT NATURELLEMENT FAVORABLES À LA CONCENTRATION DES POUVOIRS)

Equality makes people picture one central power and uniform laws, an idea shared by Americans, Europeans and princes.

2.4.2 The idea of secondary powers, placed between the sovereign and the subjects, naturally presented itself to the imagination of aristocratic peoples. They contained within them individuals or families whom birth, enlightenment, and wealth set beyond compare, and who seemed destined to command. For the opposite reasons, this same idea is naturally absent from men's minds in ages of equality. It can be introduced there only artificially, and kept there only with difficulty. Meanwhile they conceive,

almost without thinking about it, the idea of a single, central power that leads all citizens by itself.

In politics, moreover, as in philosophy and religion, the intellect of democratic peoples welcomes simple and general ideas with delight. Complicated systems repel it, and it likes to imagine a great nation whose citizens all resemble a single model and are directed by a single power.

After the idea of a single, central power, the idea that most spontaneously presents itself to men's minds in ages of equality is that of uniform legislation. Each of them sees himself as little different from his neighbors, so he has difficulty understanding why a rule that applies to one man should not apply equally to all the others. The slightest privileges are therefore repugnant to his reason. The faintest differences in the political institutions of one and the same people offend him, and legislative uniformity seems to him the first condition of good government.

I find, on the contrary, that in aristocratic ages this same notion of a uniform rule, imposed equally on all members of the social body, is all but foreign to the human mind. The mind either does not take it in or rejects it.

On both sides, these opposite bents of the intellect end by becoming such blind instincts and such invincible habits that they still direct action, in spite of particular facts. Despite the immense variety of the Middle Ages, one sometimes met individuals who were perfectly alike, yet the legislator still assigned each of them different duties and different rights. And, on the contrary, in our day governments exhaust themselves trying to impose the same customs and the same laws on populations that do not yet resemble one another.

As conditions become equal among a people, individuals appear smaller and society seems larger. Or rather, each citizen, having become like all the others, is lost in the crowd, and nothing can be seen any longer but the vast and magnificent image of the people itself.

This naturally gives men in democratic times a very high opinion of the privileges of society and a very humble idea of

the rights of the individual. They readily admit that the interest of the former is everything and that of the latter nothing. They are quite willing to grant that the power that represents society has far more enlightenment and wisdom than any of the men who compose it. They also grant that its duty, as well as its right, is to take each citizen by the hand and lead him.

If we take the trouble to examine our contemporaries closely and to dig down to the root of their political opinions, we will find there some of the ideas I have just set out. We may be surprised to meet so much agreement among people who so often make war on one another.

The Americans believe that in each state social power must emanate directly from the people. But once that power is constituted, they can imagine, so to speak, no limits to it; they readily acknowledge that it has the right to do anything.

As for special privileges granted to towns, families, or individuals, they have lost even the idea of them. It has never entered their minds that the same law might not be applied uniformly to all parts of the same state and to all the men who inhabit it.

These same opinions are spreading more and more in Europe. They are making their way into the very heart of the nations that most violently reject the dogma of the sovereignty of the people. These nations give power a different origin from the one the Americans give it, but they picture power with the same features. Among all of them, the notion of an intermediate power is growing dim and fading away. The idea of a right inherent in certain individuals is rapidly disappearing from men's minds. The idea of the all-powerful and, so to speak, sole right of society is coming to take its place. These ideas take root and grow as conditions become more equal and men more alike. Equality gives birth to them, and they in turn hasten the progress of equality.

In France, where the revolution I am speaking of is further advanced than among any other people of Europe, these same opinions have taken complete hold of the intellect. Listen attent-

ively to the voices of our various parties, and you will see that there is not one that does not adopt them. Most consider that the government acts badly, but all think that the government must act constantly and have a hand in everything. Even those who wage the fiercest war on one another do not fail to agree on this point. The unity, the ubiquity, and the omnipotence of social power, and the uniformity of its rules, form the salient feature of all the political systems brought forth in our day. One finds them at the bottom of the most bizarre utopias. The human mind still pursues these images when it dreams.

If such ideas present themselves spontaneously to the minds of private individuals, they come still more readily to the imagination of princes.

While the old social state of Europe is changing and dissolving, sovereigns are forming new beliefs about their powers and their duties. They understand for the first time that the central power they represent can and should administer all affairs and all men by itself, on a uniform plan. I venture to say that this opinion had never been conceived by the kings of Europe before our time. It is penetrating to the very depths of these princes' minds, and it holds firm there amid the agitation of all the others.

The men of our day are therefore much less divided than one imagines. They argue endlessly over whose hands sovereignty will be placed in, but they easily agree about the duties and the rights of sovereignty. All conceive of government in the image of a single, simple, providential, and creative power.

All secondary ideas in political matters are shifting; this one remains fixed, unalterable, always the same. Political writers and statesmen adopt it, and the crowd eagerly seizes on it. The governed and those who govern agree in pursuing it with the same ardor. It comes first; it seems innate.

[Note] Men place the grandeur of the idea of unity in the means, God in the end; this is why this idea of grandeur leads us into a thousand pettinesses. To force all men to march in step toward the same object—that is a human idea. To introduce infinite variety into actions, but to combine

them so that all these actions lead by a thousand different paths toward the fulfillment of a great design—that is a divine idea.

The human idea of unity is almost always sterile; God's is immensely fruitful. Men think they display their grandeur by simplifying the means. It is God's object that is simple; his means vary infinitely.

It does not, therefore, spring from a whim of the human mind. It is a natural condition of the present state of mankind.

CHAPTER 3: THAT THE SENTIMENTS OF DEMOCRATIC PEOPLES AGREE WITH THEIR IDEAS IN BRINGING THEM TO CONCENTRATE POWER (QUE LES SENTIMENTS DES PEUPLES DÉMOCRATIQUES SONT D'ACCORD AVEC LEURS IDÉES POUR LES PORTER À CONCENTRER LE POUVOIR)

Isolation, love of quiet, weakness and hatred of privilege lead democratic citizens to hand power to the state.

2.4.3 If, in ages of equality, men readily grasp the idea of a great central power, there can be no doubt, on the other hand, that their habits and sentiments predispose them to recognize such a power and to lend it a hand. This can be shown in a few words, since most of the reasons have already been given elsewhere.

Men who live in democratic countries have neither superiors, nor inferiors, nor habitual and necessary associates. They readily withdraw into themselves and regard themselves in isolation. I had occasion to show this at great length when I dealt with individualism.

It is therefore only with effort that such men ever tear themselves away from their private affairs to attend to common affairs. Their natural inclination is to leave the care of these to the sole visible and permanent representative of collective interests, which is the state.

Not only do they have no natural taste for public business, but they often lack the time for it. Private life is so active in democratic times, so agitated, so full of desires and of labors, that each man has almost no energy or leisure left for political life.

That such inclinations are not invincible I will be the last to deny, since my chief aim in writing this book has been to combat them. I maintain only that in our day a secret force constantly develops them in the human heart, and that one need only fail to check them for them to fill it.

I have likewise had occasion to show how the growing love of well-being and the mobile nature of property made democratic peoples dread material disorder. The love of public tranquility is often the only political passion these peoples retain. It becomes more active and more powerful among them as all the others sink and die. This naturally disposes citizens constantly to give new rights to the central power, or to let it take them. That power alone seems to them to have the interest and the means to defend them from anarchy while defending itself.

In ages of equality no one is obliged to lend his strength to his fellow, and no one has the right to expect much support from his fellow, so each is at once independent and weak. These two conditions must neither be considered separately nor confused, and they give the citizen of democracies very contrary instincts. His independence fills him with confidence and pride among his equals. His weakness makes him feel, from time to time, the need for outside help that he cannot expect from any of them, since they are all powerless and cold. In this extremity he naturally turns his gaze toward that immense being which alone stands high amid the universal abasement. It is toward this being that his needs, and above all his desires, constantly lead

him back, and it is this being that he ends by regarding as the sole and necessary support of individual weakness[1].

This completes our understanding of what often happens among democratic peoples. There men who can hardly bear to have superiors patiently endure a master, and show themselves at once proud and servile.

The hatred that men bear toward privilege grows as privileges become rarer and smaller. Democratic passions thus seem to burn hotter at the very time when they find the least fuel. I have already given the reason for this phenomenon. When all conditions are unequal, no inequality is so great that it offends the eye; whereas the smallest dissimilarity seems shocking amid general uniformity, and the sight of it becomes more unbearable the more complete the uniformity is. It is therefore natural that the love of equality should grow constantly with equality itself; by satisfying it, one makes it grow.

This undying hatred, ever more inflamed, which sets democratic peoples against the slightest privileges, singularly favors the gradual concentration of all political rights in the hands of

1 TOCQUEVILLE'S NOTE. In democratic societies, only the central power has any stability in its footing and any permanence in its undertakings. All the citizens are constantly stirring and changing. Now, it is in the nature of every government to want to enlarge its sphere continually. It is therefore very difficult for this one not to succeed in the long run, since it acts with a fixed purpose and a steady will upon men whose position, ideas, and desires vary every day.

It often happens that citizens work for it without meaning to.

