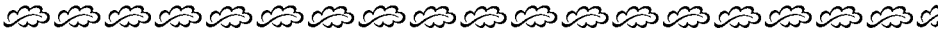
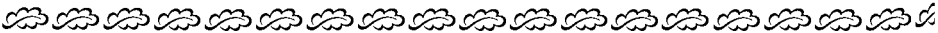


Alexis de

Democracy



TRANSLATED, EDITED, AND WITH AN INTRODUCTION BY



Tocqueville
in America

HARVEY C. MANSFIELD AND DELBA WINTHROP

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being; if reason appears to you to be more profitable to men than genius; if your object is not to create heroic virtues but peaceful habits; if you would rather see vices than crimes, and if you prefer to find fewer great actions on condition that you will encounter fewer enormities; if instead of acting within a brilliant society it is enough for you to live in the midst of a prosperous society; if, finally, the principal object of a government, according to you, is not to give the most force or the most glory possible to the entire body of the nation, but to procure the most well-being for each of the individuals who compose it and to have each avoid the most misery, then equalize conditions and constitute the government of a democracy.

If there is no longer time to make a choice and if a force superior to man already carries you along toward one of the two governments without consulting your desires, seek at least to derive from it all the good that it can do; and knowing its good instincts as well as its evil penchants, strive to restrict the effects of the latter and develop the former.



Chapter 7 ON THE OMNIPOTENCE OF THE MAJORITY IN THE UNITED STATES AND ITS EFFECTS

Natural force of the majority in democracies.—Most of the American constitutions have artificially increased this natural force.—How.—Imperative mandates.—Moral empire of the majority.—Opinion of its infallibility.—Respect for its rights. What augments it in the United States.

It is of the very essence of democratic governments that the empire of the majority is absolute; for in democracies, outside the majority there is nothing that resists it.

Most of the American constitutions have also sought to augment this natural force of the majority artificially.¹

1. We have seen, during the examination of the federal constitution [DA I 1.8], that the legislators of the Union made contrary efforts. The result of these efforts was to render the federal government more independent in its sphere than that of the states. But the federal government is scarcely occupied with any but external affairs; it is the state governments that really direct American society.

Of all political powers, the legislature is the one that obeys the majority most willingly. Americans wanted the members of the legislature to be named *directly* by the people, and for a *very short* term, in order to oblige them to submit not only to the general views, but even to the daily passions of their constituents.

They have taken the members of the two houses from the same classes and named them in the same manner, so that the motions of the legislative body are almost as rapid and no less irresistible than those of a single assembly.

The legislature thus constituted, they have united almost all the government in it.

At the same time that the law increased the force of powers that were naturally strong, it enervated more and more those that were naturally weak. It accorded neither stability nor independence to the representatives of the executive power; and, in submitting them completely to the caprices of the legislature, it took away from them the little influence that the nature of democratic government would have permitted them to exert.

In several states it left the judicial power to the election of the majority, and in all, it made its existence depend in a way on the legislative power by leaving to the representatives the right to fix the salary of the judges each year.

Usages have gone still further than the laws.

A custom that in the end will make the guarantees of representative government vain is spreading more and more in the United States: it very frequently happens that electors, in naming a deputy, lay out a plan of conduct for him and impose a certain number of positive obligations on him from which he can in no way deviate. It is as if, except for the tumult, the majority itself were deliberating in the public square.

Several particular circumstances also tend to render the power of the majority in America not only predominant, but irresistible.

The moral empire of the majority is founded in part on the idea that there is more enlightenment and wisdom in many men united than in one alone, in the number of legislators than in their choice. It is the theory of equality applied to intellects. This doctrine attacks the pride of man in its last asylum: so the minority accepts it only with difficulty; it habituates itself to it only in the long term. Like all powers, and perhaps more than any of them, therefore, the power of the majority needs to be lasting in order to appear legitimate. When it begins to establish itself, it makes itself obeyed by constraint; it is only after having lived for a long time under its laws that one begins to respect it.

The idea of the right to govern society that the majority possesses by its

enlightenment was brought to the soil of the United States by its first inhabitants. This idea, which alone would suffice to create a free people, has passed into mores today, and one finds it in even the least habits of life.

