

**Alexis de Tocqueville: The Traditionalist Roots of
Democracy**

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Working Paper n. 9
Barcelona 1990

Both the American and French Revolutions went beyond national borders and shook the world. This was the beginning of a new age. As BALLANCHE said in the middle of the Restoration: "Nous sommes arrivés à un âge critique de l'esprit humain, à une époque de fin et de renouvellement. La société ne repose plus sur les mêmes bases, et les peuples ont besoin d'institutions qui soient en rapport avec leurs destinées futures. Nous sommes semblables aux Israélites dans le désert"¹, the work of Alexis de TOCQUEVILLE (1808-1859) comes into this context of profound change. He had been born into a family of Norman aristocracy, related to MALESHERBES and CHATEAUBRIAND. The July Monarchy removed his stock from power and placed it in the ranks of legitimism.

After his trip to the United States, he began his political thought, encouraged by the implicit desire to offer his world a prospect for the future in the face of the new liberal regime of bourgeoisie and officials. In 1835, when he was thirty, he published the first volume of La Démocratie en Amérique (D), which was a great success, unlike the second, which was more ambitious and detailed, published five years later.

In short, it led him to political action, that was not very spectacular, and that left him with a certain feeling of disappointment. A Member of Parliament from 1839 until 1851 for Valognes, where he lived, he was not particularly enthusiastic about the Republic and was relieved when CAVAINGAC defeated the people of Paris. Although he was not a member of the commission that drafted the Constitution in 1848, he did not manage to impose on it his main theories. Finally, in 1849, he became Foreign Secretary under BARROT, and remained in this position for five months.

The Coup d'Etat by Louis Napoleon ended his political career. His critical comments on the revolutionary period, collected in Souvenirs (S), written in retirement in Sorrento, have a bitterness resembling that of MARX. In 1856, already away from active politics, he prepared and published the first part of L'Ancien Régime et la Révolution (AR), a study on the traditional roots of the French Revolution and on his major subject: the end of aristocracy, the end of his world.

His work and his personality reflect to some extent the inner conflict of a socially defeated person, as SCHMITT indicates². This causes him to adopt a remote attitude, from which he makes a proposal to open up a course in the future for his world. For this reason he can disassociate himself both from the myth of operational democracy and from his conviction for counter-revolutionary ideas.

According to MAYER³, TOCQUEVILLE's theory is neither that of a liberal, nor, as MOLNAR says⁴, that of a counter-revolutionary. From a profound axiological viewpoint, he constructs a democratic, scientific and prescriptive theory. The result however, is more radical than the one that he himself would willingly have been prepared to accept and, in particular, the one that his potential followers could assimilate.

More indebted to the method than to the ideas of MONTESQUIEU, critic of Physiocracy and of "literary politics", that is to say of Illustration (the question "Quel Français s'aviserait aujourd'hui d'écrire les livres de DIDEROT ou d'HELVETIUS?" is posed in AR 111, 2); and always faithful to PASCAL, he agreed with STUART MILL in an attempt to make freedom and democracy compatible. There was an important difference, however: the French thinker considered democracy also (especially) as a social state. The difference between them does not stem so much from the fact that TOCQUEVILLE was a Whig and that MILL was inclined towards French radicalism, as NEGRO maintains⁵, but rather that TOCQUEVILLE, perhaps unintentionally, was capable of formulations that were closer to Rousseau's set of theories. Perhaps without CHATEAUBRIAND and without the traditionalist background of his ideology, it would be impossible to understand the radicalism and scope of his idea of democracy.

This clear-thinking aristocrat, a politician without followers and out of luck, devised a theory of democracy that has stood the test of time. However, in his writings he was not enthusiastic about it, but rather analyzed its profound trends, precisely in order to avoid them.

The key that enables us to begin to understand TOCQUEVILLE's theories lies in the opposition between aristocracy and democracy. It is not just a matter of political opposition between political systems. Aristocracy and democracy are two social states, two types of society that preclude each other. It is therefore impossible to resort to mixed forms. If aristocracy is the "permanent inequality of classes" and democracy is the "equality of classes", the clash between the two of them places a society based on social inequality in confrontation with a society based on equality.

History shows us the direction in which the contradiction is resolved. "Les peuples chrétiens me paraissent offrir de nos jours un effrayant spectacle; le mouvement qui les emporte est déjà assez fort pour qu'on ne puisse le suspendre, et il n'est pas encore assez rapide pour qu'on désespère de le diriger: leur sort est entre leurs mains; mais bientôt il leur échappe" (D Introduction). The democratic revolution itself has destroyed the old aristocratic

and feudal world. Aristocratic society is at an end and a new society is emerging. This is his point of departure. "L'aristocratie était déjà morte quand j'ai commencé à vivre et la démocratie n'existait point encore" (letter to Henry REEVE, 22-111-1837).

Democracy is not the result of an accident, but it stems from the changes in the structure of land ownership. The latter lost its exclusive character as a source of power, at the same time as equality was established. Everything confirms this trend. "Mais voici les rangs qui se confondent; les barrières élevées entre les hommes s'abaissent; on divise les domaines, le pouvoir se partage, les lumières se répandent, les intelligences s'égalisent; l'état social devient démocratique, et l'empire de la démocratie s'établit enfin paisiblement dans les institutions et dans les moeurs" (D Intr.).

Moreover, all this happens because democracy responds to an irresistible historical impulse. It is "le fait le plus continu, le plus ancien et le plus permanent que l'on connaisse dans l'histoire" (D Intr.). The arrival of equality of classes is providential: "Le développement graduel de l'égalité des conditions est donc un fait providentiel, il en a les principaux caractères: il est universel, il est durable, il échappe chaque jour à la puissance humaine; tous les événements comme tous les hommes, servent à son développement" (D Intr.). It appears to be a process desired by God.

