Chapter 6

WHAT ARE THE REAL ADVANTAGES THAT AMERICAN SOCIETY DERIVES FROM THE GOVERNMENT OF DEMOCRACY

Before beginning the present chapter I feel the need to recall to the reader what I have already indicated several times in the course of this book.

The political constitution of the United States appears to me to be one of the forms that democracy can give to its government; but I do not consider American institutions the only ones or the best that a democratic people should adopt.

In making known what goods the Americans derive from the government of democracy I am therefore far from claiming or thinking that such advantages can be obtained only with the aid of the same laws.*1

ON THE GENERAL TENDENCY OF THE LAWS UNDER THE EMPIRE OF AMERICAN DEMOCRACY, AND ON THE INSTINCT OF THOSE WHO APPLY THEM

The vices of democracy are seen all at once.—Its advantages are perceived only at length.—American democracy is often unskillful, but the general tendency of its laws is profitable.—Public officials under American democracy do not have permanent interests that differ from those of the greatest number. What results from this.

The vices and weaknesses of the government of democracy are seen without trouble; they are demonstrated by patent facts, whereas its salutary influence is exerted in an insensible and, so to speak, occult manner. Its faults strike one at first approach, but its [good] qualities are discovered only at length.

The laws of American democracy are often defective or incomplete; they may happen to violate acquired rights or to sanction dangerous ones: were they good, their frequency would still be a great evil. All this is perceived at first glance.

How is it therefore that the American republics maintain themselves and prosper?

In laws, one ought to distinguish carefully the goal they pursue from the manner in which they advance toward this goal; their absolute goodness, from that which is only relative.

Let me suppose that the object of the legislator is to favor the interests of the few at the expense of the many; his provisions are combined in such a fashion as to obtain the result that is proposed in the least time and with the least possible effort. The law will be well made, its goal bad; it will be dangerous in proportion to its very efficacy.

The laws of democracy generally tend to the good of the greatest number, for they emanate from the majority of all citizens, which can be mistaken, but cannot have an interest contrary to itself.*2

Those of aristocracy tend, on the contrary, to monopolize wealth and power in the hands of the few because aristocracy by its nature always forms a minority.

One can therefore say in a general manner that the object of democracy in its legislation is more useful to humanity than is the object of aristocracy in its.

But there its advantages end.

Aristocracy is infinitely more skillful in the science of the legislator than democracy can be. Master of itself, it is not subject to getting carried away in passing distractions; it has long designs that it knows how to ripen until a favorable occasion presents itself. Aristocracy proceeds wisely; it knows the art of making the collective force of all its laws converge at the same time toward the same point.

It is not so in democracy: its laws are almost always defective or unseasonable.

The means of democracy are therefore more imperfect than those of aristocracy: often it works against itself, without wanting to; but its goal is more useful.

Imagine a society that nature or its constitution has organized in such a manner as to bear the transient operation of bad laws, and that can await the result of the *general tendency* of the laws without perishing, and you will conceive that the government of democracy, despite its faults, is still the most appropriate of all to make this society prosper.

That is precisely what happens in the United States; I repeat here what I have already expressed elsewhere: the great privilege of the Americans is to be able to have repairable mistakes.†1

I shall say something analogous about public officials.

It is easy to see that American democracy is often mistaken in the choice of the men in whom it entrusts power; but it is not so easy to say why the state prospers in their hands.

Remark first that if those who govern in a democratic state are less honest or less capable, the governed are more enlightened and more attentive.

The people in democracies, constantly occupied as they are with their affairs, and jealous of their rights, prevent their representatives from deviating from a certain general line that their interest traces for them.

Remark again that if the democratic magistrate uses power worse than someone else, he generally possesses it for less time.

But there is a more general reason than that one, and more satisfying.

It is doubtless important to the good of nations that those who govern have virtues or talents; but what is perhaps still more important to them is that those who govern do not have interests contrary to the mass of the governed; for in that case the virtues could become almost useless and the talents fatal.