The French under the former monarchy held as a constant that the king could never fail; and when he happened to do evil, they thought that the fault was in his counselors. That marvelously facilitated obedience. One could murmur against the law without ceasing to love and respect the legislator. The Americans have the same opinion of the majority.

The moral empire of the majority is also founded on the principle that the interests of the greatest number ought to be preferred to those of the few. Now, one understands without difficulty that the respect that is professed for the right of the greatest number naturally increases or diminishes according to the state of the parties. When a nation is partitioned among several great irreconcilable interests, the privilege of the majority is often unrecognized because it becomes too painful to submit to it.

If there existed in America a class of citizens whom the legislator was trying to strip of certain exclusive advantages possessed for centuries, and wanted to make them descend from an elevated situation so as to reduce them to the ranks of the multitude, it is probable that the minority would not easily submit to his laws.

But the United States having been peopled by men equal among themselves, there is not as yet a natural and permanent dissidence among the interests of its different inhabitants.

There is a certain social state in which the members of the minority cannot hope to attract the majority to them, because for that it would be necessary to abandon the very object of the struggle that they sustain against it. An aristocracy, for example, cannot become a majority while preserving its exclusive privileges, and it cannot let its privileges escape without ceasing to be an aristocracy.

In the United States, political questions cannot be posed in a manner so general and so absolute, and all the parties are ready to recognize the rights of the majority because they all hope to be able to exercise them to their profit one day.

The majority in the United States therefore has an immense power in fact, and a power in opinion almost as great; and once it has formed on a question, there are so to speak no obstacles that can, I shall not say stop, but even delay its advance, and allow it the time to hear the complaints of those it crushes as it passes.

The consequences of this state of things are dire and dangerous for the future.

HOW THE OMNIPOTENCE OF THE MAJORITY IN
AMERICA INCREASES THE LEGISLATIVE AND
ADMINISTRATIVE INSTABILITY THAT IS
NATURAL TO DEMOCRACIES

How Americans increase the legislative instability that is natural to democracy by changing the legislator each year and arming him with a power almost without limits.—The same effect produced on administration.—In America the force brought to social improvements is infinitely greater, but less continuous than in Europe.

I have spoken previously of the vices that are natural to the government of democracy;* there is not one of them that does not grow at the same time as the power of the majority.

And, to begin with, the most apparent of all:

Legislative instability is an evil inherent in democratic government because it is of the nature of democracies to bring new men to power. But this evil is more or less great according to the power and the means of action granted to the legislator.

In America they hand over sovereign power to the authority that makes the laws. It can indulge each of its desires rapidly and irresistibly, and every year it is given other representatives. That is to say, they have adopted precisely the combination that most favors democratic instability and that permits democracy to apply its changing will to the most important objects.

Thus in our day, of the world's countries, America is the one in which the laws have the least duration. Almost all the American constitutions have been amended within thirty years. There is therefore no American state that has not modified the principle of its laws during this period.

As for the laws themselves, it is enough to cast a glance at the archives of the different states of the Union to be convinced that in America the action of the legislator never slows. It is not that American democracy is more unstable than any other by its nature, but it has been given the means to follow the natural instability of its penchants in the forming of laws.²

The omnipotence of the majority and the rapid and absolute manner in which its will is executed in the United States not only renders the law un-

* DA I 2.5.

2. The legislative acts promulgated in the state of Massachusetts alone, from 1780 to our day, already fill three large volumes. Moreover, it must be remarked that the collection I am speaking of had been revised in 1823, and it removed many of the laws that were old or had become purposeless. Now, the state of Massachusetts, which is no more populous than one of our departments, can pass for the most stable in all the Union and the one that puts the most coherence and wisdom in its undertakings.

stable, it also exerts the same influence on the execution of the law and on the action of public administration.

The majority being the sole power that is important to please, the works that it undertakes are eagerly agreed to; but from the moment that its attention goes elsewhere, all efforts cease; whereas in the free states of Europe, where the administrative power has an independent existence and a secure position, the will of the legislator continues to be executed even when it is occupied with other objects.

In America, much more zeal and activity is brought to certain improvements than is done elsewhere.

In Europe, a social force infinitely less great, but more continuous, is employed in these same things.

Several years ago, some religious men undertook to improve the state of the prisons.* The public was moved by their voices, and the rehabilitation of criminals became a popular work.

