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Democracy in America in Contemporary Language

Volume I

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**Democracy In America:
In Contemporary Language**

Volume One

Alexis de Tocqueville

Doug Good, editor

PREFACE

Alexis de Tocqueville did two things in writing *Democracy in America*. He described the American citizens and the American experience from the perspective of a foreigner. And he presented a case study in political sociology. As history, his writing may be criticized and is understandably outdated on many points now, but his offering has enduring value because of his philosophic and analytic skills. Because as a writer he was a talented craftsman, it is a challenge to paraphrase him without removing the life from his depictions.

Tocqueville's prose is not difficult to read, nor are his points obscure. But much of the information he includes is extra baggage and the detail at times serves as a drag. Then too, the style of 19th century writing has more flourish than contemporary readers find acceptable. This paraphrase treatment hopefully gives a hydroplaning effect to Tocqueville's message while still delivering it safely and undamaged. This version is both brief (about 30% of the original) and inclusive. All the author presented is here---just minus the belaboring, the extra example, and the unnecessary detail.

Be assured that this version is not an abridgement in the sense of a depriving or a chopping. It is a faithful excursion through the whole body of text, lifting the essence up for easy viewing. It is a re-expression that retains the freshness that Tocqueville conveyed as a foreign observer excited about his discoveries and the tartness of his disapproval of too much equalitarianism. Where Tocqueville said it best you get his words. We just don't need all of them to get the point.

The kite still flies here but on a shorter string.

Note: For smoother reading all original wording is put in italics rather than embraced with quote marks. All bracketed material is added for clarity not editorial comment.

INTRODUCTION

In 1831, Alexis de Tocqueville, a young Frenchman of aristocratic background, traveled to America. This was a time when democratic revolution was sweeping across Europe and Tocqueville, a searching intellectual with a political career in mind, wanted to study the movement on site where it was most widely displayed--in the United States. He had studied law and the political classics and had served as a magistrate, so he had a raft of notions and questions as to what this wave of the future meant to noble families and how France could best benefit from or protect against it.

The Bourbon king, Charles X, had only months before been ousted. Tocqueville committed his loyalty to the new bourgeois monarchy of Louis Philippe thereby retaining his magistrate position, but he and a friend, Gustave de Beaumont, decided it might be a good idea to be out of the country until politics settled into a discernible pattern. The new regime would be suspicious of a broad study of democracy, but prison reform was an issue attracting much attention among liberal reformers. So the two young men finagled appointments as government commissioners to study the prison system in America. Under this guise they carried with them letters of introduction from diplomats and well-connected aristocrats and had the official, if hesitant, blessing of their government.

Tocqueville intended from the start to make a probing analysis of the American people and their political society, so he hit the ground running (New York city) in May, 1831, and spent a busy, alert, nine months asking questions, seeking conversations with both the lowly and the important and traveling from New England to Quebec, the Great Lakes, and down the Mississippi to New Orleans.

This was the Jacksonian era when America was vigorously thrusting itself into the frontiers of industry, commerce and new land occupation. The leadership of the elite members of the Revolutionary generation had been set aside in politics and the common people were finding new expression for their energies and leveling notions. Tocqueville took it all in but passed it through his analytical sieve. He proved to be both an admirer and a fault finder of American democracy. What he admired was the natural skill with which Americans, mainly of English stock, were able to manage the turbulent tendencies and inefficiencies of popular government. He saw that

democracy provided them a government that was not always wise yet was steady and broadly supported, a government that gave the people what they wanted and made them rabidly if not arrogantly patriotic.

Tocqueville never abandoned his aristocratic proclivities and knew that American democracy could not be practiced in the same way by French people. He was not at all comfortable with American crudeness and mediocrity, but he was clearly inspired by democratic ideas. He saw democracy as the future for western civilization and a welcome antidote to despotic royal regimes of the European past. He hoped that through the lenses of his political sociology, democracy might be crafted into useful form in France; and that by laying out for all to see just what this *new American man* was, France might draw from this model its best features and balance off its weaknesses and dangers with the strengths of aristocratic tradition. In the process Tocqueville created a remarkably perceptive depiction of democracy at work.