I said that it is important that those who govern not have interests contrary to or different from the mass of the governed; I did not say that it is important that they have interests like those of *all* the governed, because I do not know that the thing has ever been encountered.

A political form that equally favors the development and prosperity of all the classes of which society is composed has not been discovered up to now. These classes have continued to form almost so many distinct nations in the same nation, and experience has proven that it is nearly as dangerous to rely completely on any of them for the fate of the others, as to make one people the arbiter of the destinies of another people. When the rich govern alone, the interest of the poor is always in peril; and when the poor make the law, that of the rich runs great risks. What therefore is the advantage of democracy? The real advantage of democracy is not, as has been said, to favor the prosperity of all, but only to serve the well-being of the greatest number.

Those charged with directing the affairs of the public in the United States are often inferior in capacity and morality to the men that aristocracy would bring to power; but their interest intermingles and is identified with that of the majority of their fellow citizens. They can therefore commit frequent infidelities and grave errors, but they will never systematically follow a tendency hostile to that majority; and they cannot succeed in impressing an exclusive and dangerous style on the government.

Moreover, the bad administration of one magistrate under democracy is an isolated fact that has influence only for the short duration of that administration. Corruption and incapacity are not common interests that can bind men among themselves in a permanent manner.

A corrupt or incapable magistrate will not combine his efforts with another magistrate for the sole reason that the latter is incapable and corrupt like him, and these two men will never work in concert to make corruption and incapacity flourish in their posterity. On the contrary, the ambition and maneuvers of the one will serve to unmask the other. In democracies, the vices of the magistrate are in general wholly personal to him.

But public men under the government of aristocracy have a class interest which, if it is sometimes intermingled with that of the majority, often remains distinct from it. That interest forms a common and lasting bond among them; it invites them to unite and to combine their efforts toward a goal that is not always the happiness of the greatest number: it not only binds those who govern with one another; it also unites them to a considerable portion of the governed; for many citizens, without being vested with any post, make up a part of the aristocracy.

The aristocratic magistrate therefore encounters constant support in society at the same time that he finds it in the government.

The common object that unites the magistrates in aristocracies to the interest of a part of their contemporaries also identifies them and subjects them, so to speak, to that of future races. They work for the future as well as for the present. The aristocratic magistrate is therefore pushed toward the same point all at once by the passions of the governed, by his own, and I could almost say by the passions of his posterity.

How be surprised if he does not resist? One often also sees the spirit of class in

aristocracies carry along even those it does not corrupt and, little by little without their knowing it, make them accommodate the society to their use and prepare it for their descendants.

I do not know if an aristocracy as liberal as that of England has ever existed, which without interruption has furnished men as worthy and enlightened to the government of the country.

It is, however, easy to recognize that in English legislation the good of the poor has in the end often been sacrificed to that of the rich, and the rights of the greatest number to the privileges of some: thus England in our day unites within itself all the most extreme fortunes, and one meets with miseries there that almost equal its power and glory.

In the United States, where public officials have no class interest to make prevail, the general and continuous course of government is beneficent although those who govern are often unskillful and sometimes contemptible.

There is, therefore, at the base of democratic institutions, a hidden tendency that often makes men cooperate for the general prosperity despite their vices or errors, whereas in aristocratic institutions a secret inclination is sometimes discovered that, despite talents and virtues, brings them to contribute to the miseries of those like them. Thus it can happen that in aristocratic governments public men do evil without wanting to, and in democracies they produce good without having any thought of doing so.

ON PUBLIC SPIRIT IN THE UNITED STATES

Instinctive love of native country.—Reflective patriotism.—Their different characteristics.—That people ought to strive with all their strength toward the second when the first disappears.—Efforts the Americans have made to achieve this.—The interest of the individual intimately bound to that of the country.

