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Democracy in America

By Alexis de Tocqueville

(1805-1859)

FIRST BOOK

Chapter XV

UNLIMITED POWER OF THE MAJORITY IN THE UNITED STATES AND ITS CONSEQUENCES

I hold it to be an impious and detestable maxim that, politically speaking, the people have a right to do anything; and yet I have asserted that all authority originates in the will of the majority. Am I, then, in contradiction with myself?

A general law, which bears the name of justice, has been made and sanctioned, not only by a majority of this or that people, but by a majority of mankind. The rights of every people are therefore confined within the limits of what is just. A nation may be considered as a jury which is empowered to represent society at large and to apply justice, which is its law. Ought such a jury, which represents society, to have more power than the society itself whose laws it executes?

When I refuse to obey an unjust law, I do not contest the right of the majority to command, but I simply appeal from the sovereignty of the people to the sovereignty of mankind. Some have not feared to assert that a people can never outstep the boundaries of justice and reason in those affairs which are peculiarly its own; and that consequently full power may be given to the majority by which it is represented. But this is the language of a slave.

A majority taken collectively is only an individual, whose opinions, and frequently whose interests, are opposed to those of another individual, who is styled a minority. If it be admitted that a man possessing absolute power may misuse that power by wronging his adversaries, why should not a majority be liable to the same reproach? Men do not change their characters by uniting with one another; nor does their patience in the presence of obstacles increase with their strength. For my own part, I cannot believe it;

the power to do everything, which I should refuse to one of my equals, I will never grant to any number of them.

I do not think that, for the sake of preserving liberty, it is possible to combine several principles in the same government so as really to oppose them to one another. The form of government that is usually termed mixed has always appeared to me a mere chimera. Accurately speaking, there is no such thing as a mixed government in the sense usually given to that word, because in all communities some one principle of action may be discovered which preponderates over the others. England in the last century, which has been especially cited as an example of this sort of government, was essentially an aristocratic state, although it comprised some great elements of democracy; for the laws and customs of the country were such that the aristocracy could not but preponderate in the long run and direct public affairs according to its own will. The error arose from seeing the interests of the nobles perpetually contending with those of the people, without considering the issue of the contest, which was really the important point. When a community actually has a mixed government--that is to say, when it is equally divided between adverse principles--it must either experience a revolution or fall into anarchy.

I am therefore of the opinion that social power superior to all others must always be placed somewhere; but I think that liberty is endangered when this power finds no obstacle which can retard its course and give it time to moderate its own vehemence.

Unlimited power is in itself a bad and dangerous thing. Human beings are not competent to exercise it with discretion. God alone can be omnipotent, because his wisdom and his justice are always equal to his power. There is no power on earth so worthy of honor in itself or clothed with rights so sacred that I would admit its uncontrolled and all-predominant authority. When I see that the right and the means of absolute command are conferred on any power whatever, be it called a people or a king, an aristocracy or a democracy, a monarchy or a republic, I say there is the germ of tyranny, and I seek to live elsewhere, under other laws.

In my opinion, the main evil of the present democratic institutions of the United States does not arise, as is often asserted in Europe, from their weakness, but from their irresistible strength. I am not so much alarmed at the excessive liberty which reigns in that country as at the inadequate securities which one finds there against tyranny.

EFFECTS OF THE OMNIPOTENCE OF THE MAJORITY UPON THE ARBITRARY AUTHORITY OF AMERICAN PUBLIC OFFICERS.

A DISTINCTION must be drawn between tyranny and arbitrary power. Tyranny may be exercised by means of the law itself, and in that case it is not arbitrary; arbitrary power may be exercised for the public good, in which case it is not tyrannical. Tyranny usually employs arbitrary means, but if necessary it can do without them.

In the United States the omnipotence of the majority, which is favorable to the legal despotism of the legislature, likewise favors the arbitrary authority of the magistrate. The majority has absolute power both to make the laws and to watch over their execution; and as it has equal authority over those who are in power and the community at large, it considers public officers as its passive agents and readily confides to them the task of carrying out its designs. The details of their office and the privileges that they are to enjoy are rarely defined beforehand. It treats them as a master does his servants, since they are always at work in his sight and he can direct or reprimand them at any instant.

POWER EXERCISED BY THE MAJORITY IN AMERICA UPON OPINION

I know of no country in which there is so little independence of mind and real freedom of discussion as in America. In any constitutional state in Europe every sort of religious and political theory may be freely preached and disseminated; for there is no country in Europe so subdued by any single authority as not to protect the man who raises his voice in the cause of truth from the consequences of his hardihood. If he is unfortunate enough to live under an absolute government, the people are often on his side; if he inhabits a free country, he can, if necessary, find a shelter behind the throne. The aristocratic part of society supports him in some countries, and the democracy in others. But in a nation where democratic institutions exist, organized like those of the United States, there is but one authority, one element of strength and success, with nothing beyond it.

In America the majority raises formidable barriers around the liberty of opinion; within these barriers an author may write what he pleases, but woe to him if he goes beyond them. Not that he is in danger of an auto-da-fé, but he is exposed to continued obloquy and persecution. His political career is closed forever, since he has offended the only authority that is able to open it. Every sort of compensation, even that of celebrity, is refused to him. Before publishing his opinions, he imagined that he held them in common with others; but no sooner has he declared them than he is loudly censured by his opponents, whilst those who think like him, without having the courage to speak out, abandon him in silence. He yields at length, overcome by the daily effort which he has to make, and subsides into silence, as if he felt remorse for having spoken the truth...