While his intended audience was the French reader, Americans embraced his book as well. As a foreigner Tocqueville could criticize American institutions and habits without drawing vilification as unpatriotic. And where he praised the American instincts he was not thought of as a sycophant, for his loyalties were elsewhere. He could get away with raw honesty, and if it were seen as disparaging it could be excused as a misreading. Not everything Tocqueville concluded has enduring value, but he presented an impressive run of accurate predictions. His insights into the American character are almost uncanny for a 25 year old foreign visitor who spent less than a year here. No American by his time had yet demonstrated equal brilliance of self-understanding.

The aspects of American society and government that Tocqueville found particularly salient included the sovereignty of the people, that is, participatory democracy; the mix of national and state authority, that is, national legislation alongside administrative decentralization; the political jurisdiction of American courts and their check on the legislature; the separation of church and state for assuring liberty; the thoroughly intimidating effect of the majority principle with its power of tyranny over dissent; and the all importance of laws and mores in grounding the nation in the practice of democracy.

Tocqueville is not an unabashed advocate for the democratic cause. He is a reflective thinker who marveled at what he observed on his trip, impressed by

what the Americans had wrought and by the culture that made it work. He was cautious about transporting the democratic system to European soil but anxious to use its principles in the cause of progress toward personal freedom. Equality, he felt, is an important corrective to centuries of despotism, but it risks mediocrity and even a new tyranny. Tocqueville saw how the Americans had developed devices to guard against the excesses of egalitarianism. He recognized that each country must find its own way, but he is optimistic that, with eyes open to democratic vulnerabilities, universal enjoyment of liberty is available to those who would accept and adjust to the democratic revolution.

AUTHOR'S INTRODUCTION

The most vivid impression I received from my visit to the United States was the *equality of conditions*. Affecting more than only laws and politics, this element *creates opinions, gives birth to feelings, suggests customs, and modifies whatever it does not create*. An observer cannot escape it. On returning to Europe I noticed *something analogous*, though not so extreme, *advancing rapidly* in the Old World. *It was at that moment that I conceived the idea of this book.*

Some welcome this democratic revolution to Europe as an *irresistible, continuous tendency* from ancient times. Others see it as a new *accident* of history that would best be checked. Seven hundred years ago in France a few families owned and ruled the land. With power tied to land ownership the right to rule was passed down through generations. The first chink in this political dominance came from the clergy, the ranks of which were open to commoners. Because a priest might vie with even the king for influence, *through the church, equality began to insinuate itself into the heart of government.*

With the complication of society and increased need for civil laws, lawyers left their *dusty chambers to appear at the king's court side by side with feudal barons dressed in chain mail and ermine*. Then, *while kings were ruining themselves in great enterprises and nobles wearing each other out in private wars, the commoners were growing rich by trade*, and money came to touch power in state affairs. With the advance of enlightenment a keen and educated mind became a valued commodity in matters of state. The value of birth diminished to the point that by the end of the 13th century ennoblement could

be bought. As the aristocrats and the monarchs sparred with each other for power, each group would in turn lift up the people to counterbalance or dislodge the other.

With the opening of society to economic opportunity *every invention in the arts and every improvement in trade and industry created fresh elements tending toward equality among men. The taste for luxury, the love of war, the dominion of fashion, all ... seemed to work together to impoverish the rich and enrich the poor.*

Poetry, eloquence, memory, the graces of the mind, the fires of the imagination and profundity of thought, all things scattered broadcast by heaven, were a profit to democracy, and even when it was the adversaries of democracy who possessed these things, they still served its cause by throwing into relief the natural greatness of man. Thus its conquests spread along with those of civilization and enlightenment, and literature was an arsenal from which all, including the weak and poor, daily chose their weapons.

The events of the past seven hundred years mark a steady road toward equality.

The Crusades and the English wars decimated the nobles and divided up their lands. Municipal institutions introduced democratic liberty into the heart of the feudal monarchy; the invention of firearms made villein and noble equal on the field of battle; printing offered equal resources to their minds; the post brought enlightenment to hovel and palace alike; Protestantism maintained that all men are equally able to find the path to heaven. America, once discovered, opened a thousand new roads to fortune and gave any obscure adventurer the chance of wealth and power.

