

Excerpt of Democracy in America

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About this Document

Excerpt of Democracy in America, by Alexis de Tocqueville

Social State of the Anglo-Americans

The social state is commonly the result of circumstances, sometimes of laws, but most often of a combination of the two. But once it has come into being, it may itself be considered as the price cause of most of the laws, customs, and ideas which control the nation's behavior; it modifies even those things which it does not cause.

Therefore one must first study their social state if one wants to understand a people's laws and mores.

The Striking Feature in the Social Condition of the Anglo-Americans Is That It Is Essentially Democratic

First immigrants to New England. Equal among themselves. Aristocratic laws introduced in the South. Period of the Revolution. Change in the laws of inheritance. Results of that change. Equality carried to extreme limits in the new states of the West. Equality of mental endowments.

There are many important things to be said about the social condition of the Anglo-Americans, but one feature dominates all the others.

The social state of the Americans is eminently democratic. It has been like that ever since the birth of the colonies but is even more so now.

I said in the last chapter that a high degree of equality prevailed among the immigrants who first settled on the coast of New England. In that part of the states even the seeds of aristocracy were never planted. There only intellectual power could command influence, and the people came to respect certain names as symbols of enlightenment and virtue. The views of some citizens carried such weight that if it had invariably passed from father to son, their influence might reasonably have been called aristocratic.

That was the case to the east of the Hudson. To the southwest of that river and right down to the Floridas things were different.

Great English landowners had come to settle in most of the states southwest of the Hudson. They brought with them aristocratic principles, including the English law of inheritance. I have explained the reasons that made it impossible ever to establish a powerful aristocracy in America. Those reasons applied southwest of the Hudson too, but with less force than to the east thereof. In the South one man and his slaves could cultivate a wide extent of land. So there were rich landowners in that part of the country. But their influence was not exactly aristocratic, in the sense in which that word is used in Europe, for they had no privileges, and the use of slaves meant that they had no tenants and consequently no patronage. However, the great landowners south of the Hudson did form an upper class, with its own ideas and tastes, and in general it did concentrate political activity in its hands. It was a sort of aristocracy not very different from the bulk of the people whose passions and interests it easily embraced, arousing neither love nor hate. It was, to conclude, weak and unlikely to last. That was the class which, in the South, put itself at the head of the rebellion; it provided the best leaders of the American Revolution.

At that time society was shaken to the core. The people, in whose name the war had been fought, became a power and wanted to act on their own; democratic instincts awoke; the English yoke had been broken, and a taste for every form of independence grew; little by little the influence of individuals ceased to carry weight; customs and laws began to march in step toward the same goal.

But it was the law of inheritance which caused the final advance of equality.

I am surprised that ancient and modern writers have not attributed greater importance to the laws of inheritance and their effect on the progress of human affairs. They are, it is true, civil laws, but they should head the list of all political institutions, for they have an unbelievable influence on the social state of peoples, and political laws are no more than the expression of that state. Moreover, their way of influencing society is both sure and uniform; in some sense they lay hands on each generation before it is born. By their means man is armed with almost supernatural power over the future of his fellows. When the lawgiver has once fixed the law of inheritance, he can rest for centuries; once the impulse has been given to his handiwork, he can take his hand away; the mechanism works by its own power and apparently spontaneously aims at the goal indicated beforehand. If it has been drafted in a certain way, it assembles, concentrates, and piles up property, and soon power too, in the hands of one man; in a sense it makes an aristocracy leap forth from the ground. Guided by other principles and directed toward other goals, its effect is even quicker; it divides, shares, and spreads property and power; then sometimes people get frightened at the speed of its progress; despairing of stopping its motion, men seek at least to put obstacles and difficulties in its way; there is an attempt to balance its action by measures of opposite tendency. But all in vain! It grinds up or smashes everything that stands in its way; with the continual rise and fall of its hammer strokes, everything is reduced to a fine, impalpable dust, and that is the foundation for democracy.