THE GREATEST DANGERS OF THE AMERICAN REPUBLICS PROCEED FROM THE OMNIPOTENCE OF THE MAJORITY.

GOVERNMENTS usually perish from impotence or from tyranny. In the former case, their power escapes from them; it is wrested from their grasp in the latter. Many observers who have witnessed the anarchy of democratic states have imagined that the government of those states was naturally weak and impotent. The truth is that when war is once begun between parties, the government loses its control over society. But I do not think that a democratic power is naturally without force or resources; say, rather, that it is almost always by the abuse of its force and the misemployment of its resources that it becomes a failure. Anarchy is almost always produced by its tyranny or its mistakes, but not by its want of strength.

It is important not to confuse stability with force, or the greatness of a thing with its duration. In democratic republics the power that directs society is not stable, for it often changes hands and assumes a new direction. But whichever way it turns, its force is almost irresistible. The governments of the American republics appear to me to be as much centralized as those of the absolute monarchies of Europe, and more energetic than they are. I do not, therefore, imagine that they will perish from weakness.

If ever the free institutions of America are destroyed, that event may be attributed to the omnipotence of the majority, which may at some future time urge the minorities to desperation and oblige them to have recourse to physical force. Anarchy will then be the result, but it will have been brought about by despotism.

Conclusion to First Book

THE UNITED STATES AND RUSSIA

Today there are two great peoples who, starting from different points, seem to approach the same destiny; they are the Russians, and the Anglo-Americans. Both of them have grown in obscurity, and, while men were looking the other way, they suddenly reach the first rank of nations. At almost the same time the world became aware to their birth and of their greatness.

All other peoples seem to have nearly reached the limits of their potentialities, and to have nothing left to do but to maintain their present status. But these two people are growing; all others have stopped or progress only with the greatest effort; these alone follow with ease and celerity a course whose limit the eye cannot yet detect.

The American battles the obstacles of nature; the Russian, those of man. The former combats the wilderness and savagery, the latter, civilization with all its weapons. American conquests are won with the laborer's plowshare; Russian triumphs, with the soldier's sword. To attain its ends, the American

relies upon personal interest and allows free scope to the unguided energy and common sense of individuals. The Russian somehow concentrates the power of society in one man. The method of the former is freedom; of the latter, servitude.

Their starting-point is different, their ways are diverse, yet each of them seems called by the secret design of Providence to control, some day, the destinies of half the world.

FOURTH BOOK

CHAPTER VI

WHAT SORT OF DESPOTISM DEMOCRATIC NATIONS HAVE TO FEAR

Democratic governments may become violent and even cruel at certain periods of extreme effervescence or of great danger, but these crises will be rare and brief. When I consider the petty passions of our contemporaries, the mildness of their manners, the extent of their education, the purity of their religion, the gentleness of their morality, their regular and industrious habits, and the restraint which they almost all observe in their vices no less than in their virtues, I have no fear that they will meet with tyrants in their rulers, but rather with guardians.

I think, then, that the species of oppression by which democratic nations are menaced is unlike anything that ever before existed in the world; our contemporaries will find no prototype of it in their memories. I seek in vain for an expression that will accurately convey the whole of the idea I have formed of it; the old words despotism and tyranny are inappropriate: the thing itself is new, and since I cannot name, I must attempt to define it.

I seek to trace the novel features under which despotism may appear in the world. The first thing that strikes the observation is an innumerable multitude of men, all equal and alike, incessantly endeavoring to procure the petty and paltry pleasures with which they glut their lives. Each of them, living apart, is as a stranger to the fate of all the rest; his children and his private friends constitute to him the whole of mankind. As for the rest of his fellow citizens, he is close to them, but he does not see them; he touches them, but he does not feel them; he exists only in himself and for himself alone; and if his kindred still remain to him, he may be said at any rate to have lost his country.

Above this race of men stands an immense and tutelary power, which takes upon itself alone to secure their gratifications and to watch over their fate. That power is absolute, minute, regular, provident, and mild. It would be like the authority of a parent if, like that authority, its object was to prepare men for manhood; but it seeks, on the contrary, to keep them in perpetual childhood: it is well content that the people should rejoice, provided they think of nothing but rejoicing. For their happiness such a government willingly labors, but it chooses to be the sole agent and the only arbiter of that happiness; it provides for their security, foresees and supplies their necessities, facilitates their pleasures, manages their principal concerns, directs their industry, regulates the descent of property, and subdivides their inheritances: what remains, but to spare them all the care of thinking and all the trouble of living?

Thus it every day renders the exercise of the free agency of man less useful and less frequent; it circumscribes the will within a narrower range and gradually robs a man of all the uses of himself. The principle of equality has prepared men for these things; it has predisposed men to endure them and often to look on them as benefits.

After having thus successively taken each member of the community in its powerful grasp and fashioned him at will, the supreme power then extends its arm over the whole community. It covers the surface of society with a network of small complicated rules, minute and uniform, through which the most original minds and the most energetic characters cannot penetrate, to rise above the crowd. The will of man is not shattered, but softened, bent, and guided; men are seldom forced by it to act, but they are constantly restrained from acting. Such a power does not destroy, but it prevents existence; it does not tyrannize, but it compresses, enervates, extinguishes, and stupefies a people, till each nation is reduced to nothing better than a flock of timid and industrious animals, of which the government is the shepherd.

I have always thought that servitude of the regular, quiet, and gentle kind which I have just described might be combined more easily than is commonly believed with some of the outward forms of freedom, and that it might even establish itself under the wing of the sovereignty of the people.