However, let us not confuse the allusion to Providence with its theoretical use by the French counter-revolutionaries, in particular by DE BONALD. Of course, TOCQUEVILLE was educated in a monarchic environment, but it is more likely that his message, addressed to the people of his class who were guided by legitimism, made him reinforce his argument with a surplus of legitimacy, which could easily be isolated from the mechanics of progress of the society he was describing: the struggle for a wider distribution of property. The democratic revolution is neither the work of the devil nor a punishment from heaven for the arrogance of humans who dared to question God. It is the result of the crisis of feudalism and the search for greater equality of property. Summing up all his ideas, he repeated it at the end of his life: "Tous les hommes de nos jours sont entraînés par une force inconnue qu'on peut espérer régler et ralentir, mais non vaincre, qui tantôt les pousse doucement et tantôt les précipite vers la destruction de l'aristocratie" (AR Preface).

In short, two social states clash. Aristocracy ends. Democracy, its opponent, wins. This is the meaning of history.

However, let us not identify TOCQUEVILLE with progressivism either, as BURY suggests⁶. Democracy is no better than aristocracy; it is merely the future. It is not the attainment of the kingdom of values through human effort. This is the difference between him and the theoreticians of progress. He has no particular affection for democracy. He merely confirms its advance, without judging it: "Je n'ai même pas prétendu juger si la révolution sociale, dont la marche me semble irrésistible, était avantageuse ou funeste à l'humanité; j'ai admis cette révolution comme un fait accompli ou prêt à s'accomplir" (D Intr.).

It is not a question of discussing the merit of one or other formula, because it is no longer possible to choose between aristocracy and democracy. He said in a letter to Eugène STOFFELS (21-II-1835): "J'ai prétendu leur démontrer que, quelle que fût leur opinion à cet égard, il n'était plus temps de délibérer; que la question n'était point de savoir si l'on pouvait obtenir l'aristocratie ou la démocratie, mais si l'on aurait une société démocratique désordonnée et dépravée, livrée à des fureurs frénétiques ou courbée sous un joug plus lourd que tous ceux qui ont passé sur les hommes depuis la chute de l'Empire romain".

It is from this point of view that we have to place TOCQUEVILLE's famous statement: "Il faut une science politique nouvelle à un monde tout nouveau" (D Intr.). It is a question of understanding the new world, in order to be able to guide it. A theoretical aspiration in which axiology is an incentive for reconsidering traditional explanations. This scientific desire has been strongly stressed by LIVELY⁷, FELDHOFF⁸ or HENNIS⁹, although he has been underestimated as a scientist by James BRYCE¹⁰, PIERSON¹¹ or VOSSLER¹².

Moreover, it is for that reason that, despite the well-known connections of accent and method with MONTESQUIEU, the relationship with him is not that of a follower. Ever since ROYER-COLLARD praised the first volume of Democracy in America, saying that "nothing like this has appeared since MONTESQUIEU" or since SAINTE-BEUVE gave his opinion that "his inferiority is clear if one compares him with MONTESQUIEU", the debate on his scientific content has continued and his privileged connection with MONTESQUIEU has been reaffirmed from ARON¹³ and RICHTER¹⁴ to CHEVALLIER¹⁵ and LAMBERTI¹⁶. MAYER linked him with PASCAL and only slightly with MONTESQUIEU, and DIEZ DEL CORRAL¹⁷ stressed in particular the debt he owed to the philosopher PORT-ROYAL and to ROYER-COLLARD. In the end it was TOCQUEVILLE himself who said: "Il y a trois hommes avec lesquels je vis tous les jours un peu: c'est Pascal, Montesquieu et Rousseau" (letter to Louis de KERGOLAY, 10-XI-1836).

However, society and the political world had been overturned, so that his connection with MONTESQUIEU, although it went beyond that of the literary style of subtitles, as PIERSON claims, it was more in values than in ideas. It could not be any other way. His theoretical paradigm had to be founded on other bases, precisely because the aim is to explain a different reality. TOCQUEVILLE talks from the new world, from the emerging capitalist society.

The Anthropological Concept

We have seen how, for TOCQUEVILLE, class equality is a developing reality. This natural trend, owing to the fact that it is so inexorable, must come from divine will, the meaning of which always escapes human beings. We may discover it, but we cannot understand it in its deepest sense. No rationality therefore, can be known on this matter. It is only because of it that a person participates with his free will.

This person is not in himself either good or bad. He is neither a wolf, nor a peaceful property owner, nor a noble savage. Man is a mixture of positive and negative forces. "Tu sais que sans être plus détaché qu'un autre de la bête, j'adore l'ange et que je voudrais à tout prix le voir prédominer. Je me travaille donc la tête sans cesse pour découvrir, s'il n'y aurait pas entre ces deux extrêmes, un chemin moyen où l'humanité pût se tenir et qui ne conduisit ni à Héliogabale ni à Saint Jérôme; car je me tiens pour assuré qu'on n'entraînera jamais le gros des hommes vers l'un ni vers l'autre, et moins encore vers le second que vers le premier" (letter to Louis de KERGOLAY, 5-VIII-1836). Men are neither very good nor very bad; they are a mixture of good and evil. They live in permanent tension between one pole and the other.

This permanent dualistic character of human nature, which excludes the ability to achieve perfection, is ruled by instinct and by art. Instinct carries out the trend of history. The art of the spirit regulates and moderates what is bad in the instinct and keeps the person on an acceptable, albeit unstable, moral plane.

Only from the supposition of conflict as being permanent can there arise a moral balance between instinct and art, between democracy and freedom, between Heliogabalus and Saint Jerome. A difficult and precarious balance. A balance that institutions, laws, and in particular customs can help to uphold.

The person is motivated by the search for material well-being and a leveling of property. This is his instinct. We are far from the man who maximizes utility in a conflicting society. Social conflict arises from the struggle

for equality. However, a democratic society is capable of living as an integrated unit, in a scheme belonging more to LOCKE and JEFFERSON than to MADISON.

We have, then, a person who acts against privileges from the desire or instinct of equality rather than from goodness, egoism, or justice. A person who acts as a "homo economicus", always looking for the leveling of property, because this is the heart of equality.

How does this person relate to others? This already comes from nature, not only from the social state shaped by history and by responsible will. "L'état social est ordinairement le produit d'un fait, quelquefois des lois, le plus souvent de ces deux causes réunies; mais une fois qu'il existe, on peut le considérer lui-même la cause première de la plupart des lois, des coutumes et des idées qui règlent la conduite des nations... Pour connaître la législation et les moeurs d'un peuple, il faut donc commencer par étudier son état social" (D 1,3).