There exists a love of native country that has its source principally in the unreflective, disinterested, and indefinable sentiment that binds the heart of the man to the place where the man was born. This instinctive love intermingles with the taste for old customs, with respect for ancestors and memory of the past; those who feel it cherish their country as one loves a paternal home. They love the tranquillity they enjoy; they hold to the peaceful habits they have contracted there; they are attached to the memories it presents to them, and even find some sweetness in living there obediently. Often that love of native country is further exalted by religious zeal, and then one sees prodigies done. It is a sort of religion itself; it does not reason, it believes, it feels, it acts. Peoples have been encountered who have, in some fashion, personified the native country and have caught a glimpse of it in the prince. They have therefore carried over to him a part of the sentiment of which patriotism is composed; they have become haughty with his triumphs and have taken pride in his power. There was a time, under the former monarchy, when the French experienced a sort of joy in feeling themselves

delivered without recourse to the arbitrariness of the monarch, and they used to say haughtily: “We live under the most powerful king in the world.”

Like all unreflective passions, this love of country pushes one to great, fleeting efforts rather than to continuity of efforts. After having saved the state in a time of crisis, it often allows it to decline in the midst of peace.

When peoples are still simple in their mores and firm in their beliefs; when society rests gently on an old order of things whose legitimacy is not contested, one sees this instinctive love of native country reign.

There is another more rational than that one; less generous, less ardent perhaps, but more fruitful and more lasting; this one is born of enlightenment; it develops with the aid of laws, it grows with the exercise of rights, and in the end it intermingles in a way with personal interest. A man understands the influence that the well-being of the country has on his own; he knows that the law permits him to contribute to producing this well-being, and he interests himself in the prosperity of his country at first as a thing that is useful to him, and afterwards as his own work.

But sometimes a moment arrives in the lives of peoples when old customs are changed, mores destroyed, beliefs shaken, the prestige of memories faded away, and when, however, enlightenment remains incomplete and political rights are badly secured or restricted. Then men no longer perceive the native country except in a weak and doubtful light; they no longer place it in the soil, which has become a lifeless land in their eyes, nor in the usages of their ancestors, which they have been taught to regard as a yoke; nor in the religion which they doubt; nor in the laws they do not make, nor in the legislator whom they fear and scorn. They therefore see it nowhere, no more with its own features than with any other, and they withdraw into a narrow and unenlightened selfishness. These men escape prejudices without recognizing the empire of reason; they have neither the instinctive patriotism of the monarchy nor the reflective patriotism of the republic; but they have come to a stop between the two, in the midst of confusion and miseries.

What is one to do in such a state? Retreat. But peoples no more come back to the sentiments of their youth than do men to the innocent tastes of their first years; they can regret them, but not make them revive. One must therefore go further ahead and hasten to unite in the eyes of the people individual interest to the interest of the country, for disinterested love of one’s native country is fleeing away without return.

I am surely far from claiming that, to arrive at this result, one ought to accord the exercise of political rights to all men all at once; but I say that the most powerful means, and perhaps the only one that remains to us, of interesting men in the fate of their native country is to make them participate in its government. In our day, the spirit of the city seems to me inseparable from the exercise of political rights; and I think that from now on one will see the number of citizens in Europe increase or diminish in proportion to the extension of these rights.

How is it that in the United States, where the inhabitants arrived yesterday on the soil

they occupy, where they have brought neither usages nor memories; where they meet for the first time without knowing each other; where, to say it in a word, the instinct of the native country can scarcely exist; how is it that each is interested in the affairs of his township, of his district, and of the state as a whole as in his own? It is that each, in his sphere, takes an active part in the government of society.

In the United States, the man of the people understands the influence that general prosperity exerts on his happiness—an idea so simple and yet so little known by the people. Furthermore, he is accustomed to regarding this prosperity as his own work. He therefore sees in the public fortune his own, and he works for the good of the state not only out of duty or out of pride, but I would almost dare say out of cupidity.

One does not need to study the institutions and history of Americans to know the truth of what precedes; mores advertise it enough to you. The American, taking part in all that is done in this country, believes himself interested in defending all that is criticized there; for not only is his country then attacked, he himself is: thus one sees his national pride have recourse to all the artifices and descend to all the puerilities of individual vanity.