When the law of inheritance allows or, a fortiori, ordains the equal sharing of a father's property among his children, the results are of two sorts, which need to be distinguished, though they both

tend toward the same end.

Owing to the law of inheritance, the death of each owner causes a revolution in property; not only do possessions change hands, but their very nature is altered, as they are continually broken up into smaller fractions.

That is the direct physical effect of the law. So in countries where equal shares are the rule, property, particularly landed property, has a permanent tendency to grow less. However, the effects of such legislation would only be felt in the fullness of time if the effects of the law were simply left to work themselves out, for in families with not more than two children (and the average of families with a population pattern such as France is said to be only three), those children sharing their father's and their mother's fortune would not be poorer than either of the latter individually.

But the rule of equal shares does not affect only the fate of property; it also affects the very soul of the landowner and brings his passions into play. It is these indirect effects which rapidly break up great fortunes, especially landed property.

In nations where the law of inheritance is based on primogeniture, landed estates generally pass undivided from one generation to another. Hence family feeling finds a sort of physical expression in the land. The family represents the land, and the land the family, perpetuating its name, origin, glory, power, and virtue. It is an imperishable witness to the past and a precious earnest of the future.

When the law ordains equal shares, it breaks that intimate connection between family feeling and preservation of the land; the land no longer represents the family, for, as it is bound to be divided up at the end of one or two generations, it is clear that it must continually diminish and completely disappear in the end. The sons of a great landowner, if they are few, or if fortune favors them, may still hope to be no less rich than their parent, but they cannot expect to possess the same lands; their wealth is bound to be composed of different elements from his.

Now, as soon as landowners are deprived of their strong sentimental attachment to the land, based on memories and pride, it is certain that sooner or later they will sell it, for they have a powerful pecuniary interest in so doing, since other forms of investment earn a higher rate of interest and liquid assets are more easily used to satisfy the passions of the moment.

Once divided, great landed estates do not come together again; for proportionately, a smallholder gets a better income from his fields than a great landlord from his, and so he sells it too at a much higher price. Thus the same economic calculation which induced the rich man to sell vast properties will even more powerfully dissuade him from buying up small holdings to make a great one again.

What passes for family feeling is often based on an illusion of personal selfishness; a man seeks to perpetuate himself and, in some sense, to make himself immortal through his great-grandchildren. Where family feeling is at an end, personal selfishness turns again to its real inclinations. As the

family is felt to be a vague, indeterminate, uncertain conception, each man concentrates on his immediate convenience; he thinks about getting the next generation established in life, but nothing further.

Hence a man does not seek to perpetuate his family, or at least he seeks other means than landed estates to do so.

Thus the law of inheritance not only makes it difficult for families to retain the same domains intact, but takes away their wish to try to do so and, in a sense, leads them to cooperate with the law in their own ruin.

The law of equal shares progresses along two paths: by acting upon things, it affects persons; by acting on persons, it has its effect on things.

By both these means it strikes at the root of landed estates and quickly breaks up both families and fortunes.

It is certainly not for us, Frenchmen of the nineteenth century, who are daily witness of the political and social changes caused by the law of inheritance, to doubt its power. Every day we see its influence coming and going over our land, knocking down the walls of our houses in its path, and throwing down the fences of our fields. But though the law of inheritance has done much among us, it still has much to do. Our memories, thoughts, and habits still put substantial obstacles in its way.

In the United States its work of destruction has almost been brought to an end. It is there that one can study its chief effects.

The English law concerning succession to property was abolished in almost all the states at the time of the Revolution.

The law of entail was so modified that it hardly put any restraint on the free sale of land. (See Appendix I, G.)

The first generation passed away; land began to be divided. As time passed, the change grew faster and faster. Now, hardly sixty years later, the aspect of society is already hard to recognize; the families of the great landowners have almost mingled with the common mass. In the state of New York, where formerly there were many, only two still keep their heads above the waters, which are ready to swallow them too. The sons of these wealthy citizens are now merchants, lawyers, or doctors. Most of them have fallen into the most complete obscurity. The last trace of hereditary ranks and distinctions has been destroyed; the law of inheritance has everywhere imposed its dead level.