TOCQUEVILLE, with his ambivalent moral view of the person, incapable of reaching perfection, conceives the balance between instinct and spirit as the key. He defines a world of the superstructure that is not explained by itself, despite extensive valuation of the individual subjective level, but that finds its rational origin in the social state on which it is based, which at the same time is the result of the social struggle occurring in history in the dispute over the distribution of property.

Democracy as a Model

TOCQUEVILLE has a passion for freedom, not equality. However, democracy becomes the central theme of his thinking. Democracy is a social state, which includes democratic government as one of its features. Therefore, it is a democracy, which like the first liberalism, refuses to be reduced to the enclosure of the State and the Law to cover the whole of society.

In the well-known phrase at the beginning of Democracy in America he states that class equality (democracy) "fait étendre son influence fort au-delà des moeurs politiques et des lois, et... il n'obtient pas moins d'empire sur la société civile que sur le gouvernement" (D Intr.). Democracy is not, therefore, a procedural technique of choosing leaders or of decision-making, nor only a legal and political reality, but a social state, that includes the political world as one part, adapted to the rest. Don't we hear an echo of MONTESQUIEU's division between social state and political state?

Democracy is a universal reality; it is not an American peculiarity. It will arrive in France: "Il me paraît hors de doute que tôt ou tard nous arriverons, comme les Américains, à l'égalité presque complète des conditions" (D Intr.). It even partly but irreversibly exists already. It is necessary, therefore, to understand it, in order to regulate it and moderate it. And for this reason TOCQUEVILLE builds up a scheme of ideas, from observations made in the country where it already exists. "Parmi les peuples qui l'ont vue s'opérer dans leur sein, j'ai cherché celui chez lequel elle a atteint le développement le plus complet et le plus paisable" (D Intr.).

Therefore, TOCQUEVILLE studied democracy in America and not American democracy. He studied democracy in the State and in the new society, not in the pre-capitalist city and world. From observation of the reality, he then made a model (which owes some of its parts to England, which he admired greatly, as FONTMICHEL¹⁸ and DRESCHER¹⁹ have stressed), which would enable him to give an overall meaning to the reality and to each one of its parts. SAINT-BEUVE criticized him for the "lack of examples to illustrate or enliven some pages." But this is the core of his method: to observe, select the facts and intellectually construct a model that can be used to provide an even better understanding of the initial hypothesis: "En partant des notions que me fournissait la société américaine et française, j'ai voulu peindre les traits généraux des sociétés démocratiques dont aucun complet modèle n'existe encore" (letter to J. STUART MILL, 18-X-1840). American democracy is not the model, but from it, one can construct a theoretical model, that makes it possible to understand the whole of the democratic reality. History is no longer a bag full of examples; it is a development that must be understood in its change.

He did not intend, then, with the natural law concepts of rationalism and the recourse to a pre-civil state to justify Society or the State. Neither did he adopt the British Utilitarianism of the age. But even less was he a radical empiricist. On this track, he was following in the steps of MONTESQUIEU, in considering observation and history to be the basic tools of scientific reasoning. Although in his case, it was a history that was divided into periods by social states and by an observation that, expressed by reason, helped to construct a theoretical model: democracy is the social state of a single class, that brings with it a coherent democratic political State. Therefore, a new political science must be constructed. There must be a new world.

Thus, his method was neither historical, nor comparative (the object of his study was not entirely clear), nor legal (democracy is a whole), nor philosophical (it is necessary to understand what it will be). He constructed an overall theoretical model of democracy, from an interpretation of history, based

on the struggle for equality as the driving force, and on the observation of a case, so as to be able, from scientific knowledge, to regulate and moderate human instincts and to be able to establish an integrated society based on freedom.

Social Classes and the Democratic Revolution.

TOCQUEVILLE conceived democracy as a social state, a necessary assumption of political democracy, and thought, as well as JEFFERSON, that democracy required people either economically self-sufficient, owners, or who could become so. As LASKI stated, "he noticed that property privileges were contradictory with popular sovereignty"²⁰.

The many existent situations relating property articulate the most reliable human groups in community: the social classes. "Je parle des classes, elles seules doivent occuper l'histoire" (AR 11,12). Together with a wide tendency of French contemporary historiography, for TOCQUEVILLE the subjects of History are classes. These classes move around the main conflict: the unequal division of richness, and, especially, of property. He repeatedly quotes three of them (although he often blends whether dividing or applying epithets to them): aristocracy or upper classes, including nobility; bourgeoisie or middle class; and the people. These classes fight each other in many conflicts that reach the highest level in the alteration of the social state. This struggle can become global: "Le tiers état et la noblesse étaient entremêlés sur le même sol; mais ils y formaient comme deux nations distinctes qui, vivant sous les mêmes lois, restaient cependant étrangères l'une à l'autre" Etat social et politique de la France avant et depuis 1789, 1).

In this context of class struggle, revolutions occur. Or in TOCQUEVILLE's words, democratic revolution. He was not in favor of political revolution. His personal development and his writings are witness to that. Even his family background separated him from them. Hadn't his great-grandfather MALESHERBES died, together with his daughter and his son-in-law, on the scaffold for having defended Louis XVI during the Convention? Weren't his parents saved from the same fate thanks to 9 Thermidor? Almost certainly, his family and the social sphere in which he was brought up did not think kindly of the Revolution.

But the coming of democracy is a revolution, which overturns the aristocratic society. In his first book, he is categorical: democracy is revolution. But in 1836, he appears to soften the idea: "Tout ce que la Révolution a fait se fût fait, je n'en doute pas, sans elle; ell n'a été qu'un procédé violent et rapide à

l'aide duquel on a adapté l'état politique à l'état social, les faits aux idées et les lois aux moeurs" (Etat II).

He mentions, however, two different revolutions: the social one and the political one, the revolution as a process and as an act, the fundamental one and the one capable of adapting the political world to society. Social revolution had come so far that a change in politics was needed: this was the French Revolution. "Quelque radicale qu'ait été la Révolution, elle a cependant beaucoup moins radicale qu'ait été la Révolution, elle a cependant beaucoup moins innové qu'on ne le suppose généralement ... Elle n'était que la terminaison soudaine et violente d'une oeuvre à laquelle dix générations d'hommes avaient travaillé ... La Révolution a achevé soudainement ... ce qui se serait achevé peu à peu de soi-même à la longue" (AR 1,5). Another kind of adaptive politics would have been possible. And, for TOCQUEVILLE, preferable. Political revolution is an epiphenomenon, because deep-seated, fundamental revolution can operate with or without it. Social (evolutional) revolution is true revolution.