There is nothing more annoying in the habits of life than this irritable patriotism of the Americans. A foreigner would indeed consent to praise much in their country; but he would want to be permitted to blame something, and this he is absolutely refused.

America is therefore a country of freedom where, in order not to wound anyone, the foreigner must not speak freely either of particular persons, or of the state, or of the governed, or of those who govern, or of public undertakings, or of private undertakings; or, finally, of anything one encounters except perhaps the climate and the soil; and still, one finds Americans ready to defend both as if they had helped to form them.

In our day one must know how to resign oneself and dare to choose between the patriotism of all and the government of the few, for one cannot at once unite the social force and activity given by the first with the guarantees of tranquillity sometimes furnished by the second.

ON THE IDEA OF RIGHTS IN THE UNITED STATES

There are no great peoples without an idea of rights.—What is the means of giving the idea of rights to the people.—Respect for rights in the United States.—How it arises.

After the general idea of virtue I know of none more beautiful than that of rights, or rather these two ideas are intermingled. The idea of rights is nothing other than the idea of virtue introduced into the political world.

It is with the idea of rights that men have defined what license and tyranny are. Enlightened by it, each could show himself independent without arrogance and submissive without baseness. The man who obeys violence bows and demeans himself; but when he submits to the right to command that he recognizes in someone like him, he

raises himself in a way above the very one who commands him. There are no great men without virtue; without respect for rights, there is no great people: one can almost say that there is no society; for, what is a union of rational and intelligent beings among whom force is the sole bond?

I wonder what, in our day, is the means of inculcating in men the idea of rights and of making it, so to speak, fall upon their senses; and I see only one, which is to give the peaceful exercise of certain rights to all of them: one sees that well among children, who are men except for force and experience. When the child begins to move in the midst of external objects, instinct brings him to put to his use all that he encounters in his hands; he has no idea of the property of others, not even of its existence; but as he is made aware of the price of things and he discovers that he can be stripped of his in his turn, he becomes more circumspect and ends by respecting in those like him what he wants to be respected in himself.

What happens to the infant with his playthings happens later to the man with all the objects that belong to him. Why in America, country of democracy par excellence, does no one make heard those complaints against property in general that often ring out in Europe? Is there need to say it?—it is that in America there are no proletarians. Each one, having a particular good to defend, recognizes the right of property in principle.

In the political world it is the same. In America, the man of the people has conceived a lofty idea of political rights because he has political rights; so that his own are not violated, he does not attack those of others. And whereas in Europe this same man does not recognize sovereign authority, the American submits without murmur to the power of the least of its magistrates.

This truth appears even in the smallest details of the existence of peoples. In France there are few pleasures reserved exclusively for the upper classes of society; the poor man is admitted almost everywhere the wealthy man can enter: so he is seen to conduct himself with decency, and to respect everything that serves enjoyments he shares. In England, where wealth has the privilege of pleasure like the monopoly of power, they complain that when the poor man comes to introduce himself furtively into the place destined for the pleasures of the rich he likes to cause useless damage: how can one be surprised at this?—they have taken care that he has nothing to lose.

The government of democracy makes the idea of political rights descend to the least of citizens, as the division of goods puts the idea of the right of property in general within reach of all men. There is one of its greatest merits in my eyes.

I do not say that it is an easy thing to teach all men to make use of political rights; I say only that when that can be done, the resulting effects are great.

And I add that if there is a century in which such an undertaking ought to be attempted, that century is ours.

Do you not see that religions are weakening and that the divine notion of rights is disappearing? Do you not find that mores are being altered, and that with them the moral notion of rights is being effaced?

Do you not perceive on all sides beliefs that give way to reasoning, and sentiments that give way to calculations? If in the midst of that universal disturbance you do not come to bind the idea of rights to the personal interest that offers itself as the only immobile point in the human heart, what will then remain to you to govern the world, except fear?