New prisons were then built. For the first time, the idea of reforming the guilty penetrated the dungeon at the same time as the idea of punishment. But the happy revolution with which the public had associated itself so eagerly, and which the simultaneous efforts of citizens rendered irresistible, could not work in a moment.

Alongside the new penitentiaries, whose development was hastened by the wish of the majority, the old prisons still remained and continued to confine a great number of the guilty. The latter seemed to become more unhealthful and more corrupting as the new ones turned more to reform and became more healthful. This double effect is easily understood: the majority, pre-occupied with the idea of founding the new establishment, had forgotten the one that already existed. Everyone then having turned his eyes from the object that no longer held the regard of the master, oversight had ceased. One first saw the salutary bonds of discipline slacken, and then, soon after, break. And alongside the prison, lasting monument to the mildness and the enlightenment of our time, was a dungeon that recalled the barbarism of the Middle Ages.

TYRANNY OF THE MAJORITY

How one must understand the principle of the sovereignty of the people.—Impossibility of conceiving a mixed government.—The sovereign power must be somewhere.—Precau-

* AT probably has in mind the Quakers in Pennsylvania, who had long opposed the harshness of the Anglican penal code and who in the 1780s effected reforms in the penal code and organized the Philadelphia Society for the Alleviation of the Miseries of the Public Prisons.

tions that ought to 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 everything, and nonetheless I place the origin of all powers in the will of the majority. Am I in contradiction with myself?

A general law exists that has been made or at least adopted not only by the majority of this or that people, but by the majority of all men. This law is justice.

Justice therefore forms the boundary of each people's right.

A nation is like a jury charged with representing the universal society and with applying the justice that is its law. Ought the jury that represents society have more power than the society itself for which it applies the laws?

Therefore, when I refuse to obey an unjust law, I do not deny to the majority the right to command; I only appeal from the sovereignty of the people to the sovereignty of the human race.

There are people who have not feared to say that a people, in the objects that interested only itself, could not go entirely outside the limits of justice and reason, and thus one must not fear giving all power to the majority that represents it. But that is the language of a slave.

What therefore is a majority taken collectively, if not an individual who has opinions and most often interests contrary to another individual that one names the minority? Now, if you accept that one man vested with omnipotence can abuse it against his adversaries, why not accept the same thing for a majority? Have men changed in character by being united? Have they become more patient before obstacles by becoming stronger?³ As for me, I cannot believe it; and I shall never grant to several the power of doing everything that I refuse to a single one of those like me.

It is not that I believe that in order to preserve freedom one can mix several principles in the same government in a manner that really opposes them to one another.

The government called mixed has always seemed to me to be a chimera. There is, to tell the truth, no mixed government (in the sense that one gives to this word), because in each society one discovers in the end one principle of action that dominates all the others.

England in the last century, which has been cited particularly as an ex-

3. No one would want to maintain that a people cannot abuse its strength vis-à-vis another people. Now, parties form almost so many little nations in a great one; they are in the relation of foreigners among themselves. If it is agreed that one nation can be tyrannical toward another nation, how can it be denied that one party can be so toward another party?

ample of these sorts of governments, was an essentially aristocratic state, although large elements of democracy were found within it; for laws and mores there had been established so that aristocracy always had to predominate in the long term and direct public affairs at its will.

The error has come from the fact that, seeing constantly the interests of the great doing battle with those of the people, one thought only of the struggle instead of paying attention to the result of that struggle, which was the important point. When a society really comes to have a mixed government, that is to say equally divided between contrary principles, it enters into revolution or it is dissolved.

I think, therefore, that one must always place somewhere one social power superior to all the others, but I believe freedom to be in peril when that power finds no obstacle before it that can restrain its advance and give it time to moderate itself.

Omnipotence seems to me to be an evil and dangerous thing in itself. Its exercise appears to me above the strength of man, whoever he may be, and I see only God who can be omnipotent without danger, because his wisdom and justice are always equal to his power. There is therefore no authority on earth so respectable in itself or vested with a right so sacred that I should wish to allow to act without control and to dominate without obstacles. Therefore, when I see the right and the ability to do everything granted to any power whatsoever, whether it is called people or king, democracy or aristocracy, whether it is exercised in a monarchy or in a republic, I say: there is the seed of tyranny, and I seek to go live under other laws.

