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The Dangers of Despotism in Tocqueville's America

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Abstract

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In his book *Democracy in America*, Alexis de Tocqueville looks at many different kinds of despotism that democracies, and America in particular, are susceptible to. But how are these forms of despotism alike? How are they different? Does Tocqueville believe one regime to be more threatening to democracy than another? What do Tocqueville's conceptions of despotism reveal about his conceptions of liberty? Did he believe a descent into despotism could be prevented? I will argue that all of these regimes can be classified as either forms of traditional despotism or forms of new despotism. He believes freedom to be the source of all moral good, and while soft despotism poses the most dangerous threat to democracy, Tocqueville believes it is not inevitable.

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In the introduction to Volume I of *Democracy in America*, the French political scientist Alexis de Tocqueville famously wrote, "A new political science is needed for a world altogether new" (Tocqueville [1835] 2000, 7 hereafter referred to as DIA followed by the page number). Tocqueville believed that the "providential fact" of the future development of European societies would be an equalizing of conditions and democratization that the world had never seen before (DIA, 6). In 1831, Tocqueville and his friend Gustave de Beaumont traveled to America under a commission from the French government to study American prison systems. Both men hoped to prepare for this "world altogether new" by observing Jacksonian America and learning about "what one is allowed to fear and what one is allowed to hope for from Democracy" (Manent 1996, XV). Tocqueville published his first account in Volume One of *Democracy in America*, in which he looked more specifically at the US federal and state governments to try to understand how the democratic state functioned. In the second volume, published five years later in 1840, Tocqueville took a step back and looked at the broader effects of the social state of equality on the ideas, sentiments, and mores of society, and how those ideas, sentiments, and mores affect politics and the government.

Tocqueville does not use the term "democracy" in the way that political scientists use it today. Instead, he discusses democracy as a social state of equality. Unlike aristocracy, the social state of Tocqueville's ancestors in France, in democracy no formal class distinctions are made or decided by birth. Men in America are not born peasants and then remain so; instead they are born and treated as equally able to forge their own future and to be masters of their own destiny through liberty. Tocqueville's definition of democracy does not rest on the political institutions that make a government representative. Instead, it is the social state of democracy that "imposed on the government" the political structure of the American republic (DIA, 13).

Tocqueville's political theories have been studied consistently since *Democracy in America* was first published. His work has been criticized, dissected, and expounded upon. Some, like Koritansky (1986) and Zetterbaum (1967), focus on one aspect of his work, like Tocqueville's prescriptions to avoid soft despotism, and disagree about the veracity of his arguments. Others dissect Tocqueville's views on race (Richardson 1991) or his conception of freedom (Alulis 1993). However, there is a gap in the literature in regards to a broader study of his conceptions of despotism. While many scholars focus on soft despotism (Rahe 2009) or majority tyranny singularly (Horowitz 1966), a larger study about all the types of despotism Tocqueville describes as a potential threat to democracy has rarely been done. Pope (1986) attempts a similar study in his book *Alexis De Tocqueville*, however he classifies societies by their level of equality and freedom, rather than looking in depth at Tocqueville's different conceptions of tyranny. This thesis aims to illuminate all the major threats to democratic freedom and how Tocqueville distinguishes between them by attempting to classify the despotic regimes into two categories: traditional, or hard, despotism and new, or soft, despotism. While the distinctions between traditional and new despotism are often blurry, I have tried to separate and classify different tyrannies in these categories based on textual evidence. At the same time, I have attempted to distinguish between threats that are specific to America versus those that apply to democracy at large. It would appear that Tocqueville struggled to separate the object of the study (America) from the subject of the study (democracy). I will focus on both, in an effort to understand threats to American democracy and to all countries with social states of equality. While some regimes fit perfectly in their assigned categories, others, like majority tyranny, share some characteristics with both forms of despotism. There are also moments in the book in which Tocqueville is completely ambiguous as to what form of despotism he is referring to. This thesis

argues that Tocqueville might have been purposefully ambiguous because certain dangerous democratic tendencies can lead to both forms of tyranny. I also hope to shed some light on the debate in the secondary literature about Tocqueville's conception of freedom by looking at the threats that he identified. Finally, I will try to determine which form of despotism he believed to be the greatest threat to liberty in the new social state of equality.

Tocqueville turns a critical eye to democratic societies, and in *Democracy in America* he identifies different kinds of tyranny that pose a significant threat to liberty in democracies. In a letter in 1837 to his friend Henry Reeve, Tocqueville admits that he has "only one passion, the love of liberty and of human dignity" (Kaledin 2011, 3). "Whatever may happen," Tocqueville writes in a letter from later in his life, "I am, and always shall remain, faithful" to liberty (De Tocqueville 1861, 107). Tocqueville even goes so far as to identify human freedom as "the source of all moral goodness" in the introduction to *Democracy in America* (DIA, 11). When men are free, they can choose to promote "the noblest of virtues" and by doing so, liberty becomes "the source of the greatest goods" (11). Tocqueville describes two different types of freedom, "civil freedom, a noble exercise of the faculties of man" and freedom in the "political world, a field left by the Creator to the efforts of intelligence" (43). Tocqueville believes that both components of liberty must be protected in order for democratic men to be able to obtain moral greatness.

However liberty faces more threats in democratic times than it did in aristocratic times. Before, there was never an empire that could survive "without the assistance of secondary powers" (661). Hard despots were limited by their own weak bureaucracy, and "the insufficiency of enlightenment, the imperfection of administrative proceedings, and above all the natural obstacles that inequality of conditions gave rise to would soon have stopped him in the execution

of such a vast design" (661). They therefore gave much of their power to nobles because the central power did not have the capabilities to rule without them and needed their allegiance to survive. The average peasant did not personally feel the power of the monarch, and his private life was largely left unregulated. However, Tocqueville explains how,

> In centuries of enlightenment and equality like ours, sovereigns will come more easily to gather all public powers in their hands alone and to penetrate the sphere of private interests more habitually and more deeply than any of those in antiquity was ever able to do (662).

In his description of soft despotism in Volume Two, Tocqueville compares soft despotism to the tyranny of the old world, in which "emperors possessed an immense power without counterweight…they often came to abuse this power so as to deprive a citizen of his goods or life arbitrarily" (DIA, 662). It is this tyranny, this despotism of the European past that I identify as traditional despotism. Tocqueville describes how this tyranny "weighed enormously on some, but it did not extend over many; it applied itself to a few great principal objects and neglected the rest; it was violent and restricted" (662). Hard despotism flourished in times of great inequality when the king or emperor commanded the aristocracy, which, in turn, ruled over the peasants. In times of equality, Tocqueville believes this despotism would be able to rule without secondary powers. He returned to Europe after his journey to America to discover how many of the monarchs used vulnerable tendencies within the social state of equality to expand their powers.

In contrast, the new form of despotism would be different in nature than the despotism of the past, because it would be modified to fit the mores of equality. When men become more equal, their "public mores become humane and milder; when no citizen has either great power or great wealth, tyranny in a way lacks an occasion and a stage" (662). New despotism would therefore have to be of a less violent form, one which "works for" its citizens' "happiness; but it

wants to be the unique agent and sole arbiter of that; it provides for their security, foresees and secures their needs, facilitates their pleasures, conducts their principal affairs…." And eventually, takes away their need to think and act for themselves (663). As isolated individuals, weak and preoccupied with their own materialistic lives, these formerly independent democrats would gradually allow their freedoms to be taken away (663). The despot "extends its arms over society as a whole; it covers its surface with a network of small, complicated, painstaking, uniform rules through which the most original minds and the most vigorous souls cannot clear a way to surpass the crowd" (663). While it does not violently break wills or enact violence against its citizens, "it hinders, compromises, enervates, extinguishes, dazes, and finally reduces each nation to being nothing more than a herd of timid and industrious animals of which the government is the shepherd" (663). Soft despotism remains less humiliating then hard despotism because citizens still participate in elections, and "console themselves for being in tutelage by thinking that they themselves have chosen their schoolmasters" (664). While this form of tyranny may be preferable to hard despotism in times of equality, democratic citizens would eventually find themselves unable to use their free will to affect anything outside of their own personal lives.

The first type of traditional despotism is mentioned in the first volume with a reference to President Andrew Jackson and "the incredible influence that military glory exerts on the spirit of a people" (265). In Volume Two, Tocqueville elaborates further, "there is no long war that does not put freedom at great risk in a democratic country" because power is likely to concentrate at the center (621). At the same time, the motivations of the general public to maintain peace and order so they can pursue their profit-driven lives contrasts strongly with those in a military

career, who can only hope to advance in rank during times of war. Tocqueville fears for democratic society because of its vulnerability to military tyranny.

Another form of hard despotism that could arise in democracy is that of tyranny of the majority. The democratic system is built on the "moral empire of the majority…that there is more enlightenment and wisdom in many men united than in one alone" (DIA, 236). Specifically in the United States, Tocqueville perceives a large opportunity for legislative tyranny of the majority due to the institutional structure of the state government. Although this tyranny is harder to classify as either hard or soft, I classify it as a form of hard despotism because of the violent manner in which liberty can be withheld from the minority. Tocqueville also describes a different form of majority tyranny over thought that would apply more broadly to people of all democracies. This form of majority tyranny is classified as a form of new despotism.

The next danger that Tocqueville discusses at length is that of the traditional despotism of slavery and the treatment of the Native Americans in America. Tocqueville writes that "both occupy an equally inferior position in the country that they inhabit" and "both experience the effects of tyranny" (DIA, 303). But Tocqueville does not believe this form of hard despotism can last, and he writes that "in the midst of democratic freedom and enlightenment of our age," slavery "is not an institution that can endure" (DIA, 348). This form of despotism is uniquely threatening to America, and is classified as an extreme example of legislative majority tyranny.

There are many tendencies among democratic people that can lead to both traditional and new despotism. At the beginning of Volume Two, Tocqueville argues that a lack of religion can lead to despotism, but he does not clarify which type. Because Tocqueville does not introduce soft despotism until the very last Part of Volume Two, any first-time reader would naturally assume he was referencing traditional despotism, because new despotism, as a regime, had not

been explained. But Tocqueville could also have meant for readers to understand all of Volume Two as culminating in the final section on new despotism, and that all the tendencies of equality that he discusses lead to that regime. While it is very clear that democracy is very susceptible to despotism because of the tendencies of secularization, individualism, and materialism, it remains unclear specifically which form of despotism is most likely. I will explore this question through an examination of the sections on religion, individualism, and materialism in reference to both kinds of despotism.

Finally, I will look at those tendencies that lead towards soft despotism, such as the love of equality and centralization. Tocqueville writes, "Equality produces, in fact, two tendencies: one leads men directly to independence and can drive them all at once into anarchy, the other conducts them by longer, more secret, but surer path toward servitude" (640). It is this "more secret" and "surer" path that is examined in this section. Majority tyranny of thought is its own form of soft despotism, one in which citizens are compelled into only expressing views that ally with the political mainstream. There is no direct government influence exerted on citizens to conform to the majority's political views, instead they are compelled by their own fellow citizens to do so. It is this lack of direct governmental influence that leads me to classify majority tyranny of thought as a new form of despotism.