Therefore when I am told that the laws are weak and the governed turbulent; that passions are lively and virtue without power, and that in this situation one must not think of augmenting the rights of democracy, I respond that it is because of these very things that I believe one must think of it; and in truth I think that governments have still more interest in it than society, for governments perish, and society cannot die. Furthermore, I do not want to abuse the example of America.

In America, the people were vested with political rights at a period when it was difficult for them to make bad use of them, because the citizens were few and simple in mores. In becoming larger, Americans did not so to speak increase the powers of democracy; rather, they extended its domain.

One cannot doubt that the moment when one accords political rights to a people who have been deprived of them until then is a moment of crisis, a crisis often necessary, but always dangerous.

The child puts to death when he is ignorant of the price of life; he takes away the property of others before knowing that one can rob him of his. The man of the people, at the instant when he is accorded political rights, finds himself, in relation to his rights, in the same position as the child vis-à-vis all nature, and that is the case in which to apply to him these celebrated words: *Homo puer robustus*.*3

This truth is exposed in America itself. The states where citizens have enjoyed their rights longest are those where they know best how to make use of them.

One cannot say it too often: There is nothing more prolific in marvels than the art of being free; but there is nothing harder than the apprenticeship of freedom. It is not the same with despotism. Despotism often presents itself as the mender of all ills suffered; it is the support of good law, the sustainer of the oppressed, and the founder of order. Peoples fall asleep in the bosom of the temporary prosperity to which it gives birth; and when they awaken, they are miserable. Freedom, in contrast, is ordinarily born in the midst of storms, it is established painfully among civil discords, and only when it is old can one know its benefits.

ON RESPECT FOR THE LAW IN THE UNITED STATES

Respect of Americans for the law.—Paternal love that they feel for it.—Personal interest that each finds in increasing the power of the law.

It is not always permissible to call the entire people, either directly or indirectly, to the making of the law; but one cannot deny that when that is practicable, the law acquires

great authority from it. That popular origin, which often harms the goodness and wisdom of legislation, contributes singularly to its power.

There is a prodigious force in the expression of the will of a whole people. When it is uncovered in broad daylight, the very imagination of those who would wish to struggle against it is overwhelmed.

The truth of this is well known to parties.

And so one sees them contest for a majority everywhere they can. When they lack it among those who have voted, they place it among those who have abstained from voting, and when it still happens to escape them there, they find it among those who did not have the right to vote.

In the United States, excepting slaves, domestics, and indigents nourished by the townships, there is no one who is not an elector, and whoever has this title concurs indirectly in the law. Those who want to attack the laws are therefore reduced to doing openly one of these two things: they must either change the opinion of the nation or ride roughshod over its will.

Add to this first reason, another more direct and more powerful, that in the United States each finds a sort of personal interest in everyone's obeying the laws; for whoever does not make up a part of the majority today will perhaps be in its ranks tomorrow; and the respect that he professes now for the will of the legislator he will soon have occasion to require for his. However distressing the law may be, the inhabitant of the United States submits to it without trouble, therefore, not only as the work of the greatest number, but also as his own; he considers it from the point of view of a contract to which he would have been a party.

One therefore does not see in the United States a numerous and always turbulent crowd, which, regarding the law as a natural enemy, casts only glances of fear and suspicion on it. On the contrary, it is impossible not to perceive that all classes show great confidence in the legislation that rules the country and feel a sort of paternal love for it.

I am mistaken in saying all classes. In America, the European ladder of powers being reversed, the rich are found in a position analogous to that of the poor in Europe; it is they who often mistrust the law. I have said it elsewhere: the real advantage of democratic government is not to guarantee the interests of all, as it has sometimes been claimed, but only to protect those of the greatest number.*4 In the United States, where the poor man governs, the rich always have to fear lest he abuse his power against them.