What I most reproach in democratic government, as it has been organized in the United States, is not, as many people in Europe claim, its weakness, but on the contrary, its irresistible force. And what is most repugnant to me in America is not the extreme freedom that reigns there, it is the lack of a guarantee against tyranny.

When a man or a party suffers from an injustice in the United States, whom do you want him to address? Public opinion? that is what forms the majority; the legislative body? it represents the majority and obeys it blindly; the executive power? it is named by the majority and serves as its passive instrument; the public forces? the public forces are nothing other than the majority in arms; the jury? the jury is the majority vested with the right to pronounce decrees: in certain states, the judges themselves are elected by the majority. Therefore, however iniquitous or unreasonable is the measure that strikes you, you must submit to it.⁴

4. During the War of 1812, one saw a striking example in Baltimore of the excesses that the despotism of the majority can lead to. In this period the war was very popular in Baltimore. A

Suppose on the contrary a legislative body composed in such a manner that it represents the majority without necessarily being the slave of its passions; an executive power with a force that is its own and a judicial power independent of the other two powers; you will still have democratic government, but there will be almost no more chance of tyranny.

I do not say that at the present time frequent use is made of tyranny in America, I say that no guarantee against it may be discovered, and that one must seek the causes of the mildness of government in circumstances and mores rather than in the laws.

EFFECTS OF THE OMNIPOTENCE OF THE MAJORITY ON THE ARBITRARINESS OF AMERICAN OFFICIALS

*Freedom that American law leaves to officials within the circle that it has drawn.—
Their power.*

One must distinguish well arbitrariness from tyranny. Tyranny can be exercised by means of law itself, and then it is not arbitrariness; arbitrariness can be exercised in the interest of the governed, and then it is not tyrannical.

Tyranny ordinarily makes use of arbitrariness, but in case of need it knows how to do without it.

In the United States, at the same time that the omnipotence of the major-

newspaper that showed itself strongly opposed excited the indignation of the inhabitants by this conduct. The people assembled, broke the presses, and attacked the homes of the journalists. They wanted to call up the militia, but it did not respond to the appeal. In order to save the unfortunate ones whom the public furor threatened, they opted for conducting them to prison like criminals. This precaution was useless: during the night, the people assembled again; the magistrates having failed to call up the militia, the prison was forced, one of the journalists was killed on the spot, the others left for dead: the guilty referred to the jury were acquitted.

I said one day to an inhabitant of Pennsylvania: "Explain to me, I pray you, how in a state founded by Quakers and renowned for its tolerance, freed Negroes are not allowed to exercise the rights of citizens. They pay tax, is it not just that they vote?"—"Do not do us the injury," he responded to me, "of believing that our legislators have committed so gross an act of injustice and intolerance."—"So, among you, blacks have the right to vote?"—"Without any doubt."—"Then how is it that in the electoral college this morning I did not perceive a single one of them in the assembly?"—"This is not the fault of the law," the American said to me; "It is true, Negroes have the right to be present at elections, but they abstain voluntarily from appearing there."—"That indeed is modesty on their part."—"Oh! It is not that they refuse to go there, but they fear that they will be mistreated there. It sometimes happens that the law lacks force among us when the majority does not support it. Now, the majority is imbued with the greatest prejudices against Negroes, and the magistrates do not feel they have the force to guarantee to them the rights that the legislator has conferred on them."—"What! The majority that has the privilege of making the law still wants to have that of disobeying the law?"

ity favors the legal despotism of the legislator, it favors the arbitrariness of the magistrate as well. The majority, being an absolute master in making the law and in overseeing its execution, having equal control over those who govern and over those who are governed, regards public officials as its passive agents and willingly deposits in them the care of serving its designs. It therefore does not enter in advance into the details of their duties and hardly takes the trouble to define their rights. It treats them as a master could do to his servants if, always seeing them act under his eye, he could direct or correct their conduct at each instant.

In general, the law leaves American officials much freer than ours within the circle that it draws around them. It sometimes even happens that the majority permits them to leave it. Guaranteed by the opinion of the greatest number and made strong by its concurrence, they then dare things that a European, habituated to the sight of arbitrariness, is still astonished at. Thus are formed, in the bosom of freedom, habits that can one day become fatal to it.