This idea of the traditional and evolutionary nature of change, this consideration of political revolution as unnecessary and undesirable, this study of the long-term historical causes underlying violent phenomena led him to be related to BURKE, whose work he knew and quoted, although he would continue not to be connected with it. A tradition of interpretation, expressed by KIRK²¹ or Claude POLIN²², agreed with GLADSTONE's declaration that "TOCQUEVILLE was the BURKE of his century"²³. The search for the roots of a society that continues to be impassive in the face of revolutionary disturbances and the rather cool attitude towards democracy, are aspects that have been shown by this current. But it seems to me that TOCQUEVILLE is clear on this matter: democratic revolution is a deep-seated revolution that follows its own, albeit unfinished course. In Souvenirs, he said: "1830 me semblait avoir clos cette première période de nos révolutions ou plutôt de notre révolution, car il n'y en a qu'une seule, révolution toujours la même à travers des fortunes et des passions diverses, que nos pères ont vu commencer et que, suivant toute vraisemblance, nous ne verrons pas finir" (S. I,1). Violent incidents, that are usually called revolutions, result from democratic revolution that operates in an evolutionary way. Political revolutions are secondary, and inevitable aspects of this. There is only one revolution: the one created by the single class society. The French Revolution was not its culmination, and nothing will stop its advance.

The Single Class Society

A democratic society is a society of independent people, which is united once again by bonds of solidarity, as it is no longer divided into classes. It is based on acquired status rather than on status awarded by appointment. It is "un état social dans lequel la loi ni la coutume ne retiennent plus personne à sa place" (D II,2,XIII) and in which "les prérogatives de naissance et de fortune sont détruites, que toutes les professions sont ouvertes à tous, et qu'on peut parvenir de soi-même au sommet de chacune d'elles" (D II,2,XIII).

After the destruction of the feudal restrictions of the labor market and the disappearance of aristocracy, the new society "ne multiplie donc pas seulement le nombre des travailleurs; -tandis qu'elle les dégoûte de l'agriculture, elle les dirige vers le commerce et l'industrie" (D II,2,XIX). "Dans les démocraties, il n'y a rien de plus grand ni de plus brillant que le commerce" (D II,2,XIX), to the point where "la plupart (of the farmers) ont fait de l'agriculture un commerce" (D II,2,XIX). In his books, TOCQUEVILLE describes a budding capitalist society, possibly prior to the moment in which he writes, and which owes a very great deal to Jacksonian mythology. But it leads to an underestimation of its economic mechanisms, basic social coagulants, in particular from the point of view of the "new" bonds arising between people, a subject of great concern to him.

Democracy demands democratic institutions, as we shall see later on, but above all, it demands a democratic society. "Pour moi, quand je verrais des institutions démocratiques s'établir chez un peuple où régnera une grande inégalité dans les conditions, je considérerai ces institutions comme un accident passager" (Etat I). "Mais la plus dangereuse de toutes les inégalités est celle qui résulte de l'indivision de la propriété foncière... Il n'y a rien au contraire de plus favorable au règne de la démocratie que la division de la terre en petites propriétés" (Etat I). Therefore, democracy means the disappearance of aristocracy and the creation of a society of equals, of small property owners, although democratic institutions may also be maintained if there is not great inequality. It is not a matter of there not being rich people, but of there not being aristocratic classes. "A vrai dire, quoiqu'il y ait des riches, la classe des riches n'existe point; car ces riches n'ont pas d'esprit ni d'objets communs, de traditions ni d'espérances communes. Il y a donc des membres mais point de corps" (D II,2,XX).

According to BIRNBAUM²⁴, the democratic society for TOCQUEVILLE "constitutes a whole, a whole of which the parts are linked to each other, where the social groups have no private interest that would inevitably cause a confrontation ...; he thinks this principle to be essential for keeping the integrity of the social body". The nineteenth century thinker says: "Quand un peuple a un état social démocratique ... il n'existe plus dans son sein de castes ni de

classes, et tous les citoyens y sont à peu près égaux en lumières et en biens" (D II,3,XX,n.2). Then "chaque classe venant à se rapprocher des autres et à s'y mêler" (D II,2), all of them are moving towards their disappearance.

However, aristocratic trends have not disappeared. In a projection towards the future, TOCQUEVILLE pointed out two new ones: manufacturing aristocracy and officials.

Let's look first at the case of the industrial bourgeoisie as the new aristocracy, as a new class: "Je pense qu'à tout prendre, l'aristocratie manufacturière que nous voyons s'élever sous nos yeux est une des plus dures qui aient paru sur la terre; mais elle est en même temps une des plus restreintes et des moins dangereuses. Toutefois, c'est de ce côté que les amis de la démocratie doivent sans cesse tourner avec inquiétude leurs regards; car, si jamais l'inégalité permanente des conditions et l'aristocratie pénètrent de nouveau dans le monde, on peut prédire qu'elles y entreront par cette porte" (D II,2,XX). There are certainly examples to prove that it was already a reality in his age, but even so, it had to be stressed, as well as the relationship between the bourgeoisie and the workers. "Dans la lutte continuelle que ces deux classes se livrent pour les salaires, les forces sont donc partagées, les succès alternatifs. Le est même à croire qu'à la longue l'intérêt des ouvriers doit prévaloir" (D II,3). The description of the bourgeoisie and the workers as classes arising in the historical process of forming the single class society is therefore significant.

The other new factor in class division is the official. He may be analyzed from the ideas on growth and centralization of the power of the State. In Europe, the princes "substituent des fonctionnaires à l'aristocratie" (AR I,2), he asserts in discussing the Old Régime, and criticizes the physiocrats who replace the nobility with officials in order to ensure their subjects' material well-being.

"Les fonctionnaires administratifs, presque tous bourgeois, forment déjà une classe qui a son esprit particulier, ses traditions, ses vertues, son honneur, son orgueil prope. C'est l'aristocratie de la société nouvelle" (AR II,6).