Democratic ages are times of experiment, innovation, and adventure. There is always a multitude of men engaged in some difficult or new enterprise that they pursue on their own, without troubling about their fellows. Such men readily accept, as a general principle, that public authority should not intervene in private affairs. But, by way of exception, each of them wants it to help him in the particular matter that concerns him. Each seeks to draw the government's action toward his own side, while wishing to restrict it on all the others. A multitude of people hold this particular view at the same time about a host of different objects. So the sphere of the central power extends imperceptibly in every direction, although each of them wishes to restrict it.

A democratic government therefore increases its functions by the mere fact that it lasts. Time works for it; every accident profits it; individual passions help it even without knowing it. One can say that it becomes all the more centralized the older democratic society grows.

the sole representative of the state. The sovereign, being necessarily and indisputably above all citizens, arouses the envy of none of them, and each believes that every prerogative he concedes to the sovereign is taken away from his equals.

The man of democratic ages obeys his neighbor, who is his equal, only with extreme reluctance. He refuses to grant that neighbor enlightenment superior to his own; he distrusts his justice and looks jealously on his power; he fears and despises him; he likes to make him feel at every moment that they both depend alike on the same master.

Every central power that follows these natural instincts loves equality and favors it; for equality singularly facilitates the action of such a power, extends it, and secures it.

One can likewise say that every central government adores uniformity. Uniformity spares it the examination of an infinity of details. It would have to attend to these if it had to make the rule fit men, instead of bringing all men indiscriminately under the same rule. Thus the government loves what the citizens love, and it naturally hates what they hate. Among democratic nations, this community of feeling continually unites each individual and the sovereign in the same thought, and it establishes between them a secret and lasting sympathy. The government is forgiven its faults for the sake of its tastes. Public confidence abandons it only reluctantly amid its excesses or its errors, and returns to it as soon as it calls that confidence back. Democratic peoples often hate those who hold central power; but they always love that power itself.

Thus I have reached the same end by two different roads. I showed that equality suggested to men the idea of a single, uniform, and strong government. I have just shown that it gives them a taste for such a government. It is therefore toward a government of this kind that the nations of our day are tending. The natural inclination of their minds and hearts leads them there, and they need only fail to hold themselves back in order to arrive.

[Note] A democratic people is not only inclined by its tastes to centralize power; the passions of all those who lead it constantly push it in that direction.

One can easily foresee that nearly all the ambitious and able citizens in a democratic country will work tirelessly to extend the functions of the social power, because all of them hope to direct it one day. It is a waste of time to try to prove to such men that extreme centralization can harm the state, since they are centralizing for themselves.

Among the public men of democracies, hardly anyone but the very disinterested or the very mediocre wants to decentralize power. The former are rare and the latter powerless.

I think that, in the democratic ages about to open, individual independence and local liberties will always be a product of art. Centralization will be the natural government.

CHAPTER 4: ON SOME PARTICULAR AND ACCIDENTAL CAUSES THAT EITHER COMPLETE THE DRIVE OF A DEMOCRATIC PEOPLE TOWARD CENTRALIZING POWER OR TURN IT ASIDE (DE QUELQUES CAUSES PARTICULIÈRES ET ACCIDENTELLES QUI ACHÈVENT DE PORTER UN PEUPLE DÉMOCRATIQUE À CENTRALISER LE POUVOIR OU QUI L'EN DÉTOURNENT)

Old habits of freedom, violent revolution, ignorance, war and the sovereign's origin speed or slow centralization.

2.4.4 If all democratic peoples are drawn instinctively toward the centralization of powers, they do not all tend toward it to the same degree. This depends on the particular circumstances that can develop or restrain the natural effects of the social state. These circumstances are very numerous; I shall speak of only a few.

Among men who lived free for a long time before becoming equal, the instincts that freedom gave them combat, to a certain extent, the inclinations that equality suggests. Although the central power increases its privileges among them, private individuals there never entirely lose their independence.

But equality may come to develop among a people that has never known freedom, or has long ceased to know it, as is seen on the continent of Europe. Then the nation's old habits suddenly combine, by a kind of natural attraction, with the new habits and doctrines to which the social state gives birth. All powers seem to rush of their own accord toward the center; they accumulate there with surprising speed. The state reaches all at once the furthest limits of its strength, while private individuals let themselves fall in a moment to the lowest degree of weakness.

The English who came three centuries ago to found a democratic society in the wildernesses of the New World had all grown accustomed in the mother country to taking part in public affairs. They knew the jury; they had freedom of speech and freedom of the press, individual liberty, the idea of right, and the habit of appealing to it.

They carried these free institutions and these manly mores to America, and these sustained them against the encroachments of the state.

Among the Americans, then, it is freedom that is old; equality is comparatively new. The contrary is true in Europe. There, equality was introduced by absolute power and under the eye of kings, and it had already entered the habits of the peoples long before freedom had entered their ideas.

I have said that among democratic peoples government naturally presents itself to the human mind only in the form of a single, central power, and that the notion of intermediate powers is not familiar to it. This applies particularly to democratic nations that have seen the principle of equality triumph by means of a violent revolution. The classes that managed local affairs suddenly disappear in that storm. The confused mass that remains does not yet have the organization or the habits that would allow it to take over the administration of those same affairs. So the state alone is seen as able to take charge of all the details of government. Centralization becomes a fact that is, in a sense, necessary.

Napoleon should be neither praised nor blamed for having concentrated nearly all administrative powers in his own hands. After the abrupt disappearance of the nobility and the upper bourgeoisie, those powers came to him of their own accord; it would have been almost as hard for him to refuse them as to take them. No such necessity has ever been felt by the Americans. Having had no revolution, and having governed themselves from the beginning, they have never had to make the state their temporary guardian.

Thus, in a democratic people, centralization develops not only according to the progress of equality, but also according to the way that equality is established.

At the beginning of a great democratic revolution, when the war between the different classes is only just breaking out, the people strive to centralize public administration in the hands of the government, in order to wrest the direction of local affairs from the aristocracy. Toward the end of that same revolution, on the contrary, it is usually the defeated aristocracy that tries to hand over the direction of all affairs to the state. It does so because it dreads the petty tyranny of the people, who have become its equal and often its master.

Thus it is not always the same class of citizens that strives to increase the prerogatives of power. But as long as the democratic revolution lasts, there is always some class in the nation, powerful by its numbers or its wealth, that special passions and particular interests lead to centralize public administration. This is quite apart from hatred of being governed by one's neighbor, which is a general and permanent feeling among democratic peoples. It may be observed that, in our time, it is the lower classes of England that are working with all their might to destroy local independence and to transfer administration from every point of the circumference to the center, while the upper classes strive to keep that same administration within its old limits. I venture to predict that a day will come when we shall see the very opposite spectacle.

What precedes makes it clear why the social power must always be stronger, and the individual weaker, in a democratic people that has reached equality through long and painful social labor than in a democratic society where the citizens have been equal from the beginning. The example of the Americans completes the proof.

The men who live in the United States have never been separated by any privilege. They have never known the reciprocal relation of inferior and master, and since they neither fear nor hate one another, they have never felt the need to call on the sovereign to direct the details of their affairs. The destiny of the Americans is singular: they took from the aristocracy of England the idea of individual rights and the taste for local liberties, and they were able to keep both because they had no aristocracy to fight.

If enlightenment helps men defend their independence in all times, this is especially true in democratic ages. When all men are alike, it is easy to found a single, all-powerful government; instincts suffice. But men need a great deal of intelligence, knowledge, and art to organize and maintain secondary powers in the same circumstances. They need as much to create free associations, amid the independence and individual weakness of the citizens, that are able to struggle against tyranny without destroying order.

Among democratic nations, therefore, the concentration of powers and individual servitude will grow not only in proportion to equality, but in proportion to ignorance.

It is true that in unenlightened ages the government often lacks the enlightenment to perfect despotism, just as the citizens lack it to escape despotism. But the effect is by no means equal on both sides.

However crude a democratic people may be, the central power that directs it is never entirely deprived of enlightenment. It easily draws to itself what little enlightenment is found in the country, and, if need be, it goes looking for more abroad. In a nation that is ignorant as well as democratic, then, a prodi-

gious difference cannot fail to appear soon between the intellectual capacity of the sovereign and that of each of its subjects. This makes it easy to concentrate all powers in its hands. The administrative power of the state constantly expands, because the state alone is skilled enough to administer.

Aristocratic nations, however unenlightened one supposes them to be, never present the same spectacle, because enlightenment there is fairly evenly shared between the prince and the leading citizens.

The pasha who rules Egypt today found the population of that country made up of very ignorant and very equal men, and to govern it he appropriated the science and intelligence of Europe. With the sovereign's personal enlightenment thus combining with the ignorance and democratic weakness of his subjects, the ultimate degree of centralization was reached without difficulty. The prince was able to make the country his factory, and its inhabitants his workers.[2]

I believe that extreme centralization of political power ends by enervating society, and thus, in the long run, by weakening the government itself. But I do not deny that a centralized social force can readily carry out great undertakings at a given time and at a given point. This is especially true in war. There, success depends far more on the ease with which one can rapidly bring all one's resources to bear on a particular point than on the extent of those resources. It is therefore chiefly in war that peoples feel the desire, and often the need, to increase the prerogatives of the central power. All military geniuses love centralization, which increases their strength, and all centralizing geniuses love war, which forces nations to concentrate all powers in the hands of the state. Thus the democratic tendency that leads men constantly to multiply the privileges of the state and to restrict the rights of individuals is far more rapid and continuous among some democratic peoples than among all

2 Muhammad Ali (r. 1805–1848), who modernized Egypt's army and economy with European experts and state monopolies.

others: those whose position exposes them to great and frequent wars, and whose existence may often be put in peril.