ON THE POWER THAT THE MAJORITY IN AMERICA EXERCISES OVER THOUGHT

In the United States, when the majority has irrevocably settled on a question, there is no more discussion.—Why.—Moral power that the majority exercises over thought.—Democratic republics make despotism immaterial.

When one comes to examine what the exercise of thought is in the United States, then one perceives very clearly to what point the power of the majority surpasses all the powers that 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 mutely circulating in their states and even in the heart of their courts. It is not the same in America: as long as the majority is doubtful, one speaks; but when it has irrevocably pronounced, everyone becomes silent and friends and enemies alike then seem to hitch themselves together to its wagon. The reason for this is simple: there is no monarch so absolute that he can gather in his hands all the strength of society and defeat resistance, as can a majority vested with the right to make the laws and execute them.

A king, moreover, has only a material power that acts on actions and cannot reach wills; but the majority is vested with a force, at once material and moral, that acts on the will as much as on actions, and which at the same time prevents the deed and the desire to do it.

I do not know any country where, in general, less independence of mind and genuine freedom of discussion reign than in America.

There is no religious or political theory that cannot be preached freely in the constitutional states of Europe and that does not penetrate the others; for there is no country in Europe so subject to one single power that he who wants to speak the truth does not find support capable of assuring him against the consequences of his independence. If he has the misfortune to live under an absolute government, he often has the people for him; if he inhabits a free country, he can take shelter behind royal authority if need be. The aristocratic fraction of the society sustains him in democratic regions, and the democracy in the others. But in the heart of a democracy organized as that of the United States, one encounters only a single power, a single element of force and success, and nothing outside it.

In America the majority draws a formidable circle around thought. Inside those limits, the writer is free; but unhappiness awaits him if he dares to leave them. It is not that he has to fear an *auto-da-fé*, but he is the butt of mortifications of all kinds and of persecutions every day. A political career is closed to him: he has offended the only power that has the capacity to open it up. Everything is refused him, even glory. Before publishing his opinions, he believed he had partisans; it seems to him that he no longer has any now that he has uncovered himself to all; for those who blame him express themselves openly, and those who think like him, without having his courage, keep silent and move away. He yields, he finally bends under the effort of each day and returns to silence as if he felt remorse for having spoken the truth.

Chains and executioners are the coarse instruments that tyranny formerly employed; but in our day civilization has perfected even despotism itself, which seemed, indeed, to have nothing more to learn.

Princes had so to speak made violence material; democratic republics in our day have rendered it just as intellectual as the human will that it wants to constrain. Under the absolute government of one alone, despotism struck the body crudely, so as to reach the soul; and the soul, escaping from those blows, rose gloriously above it; but in democratic republics, tyranny does not proceed in this way; it leaves the body and goes straight for the soul. The master no longer says to it: You shall think as I do or you shall die; he says: You are free not to think as I do; your life, your goods, everything remains to you; but from this day on, you are a stranger among us. You shall keep your privileges in the city, but they will become useless to you; for if you crave the vote* of your fellow citizens, they will not grant it to you, and if you demand

*Lit.: "choice."

only their esteem, they will still pretend to refuse it to you. You shall remain among men, but you shall lose your rights of humanity. When you approach those like you, they shall flee you as being impure; and those who believe in your innocence, even they shall abandon you, for one would flee them in their turn. Go in peace, I leave you your life, but I leave it to you worse than death.

Absolute monarchies had dishonored despotism; let us be on guard that democratic republics do not rehabilitate it, and that in rendering it heavier for some, they do not remove its odious aspect and its demeaning character in the eyes of the greatest number.

In the proudest nations of the Old World, works destined to paint faithfully the vices and ridiculousness of contemporaries were published; La Bruyère lived at the palace of Louis XIV when he composed his chapter on the great, and Molière criticized the Court in plays that he had performed before courtiers.* But the power that dominates in the United States does not intend to be made sport of like this. The slightest reproach wounds it, the least prickly truth alarms it; and one must praise it from the forms of its language to its most solid virtues. No writer, whatever his renown may be, can escape the obligation of singing the praises of his fellow citizens. The majority, therefore, lives in perpetual adoration of itself; only foreigners or experience can make certain truths reach the ears of the Americans.

If America has not yet had great writers, we ought not to seek the reasons for this elsewhere: no literary genius exists without freedom of mind, and there is no freedom of mind in America.