It is not that in the United States, as everywhere, there are no rich; indeed I know no other country where love of money has such a grip on men's hearts or where stronger scorn is expressed for the

theory of permanent equality of property. But wealth circulates there with incredible rapidity, and experience shows that two successive generations seldom enjoy its favors.

This picture, which some may think overdrawn, would give only a very imperfect impression of what goes on in the new states of the West and Southwest.

At the end of the last century a few bold adventurers began to penetrate into the Mississippi valley. It was like a new discovery of America; soon most of those who were immigrating went there; previously unheard of communities suddenly sprang up in the wilderness. States that had not even been names of few years before took their places in the American Union. It is in the West that one can see democracy in its most extreme form. In these states, in some sense improvisations of fortune, the inhabitants have arrived only yesterday in the land where they dwell. They hardly know one another, and each man is ignorant of his nearest neighbor's history. So in that part of the American continent the population escapes the influence not only of great names and great wealth but also of the natural aristocracy of education and probity. No man there enjoys the influence and respect due to a whole life spent publicly in doing good. There are inhabitants already in the new states of the West, but not as yet a society.

But it is not only fortunes that are equal in America; equality to some extent affects their mental endowments too.

I think there is no other country in the world where, proportionately to population, there are so few ignorant and so few learned individuals as in America.

Primary education is within reach of all; higher education is hardly available to anybody.

That is easily understood and is indeed the necessary consequence of what has been said before.

Almost all Americans enjoy easy circumstances and can so easily acquire the basic elements of human knowledge.

There are few rich men in America; hence almost all Americans have to take up some profession. Now, every profession requires an apprenticeship. Therefore the Americans can devote only the first years of life to general education; at fifteen they start on a career, so their education generally ends at the age when ours begins. If it is continued beyond that point, it aims only at some specialized and profitable objective; science is studied in the same spirit as one takes up a trade; and only matters of immediate and recognized practical application receive attention.

In America most rich men began by being poor; almost all men of leisure were busy in their youth; as a result, at the age when one might have a taste for study, one has not the time; and when time is available, the taste has gone.

So there is no class in America in which a taste for intellectual pleasures is transmitted with

hereditary wealth and leisure and which holds the labors of the mind in esteem.

Both the will and the power to engage in such work are lacking.

A middling standard has been established in America for all human knowledge. All minds come near to it, some by raising and some by lowering their standards.

As a result one finds a vast multitude of people with roughly the same ideas about religion, history, science, political economy, legislation, and government.

Intellectual inequalities come directly from God, and man cannot prevent them existing always.

But it results from what we have just been explaining, that, though mental endowments remain unequal as the Creator intended, the means of exercising them are equal.

Therefore, in America now the aristocratic element, which was from the beginning weak, has been, if not destroyed, at least made feebler still, so that one can hardly attribute to it any influence over the course of things.

On the other hand, time, circumstances, and laws have made the democratic element not merely preponderant but, one might say, exclusive.

One cannot trace any family or corporate influence; it is often hard even to discover any durable individual influence.

So the social state of America is a very strange phenomenon. Men there are nearer equality in wealth and mental endowments, or, in other words, more nearly equally powerful, than in any other country of the world or in any other age of recorded history.

American Democracy's Power of Self-Control

The American people are slow to accept, and sometimes refuse to accept, things beneficial to their prosperity. The American capacity for making mistakes that can be retrieved.

Democracy's difficulty in conquering the passions and silencing momentary requirements in the interest of the future can be observed in the United States in the most trivial things.

The people, surrounded by flatterers, find it hard to master themselves. Whenever anyone tries to persuade them to accept a privation or a discomfort, even for an aim that their reason approves, they always begin by refusing. The Americans rightly boast of their obedience to the laws. But one must add that in America legislation is made by the people and for the people. Therefore law in the

United States patently favors those who everywhere else have the greatest interest in violating it. It is therefore fair to suppose that an irksome law of which the majority did not see the immediate utility either would not be passed or would not be obeyed.