And France is but a sample of the revolution taking place throughout the Christian world. The gradual progress of equality is something fated.

This whole book has been written under the impulse of a kind of religious dread inspired by contemplation of this irresistible revolution.

To try to halt the march of democracy would be as if to *fight against God Himself*. Rather we should undertake to direct, to educate democracy while its course is *not yet [too] swift* to control. *A new political science is needed for a world itself quite new.*

The progress of this social revolution in France has been *rapid yet haphazard*. The *leaders of the state* and the most intelligent and moral citizens

have had no thought to guide the movement, which has left democracy to its *wild instincts*. An unguided movement may overwhelm restraints but will soon be *weakened by its own excesses*. Then those *lawgivers* who find it too late to improve the revolution consider only abolishing it *to drive it out of the government*.

It has come about that our democracy [in France] is *without those elements which might have mitigated its vices and brought out its natural good points*. While we can already see the ills it entails, we are as yet unaware of the benefits it might bring.

In a simpler world where kings and nobles dominated society and the common people knew and accepted their place, peace and wretchedness coexisted, but several types of happiness existed unknown today. The *tyranny of the prince* was held in check by the confidence he enjoyed in receiving automatic respect from his subjects. *The very extent of the respect they inspired provided a motive for not abusing their power*. Without regarding the poor as equals, the nobles took thought for their fate as a trust confided to them by Providence.

The people in turn, conceiving no other social arrangement, accepted the benefits without questions. *They loved the nobles when they were just and merciful and felt neither repugnance nor degradation in submitting to their severities, which seemed inevitable ills sent by God*. Furthermore, custom and mores had set some limits to tyranny and established a sort of law in the very midst of force. A sort of good will was established between the classes. There was inequality and wretchedness in society, but men's souls were not degraded thereby.

Even though the lot of the poor was *work, coarseness, and ignorance*, they still possessed *lively passions, generous feelings, deep beliefs, and untamed virtues*.

Whatever be said of the system, *the body social thus ordered could lay claim to stability, strength, and above all, glory*. It was when the distinctions of rank began to get confused, and the barriers separating men began to get lower, that attitudes changed. As democracy became institutionally established, citizens could submit to the law because it was *their common work*. They could accept authority as *necessary*, not *sacred*, and their regard for the head of state might be *calm and rational* and without passion. With individual rights assured there would be no place for either pride or civility, and all classes

could show *a sort of reciprocal courtesy* toward each other. With citizens freely associating and sharing obligations *the state would be protected both from tyranny and from license.*

Though there is less place for glory in a democratic society, middle virtues can abound. There would be *less wretchedness; pleasures would be less extreme, but well-being more general; the heights of knowledge might not be scaled, but ignorance would be less common; feelings would be less passionate, and manners gentler; there would be more vices and fewer crimes.* Citizens could be *induced to make great sacrifices* by the persuasion of *education and experience*, rather than the *zeal of belief.* And feeling mutually dependent they would not separate private from public interest.

The nation as a body would be less brilliant, less glorious, and perhaps less strong, but the majority of the citizens would enjoy a more prosperous lot, and the people would be pacific not from despair of anything better but from knowing itself to be well-off.

Trading the advantages of aristocracy for the benefits of democracy could be appealing. But the change has been abandonment not transformation. Good and important things have been lost. *The prestige of the royal power has vanished but has not been replaced by the majesty of the law.* With authority disrespected and despised it can only do its work by inducing fear.

I notice that we have destroyed those individual powers which were able singlehanded to cope with tyranny, but I see that it is the government alone which has inherited all the prerogatives snatched from families, corporations, and individuals; so the sometimes oppressive but often conservative strength of a small number of citizens has been succeeded by the weakness of all.

With the *breakup of fortunes* the rich and poor are closer, but *with new reasons for hating each other.* And with mutual disrespect for each other's rights, force is their only line of argument.

The poor have kept most of the prejudices of their fathers without their beliefs, their ignorance without their virtues, and their egotism is now as unenlightened as their devotion was formerly.

We have *abandoned whatever good things the old order of society could provide but have not profited from what our present state can offer.*

French democracy, in its *disorderly passions*, has followed a conflict-ridden course and shattered the long-enduring *link between opinions and tastes, acts and beliefs.* The harmony that once existed *between the feelings*

and ideas of people is gone.