The Inquisition could never prevent books contrary to the religion of the greatest number from circulating in Spain. The empire of the majority does better in the United States: it has taken away even the thought of publishing them. One encounters nonbelievers in America, but disbelief finds so to speak no organ.

One sees governments that strive to protect mores by condemning the authors of licentious books. In the United States no one is condemned for these sorts of works; but no one is tempted to write them. It is not, however, that all the citizens have pure mores, but the majority is regular in its.

Here the use of power is doubtless good: so I speak only of the power in itself. This irresistible power is a continuous fact, and its good use is only an accident.

*Jean de la Bruyère (1645–1696) was a French satirist, whose “chapter on the great” is to be found in his book *Characters* (1688); Molière (Jean Baptiste Poquelin, 1622–1673) was a French comic playwright.

EFFECTS OF THE TYRANNY OF THE MAJORITY
ON THE NATIONAL CHARACTER OF THE
AMERICANS; ON THE SPIRIT OF A COURT IN
THE UNITED STATES

Up to the present, the effects of the tyranny of the majority have made themselves felt more on mores than on the conduct of society.—They arrest the development of great characters.—Democratic republics organized like those of the United States put the spirit of a court 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 the preceding still makes itself felt only feebly in political society; but one already remarks its distressing effects on the national character of the Americans. I think that the small number of remarkable men who show themselves on the political scene today must above all be attributed to the always growing activity of the despotism of the majority in the United States.

When the American Revolution broke out, a crowd of them appeared; public opinion then directed wills and did not tyrannize over them. The celebrated men of this period, associating freely in the movement of minds, had a greatness that was proper to them; they spread their brilliance over the nation and did not borrow [their brilliance] from it.

In absolute governments, the great who are near the throne flatter the passions of the master and voluntarily bend to his caprices. But the mass of the nation does not lend itself to servitude; it often submits to it out of weakness, out of habit, or out of ignorance; sometimes out of love of royalty or of the king. One has seen peoples take a kind of pleasure and pride in sacrificing their will to that of the prince, and so place a sort of independence of soul even in the midst of obedience. In these peoples one encounters much less degradation than misery. Besides, there is a great difference between doing what one does not approve of and feigning approval of what one does: the one is the part of a weak man, but the other belongs only to the habits of a valet.

In free countries, where each is more or less called to give his opinion about affairs of state; in democratic republics, where public life is incessantly mixed with private life, where the sovereign is approachable from all sides and where it is only a question of raising one's voice to reach its ear, one encounters many more people who seek to speculate about its weakness and to live at the expense of its passions than in absolute monarchies. It is not that men are naturally worse there than elsewhere, but the temptation there is very strong and is offered to more people at the same time. A much more general abasement of souls results from it.

Democratic republics put the spirit of a court within reach of the many and let it penetrate all classes at once. That is one of the principal reproaches that can be made against them.

That is above all true in democratic states organized like the American republics, where the majority possesses an empire so absolute and so irresistible that one must in a way renounce one's rights as a citizen and so to speak one's quality as a man when one wants to deviate from the path it has traced.

Among the immense crowd that flocks to a political career in the United States, I have seen few men indeed who show that virile candor, that manly independence of thought, that often distinguished Americans in previous times and that, everywhere it is found, forms the salient feature of great characters. One would say at first approach that in America, spirits have all been formed on the same model, so much do they follow exactly the same ways. The foreigner, it is true, sometimes encounters Americans who deviate from the rigor of formulas; they come to deplore the viciousness of the laws, the volatility of democracy, and its lack of enlightenment; they often even go so far as to note the faults that alter the national character, and they point out the means that could be taken to correct them; but no one except you listens to them; and you, to whom they confide these secret thoughts, you are only a foreigner, and you pass on. They willingly deliver to you truths that are useless to you, and when they descend to the public square, they hold to another language.

If these lines ever come to America, I am sure of two things: first, that readers will all raise their voices to condemn me; second, that many among them will absolve me at the bottom of their consciences.

I have heard the native country spoken of in the United States. I have encountered genuine patriotism in the people; I have often sought it in vain in those who direct it. This is easily understood by analogy: despotism depraves the one who submits to it much 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 the natural enlightenment of their master; they do not hold a competition on the question of knowing which one of the virtues of the prince most merits being admired; for they are sure that he possesses all the virtues, without having acquired them and so to speak without wanting to do so; they do not give him their wives and their daughters so that he may deign to elevate 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 opin-

ions in veils of allegory; but before hazarding a distressing truth they say: We know that we are speaking to a people too much above human weaknesses not to remain always master of itself. We would not use language like this if we did not address men whose virtues and enlightenment rendered them alone among all others worthy of remaining free.