I have said how fear of disorder and love of well-being imperceptibly lead democratic peoples to increase the functions of the central government. To them it is the only power that seems, of itself, strong enough, intelligent enough, and stable enough to protect them against anarchy. I hardly need add that all the particular circumstances that tend to make the condition of a democratic society troubled and precarious heighten this general instinct. They lead private individuals more and more to sacrifice their rights to their tranquility.

A people is therefore never so disposed to increase the functions of the central power as when it emerges from a long and bloody revolution. Such a revolution has torn property from the hands of its former owners, shaken all beliefs, and filled the nation with furious hatreds, opposed interests, and rival factions. The taste for public tranquility then becomes a blind passion, and citizens are liable to conceive a most disorderly love of order.

I have just examined several accidental circumstances that all contribute to the centralization of power. I have not yet spoken of the chief one.

The first of the accidental causes that, among democratic peoples, can draw the direction of all affairs into the sovereign's hands is the origin of that sovereign himself, and his inclinations.

Men who live in ages of equality naturally love the central power and willingly extend its privileges. But if that same power happens to represent their interests faithfully and to reproduce their instincts exactly, the confidence they place in it knows almost no bounds. They believe that whatever they give it, they are granting to themselves.

The drawing of administrative powers toward the center will always be less easy and less rapid under kings who are still attached in some way to the old aristocratic order than under new princes. Such princes are self-made men, whose birth, pre-

judices, instincts, and habits seem to bind them indissolubly to the cause of equality. I do not mean that princes of aristocratic origin who live in democratic ages do not seek to centralize. I believe they apply themselves to it as diligently as all the others. For them, the only advantages of equality lie in that direction. But their opportunities are fewer, because the citizens, instead of naturally anticipating their wishes, often go along with them only reluctantly. In democratic societies, centralization will always be greater the less aristocratic the sovereign is: that is the rule.

When an old line of kings rules an aristocracy, the natural prejudices of the sovereign are in perfect accord with the natural prejudices of the nobles, and so the vices inherent in aristocratic societies develop freely and find no remedy. The opposite happens when the offshoot of a feudal stock is placed at the head of a democratic people. Every day the prince leans, through his education, his habits, and his memories, toward the sentiments that inequality of conditions suggests; and the people constantly tend, through their social state, toward the mores that equality gives rise to. It then often happens that citizens seek to restrain the central power far less because it is tyrannical than because it is aristocratic. They firmly maintain their independence not only because they want to be free, but above all because they mean to remain equal.

A revolution that overthrows an old family of kings and places new men at the head of a democratic people may weaken the central power for a time. But however anarchic it may appear at first, one should not hesitate to predict that its final and necessary result will be to extend and secure the prerogatives of that very power.

The first and, in a sense, the only condition necessary for centralizing public power in a democratic society is to love equality, or to make people believe that one does. Thus the science of despotism, once so complicated, has become simple: it is reduced, so to speak, to a single principle.

CHAPTER 5: THAT AMONG THE EUROPEAN NATIONS OF OUR DAY THE SOVEREIGN POWER IS GROWING, ALTHOUGH SOVEREIGNS ARE LESS STABLE (QUE PARMI LES NATIONS EUROPÉENNES DE NOS JOURS, LE POUVOIR SOUVERAIN S'ACCROÎT, QUOIQUE LES SOUVERAINS SOIENT MOINS STABLES)

In Europe the state absorbs the old secondary powers, charity, education, religion, savings and the courts.

2.4.5 If one reflects on what has gone before, one will be surprised and alarmed to see how, in Europe, everything seems to combine to increase the prerogatives of the central power without limit, and to make individual existence weaker, more subordinate, and more precarious every day.

The democratic nations of Europe have all the general and permanent tendencies that carry the Americans toward the centralization of powers. In addition, they are subject to a multitude of secondary and accidental causes that the Americans do not know. One would say that every step they take toward equality brings them closer to despotism.

We need only look around us, and at ourselves, to be convinced of it.

During the aristocratic ages that preceded our own, the sovereigns of Europe had been deprived of several of the rights inherent in their power, or had given them up. Less than a hundred years ago, among most European nations, there were still private individuals or nearly independent bodies that administered justice, raised and maintained soldiers, collected taxes, and often even made or interpreted the law. Everywhere the state has taken back these natural attributes of sovereign power for itself alone. In all that concerns government, it no longer tolerates any intermediary between itself and the citizens, and it directs them itself in general affairs. I am very far from condemning this concentration of powers; I merely point it out.

At that same period there existed in Europe a great number of secondary powers that represented local interests and admin-

istered local affairs. Most of these local authorities have already disappeared, and all are rapidly tending to disappear or to fall into complete dependence. From one end of Europe to the other, the privileges of the lords, the liberties of the towns, and the provincial administrations have been destroyed or soon will be.

Over the past half century Europe has undergone many revolutions and counterrevolutions, which have pushed it in opposite directions. But all these movements resemble one another in one respect: all have shaken or destroyed the secondary powers. Local privileges that the French nation had not abolished in the countries it conquered finally succumbed to the efforts of the princes who defeated it. These princes rejected all the novelties that the revolution had created in their lands, except centralization: it is the only thing they consented to take from it.[3]

What I wish to point out is this. All these various rights, wrested one after another in our time from classes, from corporate bodies, and from individuals, have not served to raise up new secondary powers on a more democratic basis. Instead they have been concentrated, on every side, in the hands of the sovereign. Everywhere the state is coming more and more to direct even the humblest citizens itself, and to guide each of them, alone, in the smallest affairs[4].

Almost all the charitable establishments of old Europe were in the hands of private individuals or corporate bodies. All have

3 Tocqueville refers to the French Revolutionary and Napoleonic conquests and to the monarchies that recovered their lands after Napoleon's defeat in 1814–15.

fallen more or less into dependence on the sovereign, and in several countries they are run by him. It is the state that has undertaken, almost alone, to give bread to the hungry, relief and shelter to the sick, and work to the idle. It has made itself almost the sole remedy for every misery.

Education, like charity, has become a national affair among most peoples of our day. The state receives the child from its mother's arms, and often takes it, in order to entrust it to its agents. It is the state that undertakes to inspire sentiments in each generation and to furnish it with ideas. Uniformity reigns in studies as in everything else; diversity, like liberty, is disappearing from them every day.

Nor do I hesitate to assert that among almost all the Christian nations of our day, Catholic as well as Protestant, religion is in danger of falling into the hands of the government. Not that sovereigns are very eager to settle dogma themselves; but more and more they take hold of the will of the man who expounds it. They take away the clergy's property and assign it a salary; they divert the influence the priest possesses and use it for their own benefit alone; they make him one of their public officials and

4 TOCQUEVILLE'S NOTE. This gradual weakening of the individual in the face of society shows itself in a thousand ways. Among others, I shall cite what concerns wills.

In aristocratic countries, people usually profess a deep respect for a man's last wishes. Among the old peoples of Europe this sometimes went as far as superstition: the social power, far from hindering the caprices of the dying man, lent its strength to even the least of them. It secured him a perpetual power.

When all the living are weak, the will of the dead is less respected. A very narrow circle is drawn around it, and if it happens to step outside that circle, the sovereign annuls it or overrides it. In the Middle Ages the power to make a will had, so to speak, no limits. Among the French of our day, one cannot distribute one's estate among one's children without the state intervening. Having ruled over the whole of life, it still wants to regulate its last act.

often one of their servants; and through him they reach into the very depths of each man's soul[5].

But that is still only one side of the picture.

Not only has the sovereign's power extended, as we have just seen, over the entire sphere of the old powers; that sphere is no longer enough to contain it. It overflows it on every side and spreads into the domain that individual independence had until now reserved for itself. A multitude of actions that once escaped the control of society entirely have been subjected to it in our day, and their number is constantly growing.

Among aristocratic peoples, the social power usually confined itself to directing and supervising citizens in everything that had a direct and visible bearing on the national interest; in all else it willingly left them to their own free will. Among those peoples, the government often seemed to forget that there is a point at which the faults and miseries of individuals endanger the universal well-being, and that preventing the ruin of a private person must sometimes be a public affair.

The democratic nations of our time lean toward the opposite excess.

It is evident that most of our princes do not merely want to direct the people as a whole. One would say that they consider themselves responsible for the actions and the individual destiny of their subjects, that they have undertaken to guide and enlighten each of them in the various acts of his life, and, if need be, to make him happy in spite of himself.

For their part, private individuals increasingly view the social power in the same light. In all their needs they call on it for help, and at every moment they fix their eyes on it as on a tutor or a guide.

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5 TOCQUEVILLE'S NOTE. As the functions of the central power increase, the number of public officials who represent it grows. They form a nation within each nation; and since the government lends them its stability, they increasingly take the place of the aristocracy in each of them.

Almost everywhere in Europe, the sovereign rules in two ways: he leads one part of the citizens by the fear they feel of his agents, and the other by the hope they entertain of becoming his agents.

