

A Look Backward, Democracy in America

Charles Alexis Henri Maurice Clarel deTocqueville was a French civil servant who lived between 1805 and 1859. He was born in Paris on July 29 into a Norman aristocratic family and in 1827 went to the government service as a junior magistrate. In 1831 and 32 he went to the United States with his friend Gustave deBeaumont to study the American penal system and they co-authored a book entitled The Penal System in the United States and its Possible Application in France. The visit prompted a critical study of the new American Democracy and resulted in writing his classic study entitled Democracy in America which went through 13 French editions and many English translations as well. As a result of his work he was elected to a seat in the French Academy in 1841 and later served in the Chamber of Deputies and helped to draft the constitution of the Second French Republic.

DeTocqueville was concerned with (one basic problem), the evolution of a democratic society and he sought to show how egalitarian attitudes and government by the people had effected the social system of the only successful (contemporary) example of true democracy in action. He felt there was an approaching irresistible and universal spread of democracy throughout the entire world. He observed that it was not force alone but rather good laws which made a new government secure. In the preface to his 12th edition he stated "for 60 years the principle of the sovereignty of the people which we have introduced but yesterday has prevailed unchallenged there, is put in practice the most direct, unlimited, absolute way. For 60 years that people who has made it the common fount of all their laws, has increased in population, territory and wealth and, let it be noted, throughout that period it has not only been the most prosperous, but also, the most stable of all the peoples in the world."

Where else can we find greater cause of hope for more valuable lessons? Let us not turn to America in order to slavishly copy the institutions she has fashioned for herself but in order that

we may better understand what suits us; let us look there for instruction rather than models; let us adopt the principles rather than the details of her laws. But the principles on which the Constitution of the American states rests, the principles of order, balance of power, true liberty and sincere and deep respect for law are indispensable for all republics; they should be common to them all; and it is safe forecast that where they are not found the republic will soon have ceased to exist.

DeToucqueville's observations are valuable because they were made from a sympathetic standpoint (but yet) by one who had a vast experience in a failed revolution in France, who could observe the aristocratic governments there in action, and who traveled extensively in the United States in order to obtain data on which to found his conclusions. The outline of the book includes references to a number of aspects of the American experiment. The opening chapter was concerned with physical configuration of North America and he stated "the valley watered by the Mississippi seems created for it alone, it dispenses good and evil at will like a local god. Near the river nature displays an inexhaustible fertility. The further you go from its banks the sparser the vegetation and poorer becomes the soil and everything wilts or dies....all things considered, the valley of the Mississippi is the most magnificent habitation ever prepared by God for man and yet one may say it is still only a vast wilderness". In closing he stated, it was there that civilized man was destined to build society on new foundations and for the first time applying theories to then unknown or deemed unworkable, to present the world with a spectral for which past history had not prepared it. He carefully traced the origin of the country in point of departure of the Anglo Americans and quotes the Mayflower Contract. "We whose names are underwritten....having undertaken for the glory of God and advancement of the Christian faith, the honor of our king and country, a voyage to plant the first colony in the northern parts of Virginia, do by these presence solemnly and mutually in the presence of God and one another covenant and combine ourselves together into a civil body politic for our better ordering and

preservation and furtherence of the ends aforesaid and by virtue thereof, do enact, constitute and frame such just and equal laws, ordinances, acts, constitutions and officers from time to time as shall be thought most meet and convenient for the general good of the colony unto which we promise all due submission and obedience."

The new settlers, without dying in the supremacy of their homeland, did not derive from thence the source of their powers. It was only 30 or 40 years afterwards and under Charles II that a royal charter legalized their existence. One continually finds them exercising rights of sovereignty. The appointed magistrates have made peace and war promulgated police regulations and enacted laws as if they were dependent on God alone. The little state of Connecticut in 1650 turned their attention first to the criminal code and in composing it conceived the strange idea of borrowing their provisions from the text of Holy Writ: If any man after a legal conviction shall have or worship any other god but the Lord God, he shall be put to death. " There then followed ten or twelve provisions from the same sort taken word for word from Deutoronomy, Exodus or Leviticus.. thus the legislation of a rough, half civilized people was transported in the midst of an educated society with gentle mores. As a result, the death penalty has never been more frequently prescribed by the laws or more seldom carried out. Alongside this criminal code so strongly marked by a narrow sectarian spirit and all the religious passions stimulated by persecution and still seething in the depths of mens' soles was a body of political laws..which still seems very far in advance to the spirit of the freedom of our age. All the general principles on which modern constitutions rest... are recognized and given authority by the laws of New England. Their participation of the people in public affairs, their free voting on taxes, the responsibility of government officials, individual freedom and trial by jury - all these things were established without question with a practical effect.