Don't we find ourselves confronted by the two basic groups of the July Monarchy? Don't we also find ourselves confronted by the two basic parts of present social systems? Isn't this man, established in a nobility that had already ended, defining the two dominant classes of modern industrial societies, the aristocracies of the two countries which, in his famous allegory, were proclaimed «par un dessein secret de la Providence à tenir un jour dans ses mains les destinées de la moitié du monde» (D I, Concl.)?

Despite all this, however, the slow, evolutionary, egalitarian democratic advance continues on its way towards a classless society, the only sound basis of democratic institutions.

Democratic Government

TOCQUEVILLE did not share the liberal idea of the State. MAYER said that "the liberal idea of the State was alien to him, and he even thought it contemptible. He hated the Philistine, whose one request of the State was to be guaranteed a good night's sleep".

His political scheme was governed by the equality of participation in the power of the State, which is to say by the presence of citizens. And just as he did not accept mixed forms between aristocracy and democracy, understood as social states, nor did he accept mixed forms of government. "Ce m'est pas que, pour conserver la liberté, je crois qu'on puisse mélanger plusieurs principes dans un même gouvernement, de manière à les opposer réellement l'un à l'autre. Le gouvernement qu'on appelle mixte m'a toujours semblé une chimère. Il n'y a pas, à vrai dire, de gouvernement mixte ... parce que, dans chaque société, on finit par découvrir un principe d'action qui domine tous les autres" (D I,2,VII). This is a far cry from MONTESQUIEU.

The Constitution organizes the democratic government, and by the fact that it represents "la volonté de tout le peuple, oblige les législateurs comme les simples citoyens" (D I,1,VI). This is based on the principle of popular sovereignty. "Je pense donc qu'il faut toujours placer quelque part un pouvoir social supérieur à tous les autres" (D 1,2,VII), and in democracy, this is the will of the people. Obedience finds its legitimacy in the participation in power of all the people.

In a democratic government (for example in America) "la société y agit par elle-même et sur elle-même. Il n'existe de puissance que dans son sein ... Le peuple participe à la composition des lois par le choix des législateurs, à leur application par l'élection des agents du pouvoir exécutif" (D I,1,IV). Popular sovereignty, then, despite the transitory and ethereal sovereignty of the human race, unifies all power and is expressed by the citizens, directly in the townships or through representatives elected by all, namely by universal suffrage. The method of participation is secondary for democracy. It does not require unique criteria and may combine forms of representation and participation.

The treatment of democracy in the State, its idea of freedom and difference, and the consideration of democratic government as that in which the people take part to a greater or lesser extent, lead it to an insistence on representation (which may be combined with direct participation at a local level), that presupposes the existence of a certain and necessary inequality. Not of conditions, but of situations and of opinions. If there were absolute equality, the electoral procedure could be by lot, in the Athenian style. The election of representatives demands a choice between different, unequal realities. In New England "le peuple, en même temps qu'il échappe à toutes les supériorités que la richesse et la naissance ont jamais créés parmi les hommes, s'est habitué à respecter les supériorités intellectuelles et morales, et à s'y soumettre sans déplaisir: aussi voit-on que la démocratie dans la Nouvelle Angleterre fait de meilleurs choix que parout ailleurs" (D I,2,V). Even in equal conditions, there is still a certain underlying, let's say "functional" inequality. On an electoral basis, an open elite is formed with possibly less exceptional qualities than other classes, but ensures government.

But even though customs may make the election respect intellectual and moral "superiorities", it is preferable to adopt a second-degree suffrage, because it keeps the voter apart from the elected person, and it removes the latter from the passions of the people, ensuring a better choice. "Je ne ferai pas difficulté de l'avouer; je vois dans le double degré électoral le seul moyen de mettre l'usage de la liberté politique à la portée de toutes les classes du peuple" (D I,2,V).

Just as STUART MILL moderated universal suffrage with the plural vote, TOCQUEVILLE attempted to do so with second-degree suffrage. His argument in favor of universal suffrage is not based in its beneficial effects, but only on the logical necessity of equality of participation by citizens, a cardinal rule in democracy. The only thing we can do is moderate it and regulate it.

But wasn't the trend of French legitimism, led by GENOUDE, which encouraged the Carlo-Republican alliances, in favor of universal suffrage against the restricted suffrage of the liberals?

Popular sovereignty, whether acting directly, or doing so through representatives, operates on the basis of majority rule. In the democratic idea dominant in continental Europe, the search for unanimity appeared as the demonstration of the existence of a true democracy. But in the absence of mythical, and non-existent unanimity, majority rule, of definite British origin, takes over.

This leads to the necessity of setting limits to power. "Un gouvernement ne saurait pas plus suffire à entretenir seul et à renouveler la circulation des sentiments et des idées chez un grand peuple, qu'à y conduire toutes les entreprises industrielles" (D II,2,V). The basic limits of the political world are: freedom of thought (and those resulting from it) and non-state ownership of the means of production.

Power cannot be all-powerful. We must avoid "l'instinct qui porte tout gouvernement à vouloir mener seul toutes les affaires, instinct qui demeurerait toujours le même à travers de la diversité des agents" (AR II,5). This means, on one hand, dividing power and separating powers, because "tous les pouvoirs tendent naturellement vers l'unité, et ce n'est qu'avec beaucoup d'art qu'on peut parvenir à les tenir divisés" (AR II,5). And on the other hand, it means participation by the citizens in collective life. Limits and division of power, and participation are the barriers against State inertia to absorb social life.

Harmful Tendencies of Democracy

After asserting the tendency to concentrate power in the State, TOCQUEVILLE sees two great dangers in democracy: tyranny of the majority and individualism.

A) The majority has to rule, but within certain limits. In democracy, political decisions are only taken by majority rule. But the number is not a criterion for defining the correctness of a decision. How can we know that a majority (or all) is not wrong? We must guarantee not only discussion, but above all a possible change of decision. This is a subject that STUART MILL also discussed in a particular way in On Liberty (1859). Liberty is the freedom to disagree. Fundamentally, the matter does not consist in knowing who is right, but what the reasons are. Unanimism would lead democracy into despotism.