With all of these threats to democracy and more specifically, democracy in America, one is left to question if Tocqueville believed freedom could be maintained in the social state of equality. I will argue that he does, which is why he devotes many pages to explaining how despotism can be avoided.

I.
The Threat of Hard Despotism

Towards the end of the first volume, Tocqueville describes why the study of the fate of American democracy is relevant to fate of European monarchies. In old monarchies, he explains, while the "constitutions of peoples then were despotic," their "mores were free" (299). While explaining the nature of old despotism, this section is also interesting because it reveals a bit about Tocqueville's conception of freedom. He believes that freedom can be found in separate spheres, that of the "constitutions," or political freedom, and that of "mores," which he defines in Volume One as "the whole moral or intellectual state of the people" (275). Because in times of inequality, the majority of men did not daily feel the oppression the powerful central government, they "maintain[ed] the love of freedom in souls" (274, 299). Politically, the secondary powers of the church and the nobles prevented the central power from gaining supreme power and oppressing the peasants. In his book *Alexis De Tocqueville*, Pope (1986) refers to this society as a "free aristocracy," with low levels of equality and high levels of freedom (Pope 1986, 61). Tocqueville fears that while the constitutions of societies of equality will be free, they may not promote the mores and spirit of freedom in their citizens. From there, Tocqueville fears that these societies will fall easily to the rule of one power without the guidance of religion, tradition, and "the spirit of the family" that characterized aristocratic times (300). While Tocqueville acknowledges that the extravagant monarchies of the past can never be recovered, he believes that "there will soon no longer be room…except for either democratic freedoms or the tyranny of the Caesars" (301). Either European people should prepare their institutions and mores necessary for the promotion of total freedom in times of equality by studying and learning from America, or they will be forced to endure "the yoke of one alone" (301).

i. Military Tyranny

After briefly mentioning how the reputation of military greatness largely contributed to the election of President Jackson, "a man of violent character and middling capacity" Tocqueville does not go into detail about military dictatorship until the second volume of *Democracy in America* (265). This form of tyranny could clearly be classified as "the tyranny of the Caesars," in which the military or one military leader rises to become the ruling and absolute power over the masses (301). While despotic takeovers are more likely in a democracy simply because everyone is equal and relatively powerless without the protection of secondary institutions, there are certain aspects of the military itself in a democracy that also make this form of traditional despotism more likely.

Part Three of Volume Two confronts the "Influence of Democracy on Mores Properly So-Called." In Chapter 22, Tocqueville discusses "Why Democratic Peoples Naturally Desire Peace and Democratic Armies Naturally [Desire] War." It is this dichotomy that makes sitting armies in democratic times so dangerous to liberty. As Tocqueville explains,

> The always growing number of property owners friendly to peace; the development of moveable wealth, which war devours so rapidly, the indulgence of mores, the softness of heart, the disposition to pity that equality inspires the coldness of reason that renders one barely sensitive to the poetic and violent emotions that arise among arms—all these causes unite to extinguish the military spirit (617).

The mildness of democratic mores and the attachment to private property draws democratic citizens away from war. However, even the United States, isolated from other nations that could threaten it by sea, has to maintain an army. The conditions and mores of a state of equality trickle into the military institution itself. In aristocratic armies, officers are determined by social rank. There was no movement between ranks, "the officer [was] the noble, the soldier [was] the serf" (618). However in democratic armies, "all soldiers can become officers, which

generalizes the desire for advancement and extends the limits of military ambition almost to infinity" (618). In aristocratic society, a noble is always a noble, no matter his rank in the army. However democratic men gain their titles in the military, and continue to be referred to by those titles in society at large. There is therefore a much greater incentive for democratic men to try to rise in the army, because they can earn a better rank in society and better pay than they would be able to obtain outside of it. However, the number of men in competition is much greater than the number of positions available (619). The likelihood of movement between the ranks increases during times of war, and therefore "all the ambitious men that a democratic army contains therefore wish vehemently for war" (619). At the same time that society at large becomes more peaceful and more adverse to conflict as conditions equalize, the military becomes more aggressive and war-hungry.

While there is more ambition in the democratic army, the quality of men that serve in these armies declines. Because democratic distaste of forms and love of material things draws men away from honoring military tradition, society's elites choose to devote their lives to the pursuit of wealth instead of devoting themselves to military service. Tocqueville explains that it is "no longer the principal citizens who enter into the army, but the least" (619). The soldier finds himself

> In an inferior position, and his wounded pride serves to give him a taste for war, which renders him necessary, or a love of revolutions, during which he would hope to capture, arms in hand, the political influence and the individual consideration that people contest him (620).

The men that serve in the army belong to the lower class, and they have the least to lose from war and from property loss. While "almost all citizens have property to preserve, "democratic armies are generally led by proletarians" while "the wealthiest…the most capable citizens scarcely enter upon a military career" (620). The army is filled with men whose "intelligence is

less extensive and habits coarser" than the rest of the country (620). However these men also have monopoly over the use of force (620). Tocqueville fears for military coup in times of equality for this reason[1] (620).

The noncommissioned officer is especially dangerous to democratic liberty because he is no longer connected to civil society yet possesses no official rank in the army to connect him to the military institution itself. "A desperate ambition cannot fail to ignite" within the souls of these men as they fight to rise to a position of honor in the military (625). The noncommissioned officer longs for war for an opportunity to prove himself, "and if he is refused war, he desires revolutions that suspend the authority of rules in the midst of which he hopes, thanks to the confusion and to political passions, to chase his officer out and take his place" (625). He could also have a lot of influence over the conscripted soldiers who retain the mores of civilian life, for if society is susceptible to aggressive influence, the conscripted soldier will be as well (625).

While some would attempt to remedy the dichotomy between the uneducated, overly ambitious military and the peace-loving, materialistic civilians by satiating military ambition with an increase in the positions available for advancement, Tocqueville argues this solution would not be sufficient. It is true that fear of losing office may placate some commissioned officers, but new noncommissioned officers will continue to enter the army full of ambition and a thirst to prove themselves (622). Instead of trying to change the mores of the military, he writes that democratic leaders should focus on promoting mores of stability and independence within the broader citizenry itself. He explains,

> When citizens have finally learned to make a peaceful and useful use of freedom and have felt its benefits; when they have contracted a virile love of order and have voluntarily bowed to its rule, these same citizens, as they enter the career of

[1] Once war has started, Tocqueville writes that it will be hard to end because "the army suffers peace much more impatiently after tasting war" (621). Reintegrating the army into society after

> arms, brings these habits and mores to it without their knowing it and almost despite themselves (622).

This is especially true in a democratic country, where conscription is necessary in times of war (622). These men remain attached to civilian life throughout their term in the service, and they bring the values and mores of society with them into the army. These soldiers will bring "the love of freedom and the respect for rights" as long as democratic society fosters these feelings more generally (623).

But Tocqueville goes beyond traditional tyranny in his description of the detrimental effects of an active military in democratic societies. He writes that lengthy wars endanger democratic liberty not only because the military itself or a military dictator could take over, but also because it could contribute to centralization. It is most likely that Tocqueville is alluding to centralization, a major cause of soft despotism when he writes

> War does not always give democratic peoples over to military government but it cannot fail to increase immensely the prerogatives of civil government in these peoples; it almost inevitably centralizes the direction of all men and the employment of all things in its hands. If it does not lead one to despotism suddenly by violence, it leads to it mildly through habits (621).

In this paragraph, Tocqueville draws a direct causal relationship between centralization and despotism, which he references again and again in his explanations of tyranny throughout the book. He also introduces a "mildly" despotic regime into a chapter that clearly seemed to be on a more traditional military dictatorship, only blurring the lines even further between the two forms of despotism. Perhaps he hopes to convey that hard and soft despotism are not mutually exclusive. Gradual centralization may be dangerous because it leads towards soft despotism *and* because it makes it easier for one military despot or group of military leaders to take power.

ii. Legislative Tyranny of the Majority

The next form of tyranny labeled hard despotism is that of the legislative tyranny of the majority, which is a harder regime to classify as traditionally despotic. It does not include the "unlimited power of one alone," and in fact, is the very opposite (302). Unlimited power lies with the majority of the people, which on its face, would seem to guarantee the protection of liberty. Zetterbaum (1967) actually categorizes majority tyranny as a form of soft despotism, because when all decision making is relegated to the majority, "common to all its forms is a surrender of the self-governing capacity, a retreat from individualism, and an escape…from the psychological duress engendered by the equality of conditions" (Zetterbaum 1967, 71). However, traditional despotism is also defined by the nature of the regime, usually one of arbitrary violence and suffering inflicted by the government. Majority rule can do the same; it has the ability to disrupt the social state of equality and lead to the oppression of the minority. Unlike soft despotism, in which a faceless bureaucracy controls its citizens lightly, by bending their wills and providing for their happiness, under majority tyranny, the minority knows who its oppressors are and is subject to very violent oppression. In America, Tocqueville argues that the state governments are very susceptible to becoming instruments of majority tyranny, in which the majority works through unimpeded state legislatures to openly oppress minorities. The violence of such a regime is exemplified in the treatment of slaves and Native Americans in Jacksonian America, which will be explored more deeply in the next section. This conception tyranny is also not "new" to the world like soft despotism, and it has been around since some of the first governments republican governments were formed in ancient Rome (Polybius [264 BC] 1962).[2] Legislative majority tyranny has more in common with the old form of despotism, in

[2] Polybius coined the term "ochlocracy" to describe mob-rule in his *Histories* of the Roman Republic (Polybius [264 BC] 1962, 6.4).

which someone (or the majority in this case) seizes all of the power and uses it to institute the policies he desires.

Tocqueville confronts legislative majority tyranny in a section entitled "Tyranny of the Majority," in which the French political philosopher rejects the American democratic sentiment that a multitude of individuals are less likely to abuse unlimited power than a single individual (239). "What therefore is a majority taken collectively," Tocqueville questions, "if not an individual who has opinions and most often interests contrary to another individual that one names the minority" (240). The mere reality of the "omnipotence" of the majority, or any power, is to Tocqueville "an evil and dangerous thing in itself" (241). Only God should be omnipotent, and Tocqueville fears an excess of power in any hands as "the seed of tyranny" (241). He acknowledges that power must reside somewhere, but that power should be hindered by institutional safeguards that slow the institution, in this case the legislature, as it attempts to enact the will of the majority (241). It is therefore not the mode of government itself, republican democracy by majority rule, that Tocqueville criticizes, but the lack of safeguards instituted by the states to protect their minority populations. Tocqueville questions,

> 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.... 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 (241)

In a later chapter, Tocqueville defines tyranny as power "exercised" against "the interest of the governed" (242). In this form of tyranny of the majority, the legislative power is consistently used to carry out actions against the rights of the minority.