Horace Mann et al would probably recall in horror at his statement concerning public education. "But as the provisions for public education which from the very first throw in the clearest relief

the originality of the American civilization. The code states: "It being one chief project of that old diluter Satan to keep men from the knowledge of the scriptures as in former times keeping them in an unknown tongue, so in these latter times by persuading them to the use of tongues so that at least the true sense and the meaning of the original might be clouded by the false glosses of saint seeming deceivers; and that learning may not be buried in the grave of our forefathers, in church and commonwealth, the Lord assisting our endeavors,,,provisions follow establishing schools in all townships and obliging the inhabitants under penalty of heavy fines to maintain them.] In America it is religion which leads to enlightenment and the observance of the divine laws which leads men to liberty." DeTocqueville marveled that there should be a dynamic tension between a spirit of religion and a spirit of freedom which was so notably lacking in England. He stated how these two opposed tendencies actually worked in harmony and seemed to support one another. "Religion regards civil liberty as a noble exercise of men's faculties, the world of politics being a sphere intended by the creator for the preplay of intelligence. Religion being free and powerful within its own sphere and content with the position reserved for it, realizes that it sways all the better established because it relies only on its own powers and rules men's heart without external support. Freedom sees religion as the companion of its struggles and triumphs, the cradle of its infancy and the divine source of its rights.

In regards to the social state of the Anglo Americans he commented, "I think there is no country in the world where proportionally the population there are so few ignorant and so few learned individuals as in America." He noted that "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 is gone." 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. His conclusion was, "so the social state of America is a very strange phenomenon. Men there are newer quality in wealth and mental endowments, or, in other words, more nearly equally powerful, than in any other country in the world or in any other age of recorded history. One of the great secrets of the successful American experience he felt lay in the principle of the sovereignty of the people in America. [He felt that] it dominated the whole American society and was existent even before the American revolution. He wrestled somewhat with the complex constitution and the two distinct social structures of state and federal government. The one "state" is the ordinary and undefined government which provides the daily needs of society while the other is exceptional and circumscribe and only concerned with certain general interests. In a word, there are 24 little sovereign nations who, together, form the United States. Bear in mind this was written some 30 years before the American Civil War when states rights were more firmly subjugated to a strong federal government.

In regard to the judicial power in the United States he felt it was very difficult for a foreigner to understand this. He says "he finds judicial authority invoked in almost every political context and from that he naturally concludes that the judge is one of the most important political powers in the United States. But when he then begins to examine the constitution of the courts, at first glance he sees nothing but judicial attributes and procedures. The judges seem to intervene in public affairs only by chance, but that chance recurs daily. [He said] "the American constitution is not considered immutable as in France; cannot be changed by the ordinary authorities of society as in England. It is a thing apart and represents the will of the whole people and binds the legislators as well as plain citizens, but it can be changed by the will of the people in accordance with established forms and anticipated eventualities. So in America the constitution can change but so long as it exists, it is the fount of all authority. The dominant power belongs to it alone.

In regard to the constitutional powers of the president, he had some interesting observations to make. "It is generally in its relation to foreign powers that the executive power of a nation has a chance to display skill and strength...it is true the president of the United States is commander in chief of the Army, but that army consists of 6,000 soldiers; he commands the Navy, but the Navy has only a few ships; he conducts the unions relations with foreign nations, but the union has no neighbors. Separated by the ocean from the rest of the world, still too weak to want to rule the sea, it has no enemies and its interests are seldom in contact with those of other nations of the globe.

In America the president cannot prevent the making of laws; he cannot escape from his obligation to execute them. His zealous and sincere aid is no doubt useful, but is not necessary in order that the government should function. In everything important in which he does, he is directly or indirectly subject to the legislature; where he is entirely independent of it, he can do almost nothing. It is therefore his weakness, not his strength which allows him to carry on in opposition to the legislative power. [He observed, the Americans have rightly considered that the head of the executive power, in order to fullfil his mission and bear the whole load of his responsibilities, ought to be as free as possible to choose his own agents and dismiss them at will. Legislative bodies supervise the president rather than directs him. As follows, from that, that in each new election the fate of all federal employees is in suspense. He closes again in saying "in America society is so constituted it can carry on itself without help; there are never external dangers there.] The election of a president causes agitation, not ruin. He felt that the sovereignty of the federal union was used only in connection with a few great interests and it represented a huge and distant mother land with vaguely assigned sentiment. However, [he felt that] state sovereignty was supported by "memories, customs, local prejudices and provencial and family selfishness. The word is supported by all those things which make the instinct of patriotism so powerful in the hearts of men. How can one question its advantages.?