I affirm that there is no country in Europe where the public administration has not become not only more centralized but also more inquisitive and more detailed. Everywhere it penetrates further than before into private affairs. It regulates, in its own way, more actions, and smaller ones; and every day it establishes itself more firmly beside, around, and above each individual, to assist him, to advise him, and to constrain him.

In the past, the sovereign lived on the revenue from his lands or on the proceeds of taxes. It is no longer so today, now that his needs have grown with his power. In the same circumstances in which a prince once imposed a new tax, today one resorts to a loan. Little by little the state thus becomes the debtor of most of the rich, and it centralizes the largest amounts of capital in its hands.

It draws in the smallest amounts by another means.

As men mingle and conditions become equal, the poor man has more resources, more education, and more desires. He conceives the idea of improving his lot, and he seeks to do so by saving. Saving thus gives rise every day to an infinite number of small sums of capital, the slow and successive fruits of labor, and they keep growing. But most of them would remain unproductive if they stayed scattered. This has given birth to a philanthropic institution that will soon become, unless I am mistaken, one of our greatest political institutions. Charitable men conceived the idea of collecting the savings of the poor and putting the proceeds to use. In some countries these benevolent associations have remained entirely separate from the state. But in almost all of them they visibly tend to merge with it, and in some the government has even replaced them. There it has undertaken the immense task of centralizing in a single place, and of investing by its own hands alone, the daily savings of several million workers.

Thus the state draws to itself the money of the rich through borrowing, and through the savings banks it disposes as it pleases of the pennies of the poor. The wealth of the country constantly flows toward it and into its hands. It accumulates

there all the more as equality of conditions grows greater; for in a democratic nation only the state inspires confidence in private individuals, because it alone seems to them to have any strength or any permanence[6].[7]

Thus the sovereign does not confine himself to managing the public wealth; he also makes his way into private fortunes. He is the head of each citizen and often his master, and, in addition, he makes himself his steward and his cashier.

Not only does the central power alone fill the entire sphere of the old powers, extend it, and go beyond it; it also moves within it with more agility, strength, and independence than it once did.

In our time all the governments of Europe have prodigiously perfected the science of administration. They do more things, and they do each thing with more order and speed and at less cost. They seem constantly to enrich themselves with all the knowledge they have taken from private individuals. Every day the princes of Europe hold their delegates in closer dependence, and they invent new methods to direct them more closely and to supervise them with less effort. It is not enough for them to conduct all affairs through their agents; they undertake to direct their agents' conduct in all their affairs. As a result, the public administration not only depends on the same power; it is drawn ever more tightly into a single place and concentrated in fewer hands. The government centralizes its action at the same time as it increases its prerogatives: a double source of strength.

When one examines the constitution that the judicial power once had among most of the nations of Europe, two things are

6 TOCQUEVILLE'S NOTE. On the one hand, the taste for well-being grows constantly, and the government takes hold of more and more of the sources of well-being.

Men are thus heading toward servitude by two different roads. The taste for well-being turns them away from taking part in government, and the love of well-being puts them in ever closer dependence on those who govern.

7 Savings banks (caisses d'épargne) spread across Europe in the early nineteenth century; in France a law of 1837 required their deposits to be placed with a state fund.

striking: the independence of that power and the extent of its functions.

Not only did the courts of justice decide almost all disputes between private individuals; in a great many cases they served as arbiters between each individual and the state.

I do not mean here the political and administrative functions that the courts had usurped in some countries, but the judicial functions they possessed in all. Among all the peoples of Europe there were, and still are, many individual rights, most of them connected with the general right of property, that were placed under the protection of the judge and that the state could not violate without his permission.[8]

It was above all this semi-political power that distinguished the courts of Europe from all others; for all peoples have had judges, but not all have given their judges the same privileges.

If we now examine what is happening among the democratic nations of Europe that are called free, as well as among the others, we see that everywhere, alongside these courts, others are being created. These are more dependent, and their particular purpose is to decide, by way of exception, the disputed questions that may arise between the public administration and the citizens. The old judicial power is left its independence, but its jurisdiction is narrowed, and there is a growing tendency to make it no more than an arbiter between private interests.[9]

The number of these special tribunals grows constantly, and so do their powers. Each day, then, the government escapes a little further from the obligation to have its will and its rights sanctioned by another power. Unable to do without judges, it wants at least to choose its judges itself and to keep them always in its hand. In other words, between itself and private individuals it still places the image of justice rather than justice itself.

8 In France chiefly the parlements, the high courts of the Old Regime, which registered royal edicts and claimed a right to remonstrate against them.

9 Tocqueville has in mind chiefly the French administrative courts, headed by the Council of State (Conseil d'État), which judged disputes involving the administration.

Thus it is not enough for the state to draw all affairs to itself; more and more, it also comes to decide them all by itself, without oversight and without appeal[10].

INDUSTRY AND THE POWER OF THE STATE

Industry, mines, public works and associations bring ever more of economic life under the sovereign.

Among the modern nations of Europe there is one great cause that, quite apart from all those I have just pointed out, constantly helps to extend the sovereign's activity or to increase its prerogatives; too little attention has been paid to it. That cause is the development of industry, which the progress of equality encourages.

Industry usually gathers a multitude of people together in the same place; it creates new and complicated relations among them. It exposes them to great and sudden swings between abundance and destitution, during which public tranquility is threatened. Finally, it can happen that this work endangers the health and even the lives of those who profit from it or of those who perform it. Thus the industrial class needs to be regulated, supervised, and restrained more than the other classes, and it is natural that the powers of government should grow along with it.

This truth applies generally; but here is what concerns the nations of Europe more particularly.

In the ages that preceded our own, the aristocracy owned the land and was able to defend it. Landed property was therefore surrounded by guarantees, and its owners enjoyed great independence. This produced laws and habits that have persisted despite the division of estates and the ruin of the nobles; and in

10 TOCQUEVILLE'S NOTE. A strange sophism is put forward in France on this subject. When a lawsuit arises between the administration and a private individual, the case is not submitted to the ordinary judge, so as not, it is said, to mix administrative power and judicial power. As if it were not mixing these two powers, and mixing them in the most dangerous and tyrannical way, to invest the government with the right both to judge and to administer at once.

our day landowners and farmers are still, of all citizens, the ones who most easily escape the control of the social power.

In those same aristocratic ages, where all the sources of our history lie, movable property was of little importance, and its owners were despised and weak; industrialists formed an exceptional class in the midst of the aristocratic world. Since they had no assured patronage, they were not protected, and often they could not protect themselves.

It therefore became customary to regard industrial property as wealth of a special kind, which did not deserve the same consideration and was not to receive the same guarantees as property in general, and to regard industrialists as a small class apart in the social order, whose independence was of little value and which could fittingly be left to the regulating passion of princes. Indeed, if one opens the codes of the Middle Ages, one is astonished to see how, in those ages of individual independence, industry was constantly regulated by kings, down to its smallest details; on this point, centralization is as active and as detailed as it could ever be.

Since that time a great revolution has taken place in the world. Industrial property, which was only a seed, has grown and now covers Europe. The industrial class has spread; it has grown rich on the remains of all the others; it has increased in numbers, in importance, in wealth; it keeps on growing. Almost all those who do not belong to it are connected with it, at least in some respect. Having been the exceptional class, it threatens to become the principal class and, so to speak, the only class. Yet the political ideas and habits to which it once gave rise have remained. These ideas and habits have not changed, because they are old, and also because they are in perfect harmony with the new ideas and the general habits of people today.

Industrial property, then, does not increase its rights as it increases in importance. The industrial class does not become less dependent as it becomes more numerous; on the contrary,

one would say that it carries despotism within it, and that despotism spreads naturally as the class develops[11].

The more industrial a nation becomes, the more it feels the need for roads, canals, ports, and other works of a semi-public nature that make it easier to acquire wealth; and the more democratic it is, the harder private individuals find it to carry out such works, and the easier the state finds it to do them. I do not hesitate to assert that the evident tendency of all the sovereigns of our time is to take sole charge of carrying out such undertakings; in this way they bind their populations every day in a tighter dependence.

On the other hand, as the power of the state grows and its needs increase, it itself consumes an ever greater quantity of industrial products, which it usually manufactures in its arsenals and factories. Thus, in every kingdom, the sovereign becomes the greatest of industrialists; it draws into its service, and keeps there, a prodigious number of engineers, architects, mechanics, and artisans.

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11 TOCQUEVILLE'S NOTE. I will cite a few facts in support of this. The natural sources of industrial wealth are found in mines. As industry has developed in Europe, as the output of mines has become a more general interest, and as working them well has become more difficult because of the division of property that equality brings, most sovereigns have claimed the right to own the subsoil of mines and to supervise the work done in them—something that had never been seen with property of any other kind.

Mines, which were individual properties subject to the same obligations and furnished with the same guarantees as other real property, have thus fallen into the public domain. It is the state that works them or grants concessions for them; the owners have been turned into mere users; they hold their rights from the state. Moreover, almost everywhere the state claims the power to direct them: it lays down rules for them, imposes methods on them, and subjects them to constant supervision; and if they resist, an administrative tribunal dispossesses them, and the public administration transfers their privileges to others. So the government does not merely own the mines; it holds all the miners in its hand.

Meanwhile, as industry develops, the working of the old mines increases. New ones are opened. The mining population spreads and grows. Every day, sovereigns extend their domain beneath our feet and people it with their servants.