This disposition of the mind of the rich can produce a muted discontent; but society is not violently troubled by it; because the same reason that prevents the rich man from granting his confidence to the legislator prevents him from defying his commandments. He does not make the law because he is rich, and he does not dare to violate it because of his wealth. In civilized nations it is generally only those who have nothing to lose who revolt. So, therefore, if the laws of democracy are not always respectable, they are

almost always respected; for those who generally violate the laws cannot fail to obey those that they have made and from which they profit, and citizens who could have an interest in breaking them are brought by character and by position to submit to the will of the legislator, whatever it may be. Furthermore, the people in America obey the law not only because it is their work, but also because they can change it when by chance it hurts them; they submit to it in the first place as an evil that is imposed by themselves and after that as a passing evil.

ACTIVITY REIGNING IN ALL PARTS OF THE BODY POLITIC OF THE UNITED STATES; INFLUENCE THAT IT EXERTS ON SOCIETY

It is more difficult to conceive of the political activity reigning in the United States than of the freedom or equality encountered there.—The great movement that constantly agitates legislatures is only an episode, a prolongation of this universal movement.—Difficulty that the American finds in occupying himself only with his own affairs.—Political agitation spreads into civil society.—Industrial activity of the Americans coming in part from this cause.—Indirect advantages that society derives from the government of democracy.

When one passes from a free country into another that is not, one is struck by a very extraordinary spectacle: there, all is activity and movement; here, all seems calm and immobile. In the one, it is only a question of betterment and progress; one would say that society in the other, after having acquired all goods, aspires only to rest in order to enjoy them. Nevertheless, the country that gives itself so much agitation so as to be happy is generally richer and more prosperous than the one that appears so satisfied with its lot. And in considering them both, one has trouble conceiving how so many new needs make themselves felt daily in the first, whereas one seems to feel so few in the second.

If this remark is applicable to free countries that have preserved the monarchical form and to those where aristocracy dominates, it is still more so in democratic republics. There, it is no longer one portion of the people that undertakes to better the state of society; the entire people takes charge of this care. It is not only a question of providing for the needs and the conveniences of one class, but of all classes at the same time.

It is not impossible to conceive the immense freedom that Americans enjoy; one can get an idea of their extreme equality as well; but what one cannot comprehend without having already been witness to it is the political activity that reigns in the United States.

Scarcely have you descended on the soil of America when you find yourself in the midst of a sort of tumult; a confused clamor is raised on all sides; a thousand voices come to your ear at the same time, each of them expressing some social needs. Around you everything moves: here, the people of one neighborhood have gathered to learn if a church ought to be built; there, they are working on the choice of a representative; farther on, the deputies of a district are going to town in all haste in order to decide about some local improvements; in another place, the farmers of a village abandon their

furrows to go discuss the plan of a road or a school. Citizens assemble with the sole goal of declaring that they disapprove of the course of government, whereas others gather to proclaim that the men in place are the fathers of their country.*5 Here are others still who, regarding drunkenness as the principal source of the evils of the state, come solemnly to pledge themselves to give an example of temperance.1

The great political movement that constantly agitates American legislatures, the only one that is perceived from the outside, is only one episode and a sort of prolongation of the universal movement that begins in the lowest ranks of the people and afterwards spreads gradually to all classes of citizens. One cannot work more laboriously at being happy.

It is difficult to say what place the cares of politics occupy in the life of a man in the United States. To meddle in the government of society and to speak about it is the greatest business and, so to speak, the only pleasure that an American knows. This is perceived even in the least habits of life: women themselves often go to political assemblies and, by listening to political discourses, take a rest from household tedium.†2 For them, clubs replace theatergoing to a certain point. An American does not know how to converse, but he discusses; he does not discourse, but he holds forth. He always speaks to you as to an assembly; and if he happens by chance to become heated, he will say "sirs" in addressing his interlocutor.

In certain countries, the inhabitant only accepts with a sort of repugnance the political rights that the law accords him; it seems that to occupy him with common interests is to steal his time, and he likes to enclose himself in a narrow selfishness of which four ditches topped by a hedge form the exact limits.