In an earlier chapter in Volume One, Part One of *Democracy in America*, Tocqueville asserts the "superiority" of the Federal Constitution over the state constitutions. He quotes one of

the founders, Alexander Hamilton, and commends him for his recognition of the safeguards necessary to keep representatives from acquiescing to every "inclination" of the majority, instead acting in its "interests," which may be more long term and not exactly what the majority desires at the time (144). Through indirect election of senators and the independence and permanence of the federal judiciary, the Supreme Court, and the wide "sphere of executive power," Tocqueville believes the federal government has protected itself from allowing the majority to become omnipotent through the legislature (145). However "it is the state governments that really direct American society" in the early to mid 1800s, and it is there that Tocqueville sees a potential for an increase in the power of the majority (235).

Why do the state governments have such an increased potential for tyrannical behavior? Tocqueville believes that "democracies are naturally brought to concentrate the whole social force in the hands of the legislative body," because they serve as the strongest voice of the people (145). Meanwhile, the shorter terms of the senators and representatives in the state government tie the legislators to their constituents fleeting desires in hopes of reelection, which for Tocqueville, means more opportunities for capricious and arbitrary legislation (144). Meanwhile, the state executive and judicial powers are not strong enough to counterbalance the legislature. The executive representative at the state level, the governor, is without the means to carry out his own initiatives, so his power remains solely in his ability to execute or refuse to execute the laws (145). However, "the legislature can reduce him to impotence by charging with the execution of the laws special committees taken from within itself" (145). Although Tocqueville acknowledges, "the judicial power is, of all the powers, the one that, in the state constitutions, has remained the least dependent on legislative power," it still depends on the legislature for its salaries (146). In some states, judicial independence is also curbed by term

limits and election to office. The freedom of democratic citizens is threatened by "the complete enslavement of the legislative power to the will of the electoral body" and the "concentration in the legislative power of all the other powers of government" (146). With this power, the majority could take away the political liberty of the minority through the institutions of the democratic government.

The majority also holds "an immense power" over the hopes of political advancement by the minority (237). Different interests will "recognize the rights of the majority" even if they disagree with its positions, because they understand that its support will someday be necessary to carry out their prerogatives (237). Instead of protesting the unmatched powers of the majority, Tocqueville explains, any underserved minority will instead submit to the majority because they hope to wield the power and privilege of majority support for its cause one day. Therefore, unless a minority has been oppressed for a long time and sees no hopes of advancement, it is likely it will not protest against the swollen powers of the majority, making the majority in a democracy all the more powerful.

Tocqueville finishes his chapter with a section entitled "That the Greatest Danger of the American Republics Comes From the Omnipotence of the Majority" (248). Tocqueville states that "as in all the rest of the chapter," he is "speaking not of the federal government, but of the particular governments of each state, which the majority directs despotically" (248). Governments fail for two reasons, Tocqueville explains, either from being too weak and falling into anarchy, or from being too strong and becoming tyrannical. The states will fail "by the bad use of their power, and not by powerlessness" (248). Democracies are inherently legislatively turbulent, but Tocqueville is careful to distinguish between stability and strength. Tocqueville foresaw the immense power of a democratically elected and majority supported government over

the resources and minds of its subjects, even if power changes hands rapidly. “If ever freedom is lost in America,” he writes, “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” (249). Tocqueville quotes from the *Federalist* 51, in which James Madison writes that any society where the weak (the minority in a democracy) are not protected has reverted back to the state of nature (249). Madison references the ideas of John Locke that people enter into voluntary contracts of government and give up their freedom of self-defense in exchange for protection from the dangerous state of nature. Once the government cannot protect the minority from the abuses of the majority, “even the stronger individuals are prompted, by the uncertainty of their condition” to “wish for a government which will protect all parties, the weaker as well as the more powerful” and fulfill its duties as protectorate (249).

To protect against legislative majority tyranny, Tocqueville recommends that the state governments adapt the same institutional safeguards that the federal government maintains against majority tyranny. Without the institutional changes, Tocqueville focuses on identifying existing aspects of state government and society that “Tempers the Tyranny of the Majority in the United States” (250). First, the “absence of administrative centralization” in American state governments should be preserved because it limits the ability of the majority to “make all citizens in all places, in the same manner, at the same moment, bend to its desires” (250).

Tocqueville differentiates between two types of centralization in Volume One of *Democracy in America*. The first is governmental centralization, which he defines as the concentration of power by the government in order to fulfill “interests” that are “common to all parts of the nation, such as the formation of general laws and the relations of the people with foreigners” (82). Governmental centralization is necessary for a functioning state, to provide

national security and stability in foreign relations for all of its citizens. According to Tocqueville, "the government of the American republics appears to me to be as centralized and more energetic than that of absolute monarchies of Europe" (248). While that statement may seem contradictory to his assertion that American states lack administrative centralization, in this sentence Tocqueville refers not to the administrative centralization of the states, but the governmental centralization. Administrational centralization refers to the government coalescing its power to direct interests that "are special to certain parts of the nation, such as, for example, the undertakings of the township" (82). In this form of government, the states would enforce their policies directly and universally throughout their territory, leaving no power or discretion to smaller townships and local governments to carry out the laws as they see fit. However in the decentralized administration of the state governments in the United States, local governments have their own realm of power, allowing for more inconsistency, but also more freedom in the execution of the states' policies. This distinction, between governmental and administrative centralization, remains crucial to Tocqueville's arguments concerning liberty throughout his book.

Tocqueville praises the effects of administrative decentralization again and again throughout both volumes of *Democracy in America* for many different reasons. In regards to majority tyranny, he commends decentralization for preventing the state governments from gaining "the most perfected instruments of tyranny"— the ability to use governmental and administrational centralization to make law, enforce it, and "descend to the limit of individual interests" (250). Instead, the state governments rely on other independent levels of government to carry out and interpret their legislation (250). In doing so, these local authorities can "delay or divide the flood of popular will" (250). The citizens of the majority also tend to lose interest

quickly in new prerogatives, and without the independent administrative agencies of Europe to carry actions out on their own, once citizens stop carrying or paying attention; the government's efforts will taper off (239). However if the state governments ever did manage to centralize their administration, Tocqueville predicts that majority tyranny "would become more intolerable than in any of the absolute monarchies of Europe" (251).

Earlier in the volume, Tocqueville mentioned how political associations can be used to combat tyranny of the majority. In democratic governments like those of the American states, once a particular party with the support of the majority is voted into office, it holds all the power and the minority party's only chance to someday gain it is to organize into a private political association (183). The right to associate must be protected, because "there are no countries where associations are more necessary to prevent the despotism of parties or the arbitrariness of the prince than those in which the social state is democratic" (183). Once defeated, the right to form political associations is a way for the minority to unite, to protect themselves from the tyranny of the majority, to have their voices heard, and to fight for greater support.

Tocqueville identifies another political force that can work to counteract the whims of the majority—that of "the spirit of the lawyer in the United States" (251). Lawyers form an "elite body" in the United States, a "privileged class among (persons of) intelligence" that citizens can turn to for help (253, 252). Their skills and the respect they engender in the community makes them ready for government and for higher-ranking positions in society. Tocqueville relates them to the aristocracy, claiming they have the "tastes" of the aristocracy, stemming from a higher education and a more conservative viewpoint, but maintain "their interest" to "serve the people's cause" (254). Lawyers are the only remnant of the aristocracy that remains in the social state of equality (254). They therefore serve as a counterbalance to the majority, having,

> drawn from their work the habits of order, a certain taste for forms, a sort of instinctive love for the regular sequence of ideas, which render them strongly opposed to the revolutionary spirit and unreflective passions of democracy (252).

American lawyers work under the common law system, in which judges try to abide by precedent, or decisions previously made regarding similar conflicts under similar circumstances. Therefore, in training to become a lawyer, these men develop a "taste and respect for what is old…joined with love of what is regular and legal" (255). Lawyers will therefore serve as a force against the capricious will of the majority, as they recognize the importance of consistency and precedent in the law. Citizens also rely on lawyers more in common law democracies, because unlike the written laws that direct the judicial systems in other countries, they cannot understand the boundaries of precedent on their own (255). The lawyers' penchant for conservatism is displayed when a lawyer asks for a modification of a precedent during a case, and will claim that doing so merely maintains the original spirit of the law as it was meant to be understood (256). The judicial system is especially important in the American political system because, on both federal and state levels, it can declare legislation unconstitutional. In the famous words of Tocqueville, "there is almost no political question in the United States that is not resolved sooner or later into a judicial question," and therefore, almost no question that is immune to the influence of the conservative tendencies of the legal profession (257).

Finally, Tocqueville lauds the jury system as a political institution that "spreads the spirit of the lawyer" throughout the population (258). While he commends the jury as a judicial institution that aligns with democracy and decreases the power of the judge, he focuses on its secondary effect: educating the populace about the law. The civil jury "serves to give the minds of all citizens a part of the baits of mind of the judge; and these habits are precisely those that best prepare people to be free" (262). They learn about their rights, equality, responsibility, and about the duties they owe their country as citizens. In interacting with lawyers, the educated and

elite class, they are taught about the laws, but also the value in principled and conservative judgments (262). By judging the application of the law themselves, average citizens are able to appreciate the importance of justice for all, rather than simply the majority.

While his discussion of legislative majority tyranny on its face only seems to apply to America, it is also important for Tocqueville's study of government in times of equality overall. He continuously argues in favor of decentralization of the central government in order to avoid the accumulation of power that could lead to despotism, yet this very decentralization has led to too much power in the legislatures of the lower levels of government, such as in the state. The ideal form of decentralization in government must also ensure a balance of powers, in which an executive branch, an independent judiciary, and other local powers check the state legislature. The more power is divided, between central, state, and local government, the greater likelihood there is of the preserving of liberty.

iii. Slavery and Treatment of the Native Americans: An Extreme Example of Majority Tyranny

No study of American democracy and despotism in the 1800s would be complete without a discussion of the most controversial political issue of the time: slavery. In the last chapter of the first volume, Tocqueville writes "Some Considerations on the Present State and the Probably Future of the Three Races That Inhabit the Territory of the United States" (302). He describes the oppression of the Native Americans and African slaves, as well as other the "dangers" that threaten the success of the new republic. It may seem surprising that Tocqueville would wait so long to confront what Richardson (1991, 466) describes as "the most serious and controversial moral-legal problem confronting the regime founded on Jefferson's principle of rights and equality." However, Tocqueville begins the chapter by reminding the reader,

> These objects, which touch on my subject, do not enter into it; they are American without being democratic, and it is above all democracy that I wanted to portray. I therefore had to turn away from them at first; but in ending I have come back to them (303).

With his purpose to describe *democracy*, the political scientist was able to avoid the topic of minority oppression. However, to fully describe the political state of democracy in Jacksonian America, Tocqueville found he could not escape it.

The racial oppression that existed in early America is clearly an example of traditional despotism. Slavery had been present throughout ancient times and was not new to the world when it was introduced to the Western hemisphere. While Tocqueville does not ever specifically identify what type of tyranny is inflicted on slaves and Native Americans in America, it would seem to be an extreme example of majority tyranny[3]. The slaves and the natives in America are minorities, suffering under the tyrannical powers of the state and federal legislatures. While the majority of white Americans live in freedom and equality, these two groups suffer from the violent tyranny that Tocqueville so vehemently wants to prevent from overcoming the new democratic system of governance.