There has been a confusion of voices, without consistency. While Christians honor *human liberty as the source of all moral greatness*, religion for the moment has become entangled with those institutions which democracy overthrows. While once only *venal minds* defended slavery, now *noble and generous folk* praise it, and it is left to the *low, servile minds* to preach independence. Enlightened and patriotic leaders oppose civilization's advances, while men *without patriotism or morals* become the champions of progress. Old connections are loosened. Ours is an age where *virtue is without genius, and genius without honor*, where *love of order is confused with a tyrant's tastes*, and the *sacred cult of freedom is taken as scorn of law*, where *conscience sheds but doubtful light on human actions*, and where *nothing any longer seems either forbidden or permitted, honest or dishonorable, true or false*. I cannot believe that God intended man to *struggle endlessly through the intellectual squalor now surrounding us*

America is one country where the great social revolution of democracy in our time took place so naturally as to seem almost unrevolutionary. The early colonial emigrants to America *in some way separated the principle of democracy from all those other principles against which they contended when living in the heart of the old European societies, and transplanted that principle only on the shores of the New World*. It could there grow *in freedom and, progressing in conformity with mores, develop peacefully within the law*.

I feel France will one day match America's attainment of *equality conditions*, but does not see any need to copy her political forms. *It is enough that the creative source of laws and mores is the same in the two countries, for each of us to have a profound interest in knowing what the other is doing*.

I sought to learn from the American example without proposing to write a *panegyric*. He even reserved judgment as to whether the *social revolution is profitable or prejudicial*. It is enough that its progress has proven *irresistible*. America is an excellent place to study equality of conditions for there *it has come to the fullest and most peaceful completion*. He declaims being enamored with America but finds that country is the best setting for studying *the shape of democracy and its natural consequences*. Focusing on democracy's *inclinations, character, prejudices, and passions; I wanted to understand it so as at least to know what we have to fear or hope there from*.

I have endeavored to show the natural turn given to the laws by democracy

when left in America to its own inclinations with hardly any restraint on its instincts, and to show its stamp on the government and its influence on affairs in general. I wanted to know what blessings and what ills it brings forth. I have inquired into the precautions taken by the Americans to direct it, and noticed those others which they have neglected, and I have aimed to point out the factors which enable it to govern society.

PART 1

CHAPTER 1

Geography of North America

Amid the confusion and immense variety of the geographical features of North America is the striking division of the continent between the northern and southern portions. In Canada the land slopes gently toward the north pole without distinctively high mountains or deep valleys. Chance seems to trace the serpentine courses of the streams; great rivers mingle, separate, and meet again; they get lost in a thousand marshes, meandering continually through the watery labyrinth they have formed, and only after innumerable detours do they finally reach the Arctic sea. The Great Lakes are not framed ... by hills or rocks, but have level banks. Each is like a huge cup filled to the brim.

The region south of Canada is more habitable. Two mountain ranges paralleling the coasts--the Alleghenies on the Atlantic side and the Rockies on the Pacific--give boundary to a great valley covering six times the land size of France. Through this valley runs the great Mississippi River with 57 navigable tributaries running into it. *All things considered, the valley of the Mississippi is the most magnificent habitation ever prepared by God for man, and yet one may say that it is still only a vast wilderness.*

Between the Atlantic shoreline and the Alleghenies is a strip of rock and sand about 100 miles wide and 900 long where the first American settlers concentrated. *The center of power still remains there, while in the land behind them are assembling, almost in secret, the real elements of the great people to whom the future of the continent doubtless belongs.*

The first Europeans to land in the West Indies and South America thought

themselves transported to the fabled lands of the poets. The waters sparkled with transparent clearness. Scented islands float like baskets of flowers on the calm sea. Everything seen in these enchanted islands seems devised to meet man's needs or serve his pleasures. Edible fruits and brilliantly covered plants and birds abound.

In contrast, North America gave a very different tone of gravity. One might say that it had been created to be the domain of the intelligence, as the other was that of the senses. Its rocky shores were washed by a stormy, foggy ocean. Its trees were somber and melancholy. Death and new life seemed to mingle in its gloomy central forests where the air was always damp from the thousands of streams flowing through them, as yet uncontrolled by man.