Part two of the treatise was more concerned with the instincts, the passions, the secret springs, the directors of its course, the effects of its power and what destiny is in store for the nation. The American political parties certainly provided ammunition for most terse comments by the author. "The parties are an evil inherent in free governments, but they do not always have the same character and same instincts." America has had great parties; now they no longer exist. This has been a great gain in happiness but not in morality. What he meant by great political parties were those which were concerned with the principles and generalities rather than particulars and certainly to ideas rather than to personalities. He felt that they had nobler features, more generous passions, more real convictions and a bolder more open look. He felt that private interest which always plays a great part in political passions were more skillfully concealed beneath the veil of public interest. He felt, on the other hand, that small parties generally had no political faith. They glow with factitious zeal, their language is violent but their progress is timid and uncertain. The means they implore are as disreputable as the aims sought. That is why, when a time of calm succeeds a great revolution, great men seem to disappear suddenly and minds withdraw into themselves. His comments regarding freedom of the press in the United States are interesting. He says, "In America as in France, it is the same extraordinary power, strange mixture of good and evil, which freedom could not survive but with which order can hardly be maintained. He felt that the effective force of any power was increased in proportion to the centralization of its control. This, he said, was a general law of nature which could be confirmed by independent observation and because in the United States at that time printers needed no license, newspapers no stamps or registration and no security was known. For this reason it was easy and simple to start a newspaper and few subscribers were needed to cover the expenses so the number of newspapers in the United States at that time surpassed all belief. He said "the most unlightened Americans attribute the slightness of the power of

their press to this incredible dispersion. It is an action in political science there that the only way to neutralize the effects of newspapers is to multiply their numbers. (He said) "the power of the American's press is still immense. It makes political life circulate in every corner of that vast land. Its eyes are never shut and it leads bearers to the secret shifts of politics, forcing public figures in turn, to appear before the tribunal of opinion. The press rallies interest around certain doctrines and gives shape to party slogans; through the press the parties, without actually meeting, listen and argue with one another....every individual American newspaper has little power, but after the people the press is never less the first of powers.

In regard to patriotism he observed. "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 his natural pride as 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 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.

The French revolution, of course, failed and so deTocqueville was interested in finding the main causes which tended to maintain a democracy in the United States. He felt there were three reasons first, the peculiar accidental situation that providence had placed the Americans i.e. on a continent with vast resources and an unlimited frontier. The second was the laws and third the habits and mores. Although a devout Catholic he [certainly was] considered generic Christianity as a religion [considered] as a political institution and that it powerfully contributed to the maintenance of the democratic republic. He writes, "most of English America was peopled by men who, having shaken off the pope's authority acknowledged no other religious supremacy; they therefore brought to the new world a Christianity which I can only describe as Democratic and Republican; this fact singularly favored the establishment of a temporal republic and democracy. From the start politics and religion agreed and they have not since ceased to do so.

He was impressed by the tendency of Americans to form missionary associations to send priests and preachers out in the new states of the West to establish schools and churches and he said "they fear religion might be lost in the depths of the forest and that the people growing up there might be less fitted for freedom than those from which they strain. In this way in the United States patriotism generally adds fuel to the fire of religious zeal. You will be mistaken if you think such men are guided only by thoughts of the future life; eternity is only one of the things that concern them. If you talk with these missionaries of a Christian civilization you will be surprised to hear them so often speaking of the goods of this world and to meet a politician where you expected to find a priest. "The religious atmosphere of the country was the first thing that struck me on arrival in the United States. The longer I stayed in the country the more conscious I became of the important political consequences resulting from this novel situation. In France I had seen the spirits of religion and freedom almost always marching in opposite directions. In America I found them intimately connected together in joint reign over the same land. He wisely observed, as long as the religion relies only upon the sentiments which are the consolation of every affliction can draw the heart of mankind to itself. When it is mingled with the bitter passion of this world, it is sometimes constrained to defend allies who are such from interest than from love; hence religion cannot share the material strength of the rulers without being burdened with some of the animosity aroused against them. Frontiersmen tended to amaze him in several ways. He describes a frontiersman in the following way; "the traveler approaching one toward evening sees a hearth fire flicker through the chinks in the walls and at night when the ^{wind} rises you hear the roof of boughs shake to and fro in the midst of a great forest trees. Who would not suppose that the poor hut sheltered some rude and ignorant folk? But one should not assume any connection between the pioneer and the place that shelters him. All the surroundings are primitive and wild but he is the product of 18 centuries of labor and experience. He wears the clothes and talks the language of the town; he is aware of the past, curious about the future and ready to argue about the present....he is a very civilized man prepared

for a time to face life in the forest, plunging into the wilderness of the new world with his Bible, ax and newspapers.