In the following 93 pages, by far the longest chapter in the book, Tocqueville describes first the fate of the Native Americans (to which he refers as Indians) in their conflict with the invading Americans as they continue to be pushed further and further west, the fate of Africans of the South, and what those fates mean for the third race in America, white Europeans. Tocqueville describes how "education, law, origin, and even the external form of their features have raised an almost insurmountable barrier between" the three races, "and each pursues its destiny separately" (303). While the Native Americans and the slaves "have neither birth, nor

[3] Mansfield (2000) also writes about slavery as an example of majority tyranny in the introduction to his version of *Democracy in America*.

face, nor language, nor mores in common" their "misfortunes" do "look alike" (303). They are both treated legally and informally as subordinate to white society, and "both experience the effects of tyranny" (303).

The white North Americans exert their tyranny over the Native Americans in a different and less direct manner than they do over slaves. Unlike the slaves, Native Americans were not brought to America; rather they lived freely in individual and independent tribes long before the Europeans arrived (305). While "the Negro is placed at the ultimate bounds of servitude; the Indian" is placed at "the extreme limits of freedom" (305). For the Native Americans, freedom means living independently away from civilization and society. The Native American is proud of his heritage and his people, he "attaches himself to barbarism as a distinctive sign of his race" and becomes more barbaric in response to European attempts to civilize him (306). The Native Americans dismiss work and the formalities of European life, preferring a life in the wilderness to a life as a farmer (314).

The American people have succeeded in decimating the populations of Native Americans. While the Spanish set out to murder and enslave the Natives of South America and did so, Tocqueville explains, Americans have obtained the same result in a seemingly more civilized manner, one that that "breathes the purest love of forms and reality" (325).

> In weakening sentiment for one's native country among the Indians of North America, in dispersing their families, in obscuring their traditions, in interrupting the chain of their memories, in changing all their habits, and in increasing their needs beyond measure, European tyranny has rendered them more disordered and less civilized than they already were (305).

By first introducing the Native Americans to western goods they could not produce themselves (making them dependent on the white populations), chasing away the wildlife (the Native's source of food) and exploiting the Native American's ignorance of western property rights (in

order to take their land), the Americans have succeeded in "tranquilly and legally" disenfranchising them (310). By breaking their connections to the land and forcing them to move through acts of Congress and the state government, tribes divide and fade into the wilderness. Forced onto land that they are unfamiliar with and that may be inhabited by enemy tribes, Tocqueville writes, "behind them is hunger, before them is war, everywhere is misery" (310).

Tocqueville believes that "the Indian race of North America is condemned to perish" (312). When the Europeans first landed, the Native Americans had "two options for salvation: war or civilization; in other words, they had to destroy the Europeans or become their equals" (313). However they waited too long to do either. The white Americans now outnumber the Native Americans in resources and men, and the tribes are crippled by a lack of unity and commitment to a singular cause. In order to enter into modern civilization, Tocqueville writes that the Native Americans would have to establish themselves as farmers. However, their mores and disposition are settled against the agricultural life, which makes this transition nearly impossible. Even if they could overcome their "savage" mores and attempt to settle and farm the land, Tocqueville explains how "the tyranny of the government…added to the greed of the colonists" would prevent them from integrating successfully (320). White citizens view the Native American as inferior, and refuse to help them transition to modern life (318). Just as Tocqueville predicted in his chapter on majority tyranny, following the wishes of the majority, the state governments adopt "tyrannical measures" that force the Native Americans to abide by legislation that obviously has disenfranchisement and "complete expulsion" of the Native Americans as its goal (321). While Tocqueville seems to believe the federal government is less harsh in its treatment of the Natives, he also admits that it succumbs to the will of the states too easily. Tocqueville explains how "there is less cupidity and violence in the Union's manner of

acting toward the Indians than in the policy followed by the states; but the two governments are equally lacking in good faith" (323). The federal government may try to relocate the Native Americans in an effort to provide them a better life away from white men, but the government cannot guarantee that it will not later revoke that same land (322, 321). The states "by their tyranny, force the savages to flee; the Union, by its promises and with the aid of its resources, makes flight easy" (323). Put most bluntly, the tyrannical treatment of the Native Americans does not stand a threat to the survival of American democracy because the Native American population will soon be destroyed altogether. The cruelty of white Europeans will extinguish the victims of this despotism before it can spread.

While Native Americans are able to maintain pride in their heritage and reject European attempts to civilize them, the slaves of North America are ripped from their families and country and forced to live under total tyranny. Tocqueville describes how "Oppression has with one blow taken from the descendants of the Africans almost all the privileges of humanity" (304). While they cannot remember their African heritage, they also have "acquired no right to the goods of Europe," and the slave "finds his joy and pride in servile imitation of those who oppress him," rather than the Native American who still has the will to disdain the Europeans (304). He is a literal slave to his master, the white man. When the white man tells him he is "naturally inferior," he begins to believe him, making "a thousand useless efforts to introduce himself into a society that repels him" (305).

The slavery of the ancients, Tocqueville explains, was much less harmful to both the slave and society than the current slavery of the races. Slaves used to be captured prisoners from wars won; the slave "belonged to the same race as his master, and often was superior to him in education and enlightenment" (327). Once released, the ancient slave was able to reenter society

and was prepared to make a new life as a free man. In the modern world, slaves are unprepared to enter modern society, as they are forbidden from learning to read and write under their masters. They are uneducated because slave owners do not want them to become humanized or have to confront the immoral realities of enslaving another person as one would an animal (347). But most importantly, modern slaves can never escape their oppressors even after being granted freedom because "the immaterial and fugitive fact of slavery is combined in the most fatal manner with the material and permanent fact of difference in race" (327). While "the law can destroy servitude" a former slave is marked forever as inferior by the color of his or her skin (327). He or she can never be fully integrated, and the prejudice of whites follows the slave into free society. Tocqueville looks back at his own society, France, and comments that he has observed how long it takes men of the same race who used to be elevated above each other to begin viewing each other as equals, such as the aristocracy after the French Revolution (327). Although the "legal barrier that separates the two races" is beginning to dissolve in the North, "the prejudice to which it has given birth is unmoving," and even growing bigger as more and more slaves are emancipated (329).

Tocqueville believes that slavery stands as a lasting threat to American democracy. He writes, "the most dreadful of all the evils that threaten the future of the United States arises from the presence of blacks on its soil" (326). While he does not believe America has successful integration in its future, he does argue in favor of emancipation on the basis that slavery harms whites.[4] He regards slavery as the cause of the differences in culture and wealth between the

[4] Richardson (1991) writes that Tocqueville focused on the material disadvantages of slavery in order to appeal to Southerners most basic democratic instinct of materialism. Masugi (1993) writes that in focusing solely on the material, Tocqueville blinds himself to the unifying principles of American democracy that end up contributing to both Lincoln's emancipation of the slaves and the success of the Civil Rights Movement.

North and the South. In the North, where workers are "obliged to live by [their] own efforts," and have monetary incentives to work harder, work is honored (333). In the South, poor white men refuse to work alongside slaves while rich planters live in a pseudo-aristocratic society, in which work is "degraded" and idleness an object of envy (333). Economically, Tocqueville also argues that the slavery "has cost more than the free man and his work has been less productive" (333).

To Tocqueville, the South, rather than the North, faces the greater risk in emancipating its slaves. While the North has successfully instituted gradual emancipation, it has a much smaller population of slaves, many of which were sold back to the South once abolition was announced. Beyond being forced to abandon an economy based on the free labor of slaves, the South also faces a much larger population of free blacks that could endanger its white population after partial, or full emancipation. Tocqueville argues that after enacting gradual emancipation, those slaves that missed total freedom by a generation may pose a real threat to whites in the South (340). Even after total emancipation, this large population of disenfranchised, oppressed blacks may choose to rise up against their former masters. However

> From the moment one accepts the whites and emancipated Negroes have been placed on the same soil as peoples foreign to one another, one will understand without difficulty that there are no more than two changes for the future: Negroes and whites must intermingle entirely or separate (341).

While Tocqueville doubts the races ability to integrate, he also rejects the idea of re-colonization, a popular idea at the time. Unlike the Native Americans, "the destiny of the Negroes is in a way intertwined with that of the Europeans" and they will have to face the realities of the hard despotism they created (326).

Tocqueville is not optimistic for the future of race relations in the United States. The Southerners have "violated all the rights of humanity towards the black, and then they have

instructed him in the worth and the inviolability of these rights" (348). He acknowledges that the South will not be able to preserve slavery for much longer, as it is "contracted to a single point on the globe," and remains contrary to the principles of Christianity, "democratic freedom," and economic progress (348). [5] At the same time, as pro-abolition sentiment has begun to spread throughout the North and South, slave-owners have put all their efforts into passing legislation that entrenches slavery. If Democrats in the South continue to cling to the institution of slavery, Tocqueville foresees a violent slave uprising--just as he mentioned in the previous chapter on the "Omnipotence of the Majority," in which the majority's tyrannical oppression is overthrown by force. However if the South chooses to abolish slavery, there is no "lasting intermediate state" between the "extreme inequality" of the bonds of slavery and "the complete equality" of an integrated society (348). Tocqueville concludes that "if one refuses freedom to Negroes in the South, they will in the end seize it violently themselves; if one grants it to them," and they are forced to live in an unsustainable "intermediate state" between equality and slavery "they will not be slow to abuse it" and revolt against their southern oppressors (348).

The despotism that characterizes American treatment of the Native Americans does not pose a real threat to the survival of the United States, simply because the oppressed population is dwindling and will not be able to overthrow the tyranny of the majority in the foreseeable future. By refusing to attack and refusing to assimilate, the Native Americans have sealed their fate to fade out of existence. The despotism of the American South, however, does threaten the fate of the Union. Beyond the threats of racial warfare and insurrection by slaves or free blacks, in the second to last section of the first volume entitled "What Are the Chances that the American

[5] Gershman (1976, 467) writes that beneath Tocqueville's "pragmatic concerns" about slavery's effects on the economy, he really believed slavery violated Christianity and "the political philosophy of the rights of man" and therefore could not survive in the French colonies.

Union Will Last? What Dangers Threaten It?" Tocqueville writes that the Union will only survive so long as the "material interests" and "opinions and sentiments" of the states remain united. Slavery has "introduced marked differences between the character of the English in the South of the United States and the character of the English in the North," and "attack(s) the American confederation" through these differences (359). The federal government is not strong enough to withstand a rebellion by the states. Ideally, Tocqueville would most likely be in favor of relocation of the Native Americans by the federal government and gradual emancipation in the South. Above all, he recognizes that there is no easy solution to improving the relationship between "The Three Races that Inhabit the United States."