As the trees give way in the central regions to prairies, it is uncertain if the lack of trees is due to natural phenomena or the destructive hand of humans, but it is seen that on this continent the vast wildernesses were not completely unvisited by man.

Native Americans

The nomadic people living here had some points of resemblance testifying to a common origin. But apart from that they were different from all known races of men. Their skin was reddish, their hair long and glossy, their lips thin, and their cheekbones very high. Their languages varied but the rules of grammar they shared set them apart from the formation of other known tongues. Those who invented these American languages must have possessed an intellectual drive of which present day Indians hardly seem capable.

The social state of these tribes also marks a difference from the Old World. Because of their isolation they remained untroubled by the corruptions of more civilized people who have muddled the concepts of good and evil. Their roughness and ignorance is uncomplicated. The Indian owed nothing to anybody but himself; his virtues, vices, and prejudices were all his own; his nature had matured in wild freedom.

In well-organized countries the ignorance and poverty of the common people affects them differently because they have daily contact with the wealthy and educated. The contrast of fortunes and power between the classes creates feelings of anger and fear in the lowly. They sense the humiliation of their inferior status and become both servile and insolent. With no prospect of

regaining equality, they give up hope and fall below the proper dignity of mankind.

Not knowing the value of European wealth, the first native North Americans to have contact with European visitors showed indifference to *acquired* prosperity. Rather than manifesting the coarseness of the lower classes in Europe, the Native Americans demonstrated *a habitual reserve and a sort of aristocratic courtesy. Gentle and hospitable in peace, in war merciless even beyond the known limits of human ferocity, the Indian would face starvation to succor the stranger who knocked in the evening on the door of his hut, but he would tear his prisoner's quivering limbs to pieces with his own hands. No famed republic of antiquity could record firmer courage, prouder spirit, or more obstinate love of freedom than lies concealed in the forests of the New World.* Making little impression on the Indians, the Europeans *were neither feared nor envied. What hold could they have on such men?*

The history of the tribes is obscure. A higher civilization *preceded them in these same regions.* But information about them is absent from traditions, names and languages.

The America the early explorers approached was a huge wilderness. *The Indians occupied but did not possess the land. It is by agriculture that man wins the soil, and the first inhabitants of North America lived by hunting. Their unconquerable prejudices, their indomitable passions, their vices, and perhaps still more their savage virtues delivered them to inevitable destruction.* Providence seems to have granted the natives *a short lease only.* This continent was a *yet empty cradle of a great nation* destined to be settled by *civilized man who would build society on new foundations.*

CHAPTER 2

English Heritage

Clues to an adult's *prejudices, habits, and passions* can be found in his infant years--what caught his attention while *in his mother's arms*, his first words, his early struggles. *The whole man ... is there in the cradle.*

So with nations. *Peoples always bear some marks of their origin.* In the first traces of a society's history might be found an explanation of the national

character. The *mists of time* tend to cover the source of customs and fables.

America is unique, though, in that its initial years came when the Old World was advanced in its self-awareness and faithful in its record keeping. America's development is not *hidden from our gaze by the ignorance or barbarism of the earliest times*. America's *point of departure* is evident and there is not an *opinion, custom, or law* that cannot be explained.

Despite the variety of immigrants to the New World with their different aims and guiding principles, *they all found themselves in analogous circumstances*. The language and political heritage of England dominated. The English *had more acquaintance with notions of rights and principles of true liberty than most of the European nations at that time*, so the *germ of free institutions*, local government, and the *dogma of the sovereignty of the people* was transported over. The English sons *who sought a new future on the far side of the ocean* were steeped in the *intellectual battles* that had advanced a *more profound* and the religious *quarrels* that had led to *chaster mores*.

A further factor affecting the *waves* of immigrants from all parts of Europe was the leveling experience. The new shores harbored the *germ of democracy*. Most who crossed the ocean knew nothing of *superiority*. *It is not the happy and the powerful who go into exile, and poverty with misfortune is the best-known guarantee of equality among men*. Those few lords who came found that *the soil of America absolutely rejected a territorial aristocracy* and any *hierarchy of ranks*. The effort required to clear *untamed land* that was not generally fertile provided no base for *handing down* landed wealth. This left room for a *middle-class and democratic freedom* to grow in America.