TRANSLATOR'S NOTE. The French text here reads "crimes" for "mines," evidently a misprint.

It is not only the foremost of industrialists; more and more, it tends to make itself the head, or rather the master, of all the others.

Since citizens have become weaker as they have become more equal, they can do nothing in industry without forming associations; and the public power naturally wants to place these associations under its control.

It must be acknowledged that the collective beings called associations are stronger and more formidable than a single individual could ever be, and that they bear less responsibility for their own acts than individuals do. From this it follows that it seems reasonable to leave each of them less independence from the social power than one would leave a private individual.

Sovereigns are all the more inclined to act this way because their tastes invite them to. Among democratic peoples, it is only through association that citizens can offer resistance to the central power; so the central power never looks with anything but disfavor on associations that are not in its hand. And what is very remarkable is that among these democratic peoples the citizens themselves often regard these same associations, which they need so badly, with a secret feeling of fear and jealousy that keeps them from defending them. The power and durability of these small private societies, amid the general weakness and instability, astonish and disturb them, and they are not far from regarding as dangerous privileges the free use each association makes of its natural faculties.

Besides, all the associations born in our day are so many new persons, whose rights time has not consecrated, and who enter the world at a period when the idea of private rights is weak and the social power is without limits. It is not surprising that they lose their freedom at birth.

Among all the peoples of Europe there are certain associations that can be formed only after the state has examined their statutes and authorized their existence. In several countries, efforts are being made to extend this rule to all associations. It is

easy to see where the success of such an undertaking would lead.

If the sovereign once had a general right to authorize associations of every kind on certain conditions, it would soon claim the right to supervise and direct them, so that they could not stray from the rule it had imposed on them. In this way the state, having made dependent on itself all those who wish to associate, would also make dependent all those who have associated—that is, almost everyone alive today.

Thus sovereigns increasingly appropriate, and put to their own use, the greater part of this new force that industry is creating in the world in our time. Industry leads us, and they lead it.

TWO REVOLUTIONS IN OPPOSITE DIRECTIONS

Europe sees two opposite revolutions, one weakening power and one strengthening it, both springing from equality.

I attach so much importance to all I have just said that I am tormented by the fear of having harmed my thought by trying to express it better.

So if the reader finds the examples cited in support of my words insufficient or poorly chosen; if he thinks that I have somewhere exaggerated the progress of the social power and, on the contrary, unduly narrowed the sphere in which individual independence still moves, I beg him to set the book aside for a moment and consider for himself, in his turn, the things I had undertaken to show him. Let him examine attentively what happens every day among us and beyond our borders; let him question his neighbors; let him, finally, contemplate himself. I am much mistaken if he does not arrive, without a guide and by other paths, at the point to which I have sought to lead him.

He will notice that during the half-century just past, centralization has grown everywhere in a thousand different ways. Wars, revolutions, and conquests have served its development; all men have worked to increase it. During this same period, in which they have succeeded one another at the head of affairs

with prodigious speed, their ideas, their interests, and their passions have varied infinitely; but all have wanted to centralize in some fashion. The instinct for centralization has been, as it were, the one fixed point amid the singular changeability of their lives and their thoughts.

And when the reader, having examined these details of human affairs, wishes to take in the vast picture as a whole, he will be astonished.

On one side, the firmest dynasties are shaken or destroyed; everywhere peoples are violently escaping the rule of their laws; they destroy or limit the authority of their lords or their princes; all the nations that are not in revolution seem at least restless and quivering; one and the same spirit of revolt animates them. And on the other side, in this same time of anarchy and among these same unruly peoples, the social power constantly increases its prerogatives; it becomes more centralized, more enterprising, more absolute, more extensive. Citizens fall at every moment under the control of the public administration; they are led imperceptibly, and as if without knowing it, to sacrifice to it every day some new portions of their individual independence; and these same men who from time to time overturn a throne and trample kings underfoot bow more and more, without resistance, to the slightest wishes of a clerk.

So two revolutions seem to be taking place in our day, in opposite directions: one continually weakens power, and the other constantly strengthens it. At no other period of our history has power seemed so weak or so strong.

But when one finally comes to consider the state of the world more closely, one sees that these two revolutions are intimately linked to each other, that they spring from the same source, and that, after following different courses, they at last bring men to the same place.

I will not hesitate to repeat one last time what I have already said or suggested in several places in this book: we must take great care not to confuse the fact of equality itself with the revolution that is completing its introduction into the social

state and into the laws. Therein lies the explanation of almost all the phenomena that astonish us.

All the old political powers of Europe, the greatest as well as the least, were founded in aristocratic ages, and they represented or defended, to a greater or lesser degree, the principle of inequality and privilege. To make the new needs and interests suggested by growing equality prevail in government, the people of our day therefore had to overturn or constrain the old powers. This led them to make revolutions, and inspired in a great many of them that wild taste for disorder and independence which all revolutions, whatever their object, always give rise to.

I do not believe there is a single country in Europe where the development of equality has not been preceded or followed by some violent changes in the condition of property and of persons; and almost all these changes have been accompanied by a great deal of anarchy and license, because they were made by the least civilized portion of the nation against the most civilized.

From this have come the two opposite tendencies I showed earlier. As long as the democratic revolution was at its height, the men busy destroying the old aristocratic powers that fought against it showed themselves animated by a great spirit of independence; and as the victory of equality became more complete, they gradually gave themselves over to the natural instincts that this same equality gives rise to, and they strengthened and centralized the social power. They had wanted to be free in order to make themselves equal; and as equality became more firmly established with the help of freedom, it made freedom harder for them.

These two states have not always followed one after the other. Our fathers showed how a people could organize an immense tyranny within itself at the very moment it was escaping the authority of the nobles and defying the power of all kings,

teaching the world at once how to win its independence and how to lose it.[12]

The men of our time see that the old powers are collapsing on every side. They see all the old influences dying and all the old barriers falling. This troubles the judgment of even the ablest among them. They attend only to the prodigious revolution taking place before their eyes, and they believe that the human race is about to fall into anarchy forever. If they thought about the final consequences of this revolution, they would perhaps conceive other fears.

For my part, I confess, I put no trust in the spirit of liberty that seems to animate my contemporaries. I see clearly that the nations of our day are turbulent, but I do not clearly discern that they are liberal. I fear that when they emerge from these agitations that are making every throne totter, sovereigns will find themselves more powerful than they have ever been.

CHAPTER 6: WHAT KIND OF DESPOTISM DEMOCRATIC NATIONS HAVE TO FEAR (QUELLE ESPÈCE DE DESPOTISME LES NATIONS DÉMOCRATIQUES ONT À CRAINDRE)

Tocqueville pictures a new, mild despotism: an immense tutelary power that keeps citizens in perpetual childhood.

2.4.6 During my stay in the United States I had noticed that a democratic social state like that of the Americans might offer singular facilities for the establishment of despotism. On my return to Europe I had seen how far most of our princes had already made use of the ideas, feelings, and needs that this same social state gave rise to, in order to widen the sphere of their power.

This led me to believe that the Christian nations might perhaps end by suffering some oppression like the one that once weighed upon several of the peoples of antiquity.

12 "Our fathers" are the French revolutionaries of 1789 and the years that followed.

A more detailed examination of the subject and five years of fresh reflection have not lessened my fears, but they have changed their object.

In past ages there was never a sovereign so absolute and so powerful that he undertook to administer every part of a great empire by himself, without the help of secondary powers. None ever attempted to subject all his subjects without distinction to the details of a uniform rule, nor stooped to stand beside each of them in order to rule over him and guide him. The idea of such an undertaking had never occurred to the human mind. Had any man happened to conceive it, the inadequacy of enlightenment, the imperfection of administrative methods, and above all the natural obstacles raised by inequality of conditions would soon have stopped him from carrying out so vast a design.

We see that at the height of the Caesars' power, the various peoples who inhabited the Roman world had still preserved diverse customs and mores. Though subject to the same monarch, most of the provinces were administered separately, and they were full of powerful and active municipalities. Although the whole government of the empire was concentrated in the hands of the emperor alone, and he always remained the arbiter of all things when need arose, the details of social life and of individual existence ordinarily escaped his control.

The emperors possessed, it is true, an immense power without counterweight, which allowed them to indulge freely the oddity of their inclinations and to employ the entire force of the state in satisfying them. They often abused this power to strip a citizen of his property or his life arbitrarily. Their tyranny weighed prodigiously on a few, but it did not extend to a great number. It fastened on a few great principal objects and neglected the rest. It was violent and limited.

It seems that if despotism were to become established among the democratic nations of our day, it would have other characteristics: it would be more extensive and milder, and it would degrade men without tormenting them.

I do not doubt that in ages of enlightenment and equality like ours, sovereigns would more easily manage to gather all public powers into their hands alone, and to penetrate more habitually and more deeply into the sphere of private interests, than any sovereign of antiquity was ever able to do. But this same equality, which facilitates despotism, also tempers it. We have seen how, as men become more alike and more equal, public mores become more humane and gentler. When no citizen has great power or great wealth, tyranny lacks, as it were, both occasion and stage. All fortunes being moderate, passions are naturally restrained, imagination is limited, and pleasures are simple. This universal moderation moderates the sovereign himself and holds the disorderly surge of his desires within certain limits.

Apart from these reasons, drawn from the very nature of the social state, I could add many others taken from outside my subject; but I wish to keep within the limits I have set myself.