There is no American legislation against fraudulent bankruptcies. Is that because there are no bankrupts? No, on the contrary, it is because there are many. In the mind of the majority the fear of being prosecuted as a bankrupt is greater than the apprehension of being ruined by other bankrupts, and so the public conscience has a sort of guilty tolerance for an offense which everyone individually condemns.

In the new states of the Southwest the citizens almost always take justice into their own hands, and murders are of frequent occurrence. That is because the people's habits are too rough and because enlightenment is not sufficiently widespread in that wilderness for people to see the advantage of giving strength to the law; duels are still preferred to lawsuits there.

Someone once told me in Philadelphia that almost all crimes in America are due to the abuse of strong drink, which, being sold cheaply, the lowest classes could consume at will. "How comes it," I asked, "that you do not put a duty on brandy?" "Our legislators have often thought about it," he answered, "but that is a difficult undertaking. There is fear of a revolt, and those who voted for such a law could be certain not to be reelected." "So," I replied, "with you, drunkards are in a majority and temperance is unpopular."

When one points out matters such as these to statesmen, the only answer they give is: "Let time do its work; a sense of the evil will enlighten the people and show them what they need." That is often the truth; a democracy may be more likely to be deceived than a king or a body of nobles, but it also has a better chance of returning to the truth when light does break through, because generally within it there are no interests opposed to the majority and ready to fight against reason. But a democracy cannot get at the truth without experience, and many nations may perish for lack of the time to discover their mistakes.

Therefore the great privilege enjoyed by the Americans is not only to be more enlightened than other nations but also to have the chance to make mistakes that can be retrieved.

One must add that in order to profit by past experience, a democracy must already have reached a certain degree of civilization and enlightenment.

There are peoples whose early education has been so vicious and whose character presents such a strange mixture of passions, ignorance, and mistaken notions on all subjects that they cannot by themselves see the cause of their afflictions; they succumb beneath unrecognized ills.

I have passed through vast lands once inhabited by powerful Indian tribes who now no longer exist; I have passed some time among the remnants of tribes which see their numbers daily decreasing and the brilliance of their savage glories vanishing; and I have heard these Indians themselves

foretell the final destiny in store for their race. But every European can see what needs doing to preserve these unlucky people from otherwise inevitable destruction. However, they themselves do not see it; they feel the annually increasing woes that weight them down, and they will perish to the last man rejecting the remedy. Force would be needed to compel them to live.

People are astonished to see the new nations of South America convulsed by one revolution after another throughout the last quarter of a century, and daily expect them to return to what is called their natural state. But nowadays who can be sure? May not revolution be the most natural state for the Spaniards of South America? In that country society is floundering at the bottom of an abyss from which its own efforts cannot drag it.

The people dwelling in this beautiful half continent seem obdurately determined to tear out each other's guts; nothing can divert them from that objective. Exhaustion may induce momentary repose, repose the prelude to fresh frenzies. Contemplating their state of wretchedness alternating with bouts of crime, I am tempted to believe that for them despotism would be a blessing.

But those words "despotism" and "blessing" can never join together in my thoughts.

Public Spirit in the United States

Instinctive patriotism. Well-considered patriotism. Their different characteristics. Why nations must strive with all their strength toward the second when the first has disappeared. The efforts of the Americans to achieve this. Individual interest intimately linked to that of the country.

There is a patriotism which mainly springs from the disinterested, undefinable, and unpondered feeling that ties a man's heart to the place where he was born. This instinctive love is mingled with a taste for old habits, respect for ancestors, and memories of the past; those who feel it love their country as one loves one's father's house. They love the peace they enjoy there; they are attached to the quiet habits they have formed; they are attached to the memories it recalls; and they even find a certain attraction in living there in obedience. This same patriotism is often also exalted by religious zeal, and then it works wonders. It is itself a sort of religion; it does not reason, but believes, feels, and acts. Some nations have in a sense personified their country and see the monarch as standing for it. Hence they have transferred some of the feelings of patriotism to him, and they boast of his triumphs and are proud of his power. There was a time under the old monarchy when the French experienced a sort of joy in surrendering themselves irrevocably to the arbitrary will of their monarch and said with pride: "We live under the most powerful king in the world."