The *Anglo-American family* had two branches---North and South. The two main characteristics of the early Virginia colony were: 1) its leaders were *gold-seekers, men without wealth or standards, restless, turbulent* and interested only in *gain*; 2) the men of this character were influenced by the early introduction of slavery into their midst with its insult to honest labor. In the South ignorance was paired with pride, poverty with luxury.

New England Puritans

Sharing the English background, the North went the opposite direction. New England was unique among the colonies in drawing well-to-do and well educated emigrants to its shores to the exclusion of the top and bottom of

society--the lords and the poor. Also the New England immigrants brought their families. Their motivation was intellectual not material. And they had an object: *the triumph of an idea*--religious freedom.

The spirit of these Pilgrims who landed at Plymouth in 1620 is described by an early historian: Inspired by the scriptural accounts of the Israelites occupying their promised land, so here God brought these *pious adventurers as a vine into the wilderness*. He *cast out the heathen and planted it, and caused it to take deep root; and it filled the land*. This was not just *a little party of adventurers, seeking their fortunes overseas*, but *the scattering of the seed of a great people which God with His own hands is planting on a predestined shore*.

As a political as well as a religious movement, and with the penchant for organization, the Puritan emigrants immediately established a *body politic* with *laws, ordinances, acts, constitutions, and officers*.

The disruptions in England under Charles I *drove fresh swarms of dissenters across to America every year*. Because the *nucleus of the Puritan movement* was middle class, class hierarchies were left behind in this emigration. The colony *came more and more to present the novel phenomenon of a society homogeneous in all its parts*. *Democracy more perfect than any of which antiquity had dared to dream sprang full-grown and fully armed from the midst of the old feudal society*.

The English government was undisturbed by such distant *experiments in freedom*. It was *glad to see the seeds of discord ... dispersed afar* and considered New England *a land given over to the fantasy of dreamers*.

The prosperity of English colonies is due mainly to such *internal freedom and political independence* allowed, and nowhere was this liberty more complete than in New England. Some British territories in North America were administered by a king-appointed governor and some by an individual proprietor or company under royal supervision. Only in New England were the reins so loose as to allow the immigrants *under the patronage of the motherland to govern themselves in any way not contrary to her laws*.

New England Government

Acknowledgement of such civil arrangement generally came after the fact in New England. Massachusetts gained its charter in 1628, and other colonies (Plymouth, Providence, New Haven, Connecticut and Rhode Island) whose

founding occurred *without the help and, in a sense, without the knowledge of the motherland* were legalized by charter 30 to 40 years later under Charles II.

For this reason it is often difficult, when studying the earliest ... records of New England, to detect the link to the homeland. One continually finds them exercising rights of sovereignty; they appointed magistrates, made peace and war, promulgated police regulations, and enacted laws as if they were dependent on God alone.

The laws passed in these years are *instructive of the social enigma presented to the world by the United States now*. In drawing up the criminal code, colonial lawgivers borrowed some of their sanctions from the Bible to the effect of creating penalties too severe to carry out. Among those crimes punishable by death were *blasphemy, sorcery, adultery, and rape*, even a child outraging his parents. *As a result the death penalty has never been more frequently prescribed by the laws or more seldom carried out.*

With good behavior and sound mores in mind, these penal code framers constantly invaded the sphere of conscience, and there was hardly a sin not subject to the magistrate's censure. Severe penalties were assessed for such things as idleness, lying, smoking, even practicing a wrong religion. And the social mores were *even more austere* than these laws.

Alongside the colonial criminal codes influenced by sectarian passions was *a body of political laws which still seems very far in advance of the spirit of freedom of our own age in Europe*. Trends even then incomplete in England were given legal authority in New England---*the participation of the people in public affairs, the free voting of taxes, the responsibility of government officials, individual freedom, and trial by jury*.