If popular sovereignty should not be based on unanimity, neither can it be totalitarian. "Je regard comme impie et détestable cette maxime, qu'en matière de gouvernement la majorité d'un peuple a le droit de tout faire" (D I,2,VII). There should be a limit in order to guarantee freedom. "La toute-puissance me semble en soi une chose mauvaise et dangereuse... Il n'y a donc pas sur la terre d'autorité si respectable en elle-même, ou revêtue d'un droit si sacré, que je voulusse laisser agir sans contrôle et dominer sans obstacles. Lors donc que je vois accorder le droit et la faculté de tout faire à une puissance quelconque, qu'on appelle peuple ou roi, démocratie ou aristocratie,

qu'on l'exerce dans une monarchie ou dans une république, je dis: là est le germe de la tyrannie, et je cherche à aller vivre sous d'autres lois" (D I,2,VII).

The risk of tyranny, by all or by the majority, means the need to introduce the legitimacy of the minority and the limitation of the mandate arising from popular sovereignty, from the law. The brake on tyranny is the right not to be equal. It consists in limiting the law for the majority too. Democracy, as the result of the desire for equality, leads to the danger of considering any difference as inequality and of creating the desire not to be different. The right to be different is the criterion of freedom that prevents majority rule from degenerating into tyranny, and popular sovereignty from resulting in despotism.

Since the opinion of a person about the common interest is an expression of his own private interest, all that exist are majority private interests. The result of this, on one hand, is that they all have an equal right to be protected, and on the other hand, that corruption (the predominance of private interest in public life) continues to be a permanent risk. Therefore, the exercise of legislative power should be limited. One of TOCQUEVILLE's concerns, as it was for the founding fathers, was to avoid the tyranny of law, of the Legislature.

B) Individualism is the other possible great evil of democracy. If we relate him to ROUSSEAU, we can understand, as HENNIS asserts, that "what most interested TOCQUEVILLE throughout his work was an attempt to stop the radical separation between the human being and the citizen". Or in other words, the reduction of the person to a private person. Of course, this idea is linked to ROUSSEAU, but also to the traditionalism that refuses to accept the division between Society and State, between private and public. The search for the reunification of the community, and of man, is present both in traditionalism and in radical democracy, in their criticisms of the Liberal State. TOCQUEVILLE sees in individualism a vice that undermines the collective life, but that also destroys the person. Perhaps because fundamentally he is not searching for bourgeois freedom against absolutism, but freedom for the citizen, with the aim of strengthening the cohesion and solidarity of the social body, that are upset by class hatred and struggle. Freedom, Equality, ... Isn't Solidarity the classical name for Fraternity?

Individualism is not egoism. This is "un sentiment réfléchi et paisible qui dispose chaque citoyen à s'isoler de la masse de ses semblables et à se retirer à l'écart avec sa famille et ses amis; de telle sorte que après s'être ainsi créé une petite société à son usage, il abandonne volontiers la grande société à elle-même" (D II,2,II). This is not an assertion of individuality, but cuts off a large part of it: the interest in public affairs. Egoism kills the citizen in the heart of the

individual. "Tarit ... la source des vertus publiques" (D II). Democracy "ramène (man) sans cesse vers lui seul et menace de le renfermer enfin tout entier dans la solitude de son propre coeur" (D II,2JI). Isn't a crowd of solitary people a risk of mass democracy?

Individualism derives from the passion for equality, which creates conformity and passiveness when man's well being is guaranteed. Then there arises "une foule innombrable d'hommes semblables et égaux, qui tournent sans repos sur eux-mêmes pour se procurer les petits et vulgaires plaisirs dont ils remplissent leur âme" (letter to Henry REEVE, 22-111-1837). This is the basis of despotism, that "en fixant ... les citoyens dans l'enfance pourvoit à leur sécurité, prévoit et assure leurs besoins,... et réduit chaque nation à n'être plus qu'un troupeau d'animaux timides et industrieux dont le gouvernement est le berger" (D II). This led POLIN to assert that for TOCQUEVILLE "the democratic society cannot be a community but only a permanent revocable contract, a coalition of the majority against some, a disguised form of struggle of all against all, only lessened by the universalization of benefits". This is a Hobbesian state of nature, which survives while there is struggle for equality, but which, as man approaches it, sees its members disband and become isolated in the State's hands. It is perhaps for this reason that MANENT²⁵ was able to assert that the enemies of democracy are also "its excessive or immoderate friends".

Freedom as a Remedy

Freedom is needed to moderate and regulate the bad aspects of democracy. "Je dis que, pour combattre les maux que l'égalité peut produire, il n'y a qu'un remède efficace: c'est la liberté politique" (D II,2,IV). This freedom must be shown both in the State and in Society.

A) As regards the State, we have already said that freedom should divide power, through horizontal power sharing (decentralization) and division of powers.

1. The main aim of decentralization, in particular federalism and municipal self-government, is to make solidarity possible. Once more TOCQUEVILLE does not agree with liberalism. He says: "Il y a deux moyens de diminuer la force de l'autorité chez une nation. Le premier est d'affaiblir le pouvoir dans son principe même, en ôtant à la société le droit ou la faculté de se défendre en certains cas: affaiblir l'autorité de cette manière, c'est en général ce qu'on appelle en Europe fonder la liberté" (D I,5). But "il est un second moyen de diminuer l'action de l'autorité ... : diviser l'usage de ses forces entre

plusieurs mains... En partageant ainsi l'autorité, on rend, il est vrai, son action moins irrésistible et moins dangereuse, mais on ne la détruit point" (D I,5). This is what he proposes: to decentralize power.

But he acknowledges that "l'égalité suggérait aux hommes la pensée d'un gouvernement unique, uniforme et fort... C'est donc vers un gouvernement de cette espèce que tendent les nations de nos jours" (D II,4,III). And he adds: "Pour ma part, je ne saurais concevoir qu'une nation puisse vivre ni surtout prospérer sans une forte centralisation gouvernementale" (D I, 1,V). In order to resolve the problem, TOCQUEVILLE resorts to a distinction between two kinds of interests: "Certains intérêts sont communs à toutes les parties de la nation... D'autres intérêts sont spéciaux à certaines parties de la nation" (D I,1,V). The centralization of this second kind of interests is what kills freedom. Well now, who can define it, if not the majority? Without further specifying the weak distinction, he says that there are groups of territorially appointed interests, which are expressed by means of federalism and local autonomy. "Sans institutions communales, une nation peut se donner un gouvernement libre, main elle n'a pas l'esprit de la liberté". This is, he says, a matter of "si je puis m'exprimer ainsi, d'éparpiller la puissance, afin d'intéresser plus de monde à la chose publique" (D I,1,V). Wouldn't he agree in this with PROUDHON and TAINE?