In his social comment ^{in regard} in regards to the three main races he wrote a chapter entitled "The Three Races that Inhabit the United States". His conclusion was this - whatever efforts the Americans of the South make to maintain slavery, they will not forever succeed. Slavery is limited to one point on the globe and attacked by Christianity as unjust and by political economy as fatal; slavery, amid the democratic liberty in light of our age, is not an institution that can last. Either the slave or the master will put an end to it. In either case great misfortunes are to be anticipated. If freedom is refused to the negroes in the South, in the end they will seize it themselves; if it is granted them, they will not be slow to abuse it.

His commentary on the frontier revivals are extremely interesting. "Why some Americans display enthusiastic forms of spirituality, Although the desire to acquire the good things of this world is a dominant passion among Americans, there are momentary respites when their souls seem suddenly to break their straining bonds of matter and rush impetuously heavenward. In every state of the union but especially in the half-people lands of the West, there are preachers hawking the word of God from place to place. Whole families, old men, women and children, cross difficult country and make their way through untamed forest to come great distances to hear them. When they do arrive and listen to them, for several days and several nights they neglect to look after affairs and even forget the most pressing needs of the body. Here and there throughout American society you meet men filled with an enthusiastic, almost fierce spirituality, such as cannot be found in Europe. From time to time strange sects arise which strive to open extraordinary roads to eternal happiness. Forms of religious madness are very common there.

As a proper Frenchman he was somewhat appalled at the changing of the English language on American soil and reported the following: "Educated Englishmen, better able to appreciate these fine nuances

than I, have told me that the language of well educated Americans is decidedly different from that spoken by the same class in Great Britain. Their complaint is not only that the Americans have introduced a lot of new words but that these new words are generally taken from the jargon of parties, the mechanical arts or trade. They also say Americans have given new meanings to old English words. Finally they maintain Americans often mix their styles in an odd way, sometimes putting words together which, in the mother tongue, are carefully kept apart." "A writer begins by the slight deflection of a known expression from its original meaning and he adapts it, thus modified, as best he can, for his purpose. A second writer twists this meaning in a different direction. Then comes a third, taking it oft down a new track. Then, since there is no accepted judge, no permanent court to decide the meaning of the word, the phrase is left to wonder free. This is an annoying feature of democracy. I would rather have the language decked out with Chinese, Tarter or Huron words than let the meaning of French words become doubtful. He noted "Democratic citizens, then , will often have vacillating thoughts, and so language must be loose enough to leave them play. As they never know what they say today will fit the facts tomorrow, they have a natural taste for abstract terms. An abstract word is like a box with a false bottom; you may put in it what ideas you please and taken them out again unobserved.

In his conclusion to Volume I, deTocqueville made some very interesting predictions. First he predicted that the American civilization will ultimately go from coast to coast. Secondly he predicted that the Americans would continue to go into the Texas territory of Mexico and ultimately push the Mexicans out. Finally, he made these statements at a time when the American population was 20 million people: "Therefore the time must come when there will be a North America, 150 million people, all equal, one to the other, belonging to the same family, having the same point of departure, same civilization, language, religion, habits, and mores and among whom thought will circulate in similar forms and like nuances. All of this is doubtful but this is sure and this is something entirely new in the world, something, moreover, the significance of which

the imagination cannot grasp. There are now two great nations of the world which, starting from different points, seem to be advancing toward the same goal: the Russians and the Anglo Americans. Both have grown in obscurity and while the world's attention was occupied elsewhere they have suddenly taken their place among the leading nations, making the world take note of their birth and of their greatness almost at the same instance. The American fights against natural obstacles; the Russian is at grips with men. The former combats wilderness and barbarism; the latter, civilization, with all its arms. The Americans conquests are made with the plowshare, Russia's with the sword. To obtain their aims, the former relies on personal interest and gives free scope to the unguided strength and common sense of individuals. The latter, in a sense, concentrates as a whole power of society in one man. One has freedom as a principal means of action; the other has servitude. Their point of departure is different, their paths diverse; nevertheless, each seems called by some secret design of providence one day to hold in its hands the destinies of half the world.

Certainly these are very interesting observations made from the vantage point of 150 years ago.

To what extent has our nation changed, to what degree has the sovereignty of the people been infringed upon? What has happened to the course of public education based on religious beliefs and with a religious basis, to what degree have the three main branches of government - executive, legislative and judicial - maintained their mutual balance of power? Is there still an American spirit existing with justice and freedom for all or have special interests firmly become entrenched and like the aristocracy of Europe, completely taken over the ballgame? Will great parties with great leaders who possess moral convictions ever again inhabit the American scene?