While the treatment of slaves and Native Americans is crucial to understanding the evolution of democracy and despotism in the United States, just as Tocqueville stated, it is not so important to the fate of democracy at large. Tocqueville believed that the world was becoming more equal and democratic; and even though he chose to study democracy through America, his goal was not just to understand one country. Instead, he hoped to understand the broader trends and threats to democracy through a specific case study. While slavery may pose a great threat to the success of the Union, he recognized its days were numbered in a world characterized by the equality of conditions. However the dangers of extreme majority tyranny remain very real for all democracies that do not check the power of the representative legislature.

II.
Tendencies that Make Democracy Vulnerable to Both Despotisms

i. Secularization

Tocqueville begins Volume Two by explaining why religion is necessary for preventing despotism. He claims that men cannot survive without what he calls dogmatic beliefs, or

"opinions men receive on trust without discussing them" (407). No democratic man has the time to prove the validity of every general idea he comes by that seems to be accepted by his community at large (407). In fact, Tocqueville asserts that dogmatic beliefs are necessary to a functioning society, "for without common ideas there is no common action, and without common action men still exist, but a social body does not" (407). Societies are bound together by common held principles and ideas and none is more important to the functioning of a democratic society than "dogmatic beliefs in the matter of religion" (417). Tocqueville argues that "there is no almost no human action…that does not arise from a very general idea that men have conceived of God," his relationship to them, their "souls" and their "duties" towards Him (417). Therefore, it is very important to man's psyche that these philosophical questions are resolved through religion, because they are almost impossible for the average person to discern through reason. While philosophers can study these questions for an entire lifetime, most citizens would not choose to do so, and even those who had the intellectual capacity would not have the time in a democracy (417).

Part One of Volume Two focuses on the "Influence of Democracy on Intellectual Movement in the United States" (401). Because people in democracies view each other as equals, they "all see each other from very close, and, not perceiving in anyone among themselves incontestable signs of greatness and superiority, are constantly led back toward their own reason as the most visible and closest source of truth" (404). They have confidence in their own reason to help them solve the mysteries of human existence because of an overinflated sense of self that also gives them "little faith in the extraordinary and an almost invincible distaste for the supernatural" or anything they cannot be easily explained (404). For these reasons, equality and democracy seem to point towards an increasing secularization and rationalization.

Tocqueville recognizes that men in times of equality are likely to be repulsed by new religions and ideas of the supernatural, but he believes that old religions, especially Christianity, may be able to survive despite these inclinations. It is imperative that democratic men maintain the practice of a religion that supplies answers to these questions about God, life, and death, in a manner that is "that is clear, precise, intelligible to the crowd, and very lasting" (418). These beliefs become an "element of strength" without which, men will be weaker and more susceptible to oppression (284). Tocqueville argues that religion is "as natural to the human heart as hope itself" and it is "disbelief" that an abnormal effect of equality and should be prevented (284). If democratic people allow themselves to continue on their path to secularization, without religion they will experience a new form of despotism, in which

> Doubt takes hold of the highest portions of the intellect and half paralyzes all the others. Each becomes accustomed to having only confused and changing notions about matters that most interest those like him and himself; one defends one's opinions badly or abandons them, and as one despairs of being able to resolve by oneself the greatest problems that human destiny presents, one is reduced, like a coward, to not thinking about them at all (418).

Once men are unable to think at all, terrified of a life they cannot reconcile to their death, "it slackens the springs of the will and prepares citizens for servitude" (418). Without religion to guide their actions, these men will give away their freedom to any despot that seems to have the answers, or who promises to take away the responsibilities of making decisions in an unprincipled chaotic world (418). Tocqueville explains, "As everything is moving in the world of the intellect, they want at least that all be firm and stable in the material order; and as they are no longer able to recapture their former beliefs, they give themselves a master" (418). Political freedom depends on set beliefs in religion, because if man "has no faith, he must serve," perhaps under a form of hard despotism (419).

This description of despotism comes before Tocqueville introduces the concept of soft despotism, which indicates that he may have intended to describe a new form of hard despotism. However, one hundred pages later, Tocqueville returns to the liberating effects of religion in aiding the prevention of soft despotism. In chapter 15, after a section describing materialism, the excess love of material pleasures commonly found in the hearts of democratic men that leads them towards soft despotism, Tocqueville explains "How Religious Beliefs at Times Turn the Souls of Americans Toward Immaterial Enjoyments" (517). Democracy must be made moral through religion (518). If a man is left with only material pursuits in this world, he will lose that which makes him human (519). What separates man from beast is not his ability to obtain more than the bare material necessities of life, but his ability to stretch his mind beyond his daily needs and towards the pursuit of knowledge (521). Just as in the chapter on hard despotism, Tocqueville reiterates that "belief in an immaterial and immortal principle…is so necessary to the greatness of man that it produces beautiful effects" regardless of the specific religion (520). Religion in democracy should therefore be protected, but not through a state religion bound to fall with political power. Instead it should be guarded through actions of the leaders in the government who display their religious practices and principles openly to the public (521). They should teach by example, and demonstrate "religious morality in great affairs" while "teaching citizens to know it, love it, and respect it in small ones" (521).

Secularity in democracy "prepares citizens for servitude" either immediately, through the rise of a traditional or hard despot, or gradually, through the wearing away of virtue and public participation in times of materialism. Tocqueville is purposefully vague because he believes religion to be vital to the functioning of democratic society no matter the threat. He also offers a

number of ways that religious leaders can try to sustain religion despite the trends toward rationalism and self-absorption.

In order to maintain the dogmatic and supernatural beliefs of religion, "religions ought to keep themselves discreetly within the bounds that are proper to them and not seek to leave them; for in wishing to extend their power further than religious matters, they risk no longer being believed in any matter" (419). If religion tries to exert its influence over many different aspects of life, democratic men are more likely to reject it as an unnecessary and traditional force that intends to prevent them from exerting their freedom[6].

In Volume One, in a section entitled "On the Principal Causes that Make Religion Powerful in America," Tocqueville points to the active efforts of religion to stay out of politics in America as one of the major reasons "religious zeal" has not been "extinguished as freedom and enlightenment" have "increased" in America (282). Tocqueville believes fully that religion should stay out of the political sphere and supports a "complete separation of church and state" (283). In a democratic society ruled by popular sovereignty, no religion can become more powerful in the long term by joining with authority, for rule by the people is a dynamic regime in which political ideas, parties and dogmas are constantly changing (284). If religion attaches to the results of one election, it will quickly be delegitimized and pushed aside after the results of the next.

Beyond politics, religious leaders should also avoid practicing formalities or "forms" as Tocqueville calls "institutions, or mores, or legalities that show respect for others and enable

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[6] Interestingly, Tocqueville references the religion of Islam in this section. Because the Koran confronts issues of "political maxims, civil and criminal laws, and scientific theories," it will not be able to survive in "enlightened and democratic times" (420). Today, many Islamic countries struggle to reconcile the political requirements of their religion with the political freedoms of democracy.

common action with people who are not friends or family" (Mansfield 2010, 27). Democratic people are impatient, and "scorn forms, which they consider useless and inconvenient veils placed between them and the truth" (DIA, 404). While ceremony and external practices are necessary to religion, Tocqueville believes religious officials should recognize the limits of democratic citizens and emphasize the message of their religion instead of the ceremony. They should respect "all the democratic instincts that are not" directly "contrary to it" and in doing so focus their efforts in curbing "the spirit of individual independence that is the most dangerous of all to it" (424). Religion should not try to combat the materialism of the age of equality directly, and should instead attempt to guide how Americans pursue their wealth so they do so in a more moral and philanthropic manner. It should also avoid conflicting with widely held opinions, because as Tocqueville noted in his earlier chapters about majority tyranny of thought, once the majority has spoken, no religious leader would succeed in gaining support if he spoke out against it (423).

ii. Individualism

Individualism carries a risk of drawing people towards servitude. As Tocqueville describes it, individualism

> Is a reflective and peaceable sentiment that disposes each citizen to isolate himself from the mass of those like him and to withdraw to one side with his family and his friends, so that after having thus created a little society for his own use, he willingly abandons society at large to itself (482).

Unlike selfishness, a feeling known before the age of equality, individualism is unique to a time in which the personal lives and pursuit of wealth of the average citizen are so engrossing that the democratic man can pull away from public life and preoccupy himself solely with individual pursuits. While selfishness involves "a passionate and exaggerated love of self that brings man to relate everything to himself alone and to prefer himself to everything," individualism "proceeds

from an erroneous judgment rather than a depraved sentiment" (482). Individualism terminates in selfishness only after it "first dries up only the source of public virtues" and then finally "withers the seeds of all virtues" (483).

In aristocratic times, families were very close and generations knew those before them and those after. Nobles were closely connected to peasants who depended on them for protection, while the nobles depended on them for their labor. According to Tocqueville, men in aristocratic societies were forced to work with other people in society on a daily basis in order to fulfill their own private needs (483). In democratic times, families are constantly changing, bonds are loosening, and people are moving throughout the country. Classes are fluid, and democratic citizens find that they don't need others to survive and can be self-sufficient. These men "owe nothing to anyone, they expect so to speak nothing from anyone; they are in the habit of always considering themselves in isolation, and they willingly fancy that their whole destiny is in their hands" (484).

Tocqueville clarifies how "despotism…sees the most certain guarantee of its own duration in the isolation of men, and it ordinarily puts all its care into isolating them" (485). No despot needs his citizens to love him, he just requires that they also do not love each other, and feel no camaraderie that could allow them to work together to affect public action. In a democracy, the despot does not even have to try to isolate his citizens, because their natural tendencies lead them to do so on their own. However, the tyrant can speed his expansion of power by rewarding individualism while punishing those who try to associate and pursue common action because he knows that in times of equality, men are weak, and once isolated, are easier to conquer (485). It is relevant to notice that in this chapter, Tocqueville does refer to the despot in terms of "he," which would refer to a more traditional form of despotism, rather than

soft despotism which generally involves a faceless bureaucracy, "Thus," Tocqueville explains, "the vices to which despotism gives birth are precisely those that equality favors" (485). Equality breaks the bonds of society, and despotism makes sure they are not re-erected. Once attention is diverted from public affairs to private, democratic citizens will not recognize the hard despotism and arbitrary authority taking shape above them until it is too late.

Individualism prepares men for servitude, and Tocqueville's placement of this particular tendency of democracy alludes to its applicability to both hard and soft despotism. Because he places individualism before his explanations of soft despotism, and writes of the "despotism" in terms of a singular person who favors the isolation and alienation of its citizens, instead of writing "soft despotism," Tocqueville seems to be referring to traditional despotism in this section. However, he also mentions individualism in his description of both materialism and, more tellingly, soft despotism, when he writes of "an innumerable crowd of like and equal men who revolve on themselves without repose" being susceptible to bureaucratic domination (663). While the nature of the tyranny brought about by individualism may vary, it is clear that democratic people must combat it in order to survive as free people.