Democratic governments may become violent and even cruel at certain moments of great ferment and great danger; but these crises will be rare and passing.

When I think of the petty passions of the men of our day, the softness of their mores, the extent of their enlightenment, the purity of their religion, the gentleness of their morality, their industrious and orderly habits, and the restraint that almost all of them keep in vice as in virtue, I do not fear that they will find tyrants in their leaders, but rather guardians.

I think, then, that the kind of oppression that threatens democratic peoples will resemble nothing that has preceded it in the world; our contemporaries could not find its image in their memories. I myself search in vain for an expression that exactly reproduces and contains the idea I form of it; the old words despotism and tyranny do not fit. The thing is new, so I must try to define it, since I cannot name it.

I want to imagine under what new features despotism might appear in the world. I see an innumerable crowd of men, alike and equal, turning ceaselessly upon themselves to procure the petty and vulgar pleasures with which they fill their souls. Each

of them, withdrawn and apart, is like a stranger to the destiny of all the others: his children and his particular friends make up the whole human race for him. As for the rest of his fellow citizens, he is beside them, but he does not see them; he touches them and does not feel them; he exists only in himself and for himself alone. If he still has a family, one can at least say that he no longer has a country.

Above these men rises an immense, tutelary power, which takes upon itself alone the task of securing their pleasures and watching over their fate. It is absolute, detailed, regular, provident, and mild. It would resemble paternal authority if, like that authority, its aim were to prepare men for manhood; but on the contrary it seeks only to keep them fixed irrevocably in childhood. It likes citizens to enjoy themselves, provided they think of nothing but enjoying themselves. It works willingly for their happiness, but it wants to be its sole agent and only arbiter. It provides for their security, foresees and supplies their needs, facilitates their pleasures, manages their principal affairs, directs their industry, regulates their successions, and divides their inheritances—why can it not spare them entirely the trouble of thinking and the burden of living?

> [Note] I have often wondered what would happen if, amid the softness of democratic mores and as a result of the restless spirit of the army, a military government were ever founded among some of the nations of our day.
>
> I think that the government itself would not depart from the picture I have drawn in the chapter to which this note refers, and that it would not reproduce the brutal features of military oligarchy.
>
> I am convinced that in such a case there would be a kind of fusion between the habits of the clerk and those of the soldier. The administration would take on something of the military spirit, and the military some of the practices of civil administration. The result would be a command that was regular, clear, precise, and absolute; the people would become an image of the army, and society would be run like a barracks.

Thus every day it makes the exercise of free will less useful and rarer; it confines the action of the will within a smaller space, and little by little robs each citizen even of the use of

himself. Equality has prepared men for all these things; it has disposed them to endure them, and often even to regard them as a benefit.

Having thus taken each individual in turn into its powerful hands and kneaded him as it pleases, the sovereign stretches its arms over society as a whole. It covers society's surface with a network of petty rules—complicated, minute, and uniform—through which the most original minds and the most vigorous souls cannot make their way to rise above the crowd. It does not break wills, but softens them, bends them, and directs them. It rarely forces anyone to act, but it constantly stands in the way of action. It does not destroy; it prevents things from being born. It does not tyrannize; it hinders, compresses, enervates, extinguishes, and stupefies, and in the end it reduces each nation to nothing more than a flock of timid and industrious animals, of which the government is the shepherd.

I have always believed that this kind of servitude—regulated, mild, and peaceful—which I have just depicted could be combined better than people imagine with some of the outward forms of liberty, and that it would not be impossible for it to establish itself in the very shadow of the sovereignty of the people.

Our contemporaries are ceaselessly torn by two hostile passions: they feel the need to be led and the desire to remain free. Unable to destroy either of these contrary instincts, they strive to satisfy both at once. They imagine a single power, tutelary and all-powerful, but elected by the citizens. They combine centralization with the sovereignty of the people. This gives them some respite. They console themselves for being under tutelage by reflecting that they have chosen their guardians themselves. Each individual allows himself to be bound because he sees that it is not a man or a class, but the people itself, that holds the end of the chain.

In this system, citizens emerge from dependence for a moment to designate their master, and then return to it.

There are many people nowadays who very readily accept this kind of compromise between administrative despotism and the sovereignty of the people, and who think they have sufficiently guaranteed the liberty of individuals when it is to the national power that they hand it over. That is not enough for me. The nature of the master matters far less to me than the obedience.

I will not deny, however, that a constitution of this kind is infinitely preferable to one that, after concentrating all powers, would place them in the hands of a man or a body accountable to no one. Of all the different forms that democratic despotism might take, the latter would surely be the worst.

When the sovereign is elective, or closely watched by a truly elective and independent legislature, the oppression it inflicts on individuals is sometimes greater; but it is always less degrading. Each citizen, even while he is hampered and reduced to impotence, can still imagine that in obeying he submits only to himself, and that it is to one of his own wills that he sacrifices all the others.

I also understand that when the sovereign represents the nation and depends on it, the strength and rights taken from each citizen do not serve the head of state alone but benefit the state itself, and that private individuals reap some fruit from the sacrifice of their independence that they have made to the public.

To create a national representation in a highly centralized country is therefore to lessen the evil that extreme centralization can produce, but not to destroy it.

I see clearly that in this way individual participation is preserved in the most important affairs; but it is suppressed nonetheless in small and private ones. People forget that it is above all in details that it is dangerous to enslave men. For my part, I would be inclined to believe liberty less necessary in great things than in lesser ones, if I thought that one could ever be sure of the one without possessing the other.

Subjection in small affairs shows itself every day and makes itself felt by all citizens without distinction. It does not drive them to despair, but it constantly thwarts them and leads them to give up the use of their will. Thus little by little it extinguishes their spirit and enervates their souls. Obedience, by contrast, when it is owed only in a small number of very serious but very rare circumstances, shows servitude only now and then, and makes it weigh only on certain men. In vain will you charge these same citizens, whom you have made so dependent on the central power, with choosing the representatives of that power from time to time. This use of their free will, so important but so brief and so rare, will not prevent them from gradually losing the faculty of thinking, feeling, and acting for themselves, and so sinking little by little below the level of humanity.

I add that they will soon become incapable of exercising the great and only privilege left to them. The democratic peoples who have introduced liberty into the political sphere while increasing despotism in the administrative sphere have been led into very strange anomalies. When small affairs must be handled, where simple good sense can suffice, they deem citizens incapable of them; when it is a matter of governing the whole state, they entrust these same citizens with immense prerogatives. They make them by turns the playthings of the sovereign and its masters—more than kings and less than men. After exhausting all the different systems of election without finding one that suits them, they are astonished and keep searching—as if the evil they observe did not stem from the constitution of the country far more than from that of the electoral body.

It is indeed difficult to conceive how men who have entirely given up the habit of governing themselves could succeed in choosing well those who are to lead them. No one will be made to believe that a liberal, energetic, and wise government can ever emerge from the votes of a people of servants.

A constitution that was republican at the head and ultramonarchical in all its other parts has always seemed to me a short-

lived monstrosity. The vices of those who govern and the incapacity of the governed would soon bring about its ruin; and the people, tired of its representatives and of itself, would either create freer institutions or soon return to lie at the feet of a single master.

[Note] One cannot say in an absolute and general way that the greatest danger of our day is license or tyranny, anarchy or despotism. Both are equally to be feared, and either can arise just as easily from one and the same cause, namely *general apathy*, the fruit of individualism. It is this apathy that ensures that on the day the executive power gathers some forces, it is in a position to oppress, and that on the day after, when a party can put thirty men in the field, that party is equally in a position to oppress. Since neither can found anything lasting, what makes them succeed easily prevents them from succeeding for long.

They rise because nothing resists them, and they fall because nothing sustains them.

What must be combated, then, is far less anarchy or despotism than the apathy that can produce, almost indifferently, the one or the other.

CHAPTER 7: CONTINUATION OF THE PRECEDING CHAPTERS (SUITE DES CHAPITRES PRÉCÉDENTS)

Freedom must be built on equality, through elected local bodies, associations, a free press and strong courts.

2.4.7 I believe that it is easier to establish an absolute and despotic government among a people where conditions are equal than among any other. I think that if such a government were once established among such a people, it would not only oppress men there but would, in the long run, rob each of them of several of the chief attributes of humanity.

Despotism therefore seems to me especially to be dreaded in democratic ages.

I would, I think, have loved freedom in any age; but in the times in which we live I feel inclined to worship it.

I am convinced, on the other hand, that all those who, in the ages we are entering, try to base freedom on privilege and aristocracy will fail. All those who seek to draw authority into the bosom of a single class and keep it there will fail. There is no

sovereign in our day skillful and strong enough to found despotism by reestablishing permanent distinctions among his subjects. Nor is there any legislator so wise and so powerful that he could maintain free institutions unless he takes equality as his first principle and his emblem. All those of our contemporaries who wish to create or secure the independence and dignity of their fellow men must therefore show themselves friends of equality; and the only way worthy of them to appear so is to be so: the success of their holy undertaking depends on it.

Thus the task is not to rebuild an aristocratic society, but to bring freedom forth from the bosom of the democratic society in which God has us live.

These first two truths seem to me simple, clear, and fruitful, and they lead me naturally to consider what kind of free government can be established among a people where conditions are equal.