On the contrary, from the moment when an American were reduced to occupying himself only with his own affairs, he would have been robbed of half of his existence; he would feel an immense void in his days, and he would become incredibly unhappy.2

I am persuaded that if despotism ever comes to be established in America, it will find more difficulties in defeating the habits to which freedom has given birth than in surmounting the love of freedom itself.

This agitation, constantly reborn, that the government of democracy has introduced into the political world, passes afterwards into civil society. I do not know if, all in all, that is not the greatest advantage of democratic government, and I praise it much more because of what it causes to be done than for what it does.

It is incontestable that the people often direct public affairs very badly; but the people cannot meddle in public affairs without having the scope of their ideas extended and without having their minds be seen to go outside their ordinary routine. The man of the people who is called to the government of society conceives a certain self-esteem. As he is then a power, very enlightened intellects put themselves at the service of his. People constantly address themselves to him to get his support, and in seeking to deceive him in a thousand different manners, they enlighten him. In politics, he participates in undertakings that he has not conceived, but that give him a general taste

for undertakings. Every day people indicate to him new improvements to make to the common property; and he feels the desire being born to improve what is personal to him. He is perhaps neither more virtuous nor happier, but he is more enlightened and more active than his precursors. I do not doubt that democratic institutions, joined to the physical nature of the country, are not the direct cause, as so many people say, but the indirect cause of the prodigious motion of industry to be remarked in the United States. Laws do not give birth to it, but the people learn to produce it by making the law.

When the enemies of democracy claim that one alone does better what he takes charge of than the government of all, it seems to me that they are right. The government of one alone, supposing equality of enlightenment on both sides, puts more coherence into its undertakings than the multitude; it shows more perseverance, more of an idea of an ensemble, more perfection of detail, a more just discernment in the choice of men. Those who deny these things have never seen a democratic republic or have judged by only a few examples. Democracy, even if local circumstances and the dispositions of the people permit it to be maintained, does not present to the eye administrative regularity and methodical order in government; that is true. Democratic freedom does not execute each of its undertakings with the same perfection as intelligent despotism; often it abandons them before having received their fruit, or it risks dangerous ones: but in the long term democracy produces more than despotism; it does each thing less well, but it does more things. Under its empire, what is great is above all not what public administration executes but what is executed without it and outside it. Democracy does not give the most skillful government to the people, but it does what the most skillful government is often powerless to create; it spreads a restive activity through the whole social body, a superabundant force, an energy that never exists without it, and which, however little circumstances may be favorable, can bring forth marvels. Those are its true advantages.

In this century, when the destinies of the Christian world appear to be unresolved, some hasten to attack democracy as an enemy power while it is still getting larger; others already adore it as a new god that issues from nothingness; but both know the object of their hatred or their desire only imperfectly; they do combat in the shadows and strike only haphazardly.

What do you ask of society and its government? We must understand each other.

Do you want to give a certain loftiness to the human spirit, a generous way of viewing the things of this world? Do you want to inspire in men a sort of contempt for material goods? Do you desire to give birth to or to maintain profound convictions and to prepare for great devotions?

Is it a question for you of polishing mores, of elevating manners, of making the arts shine? Do you want poetry, renown, glory?

Do you intend to organize a people in such a manner as to act strongly on all others? Do you destine it to attempt great undertakings and, whatever may be the result of its

efforts, to leave an immense mark on history?

If this is, according to you, the principal object that men ought to propose for themselves in society, do not take the government of democracy; it would surely not lead you to the goal.

But if it seems to you useful to turn the intellectual and moral activity of man to the necessities of material life and to employ it in producing well-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]

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;*1 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 unstable, 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.*2 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, preoccupied 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.—Precautions 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 example 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

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 majority 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*3 of your fellow citizens, they will not grant it to you, and if you demand 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.*4 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.

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 defectiveness 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 opinions 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

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. [. . .]*5 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†1 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.