So how should democratic people combat the tendency towards individualism? First, Tocqueville commends religion for forcing men outside of their familial spheres; because all religions "impos[ing] on each some duties toward the human species or in common with it, and that does not thus draw him, from time to time, away from contemplation of himself" (419). In addition to religion, democratic moralists should also promote the concept of self-interest well understood. While equality of conditions will isolate citizens from each other, democratic leaders should promote the idea that citizens have an interest in helping others in their society. Because men in times of equality are constantly pulled away from the idea of pursuing virtue for virtues

sake in favor of pursuing material well being, they should be taught to pursue virtue or participate in public life because it is also "useful" to them (501). It is in their benefit to "sacrifice a part of their time and their wealth to the good of the state," because they will, for example, be able to enjoy good governance after sacrificing time to promote a candidate who supports their interests. Through such enlightenment, leaders can propagate the idea that in order to benefit themselves, citizens should exit the private sphere and enter into the public.[7]

But beyond religion and the doctrine of self-interest well understood, individualism is combated by decentralization. When citizens have their hand in the government, they are "necessarily drawn from the midst of their individual interests, and from time to time, torn away from the sight of themselves" (486). While elections sometimes turn men against each other in competition, it still brings them outside their private sphere and encourages them to associate (486). Tocqueville also does not believe participation in infrequent larger elections for the national government is enough to pull democratic citizens from their private lives. While it is helpful in getting them involved in campaigning, canvassing, and associating with each other, citizens must also have the opportunities to govern in areas that directly affect their personal interests. It is harder for men to grasp how a national election could affect them than a local election, which may determine something as personal and important as their children's education (487). It is in local government that he will realize "the tight bond that here unites a particular interest to the general interest" (487). "Local freedoms" and the responsibilities of "the administration of small affairs" can prevent democratic citizens from falling into a state of apathy, because they must stay involved to protect their private interests (487).

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[7] Zetterbaum (1967) emphasizes self-interest well understood as a remedy for the "Problem of Democracy." Koritansky (1986) challenges Zetterbaum (1967) and emphasizes civil religion instead.

Civil associations also serve an important function in drawing men's attention outside of themselves. Unlike political associations that help minorities assemble and stand up to the majority under majority tyranny, Tocqueville is concerned with associations that are not political: citizens who gather for shared economic, religious, or social interest. In aristocratic times, individual men acting alone could ignite great change. In democratic times, as men become more equal and weak, it becomes harder for them to associate. Civil associations are even more important than political associations, as Tocqueville explains,

> If men who live in democratic countries had neither the right nor the taste to unite in political goals, their independence would run great risks, but they could preserve their wealth and their enlightenment for a long time; whereas if they did not acquire the practice of associating with each other in ordinary life, civilization itself would be in peril (490).

Unlike an aristocracy, one individual alone cannot affect society. Tocqueville concludes, "A people among whom particular persons lost the power of doing great things in isolation, without acquiring the ability to produce them in common, would soon return to barbarism" (490). Tocqueville argues that civilization relies on the advancement of humanity, which can only occur when men interact and work to initiate progress together. In democracy, inclinations towards individualism as well as the busy private lives of democratic citizens make it even harder for them to form civic associations, especially when they need numbers to be able to make a real impact. If the government expanded to make all the decisions of civil associations, including those in business and industry, it would "exercise an insupportable tyranny even without wishing to; for a government knows only how to dictate precise rules" and one cannot distinguish "its

counsels from its orders" (492).[8] Instead, the government should encourage normal citizens to work together to initiate social change.

Finally, Tocqueville commends the free press for facilitating the creation of civic associations. The newspaper itself "represents the association; one can say that it speaks to each of its readers in the name of all the others, and it carries them along the more easily as individuals are weaker" (495). Through the press, individuals from all different parts of democratic society are able to communicate and mobilize in order to pursue their common interests. Newspapers also draw citizens' attention to public issues that would not enter their private lives otherwise, and can be used to persuade citizens that they need to cooperate and associate in order to better their own interest through a matter of public interest. Because men in democracies are "very small and lost in the crowd," they need newspapers to help them "see each other" and "find each other" so they can work together to affect change (493). Tocqueville sees a correlation between civic associations and newspapers, in that "the number of newspapers must be increased as associations are multiplied," and vice versa (494). He also believes that the press becomes more important as society is more administratively decentralized, because citizens need to know what public affairs will affect their private affairs at every level of local and federal government.

iii. Materialism

As mentioned above, materialism is "a dangerous malady of the human mind" in which the pursuit of wealth and comfort obsesses citizens to the point that they forget about scholarly and virtuous pursuits (517). Materialism is closely intertwined with individualism, because it is this obsession with material wellbeing that occupies man's attention outside the public sphere

[8] See Robert Putnam's *Bowling Alone* for a modern day application of Tocqueville's idea that civil associations are necessary to maintain a functioning democracy.

and draws him inward. Instead of focusing on the wellbeing of his community, he focuses on the wellbeing of his singular household. Democratic men have a greater interest in "satisfying the least needs of the body and of providing the smallest comforts of life" because their wealth is not fixed like it would be in an aristocracy (506). In aristocracy, while some men held all the wealth, they were not as concerned with it as men are in a democracy. Tocqueville explains, "what attaches the human heart most keenly is not the peaceful possession of a precious object, but the imperfectly satisfied desire to possess it and the incessant fear of losing it" (506). Fortunes change so quickly in a capitalistic democracy that even the poorest of men can envision himself as the richest, while the richest of men can imagine himself losing everything. Because the aristocracy felt no risk of losing their wealth, they viewed it as a part of their lifestyle rather than a goal to work towards and protect (507). The nobles could then turn their attention to more noble pursuits such as the acquisition of knowledge or virtue, rather than the shallow desires of materialism (506). In a democracy, the rich become more mild, "fall[ing] into softness rather than debauchery" while democrats support order and "public tranquility" because they are necessary for industry (509). Tocqueville concludes,

> Thus there could well be established in the world a sort of honest materialism that does not corrupt souls, but softens them and in the end quietly loosens all their tensions (509).

Obsessed with obtaining great wealth, these men are "constantly tormented by a vague fear of not having chosen the shortest route" to it (511). With all in competition, even those who succeed are forced into agitated, unfulfilled existences.

In order to accomplish anything, including obtaining wealth, weakened democratic individuals need to associate, and to associate they need freedom. But the

> excessive taste they conceive for these same enjoyments delivers them to the first master who presents himself. The passion for wellbeing is then turned against itself and, without perceiving it, drives away the object of its covetousness (515).

Men can become so absorbed in their pursuits of wealth that they forget "the tight bond that unites the particular fortune of each of them to the prosperity of all" (515). By neglecting to pay attention to the public world, these people allow others to take the responsibility of governing away from them. Participating in public life would require sacrificing time from their pursuit of wealth and directing it towards elections and public duties. Therefore, by "following the doctrine of interest," these people "neglect the principal one, which is to remain masters of themselves" (515).

When the government is left unattended, "an ambitious, able man comes to take possession of power" and can do so easily as the people remain distracted by their private pursuits (516). As long as he directs the government to let "all material interests prosper" and maintains peace and order, the people will not protest (516). They fear anarchy more than tyranny, because without rule of law they could lose everything they have worked so hard to obtain. "A nation that demands of its government only the maintenance of order is already a slave at the bottom of its heart," Tocqueville explains (516). As soon as the people only care about the stability to retain and pursue material goods within their private lives, they have already given up on proper self-government.

Once again, Tocqueville chooses to describe the domination of the country by one man, rather than the faceless tyranny of soft despotism. This seems to indicate that he intends to reference traditional despotism in his description of materialism. However in his chapter on soft despotism, Tocqueville references materialism directly as a cause, as citizens focus on "procuring the small and vulgar pleasures with which they fill their souls" (663). Materialism

can prepare men either for traditional despotism, or for the gradual creep of soft despotism. In order to combat materialism, first democratic people need to ensure the survival of religion.[9]

iv. Freedom vs. Individualism and Materialism

The Old Regime and the Revolution, Tocqueville's study of the French Revolution, has an interesting reference to liberty, individualism, and materialism in the foreword. He writes that

> Freedom and freedom alone can extirpate these vices…For only freedom can deliver the members of a community from that isolation which is the lot of the individual left to his own devices, and compelling them to get in touch with each other, promote an active sense of fellowship… It alone replaces at certain critical moments their natural love of material welfare by a loftier, more virile ideal; offers other objectives than that of getting rich; and sheds a light enabling all to see and appraise men's vices and their virtues as they truly are (Tocqueville [1856] 1955, xiv).

In this foreword, Tocqueville does not describe the remedies of individualism and materialism as means of avoiding despotism and obtaining freedom. Instead, freedom is a necessary means to avoid the traps of individualism and despotism. Combined with an examination of these two democratic sentiments, this passage on freedom indicates that there is a more circular relationship between freedom and despotism. Freedom is the means and an end, necessary to "extirpate the vices" of equality, and the reason for doing so (xiv). In this passage, he also further iterates how freedom allows men to reveal "their virtues as they truly are" and gives them the opportunity to demonstrate moral greatness (xiv).

III.
The Threat of New Despotism

Tocqueville ends his two-volume exploration into democracy with a warning to all democratic citizens. With the new social state of equality, they will also face a new threat from a completely different incarnation of despotism. While Volume One focuses on the threats facing

[9] See page 32 for a more in depth look at religion and materialism.

democracies from majority tyranny at the state level, Volume Two focuses on the inclinations of democratic people that lead them towards centralization and possible domination by the federal government. After first explaining the causes of the soft despotism of administrative bureaucracy, I will examine majority tyranny of thought, and explain why it is categorized as a form of new despotism instead of old.

i. Love of Equality Over Freedom

Unfortunately for all lovers of liberty like Tocqueville, "Democratic Peoples Show a More Ardent and More Lasting Love for Equality than for Freedom," and he begins Part Two, Chapter One of Volume Two trying to explain why (479). Although some may believe that freedom is inherent to the democratic social state of democracy, Tocqueville explains that total equality may remain while political freedom is extinguished. For example, everyone could be equal except for one all-powerful ruler who controls the government (479). Tocqueville explains how "equality in its most extreme degree becomes confused with freedom," but the "taste that men have for freedom and the one they feel for equality are in fact two distinct things" (480). Similar to Montesquieu's conception of the principle of the regime, Tocqueville argues, "in each century one encounters a singular and dominating fact to which all the others are connected; this fact almost always gives rise to a mother idea, or a principal passion" (480).[10] While democracies may attempt to sustain freedom, the dominating fact of the equality of conditions and the love of it are the principal passions of the current century.

Beyond being the passion of the current century, equality eclipses freedom in the hearts of democratic men for a number of other reasons. While equality could only be destroyed through an immense and purposeful effort to overturn the "social state…laws…ideas…habits"

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[10] See Paul Rahe (2009) for an in-depth look at the influences of Montesquieu and Rousseau on Tocqueville's political philosophy.

and "mores" of democracy, "political freedom" could easily slip away without any effort at all (480). In fact, in order to maintain political freedom, one has to actively guard it (480). Political freedom is also more immediately dangerous in its excesses—it can lead to anarchy and unrest in the social sphere. However excess equality has unclear despotic results. Meanwhile, the benefits of freedom take a while to come to fruition, while the advantages of equality are apparent immediately. Freedom also provides rare but "sublime pleasures," while "equality furnishes a multitude of little enjoyments daily to each man" (481). Ensuring freedom often requires sacrifices those very same pleasures of equality. Tocqueville concludes that while

> Democratic peoples have a natural taste for freedom; left to themselves they seek it, they love it, and they will see themselves parted from it only with sorrow. But for equality they have an ardent, insatiable, eternal, invincible passion; they want equality in freedom, and, if they cannot get it, they still want it in slavery" (482).