It follows from the very constitution of democratic nations and from their needs that, among them, the power of the sovereign must be more uniform, more centralized, more extensive, more penetrating, and more powerful than elsewhere. Society there is naturally more active and stronger, the individual more subordinate and weaker; the one does more, the other less; this is inevitable.

One must not expect, then, that in democratic lands the sphere of individual independence will ever be as wide as in aristocratic countries. But this is not to be wished for. Among aristocratic nations society is often sacrificed to the individual, and the prosperity of the greatest number to the greatness of a few.

It is at once necessary and desirable that the central power that directs a democratic people be active and powerful. The point is not to make it weak or indolent, but only to keep it from abusing its agility and its strength.

What did most to secure the independence of private individuals in aristocratic ages was that the sovereign did not take on alone the task of governing and administering the citizens.

He was obliged to leave that care partly to members of the aristocracy, so that the social power, being always divided, never bore down in its entirety and in the same way on each man.

Not only did the sovereign not do everything by himself, but most of the public officials who acted in his place drew their power from the fact of their birth, and not from him, and so were not constantly in his hand. He could not create or destroy them at every moment, as his whims dictated, and bend them all uniformly to his slightest wishes. This, too, guaranteed the independence of private individuals.

I fully understand that in our day one cannot resort to the same means; but I see democratic procedures that take their place.

Instead of handing over to the sovereign alone all the administrative powers taken away from corporations or nobles, one can entrust part of them to secondary bodies temporarily formed of ordinary citizens. In this way the freedom of private individuals will be more secure, without their equality being any less.

The Americans, who do not cling to words as much as we do, have kept the name of county for the largest of their administrative districts; but they have partly replaced the count with a provincial assembly.[13]

I will readily agree that in an age of equality like ours it would be unjust and unreasonable to institute hereditary public officials; but nothing prevents substituting elected officials for them to a certain extent. Election is a democratic expedient that secures the official's independence from the central power as much as heredity could among aristocratic peoples, and more.

Aristocratic countries are full of wealthy and influential private individuals who are able to stand on their own, and who are not easily oppressed, nor oppressed in secret; and such men keep power within general habits of moderation and restraint.[14]

13 The play is on French *comté* (county), which derives from *comte* (count).

14 The French here prints "ne savent" ("cannot"), apparently a misprint; standard editions read "savent," which the sense requires.

I know well that democratic countries do not naturally offer such individuals; but something analogous can be created there artificially.

I firmly believe that an aristocracy cannot be founded anew in the world; but I think that ordinary citizens, by associating, can constitute very wealthy, very influential, very strong beings —in a word, aristocratic persons.

In this way one would obtain several of the greatest political advantages of aristocracy without its injustices or its dangers. A political, industrial, or commercial association, or even a scientific and literary one, is an enlightened and powerful citizen. It cannot be bent at will or oppressed in the shadows, and by defending its particular rights against the demands of power, it saves the common liberties.

In aristocratic times each man is always very closely bound to several of his fellow citizens, so that he cannot be attacked without the others rushing to his aid. In ages of equality each individual is naturally isolated; he has no hereditary friends whose help he can demand, no class whose sympathies are assured to him; he is easily set apart and trampled underfoot with impunity. In our day, therefore, a citizen who is oppressed has only one means of defending himself: to appeal to the nation as a whole and, if it is deaf to him, to the human race; and he has only one means of doing so: the press. Thus freedom of the press is infinitely more precious among democratic nations than among all others; it alone cures most of the ills that equality can produce. Equality isolates and weakens men; but the press places beside each of them a very powerful weapon, which the weakest and most isolated can use. Equality deprives each individual of the support of those close to him; but the press allows him to call to his aid all his fellow citizens and all his fellow men. Printing hastened the progress of equality, and it is one of its best correctives.

I think that men who live in aristocracies can, if need be, do without freedom of the press; but those who live in democratic countries cannot. To guarantee the personal independence of

the latter, I do not rely on great political assemblies, on parliamentary prerogatives, or on the proclamation of the sovereignty of the people. All these things are compatible, up to a point, with individual servitude; but that servitude cannot be complete if the press is free. The press is, par excellence, the democratic instrument of freedom.

I would say something similar of the judicial power.

It is of the essence of the judicial power to concern itself with private interests and to fix its gaze readily on the small matters set before it. It is also of the essence of this power not to come of its own accord to the aid of the oppressed, but to be constantly at the disposal of the humblest among them. However weak such a person may be supposed to be, he can always force the judge to hear his complaint and to answer it: this stems from the very constitution of the judicial power.

Such a power is therefore especially suited to the needs of freedom in an age when the eye and the hand of the sovereign constantly intrude into the smallest details of human actions, and when private individuals, too weak to protect themselves, are too isolated to count on the help of their fellows. The strength of the courts has always been the greatest guarantee that can be offered to individual independence, but this is especially true in democratic ages. There, private rights and interests are always in danger unless the judicial power grows and extends itself as conditions become equal.

FORMS AND INDIVIDUAL RIGHTS

Democratic peoples scorn forms and individual rights just when they matter most; revolutions harden the habit.

Equality suggests to men several inclinations that are very dangerous to freedom, and on which the legislator must always keep a watchful eye. I will recall only the principal ones.

Men who live in democratic ages do not easily understand the usefulness of forms; they feel an instinctive disdain for them. I have given the reasons for this elsewhere. Forms arouse their

contempt and often their hatred. Since they usually aspire only to easy and immediate pleasures, they rush impetuously toward the object of each of their desires; the slightest delays drive them to despair. This temperament, which they carry over into political life, sets them against forms, which every day slow them down or stop them in some of their designs.

Yet this drawback that men in democracies find in forms is precisely what makes forms so useful to freedom. Their chief merit is to serve as a barrier between the strong and the weak, the governing and the governed—to slow down the one and give the other time to collect himself. Forms become more necessary as the sovereign grows more active and more powerful and as private individuals become more indolent and more feeble. Thus democratic peoples naturally have greater need of forms than other peoples, and naturally they respect them less. This deserves very serious attention.

There is nothing more pitiful than the lofty disdain most of our contemporaries show for questions of form; for the smallest questions of form have acquired in our day an importance they never had before. Several of the greatest interests of humanity are bound up with them.

I think that if the statesmen who lived in aristocratic ages could sometimes scorn forms with impunity and often rise above them, those who lead peoples today must regard the least of them with respect and neglect it only when imperious necessity requires. In aristocracies, people had a superstition of forms; we must have an enlightened and considered reverence for them.

Another instinct very natural to democratic peoples, and very dangerous, is the one that leads them to scorn individual rights and take little account of them.

Men generally become attached to a right and show it respect in proportion to its importance or to the long use they have made of it. The individual rights found among democratic peoples are usually of little importance, very recent, and highly

unstable. As a result, they are often sacrificed without difficulty and almost always violated without remorse.

Now it happens that, at the very same time and among the very same nations in which men conceive a natural contempt for the rights of individuals, the rights of society naturally extend and grow firmer. That is to say, men become less attached to private rights at the very moment when it would be most necessary to retain and defend the little that remains of them.

It is therefore above all in the democratic times in which we live that the true friends of freedom and of human greatness must constantly stand ready to prevent the social power from lightly sacrificing the private rights of a few individuals to the general execution of its designs. In such times there is no citizen so obscure that it is not very dangerous to let him be oppressed, and no individual rights so unimportant that they can be surrendered with impunity to arbitrary power. The reason is simple. When the private right of an individual is violated at a time when the human mind is imbued with the importance and sanctity of rights of this kind, harm is done only to the one who is despoiled. But to violate such a right in our day is to corrupt the national mores profoundly and to put the whole of society in danger, because among us the very idea of rights of this sort constantly tends to be distorted and lost.

There are certain habits, certain ideas, certain vices that belong to the state of revolution, and that a long revolution cannot fail to give rise to and spread, whatever its character, its object, and its theater may otherwise be.

When any nation has, several times within a short span, changed its leaders, its opinions, and its laws, the men who compose it end up acquiring a taste for movement and growing used to all movements being carried out rapidly by force. They then naturally conceive contempt for forms, whose impotence they see every day, and they bear only with impatience the sway of the rule, which they have so often seen evaded before their eyes.

The ordinary notions of equity and morality no longer suffice to explain and justify all the novelties to which the revolution gives birth each day. So people fall back on the principle of social utility, they create the dogma of political necessity, and they readily grow used to sacrificing private interests without scruple and trampling individual rights underfoot, in order to reach more quickly the general goal they have set themselves.

These habits and ideas, which I shall call revolutionary because all revolutions produce them, appear within aristocracies as well as among democratic peoples. But among the former they are often less powerful and always less lasting, because there they meet habits, ideas, faults, and quirks that run contrary to them. They therefore fade away of their own accord as soon as the revolution is over, and the nation returns to its old political ways. It is not always so in democratic countries. There it is always to be feared that revolutionary instincts, softening and growing more regular without dying out, will gradually turn into governmental mores and administrative habits.

I therefore know of no countries where revolutions are more dangerous than democratic countries. Apart from the accidental and passing evils they can never fail to cause, they always risk creating permanent ones—eternal ones, so to speak.

I believe that there are honest acts of resistance and legitimate rebellions. So I do not say, in any absolute way, that the men of democratic times must never make revolutions. But I think they are right to hesitate more than all others before undertaking one, and that they would do better to endure many inconveniences of the present state of things than to resort to so perilous a remedy.