How could the flatterers of Louis XIV do better?

As for me, I believe that in all governments, whatever they may be, baseness will attach itself to force and flattery to power. And I know only one means of preventing men from being degraded: it is to grant to no one, along with omnipotence, the sovereign power to demean them.

THAT THE GREATEST DANGER OF THE AMERICAN
REPUBLICS COMES FROM THE OMNIPOTENCE
OF THE MAJORITY

It is by the bad use of their power, and not by 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.—Opinions of Madison and Jefferson on this subject.

Governments ordinarily perish by powerlessness or by tyranny. In the first case power escapes them; in the other, it is torn from them.

Many people, on seeing democratic states fall into anarchy, have thought that government in these states was naturally weak and powerless. The truth is that when war among their parties has once been set aflame, government loses its action on society. But I do not think that the nature of democratic power is to lack force and resources; I believe, on the contrary, that almost always the abuse of its strength and the bad use of its resources bring it to perish. Anarchy is almost always born of its tyranny or its lack of skillfulness, but not of its powerlessness.

One must not confuse stability with force, the greatness of the thing and its duration. In democratic republics, the power that directs society is not stable, for it often changes hands and purpose.⁵ But everywhere it is brought, its force is almost irresistible.

The government of the American republics appears to me to be as centralized and more energetic than that of absolute monarchies of Europe. I therefore do not think that it will perish from weakness.⁶

5. Power can be centralized in an assembly; then it is strong, but not stable; it can be centralized in a man: then it is less strong, but it is more stable.

6. It is needless, I think, to alert the reader that here, as in all the rest of the chapter, I am speaking not of the federal government, but of the particular governments of each state, which the majority directs despotically.

If ever freedom is lost in America, one will have to blame the omnipotence of the majority that will have brought minorities to despair and have forced them to make an appeal to material force. One will then see anarchy, but it will have come as a consequence of despotism.

President James Madison expressed the same thoughts. (See *Federalist* 51.)

“It is of great importance in a republic,” he says, “not only to guard the society against the oppression of its rulers, but to guard one part of the society against the injustice of the other part. [. . .]* Justice is the end of government. It is the end of civil society. It ever has been and ever will be pursued until it be obtained or until liberty be lost in the pursuit. In a society under the forms of which the stronger faction can readily unite and oppress the weaker, anarchy may as truly be said to reign as in the state of nature, where the weaker individual is not secured against the violence of the stronger; and as, in the latter state, even the stronger individuals are prompted, by the uncertainty of their condition, to submit to a government which may protect the weak as well as themselves; so, in the former state, will the more powerful factions or parties be gradually induced, by a like motive, to wish for a government which will protect all parties, the weaker as well as the more powerful. It can be little doubted that if the State of Rhode Island was separated from the confederacy and left to itself, the insecurity of rights under the popular form of government† within such narrow limits would be displayed by such reiterated oppressions of factious majorities that some power altogether independent of the people would soon be called for by the voice of the very factions whose misrule had proved the necessity of it.”

Jefferson as well said: “The executive in our governments is not the sole, it is scarcely the principal object of my jealousy. The tyranny of the legislatures is the most formidable dread at present, and will be for long years. That of the executive will come in its turn, but it will be at a remote period.”⁷

I like to cite Jefferson in preference to everyone else on this matter because I consider him to be the most powerful apostle that democracy has ever had.

*AT omits the following passage here: “Different interests necessarily exist in different classes of citizens. If a majority be united in a common interest, the rights of the minority will be insecure. There are but two methods of providing against this evil: the one by creating a will in the community independent of the majority—that is of the society itself; the other by comprehending in the society so many separate descriptions of citizens as will render an unjust combination of a majority very improbable, if not impracticable.”

†AT substitutes “tyranny of the majority” for “popular form of government.”

7. Jefferson to Madison, March 15, 1789. [Conseil, *Mélanges politiques et philosophiques*. Cf. *Writings of Thomas Jefferson*, 7: 312.]