Faced with the present, the political art of freedom is required to direct history. "Je pense que, dans les siècles démocratiques, qui vont s'ouvrir, l'indépendance individuelle et les libertés locales seront toujours un produit de l'art. La centralisation sera le gouvernement naturel" (D II,4,III).

2. This division of power is also specified in the traditional division of powers. "Supposez... un corps législatif (divided into two chambers) de telle manière qu'il représente la majorité sans être nécessairement l'esclave de ses passions; un pouvoir exécutif qui ait une force qui li soit propre, et une puissance judiciaire indépendante des deux autres pouvoirs; vous aurez encore un gouvernement démocratique, mais il n'y aura presque plus de chances pour la tyrannie" (D I,2,VII).

In this scheme judicial Power acquires a fundamental character. "L'extension du pouvoir judiciaire dans le monde politique doit donc être corrélative à l'extension du pouvoir électif" (D I,1,V), because "forme encore une des plus puissantes barrières qu'on ait jamais élevées contre la tyrannie des assemblées politiques" (D I,1,VI). It is the great counterbalance of the legislature and the guarantee that the latter will submit to the Constitution. Wasn't there in this idea a sprinkling of MONTESQUIEU, and a recollection of his passage through the French Magistracy?

B) However, institutions are not everything, nor are laws. Feelings, beliefs, ideas and customs, partly innate and partly passed on through education, provide the basic essence of societies and governments. Thus, he underlines the importance of the subjective level (as some American commentators have pointed out), but even more of the social state. In any event, there is a non-political core in politics, that always finally asserts itself. "C'est donc réellement le peuple qui dirige, et, quoique la forme du gouvernement soit représentative, il est évident que les opinions, les préjugés, les intérêts, et même les passions du peuple ne peuvent trouver d'obstacles durables qui les empêchent de se produire dans la direction journalière de la société" (D 1,2,1). Freedom must penetrate society, not only the institutions; and pluralism must become evident in the State, but it must also exist in society. This pluralism, as the basic element of democracy, has been taken up by many modern authors (from DAHL to ALMOND), and partly from LIPSET who explicitly acknowledges the debt²⁶.

Social pluralism is found specifically in civil associations in which he sees the fundamental safeguard of democracy, because they create participation and bonds of solidarity. They are the best guarantee against unanimism. Even political parties are assessed, although TOCQUEVILLE does not fall into the negative view of the age: "Us partis sont un mal inhérent aux gouvernements libres" (D 1,2,II). "De notre temps, la liberté d'association est devenue une garantie nécessaire contre la tyrannie de la majorité" (D II,4), he said, when in France the liberals were subjecting it to considerable legal restriction. "Pour que les hommes restent civilisés ou le deviennent, il faut que parmi eux l'art de s'associer se développe et se perfectionne dans le même rapport que l'égalité des conditions s'accroît" (D II,2,V). These civil associations, which arose in order to defend the most varied interests, confine the State to its own area, and forge the bonds of the new public spirit.

Another one of the features of this living society is the freedom of the press, considered as the pillar of freedom of association and therefore the guarantee of pluralism, although he warns that it may lead to passiveness in those who feel that their views have already been expressed. A further basic aspect, brought up by ROUSSEAU, is the concern for education as the creator and transmitter of these bonds, as a socializing instrument.

All this is found specifically in customs resulting from the exercise of freedom, understood as 'mores', that strengthen solidarity and social bonds, in what we might now call "civic culture," in a continuous line from the idea of PASCAL, derived from MONTAIGNE, according to which "custom is our nature".

It would be unfair not to make a special mention of the place he affords to religion. Among Americans "le respect de la religion y est, a ses yeux, la plus grande garantie de la stabilité de l'Etat et de la sûreté des particuliers", says TOCQUEVILLE (AR III,2). But this is not a contemplative religion, remote from the world, but an integral part of civil life. Religion is always a brake on egoism and the exclusive search for material well-being. It also strengthens moderation: "Peu à peu le respect de la religion pénétra partout où les hommes avaient quelque chose à perdre dans le désordre populaire, et l'incrédulité disparut, ou du moins se cacha, à mesure que la peur des révolutions se faisait voir" (AR III,2).

Therefore, for him, religion is fundamental in democracy; it creates bonds and is a moderating influence. "S'il se rencontre parmi les opinions d'un peuple démocratique quelques-unes de ces théories malfaisantes qui tendent à faire croire que tout périt avec le corps, considérez les hommes qui les professent comme les ennemis naturels de ce peuple" (D II,2,XV). Don't these words show something of the unanimist will, that he said he hated? Isn't there evidence in all the religious 'tremolo' of something of CHATEAUBRIAND? Or else, from another point of view, isn't it possible to see in his work a distant ancestor of the Christian democracies, in endeavoring to reconcile democracy and religion?

A long list of scholars has shown, sometimes somewhat excessively, the place of religion in his writings: LIVELY, ZUCKERT²⁷ and GOLDSTEIN²⁸. On the other hand, BATTISTA²⁹ relates it to civil ethics that combines the liberal and religious spirit, ZANFARINO³⁰ stresses the view of politics as part of human spirituality, and BAGNOLI³¹ chooses to place it in the field of the philosophy of democracy. Because for TOCQUEVILLE, religious beliefs are rather "moral beliefs, collective convictions in the sense of HUME's beliefs," as DIEZ DEL CORRAL recalls.

With his theory of democracy as a social and political state, TOCQUEVILLE endeavors to tell his world that it should build democracy (and not just fight it or become resigned to it). For that reason, he draws up a scientific theory (and rules) and suggests that they take a chance on democracy, on a classless, participating society, with a democratic and limited government, one that creates a new solidarity, which removes the division between citizen and private individual. All that with moderation, order, religion: and with freedom.