LIMITS ON SOCIAL POWER

The legislator's first aim must be to set fixed limits to social power and to sustain the individual.

I shall end with a general idea that contains within it not only all the particular ideas expressed in this present chapter, but also most of those that this book sets out to present.

In the aristocratic ages that preceded ours, there were very powerful private individuals and a very feeble social authority. The very image of society was obscure, and it was constantly lost amid all the different powers that governed the citizens. The chief effort of the men of that time had to go into enlarging and strengthening the social power and into increasing and securing its prerogatives. It had to go, on the contrary, into confining individual independence within narrower bounds and subordinating private interest to the general interest.

Other perils and other cares await the men of our day.

In most modern nations, the sovereign, whatever its origin, its constitution, and its name, has become almost all-powerful, and private individuals are sinking more and more into the lowest degree of weakness and dependence.

Everything was different in the old societies. Unity and uniformity were found nowhere in them. In ours everything threatens to become so alike that the particular face of each individual will soon be entirely lost in the common physiognomy. Our fathers were always ready to abuse the idea that private rights deserve respect. We are naturally inclined to exaggerate the opposite idea, that the interest of an individual must always give way to the interest of the many.

The political world is changing; from now on we must seek new remedies for new ills.

To set broad but visible and fixed limits to social power; to give private individuals certain rights and guarantee them the undisputed enjoyment of those rights; to preserve for the individual the little independence, strength, and originality he has

left; to raise him up beside society and sustain him in the face of it: such seems to me the first aim of the legislator in the age we are entering.

One would think that the sovereigns of our time seek only to do great things with men. I would like them to think a little more about making great men. I would like them to set less value on the work and more on the worker. And I would like them to remember constantly that a nation cannot long remain strong when each man in it is individually weak, and that no one has yet found social forms or political arrangements that can make an energetic people out of pusillanimous and soft citizens.

I see among our contemporaries two contrary ideas, equally fatal.

Some see in equality only the anarchic tendencies to which it gives rise. They dread their own free will; they are afraid of themselves.

Others, fewer in number but more enlightened, take a different view. Beside the road that leads from equality to anarchy, they have at last discovered the path that seems to lead men irresistibly toward servitude. They bend their souls in advance to this necessary servitude. Despairing of remaining free, they already worship in the depths of their hearts the master who is soon to come.

The first abandon liberty because they think it dangerous; the second, because they judge it impossible.

Had I held this latter belief, I would not have written the work you have just read; I would have confined myself to lamenting in secret the fate of my fellow men.

I have tried to bring into full daylight the perils that equality poses to human independence. I firmly believe that these perils are the most formidable, as well as the least foreseen, of all those the future holds. But I do not believe them insurmountable.

Men who live in the democratic ages we are entering naturally have a taste for independence. They naturally bear rules with impatience: the permanence of even the state of things

they prefer wearies them. They love power. But they are inclined to despise and hate the one who wields it, and their very smallness and mobility let them easily slip out of his hands.

These instincts will always reappear, because they spring from the very depths of the social state, which will not change. For a long time they will prevent any despotism from establishing itself. They will furnish new weapons to each new generation that wishes to fight for the liberty of men.

Let us, then, have that salutary fear of the future that keeps us watchful and ready to fight. Let us not have that soft and idle sort of terror that dejects hearts and saps their strength.

CHAPTER 8: GENERAL VIEW OF THE SUBJECT (VUE GÉNÉRALE DU SUJET)

A final survey: the new society is middling but more just, and nations can still choose liberty over servitude.

2.4.8 Before leaving forever the course I have just run, I would like to take in with one last look all the various features that mark the face of the new world. I would like to judge, at last, the general influence that equality must exert on the fate of men. But the difficulty of such an undertaking stops me. In the presence of so great an object I feel my sight growing dim and my reason faltering.

This new society that I have tried to portray and wish to judge is only just being born. Time has not yet fixed its form. The great revolution that created it is still going on, and in what is happening in our day it is almost impossible to discern what is to pass away with the revolution itself and what is to remain after it.

The world that is rising is still half buried beneath the ruins of the world that is falling. Amid the immense confusion that human affairs present, no one could say what will remain standing of the old institutions and the former mores, and what will disappear altogether.

The revolution taking place in the social state, the laws, the ideas, and the feelings of men is still far from finished. Yet its

works can already be compared with nothing ever seen before in the world. I go back age by age to the most remote antiquity; I see nothing resembling what is before my eyes. Since the past no longer sheds light on the future, the mind walks in darkness.

Yet amid this picture, so vast, so new, so confused, I already glimpse a few main features taking shape, and I point them out:

I see that good and evil are spread fairly evenly through the world. Great riches are disappearing; the number of small fortunes is growing; desires and pleasures are multiplying; there is no longer any extraordinary prosperity or irremediable misery. Ambition is a universal feeling; there are few vast ambitions. Each individual is isolated and weak; society is agile, farsighted, and strong; private individuals do small things, and the state immense ones.

Souls are not energetic, but mores are gentle and laws humane. If there are few great acts of devotion, few very lofty, very brilliant, and very pure virtues, habits are orderly, violence rare, and cruelty almost unknown. Men's lives are growing longer and their property more secure. Life is not very ornate, but it is very comfortable and very peaceful. There are few very refined pleasures and few very coarse ones, little polish in manners and little brutality in tastes. One hardly finds very learned men or very ignorant populations. Genius is becoming rarer and enlightenment more common. The human mind develops through the small combined efforts of all men, and not through the powerful impetus of a few of them. There is less perfection in works, but more fecundity. All the bonds of race, class, and country are loosening; the great bond of humanity is drawing tighter.

If, among all these various features, I look for the one that seems to me most general and most striking, I come to see that what is observed in fortunes reappears in a thousand other forms. Almost all extremes are softening and blunting. Almost all prominent points are being worn away to make room for something middling, at once less high and less low, less brilliant and less obscure, than what used to be seen in the world.

I let my gaze wander over this countless crowd of like beings, in which nothing rises and nothing sinks. The spectacle of this universal uniformity saddens and chills me, and I am tempted to regret the society that is no more.

When the world was full of very great and very small men, very rich and very poor, very learned and very ignorant, I turned my gaze away from the latter to fix it only on the former, and they delighted my eyes. But I understand that this pleasure arose from my weakness. It is because I cannot see everything around me at once that I am free to choose in this way and to set apart, among so many objects, those I please to contemplate. It is not so with the almighty and eternal Being whose eye necessarily embraces the whole of things, and who sees distinctly, though all at once, the entire human race and each man.

It is natural to believe that what most satisfies the gaze of this creator and preserver of men is not the singular prosperity of a few, but the greatest well-being of all. What seems to me a decline is therefore progress in his eyes; what wounds me pleases him. Equality is perhaps less lofty; but it is more just, and its justice makes its greatness and its beauty.

I strive to enter into this point of view of God, and it is from there that I seek to consider and judge human affairs.

No one on earth can yet assert in an absolute and general way that the new state of societies is superior to the old; but it is already easy to see that it is different.

There are certain vices and certain virtues that were bound up with the constitution of aristocratic nations, and that are so contrary to the genius of the new peoples that they could not be introduced among them. There are good inclinations and bad instincts that were foreign to the former and are natural to the latter. There are ideas that present themselves of their own accord to the imagination of the one, and that the mind of the other rejects. They are like two distinct humanities, each with its own particular advantages and drawbacks, its own goods and ills.

We must therefore take great care not to judge the societies now being born by ideas drawn from those that are no more. That would be unjust, for these societies differ so prodigiously from one another that they cannot be compared.

It would hardly be more reasonable to ask of the men of our time the particular virtues that flowed from the social state of their ancestors. That social state itself has fallen, and in its fall it has dragged down pell-mell all the goods and all the ills it carried with it.

But these things are still poorly understood in our day.

I see a great many of my contemporaries undertaking to choose among the institutions, opinions, and ideas that arose from the aristocratic constitution of the old society. They would gladly give up some of them, but they would like to keep others and carry them along into the new world.

I think such people are spending their time and strength on a labor both honest and sterile.

It is no longer a matter of retaining the particular advantages that inequality of conditions procures for men, but of securing the new goods that equality can offer them. We should not seek to make ourselves like our fathers, but strive to attain the kind of greatness and happiness that is our own.

As for me, having reached this final stage of my course, I now see from afar, but all at once, all the various objects I had contemplated one by one along the way, and I feel full of fears and full of hopes. I see great perils that can be averted, and great evils that can be avoided or contained. I grow ever firmer in the belief that, to be honest and prosperous, democratic nations still need only to will it.

I am well aware that several of my contemporaries have thought that peoples are never masters of themselves here below. They hold that peoples necessarily obey some insurmountable and unintelligent force or other, born of earlier events, of race, of soil, or of climate.

These are false and cowardly doctrines, which can never produce anything but weak men and pusillanimous nations.

Providence created the human race neither entirely independent nor wholly enslaved. It is true that it draws around each man a circle of fate from which he cannot escape. But within its vast limits, man is powerful and free; and so it is with peoples.

The nations of our day cannot prevent conditions within them from being equal; but it depends on them whether equality leads them to servitude or to liberty, to enlightenment or to barbarism, to prosperity or to misery.