Like all unpondered passions, this patriotism impels men to great ephemeral efforts, but not to continuous endeavor. Having saved the state in time of crisis, it often lets it decay in time of peace.

When peoples are still simple in their mores and firm in their belief, when society gently rests on an ancient order of things whose legitimacy is not contested, then that instinctive patriotism prevails.

There is also another sort of patriotism more rational than that; less generous, perhaps less ardent, but more creative and more lasting, it is engendered by enlightenment, grows by the aid of laws and the exercise of rights, and in the end becomes, in a sense, mingled with personal interest. A man understands the influence which his country's well-being has on his own; he knows the law allows him to contribute to the production of this well-being, and he takes an interest in his country's prosperity, first as a thing useful to him and then as something he has created.

But sometimes there comes a time in the life of nations when old customs are changed, mores destroyed, beliefs shaken, and the prestige of memories has vanished, but when nonetheless enlightenment has remained incomplete and political rights are ill-assured or restricted. Then men see their country only by a weak and doubtful light; their patriotism is not centered on the soil, which in their eyes is just inanimate earth, nor on the customs of their ancestors, which they have been taught to regard as a yoke, nor on religion, which they doubt, nor on the laws, which they do not make, nor on the lawgiver, whom they fear and scorn. So they find their country nowhere, recognizing neither its own nor any borrowed features, and they retreat into a narrow and unenlightened egoism. Such men escape from prejudices without recognizing the rule of reason; they have neither the instinctive patriotism of a monarchy nor the reflective patriotism of a republic, but have come to a halt between the two amid confusion and misery.

What can be done in such a condition? Retreat. But nations do not return to the feelings of their youth any more than men return to the innocent tastes of their infancy; they may regret them, but they cannot bring them back to life. Therefore it is essential to march forward and hasten to make the people see that individual interest is linked to that of the country, for disinterested patriotism has fled beyond recall.

Certainly I am far from claiming that in order to reach this result the exercise of political rights must immediately be granted to every man; but I do say that the most powerful way, and perhaps the only remaining way, in which to interest men in their country's fate is to make them take a share in its government. In our day it seems to me that civic spirit is inseparable from the exercise of political rights, and I think that henceforward in Europe the numbers of the citizens will be found to increase or diminish in proportion to the extension of those rights.

How is it that in the United States, where the inhabitants arrived but yesterday in the land they occupy, whither they brought with them neither customs nor memories, where they meet for the first time without knowing each other, where, to say it in one word, the instinct of country can hardly exist—how does it come about that each man is as interested in the affairs of his township, of his canton, and of the whole state as he is in his own affairs? It is because each man in his sphere takes an active part in the government of society.

The common man in the United States has understood the influence of the general prosperity on his own happiness, an idea so simple but nevertheless so little understood by the people. Moreover, he is accustomed to regard that prosperity as his own work. So he sees the public fortune as his own,

and he works for the good of the state, not only from duty or from pride, but, I dare almost say, from greed.

There is no need to study the institutions or the history of the Americans to recognize the truth of what has just been said, for their mores are sufficient evidence of it. The American, taking part in everything that is done in his country, feels a duty to defend anything criticized there, for it is not only his country that is being attacked, but himself; hence one finds that his national pride has recourse to every artifice and descends to every childishness of personal vanity.

Nothing is more annoying in the ordinary intercourse of life than this irritable patriotism of the Americans. A foreigner will gladly agree to praise much in their country, but he would like to be allowed to criticize something, and that he is absolutely refused.

So America is the land of freedom where, in order not to offend anybody, the foreigner may speak freely neither about individuals nor about the state, neither about the ruled nor about the rulers, neither about public undertakings nor about private ones—indeed, about nothing that one comes across, except perhaps the climate and the soil, but yet one meets Americans ready to defend both of these, as if they had a share in forming them.