Freedom

TOCQUEVILLE is a democrat in spirit and a lover of freedom at heart. But, as we have said, he is not a liberal: he is not an individualist, his theory is not of a State as a protector of property, nor does he favor the division between citizen and private individual, although it was seen in this way for years, by D'EICHTAL³², by Pierre MARCEL³³ or by ORTEGA³⁴, for example. It was not until 1925 that REDIER³⁵, fully taking up again TOCQUEVILLE's own description of himself, described him as a "libéral d'une espèce nouvelle".

And finally, it was MAYER who broke the tradition by considering him, in relation to MAX WEBER, "the first thinker who formulates the principles of the age of mass democracy".

Freedom is the linchpin of TOCQUEVILLE's theory of democracy, and it justifies itself: "Qui cherche dans la liberté autre chose qu'elle-même est fait pour servir" (AR III,3). From it derives the solidarity and the bonds necessary to keep the new society together. A freedom that should go hand in hand with equality. "Quoique les hommes ne puissent devenir absolument égaux sans être entièrement libres, et que par conséquent l'égalité, dans son degré le plus extrême, se confonde avec la liberté, on est donc fondé à distinguer l'une de l'autre" (D II,2,I). In fact, freedom has existed in various ages: it doesn't belong to any social state; nor is it a distinctive feature of democracy.

Democracy opposes aristocracy. Freedom, despotism. But the freedom that interests him is that of the future, as it is the only effective remedy "pour combattre les maux que l'égalité peut produire" (D II,2,IV). Thus, "d'après la notion moderne, la notion démocratique, et j'ose le dire la notion juste de la liberté, chaque homme, étant présumé avoir reçu de la nature les lumières nécessaires pour se conduire, apporte en naissant un droit égal et imprescriptible à vivre indépendant de ses semblables, en tout ce qui n'a rapport qu'à lui-même, et à régler comme il l'entend sa propre destinée" (Etat II).

What "ce qui n'a rapport qu'à lui-même" could be is never stated, but in any case we should agree with LUCAS VERDU, who says that for TOCQUEVILLE freedom necessarily brings the "independence of men among themselves or in relation to the State"³⁶. But gradually, he also contemplates the distribution of social power among citizens, as a sign of the independence of will. It is not a question of defining LOCKE's liberty for property owners, his idea of liberty presupposes rather active liberty, participation. It is not only a balance between the liberty of the ancients and the liberty of the moderns in the style of CONSTANT, but a unified definition of current liberty, which brings both together into one unit. Democracy means participation, through which

social bonds, the new structures of obedience, are forged. From it, liberty must be understood as independence in what "n'a rapport qu'à lui-même".

Liberty that is "moderate, organized, controlled by beliefs, customs and laws means, therefore, participation in the collective life, and also an area that is free from State action. Liberty regulates and moderates equality, in a permanent tension or balance. Heliogabalus and Saint Jerome coexist to make man into a morally acceptable being. Neither good, nor evil: acceptable.

A Plan for the Future

In a letter to STOFFELS on 24-07-1836, he wrote: "J'ai montré et je continuerai à montrer un goût vif et raisonnable pour la liberté, ... mais en même temps je professerai un si grand respect pour la justice, un sentiment si vrai d'amour de l'ordre et des lois, un attachement si profond et si raisonné pour la morale et les croyances religieuses, que je ne puis croire qu'on n'aperçoive pas nettement en moi un libéral d'une espèce nouvelle et qu'on me confonde avec le parti des démocrates de nos jours".

His aim was to put forward a proposal for synthesis between democracy and tradition, with freedom as the hinge, a freedom different from that of the liberals. Therefore he constructs a theory about democracy. It is necessary to know the inertias of history, because only thus will a responsible action be possible. "Les nations de nos jours ne sauraient faire que dans leur sein les conditions ne soient pas égales: mais il dépend d'elles que l'égalité les conduise à la servitude ou à la liberté, aux lumières ou à la barbarie, à la prospérité ou aux misères" (D II,4,VIII), he said at the end of his book on Democracy. It cannot be resisted, but there is a choice of what form it should take.

TOCQUEVILLE has no feeling for democracy, but not only does he not dispute it, he also proposes it, although his desire for it is rather weak. From an attitude similar to that of PASCAL, he draws up a "pari" for democracy, a necessary wager, because everything is clear (if at all) once the choice is made. It is a question of convincing broad sectors of France, with no future unless they open up to the new world, to raise the flag of democracy and freedom, a freedom that includes the most important topics of legitimism (local autonomies, religion, order, moderation, etc.). This is the axiological aim that from analysis of the political reality he brings into operation with a scientific method. But his contribution to political science appears today more closely linked to his worth as an analyst and builder of a model of democracy. The immediate and subjective aims that stimulated him are forgotten. "I don't know",

SCHUMPETER tells us, "any better book than Democracy in America for training oneself in the art of making this particular kind of political analysis"³⁷.

The main thing is that, in order to fulfill his aim, TOCQUEVILLE reformulated a theory of democracy, to which he added elements taken both from traditionalism and from the American and British experience. Wouldn't the example of this latter country, as in MARX, help us to explain, at least in part, the complex modern heuristic scheme of this anglophile aristocrat? Could we understand all his ideas without recalling his traditionalist background? Through observation, reason and history he formed a theory with great inner coherence and with more conviction than passion. Democracy was not seen as a purely political mechanism, but included a coherent social base with it, in which power was divided and distributed in a society without aristocracies (without nations within the nation, without classes); in which democracy demanded a single-class, pluralist, participating society held together by new bonds, arising from liberty that regulated and moderated equality. His proposal went beyond what his social sphere could accept, but his scientific ambition led him to outline a theory of democracy which lay on the road to modern democracy and a new society.

TOCQUEVILLE was concerned about leaving aside the "choice" of France, and so he devised a radical theory that established in society the rational root of the political world, in which he conceived democracy as a united, progressive and open reality. Thus, it could not be confined in preset rules and institutions. "Ce qu'on appelle les institutions nécessaires ne sont souvent que les institutions auxquelles on est accoutumé, et qu'en matière de constitution sociale, le champ du possible est bien plus vaste que les hommes qui vivent dans chaque société ne se l'imaginent" (S II,2).

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