Any despotism that hopes to take control will have to work towards equality in order to obtain the people's trust. He writes, "the science of despotism, formerly so complicated, is simplified…to a single principle," which is "to love equality or to make it believed" (650).

Men become weak and isolated as they become more equal, without secondary powers to protect them and with the realities of a form of societal power contingent on numerical majorities. They are also led to devalue individual rights (670). Because they do not feel camaraderie with their fellow citizens, they are often unwilling to defend the violation of the rights of others, as it does not seem to affect them. Instead, they overvalue the perceived wellbeing of greater society, which includes themselves, over the individual rights of their neighbor. An individual may even give up their own rights willingly, viewing their sacrifice as unimportant in the grand scale of the well being of all democratic citizens. Tocqueville writes

> Individual rights that are encountered in democratic peoples are ordinarily of little importance, very recent, and quite unstable; this makes one sacrifice them often without difficulty and violate them almost always without remorse (670).

At the same time men more willingly sacrifice their individual rights to the greater good and the good of the majority, "the rights of society" through the government "are naturally extended and strengthened" (670). In his chapter on soft despotism, Tocqueville writes that equality, with its propensity to weaken citizens and their conceptions of the value of individual rights, has "prepared men" for the antagonisms of soft despotism, "it has disposed them to tolerate them and often even to regard them as a benefit" (663). Because men have such a strong love of the social condition of equality and its effects, they are complacent when the government takes away their freedom so long as it continues to ensure them the equality they desire.

Once again, Tocqueville's discussion of freedom leaves us to grapple with its true significance for the French political theorist. Clearly there is a component of political freedom in his conception of liberty. In this chapter he switches between writing "political freedom" and more broadly "freedom" (480). However, from previous chapters on traditional despotism, it seems that a people could be free in their mores and servants under despotism in politics, so freedom goes beyond the ability to participate in government.[11] In an article in the *Westminster Review* in April of 1836 on the evolution of democracy in France, Tocqueville clarifies this point, writing

> According to the modern, the democratic, and, we venture to say the only just notion of liberty, every man, being presumed to have received from nature the intelligence necessary for his own general guidance, is inherently entitled to be uncontrolled by his fellows in all that only concerns himself, and to regulate at his own will his own destiny.
>
> From the moment when this notion of liberty has penetrated deeply into the minds of a people, and has solidly established itself there, absolute and arbitrary power is thenceforth but a usurpation, or an accident; for, if no one is under any moral obligation to submit to another, it follows that the sovereign will can

[11] See page 8 for more on political freedom in monarchies under conditions of inequality and equality.

> rightfully emanate only from the union of the wills of the whole (Tocqueville 1836, 166)

Every man is endowed with the intellectual capability to conduct his own affairs and "entitled to be uncontrolled by his fellows in all that only concerns himself" (166). True liberty includes this personal liberty as well as the liberty to participate in common affairs and live under a power whose authority comes from the people.[12] It is "The idea that every individual, and by extension every people, is entitled to the direction of its own interests" (166). Political freedom naturally fades when men stop participating in the government and focus their interests on the pursuit of material goods instead. Tocqueville has shown how the mirage of political freedom could remain through "a constitution that was republican at the head and ultramonarchical in all other parts" (DIA, 665). In soft despotism, citizens give up most of their political freedom out of apathy or a thirst for government-enforced equality. Once these powers have been absorbed by the powerful, far-reaching central government[13], it extends into the regulation of their private lives, constricting opportunities for them to exert their freedom (Tocqueville 1836, 256)[14]. Eventually, unable decide their own fate, democratic people lose the mores of liberty and are "incapable of exercising the great, unique privilege that remains to them": voting (DIA, 665). Once men stop participating in the public sphere they will not be able to make informed decisions because "a liberal, energetic and wise government" cannot "issue from the suffrage of a people of servants"

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[12] Hereth (1986, 15) argues that Tocqueville goes even further, and believes in an "existential freedom" that characterizes a way of life.

[13] Tocqueville writes in Chapter Seven, Part Four of Volume Two, "It is at once necessary and desirable that the central power that directs a democratic people be active and powerful. There is no question of rendering it weak or indolent, but only of preventing it from abusing its agility and force" (667). Just like in the state government, he recognizes the governmental centralization of democratic governments, but rejects the administrative centralization of expanded powers into those spheres in which the common interest is not at stake and the government does not belong.

[14] For more on Tocqueville's conception of the intrinsic value of liberty, see Alulis (1993).

(665). Without freedom, men also lose their abilities to obtain "moral goodness" through the exercise of their free will (11).

The love of equality needs to be combated with vigilance.

> It is therefore above all in democratic times we are in that the true friends of freedom and human greatness must constantly remain on their feet and ready to prevent the social power from lightly sacrificing the particular rights of some individuals to the general execution of its designs (670).

Violation of even the smallest right of one citizen slowly chips away at the guarantees of freedom and rights for all. Tocqueville explains how in democratic times, "to violate a right like this in our day is to corrupt national mores profoundly and to put society as a whole in peril" (670). Democracies should also try to retain the uses of forms for the very reason democratic people despise them: because they slow down their efforts to enact change. In this case, forms could help prevent citizens from being able to sacrifice their rights quickly to the central government.

ii. Centralization

In Volume One, Tocqueville explained how "the permanent tendency" of those countries with a democratic social state is to concentrate all power in the hands of the central government (92).[15] Tocqueville is wary of any form of government in which a large amount of unchecked power is given to one level or branch. He therefore believes that administrative centralization only makes a government more susceptible to despotism, and contributes to its rise. In the same chapter in Volume One, Tocqueville alludes to soft despotism for the first time, explaining that if administrative centralization was to be found in the United States,

> there should be an authority always on its feet, keeping watch that my pleasures are tranquil, flying ahead of my steps to turn away every danger without my even needing to think about it, if this authority, at the same that it removes the lest

[15] For more on the relationship between equality and centralization, see Pittz (2011).

> thorns on my path, is absolute master of my freedom and my life, if it monopolizes movement and existence to such a point that everything around it must languish when it languishes… (88).

While Tocqueville focused on the threats of the states becoming administratively centralized and inflicting majority tyranny on the minority in Volume One, the same description is applicable to the "despotism in the administrative sphere," of the federal government, which Tocqueville describes in his chapter on soft despotism (665). Tocqueville focuses four separate chapters on centralization. Tocqueville reiterates that "the ideas" and "sentiments" of "Democratic Peoples in the Matter of Government Are Naturally Favorable to the Concentration of Powers" for a number of reasons (640, 643). The first chapter confronts these "ideas."

Earlier in the volume, Tocqueville explained "Why the Americans Show More Aptitude And Taste For General Ideas Than Their English Fathers" (411). Just like dogmatic beliefs, general ideas help democratic citizens understand the most about their world efficiently, because they do not have to individually evaluate every widely held conception (411). In aristocratic times, men were not drawn to general ideas about themselves because society was unequal and no generalization could encompass both the feudal lord and the peasant. In times of equality, "All the truths applicable to himself appear to him to apply equally and in the same manner to each of his fellow citizens and to those like him" (413). If something applies to one democratic individual, it must apply to the other. However to govern by general ideas, to treat everyone equally under the law, one "lone central power" is much more efficient in producing "uniform legislation" than various local governments (640, 641). Because the citizen views himself and his fellow citizens as perfect equals, he believes all laws he is subject to should apply to all citizens. Just as in the case of sacrificing individual rights,

> As conditions are equalized in a people, individuals appear smaller and society seems greater, or rather, each citizen having become like all the others, is lost in

> the crowd and one no longer perceives [anything] but the vast and magnificent image of the people itself (641)

This leads men to accept that they should sacrifice their individual rights and responsibilities to the greater, central power, which is believed to be more intelligent than any of the singular individuals who obey it (641). Tocqueville regards local government as key to bringing democratic men into the public sphere and out of their private lives because they are able to preserve liberty by daily participating in its maintenance. Without secondary powers, the central government can expand without limit.

Next, Tocqueville turns to the sentiments that support the ideas of centralization. These include individualism, which was described in the previous chapter on hard despotism, which works to bring men to "willingly fall back on themselves and consider themselves in isolation" while evacuating the public sphere (643). Materialism also has the same effect on centralization, as it "naturally disposes citizens constantly to give the central power new rights…to defend them from anarchy" (644). As men become more equal, their love of equality and hatred of privilege continue to grow and any example of slightest inequality quickly becomes more shocking and intolerable. This passionate hatred of inequality "particularly favors the gradual concentration of all political rights in the hands of the sole representative of the state" for "being necessarily above all citizens and uncontested, [it] does not excite the envy of any of them" (645). They are willing to sacrifice their rights as long as in doing so they become more equal, and experience a "common dependence…on the same master" (645). While these men "do indeed accept for a general principle that the public power ought not to intervene in private affairs" they also all seek to be the "exception," and to receive government support in the pursuit of their goals (644). In doing so, the central power continues to expand as different interests appeal to it for special privilege. Those hoping to decentralize will remain unpopular and powerless.

The manner in which a democratic society is brought about is also very important to the likelihood of the degree of centralization. Tocqueville finishes his chapters on centralization by looking at Europe in particular. If people experience equality before freedom and have not first developed the institutions of a free people, "all powers" will "rush toward the center" as the secondary power of the aristocracy is destroyed (646). Especially after violent revolution, people will give more power to the central government in the hope that it can provide peace and stability. Therefore the way in which democracy is reached is also important indicator for the speed or success of centralization. Through the rise of industry, which encourages more in-depth regulation as well as the formulation of state banks, Europe has succumbed to centralization much faster than America (657, 654).

In order to prevent centralization, beyond combating the sentiments that contribute to it,[16] democracies should utilize the benefits of an aristocratic society by delegating powers away from the central government. Instead of giving administrative power to nobles, the government should give it to "secondary bodies formed temporarily of plain citizens" (667). Instead of having men rule by birth within these administrative power structures, they should be elected as representatives of the people. While aristocratic countries are filled with "rich and influential particular persons who know how to be self-sufficient and whom one does not oppress easily or secretly" democracies should utilize associations of citizens to make democratic citizens stronger and harder to oppress (667). Legislators also need to guarantee the freedom of the press, which provides a means for a citizen whose rights are being taken away by the government to reach out to other citizens for help (668).

[16] Ways to ameliorate individualism and materialism are found in Chapter 2.