In contrast to most European nations, in New England political organization began at the local level and worked upward to county and state level rather than being imposed from above *in the higher ranks of society*. In America communities took shape first with local attachments, and, while the mother country's supremacy was recognized, each New England locality as early as 1650 *was already a lively republic*. Such local independence was based on an economic equality, and an intelligent and participating body of citizens, and *is still the mainspring and lifeblood of American freedom*.

Democracy and Religion in New England

The colonial towns looked after their affairs with an unusual understanding of governmental problems and an awareness of *social needs of which in France we are still now but vaguely conscious*. The people appointed *magistrates of all sorts, assessed themselves, and imposed their own taxes*. They dealt with concerns in the marketplace and in their representative assemblies. Even beyond such matters of public order as attention to registers, supervision of roads, providing for the poor and dealing with intestate property and land boundaries, the colonies distinguished themselves with the most originality in provision for public education.

The religious motivation of the New Englanders explains their concern for general literacy. The Connecticut Code of 1650 attributes *that old deluder, Satan* with intent to keep people unable to read the scriptures for themselves. Fines were imposed if schools were not maintained and parents failed to send their children. *In America it is religion which leads to enlightenment and the observance of divine laws which leads men to liberty*.

In contemporary Continental Europe the contrast is *profoundly astonishing*. At the start of the seventeenth century absolute monarchies stood triumphantly, and *the conception of rights was perhaps more completely misunderstood than at any other time*. While principles of liberty were unknown or scorned in Europe, they were *proclaimed in the wildernesses of the New World*. *In this apparently lowly society the boldest speculations of humanity were put into practice. ... With free rein given to its natural originality, human imagination there improvised unprecedented legislation. In that unconsidered democracy which had as yet produced neither generals, nor philosophers, nor great writers, a man [colonialist John Winthrop] could stand up in front of a free people and gain universal applause for a fine definition of freedom*.

In America *two perfectly distinct elements which elsewhere have often been at war are somehow incorporated into each other, forming a marvelous combination, namely, the spirit of religion and the spirit of freedom*. These pervasive tendencies were *distinct but not contradictory*.

To the founders of New England, *political principles, laws, and human institutions seem malleable things which can at will be adapted and combined*. *The barriers which hemmed in the society in which they were brought up fall before them; old views which have ruled the world for centuries vanish; almost limitless opportunities lie open in a world without horizon; the spirit of man rushes forward to explore it in every direction; but when that spirit reaches the*

limits of the world of politics, it stops of its own accord; ... and it bows respectfully before truths which it accepts without discussion.

Thus, in the moral world everything is classified, coordinated, foreseen, and decided in advance. In the world of politics everything is in turmoil, contested, and uncertain. In the one case obedience is passive, though voluntary; in the other there is independence, contempt of experience, and jealousy of all authority.

Far from harming each other, these two apparently opposed tendencies work in harmony and seem to lend mutual support.

Religion and politics each has its divinely ordained sphere. Freedom sees religion as the companion of its struggles and triumphs, the cradle of its infancy, and the divine source of its rights. Religion is considered as the guardian of mores, and mores are regarded as the guarantee of the laws and pledge for the maintenance of freedom itself.

English background for laws and customs

Some trappings from the first settlers' past---their education and the national tradition of the homeland---filtered through to become part of American law unaltered by New World conditions. For example, rules on bail that allow a defendant to avoid imprisonment while the case is under consideration favor the rich and place hardship on the poor. These rules are English; the Americans have not changed them at all, although they are repugnant to their laws in general, and to the bulk of their ideas.

The reason is that when a people make changes, civil laws are least likely to be touched. The implications are difficult to appreciate, and the people submit ... unthinkingly. The lawyers prefer to keep civil law unchanged simply for the familiarity factor.

Other examples could be shown, but in summary, the surface of American society is covered with a layer of democratic paint, but from time to time one can see the old aristocratic colors breaking through.

CHAPTER 3

Characteristics of a Democratic Society

Alexis de Tocqueville did two things in writing Democracy In America. He described the American citizens and the American experience from the perspective of a foreigner. He also presented a case study in political sociology. As history, his writing may be criticized, and is understandably outdated on many points now, but his offering has enduring value because of his philosophic and analytic skills. As a writer he was a talented craftsman. It is a challenge to paraphrase him without removing the life from his depictions.

Democracy in America in Contemporary Language Volume I

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