In our day we must make up our minds and dare to choose between the patriotism of all and the government of the few, for one cannot combine at the same time the social strength and activity given by the first with the guarantees of tranquillity sometimes provided by the second.

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 be placed somewhere. Precautions which one should take to moderate its action. These precautions have not been taken in the United States. Result thereof.

I regard it as an impious and detestable maxim that in matters of government the majority of a people has the right to do everything, and nevertheless I place the origin of all powers in the will of the majority. Am I in contradiction with myself?

There is one law which has been made, or at least adopted, not by the majority of this or that people, but by the majority of all men. That law is justice.

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

A nation is like a jury entrusted to represent universal society and to apply the justice which is its law. Should the jury representing society have greater power than that very society whose laws it applies?

Consequently, when I refuse to obey an unjust law, I by no means deny the majority's right to give orders; I only appeal from the sovereignty of the people to the sovereignty of the human race.

There are those not afraid to say that in matters which only concern itself a nation cannot go completely beyond the bounds of justice and reason and that there is therefore no need to fear giving total power to the majority representing it. But that is the language of a slave.

What is a majority, in its collective capacity, if not an individual with opinions, and usually with interests, contrary to those of another individual, called the minority? Now, if you admit that a man vested with omnipotence can abuse it against his adversaries, why not admit the same concerning a majority? Have men, by joining together, changed their character? By becoming stronger, have they become more patient of obstacles? For my part, I cannot believe that, and I will never grant to several that power to do everything which I refuse to a single man.

It is not that I think that in order to preserve liberty one can mix several principles within the same government in such a way that they will be really opposed to one another.

I have always considered what is called a mixed government to be a chimera. There is in truth no such thing as a mixed government (in the sense usually given to the words), since in any society one finds in the end some principle of action that dominates all the others.

Eighteenth-century England, which has been especially cited as an example of this type of government, was an essentially aristocratic state, although it contained within itself great elements of democracy, for laws and mores were so designed that the aristocracy could always prevail in the long run and manage public affairs as it wished.

The mistake is due to those who, constantly seeing the interests of the great in conflict with those of the people, have thought only about the struggle and have not paid attention to the result thereof, which was more important. When a society really does have a mixed government, that is to say, one equally shared between contrary principles, either a revolution breaks out or that society breaks up.

I therefore think it always necessary to place somewhere one social power superior to all others, but I believe that freedom is in danger when that power finds no obstacle that can restrain its course and give it time to moderate itself.

Omnipotence in itself seems a bad and dangerous thing. I think that its exercise is beyond man's strength, whoever he be, and that only God can be omnipotent without danger because His wisdom and justice are always equal to His power. So there is no power on earth in itself so worthy of respect or vested with such a sacred right that I would wish to let it act without control and dominate without obstacles. So when I see the right and capacity to do all given to any authority whatsoever, whether it be called people or king, democracy or aristocracy, and whether the scene of action is a monarchy or a republic, I say: the germ of tyranny is there, and I will go look for other laws under which to live.

My greatest complaint against democratic government as organized in the United States is not, as many Europeans make out, its weakness, but rather its irresistible strength. What I find most repulsive in America is not the extreme freedom reigning there but the shortage of guarantees against tyranny.

When a man or a party suffers an injustice in the United States, to whom can he turn? To public opinion? That 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 police? They are nothing but the majority under arms. A jury? The jury is the majority vested with the right to pronounce judgment; even the judges in certain states are elected by the majority. So, however iniquitous or unreasonable the measure which hurts you, you must submit.

But suppose you were to have a legislative body so composed that it represented the majority without being necessarily the slave of its passions, an executive power having a strength of its own, and a judicial power independent of the other two authorities; then you would still have a democratic government, but there would be hardly any remaining risk of tyranny.

I am not asserting that at the present time in America there are frequent acts of tyranny. I do say that one can find no guarantee against it there and that the reasons for the government's gentleness must be sought in circumstances and in mores rather than in the laws.