Finally, in the last note of the book, Tocqueville calls on democracy to do its best to combat apathy. Apathy, which he calls "the fruit of individualism," causes nations to come to ruin through anarchy or through despotism (704). These nations of apathetic and unattached citizens "rise because nothing can resist them, and they fall because nothing can sustain them" (704). Through decentralization and the empowerment of individual citizens, Tocqueville believes democracy's future does not have to be one of despotism.

iii. Majority Tyranny of Thought

Majority tyranny of thought is another kind of despotism that does not lend itself to being classified easily. Described for the first time in the same chapter as majority tyranny in *Democracy in America*, on first glance it would seem to be an extension of legislative tyranny and therefore a form of hard despotism. Maletz (2002) and Horowitz (1966) are careful to distinguish majority tyranny over thought as independent from legislative majority tyranny, and recognize that a separate study is due. Zetterbaum (1967) does not separate the two forms of majority tyranny but references majority tyranny of thought as softly despotic when he writes that public opinion holds immense power in democracy, and "what the majority of the governed want is soft despotism" (Zetterbaum 1967, 74). Majority tyranny over thought is classified as a new kind of despotism because it "leaves the body and goes straight for the soul" (DIA, 244). Even in the most despotic and absolute monarchies of the past, the king could not stop citizens or nobles from speaking or thinking ill of him (243). While men were slaves, they were so only in body, and the tyrant could not force them to think or feel differently. The "power of the majority" in a democracy "surpasses all the powers that we know in Europe," because it controls thought, the "invisible and almost intangible power" that could threaten even the strongest hard despotisms (243). Even though it is a form of despotism by the majority like legislative tyranny,

majority tyranny over thought is more similar to soft despotism than traditional despotism. It involves a faceless power taking the ability to think freely away from the average citizens. Instead of being oppressed in body by a traditional despot, citizens are forced to conform to the philosophical and political norms of their day through the pressure of their fellows.

At the beginning of Volume Two, Tocqueville describes how conditions of equality increase the influence of common opinion. During aristocratic times, the majority of people were uneducated, and they simply accepted the opinions of the very educated lords who ruled over them. However, in times of equality, there are less geniuses but more general knowledge. Democratic citizens reject the idea of following the opinions of one man who is their equal; instead they follow the shared opinion of the masses. Tocqueville explains that when a democratic man is alone, he does not believe he can stand up to the majority, and "the public therefore has a singular power…It does not persuade [one] of its beliefs, it imposes them and makes them penetrate souls by a sort of immense pressure of the minds" (409). He turns to the majority to provide him with his political thoughts and opinions. Tocqueville writes,

> This political omnipotence of the majority in the United States in effect augments that influence that the opinions of the public would otherwise obtain over the mind of each citizen; but it does not found it. It is in equality itself that one must seek the sources of that influence, and not in the more or less popular institutions that equal men can give themselves…Faith in common opinion will become a sort of religion whose prophet will be the majority (410).

After obtaining a free system of government, democratic men will be restrained by common opinion of their fellow citizens (410).

The moral power of the majority can become so strong that many may no longer even consider thinking for themselves. When the majority is still "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 bandwagon," because they know what will happen if they dare

step outside its "formidable circle of thought"(243: 244). In a traditional despotism, only those that spoke out against the king in the presence of royal officials would find themselves punished, and otherwise, subjects were free to express their dismay with religion, politics, and mainstream culture to their peers. However, because the majority has the final word in a democratic institution and is respected as the most important source of knowledge and authority (that of the greatest number of equal citizens in agreement) any man that speaks out against it will become "the butt of mortifications of all kinds and of persecutions everyday" (244). While the government will not punish him directly, he will not be elected into office. He is subject to what appears on its face to be a milder form of punishment, alienation, as friends turn away from him. While "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" (244). Tocqueville even argues that this punishment destroys a man's "rights of humanity" and leaves him with "a life worse than death," a harsher punishment than simply being thrown into jail (245). Eventually he will give up his opinion in favor of rejoining the majority. An attack on the expressed opinion of the majority becomes an attack on every citizen supporting it, and even the legitimacy of democratic and republican institutions themselves. Ostrom (1997) underestimated the effect of tyranny of the majority on the souls of the people by calling it "a sickness of government," for it has the ability inflict a terrible sickness on the people as well, it can take away their "freedom of mind," making them no more than slaves to the majority (245).

IV.
The Dangers of the New and the Old

In Volume One, Tocqueville titled a section "That the Greatest Danger of the American Republics Comes from the Omnipotence of the Majority" (DIA 248). It seems that in this

volume, Tocqueville clearly believed that the biggest threat to American democracy stemmed from legislative majority tyranny. He also doubted the sustainability of an integrated society, and feared racial violence in Jacksonian America. However, his thoughts changed between the first and second volumes in regards to the greatest threats to democracy and America. It would seem that he took a step back in the second volume after the in-depth and specific study of America in the first volume. In doing so, he discovered that the greatest threat to all democracies, including America, lay in an increase in central power.

In Part Four Tocqueville writes that on his return to Europe after traveling to America, he noticed, "how most of our princes had already made use of the ideas, sentiments, and needs to which this same (democratic) social state had given birth to extend the sphere of their power" (661). This revelation had blinded him from seeing the possibility of a new type of despotism arising from a state of inequality in the first volume. Tocqueville writes,

> That led me to believe that Christian nations would perhaps in the end come under an oppression similar to that which formerly weighed on several of the peoples of antiquity. A more detailed examination of the subject and five years of new meditations have not diminished my fears, but they have changed their object (661).

In an even more revealing note from a draft from March 7, 1838, two years before the final edition of Volume Two of Democracy in America was published, Tocqueville references his words from Volume One, writing,

> I said in the first part of this book that the new societies could well finally arrive at something similar to what we saw at the fall of the Roman Empire. There is no middle ground, I said, between the government of all and the tyranny of the Caesars. [17]
>
> Four years of new meditations made me consider the same matter from another point of view and convinced me that if men are enslaved, they will be so in an entirely new fashion and will exhibit a spectacle for which the past has not prepared us (Nolla 2010, 1247).

[17] See page 8 to put this quote in its context of hard despotism.

He continues that the tyranny of the Romans cannot be established in times of equality (1247). Instead, despotism will take the shape of "bureaucratic tyranny," a "sort of paternity without the purpose of bringing the children to manhood" (1247). Most tellingly, Tocqueville ends the note by stating "that is the real and original picture. That of the first volume was declamatory, common, hackneyed and false" (1247).[18]

While such a note would seem to be the complete answer to the question of which form of tyranny Tocqueville believes to be the most likely to endanger democracy, it is important to remember that this note did not make it into the published edition. While he may have believed this in 1838, there is no way of knowing if Tocqueville felt the same way two years later when he finished his final version. In another draft, Tocqueville muses in his notes on whether to spend Chapter six discussing "military spirit" or "administrative despotism" (1245). For a time, Tocqueville clearly believed that democracies faced their biggest threat from an administrative despotism ruled by the military, but he changed his mind between drafts. If the final chapter on despotism had been devoted to military administrative tyranny, the whole projection of the book would have been altered. While he did still include a chapter on military despotism (perhaps he realizing its more minor relevance) he chose to focus on soft despotism, which became the regime he is most famous for describing. Because of this kind of ambiguity, it is more important to look at what Tocqueville chose to include rather than what he chose to exclude.

A more important indicator of the importance of soft despotism as a threat to democracy is its location in the second volume. He does not choose to introduce it until the third to last chapter, and it is the climax of the book, the final and perhaps most deadly threat faced by

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[18] See Shleifer (1980) chapter 13 for more on "Tocqueville's Changing Visions of Democratic Despotism"

democracy. Every sentiment and idea that he discusses in the second volume could lead to traditional despotism but it could also lead here, to a completely new kind of threat that democratic citizens need to be prepared to face.

Why would Tocqueville believe soft despotism to be the most dangerous? I would argue that while he maintains that there is still a danger of hard despotism in the new social state of equality, soft despotism is more dangerous because it occurs without any single person ever having to take control by force. Instead, power just slowly accrues to the center. There is no face of the tyranny, no singular despot to blame. Therefore it will also be much harder to overthrow the despotic power in soft despotism, a faceless bureaucracy, than that of a traditional or military despotism, one ambitious leader. Tocqueville states that centralization is the natural state of government under democracy; therefore it will take an active effort to *prevent* power from culminating at the center, a crucial element of soft despotism. Unlike traditional despotism, which requires a tremendous amount of effort exerted by one person or group against the majority, soft despotism requires a smaller amount of effort from all citizens everyday, to vigilantly protect individual rights from government encroachment and to exit the private sphere and participate in local government. The leaders within the government itself are also required to promote religion and self-interest well understood in their citizens, and recognize the importance of the individual and individual greatness. Otherwise, democracies are fated to become countries of disconnected, materialistic citizens who cannot vacate the private sphere of their individual lives to look up and see the despotism above them.

V.
The Fate of Democracy

The immediate threats facing Tocqueville's America are even greater than those facing democracies at large. America has a system of state government in which the legislators rule,

while the differences between the Northern and Southern economies have separated the two regions into politically warring parties. The federal government is too weak to be able to hold the states together, and already Tocqueville can see the threads holding the Union together beginning to break. At the same time, both Northerners and Southerners have to confront the glaring hypocrisy of maintaining slavery in a time of equality. The French political scientist goes so far as to even predict a race war, in which blacks, beginning to gain their independence in the North and perhaps gradual emancipation in the South, will rise up against their white oppressors and overthrow the chains of majority tyranny. Tocqueville does not see an easy answer to these challenges facing the Union, and he would not have been surprised by the secession that was soon to come.

Even though Tocqueville focuses so much time on the threats that may corrupt democracy and destroy liberty, he is an optimist about the capabilities of mankind to overcome these challenges. After every threat facing America that he identifies, he spends the same amount of time, if not more, describing how the threat can be combatted. He bases his political philosophy on underlying faith in the virtue of man to choose to live and work virtuously when faced with a political and social state of freedom. In the foreword of *The Old Regime and the Revolution*, the last work of political study Tocqueville would ever complete before his death, he writes,

> Even despots do not deny the merits of freedom; only they wish to keep it for themselves, claiming that no one else is worthy of it. Thus our quarrel is not about the value of freedom per se, but stems from our opinion of our fellow men, high or low as the case may be; indeed, it is no exaggeration to say that a man's admiration of absolute government is proportionate to the contempt he feels for those around him (Tocqueville, xv).

Tocqueville has a high regard for the abilities and virtues of man. He believes men are "worthy" of freedom in their personal life, to lead their lives the way they want to, and in public life, to

have a hand in regulating those activities of their own that interfere with the personal lives of others through politics (xv). Tocqueville believes all people should be free because it is the only way for them to display real virtue or "moral goodness" (11). When push comes to shove, they have the intelligence and morality to choose virtue over vice, and help those around them not because they believe it will benefit themselves under the doctrine of self-interest well understood, but because they know it is right. He does not believe that man needs to be directed by an overarching government that provides for his happiness because man is capable of providing happiness for himself. It is not a pessimistic picture; it is the most optimistic.

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