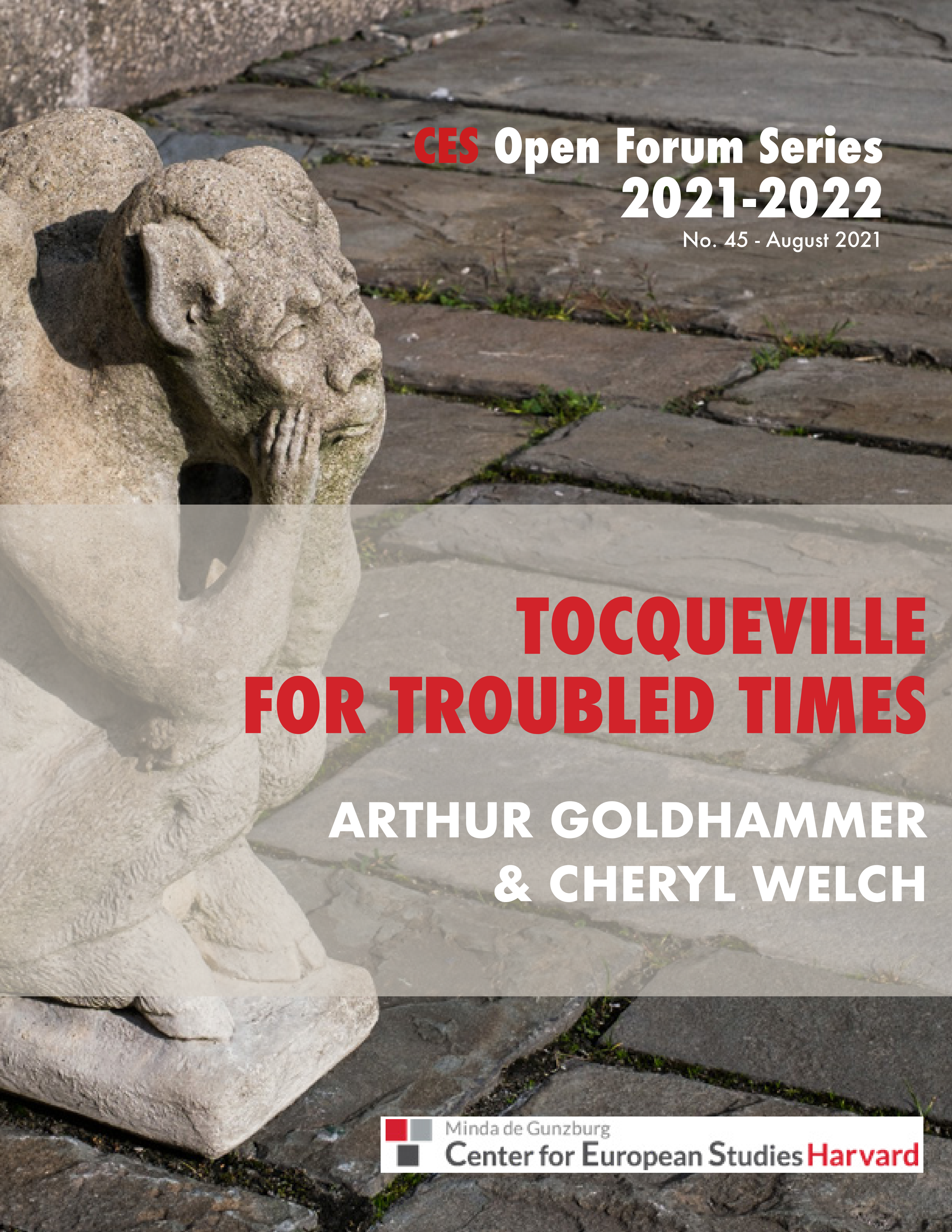

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TOCQUEVILLE FOR TROUBLED TIMES

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Prefatory Note

Alexis de Tocqueville has always been viewed as a political sage whose complex analysis of democracy in the United States provides a "Guide to the Perplexed." The unsettled period in American politics that intensified with the election of Donald Trump, his turbulent presidency, and the difficult aftermath is no exception. Especially in times of crisis, Americans always seem to ask: "What would M. de Tocqueville say?" In October of 2018 two Tocqueville scholars – Arthur Goldhammer and Cheryl Welch – were independently asked to give addresses to university conferences (at Providence College and Arizona State University) on the theme of "What can Tocqueville teach us today?" The essays that follow are lightly edited versions of those addresses. Goldhammer focuses on a reconsideration of the role of popular participation in Tocqueville's thought. Welch takes a new look at his analysis of elite politics in a troubled representative system. Together they offer some surprising and complementary new insights into a writer whose texts have a subtle alchemy that makes them appear newly relevant to every generation.

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Tocqueville for Troubled Times

Does Democracy Require an Active Citizenry? A Tocquevillean View – by Arthur Goldhammer

p. 1-17

Abstract: In Democracy in America Alexis de Tocqueville described how "individualism," or the withdrawal from public life to concentrate on private affairs, posed a threat to democracy. Yet he also argued that, for most citizens, the function of active participation in political life was to instill lessons about the limitations of political power and constraints on what an active citizenry could achieve. These lessons were to be learned at the local level. Today, however, local government has little to teach, and lessons imparted by the mass media risk undermining the ideal of restraint that Tocqueville hoped active citizenship would enshrine.

Tocqueville in Politics: French Lessons for American Democracy – by Cheryl Welch

p. 18-35

Abstract: This essay proceeds in three stages: first, a discussion of why Tocqueville's portrait of mid-nineteenth- century French politics, rather than the idealized American past found in Democracy in America, might be relevant to "what's ailing American democracy" today; second, a brief detour to consider Tocqueville's views on centralization; and finally, an analysis of his proposals to reform French political life, which focused less on encouraging decentralized local participation than on changing the norms of the political elite in order to inspire a more edifying "spectacle" on the national stage. Tocqueville's discussion of how to create a more free "way of life" in France provides a window onto a unique political world, but also reveals some of the existential difficulties of action within any dysfunctional representative system, in particular the challenges of tackling corruption and of finding the elusive balance between conscience and compromise.

Does Democracy Require an Active Citizenry?
A Tocquevillean View – Arthur Goldhammer

Alexis de Tocqueville believed that a successful democracy required active citizens.[1] He feared that equality fostered a vice he called *individualism*, which "disposes each citizen to cut himself off from the mass of his fellow men and withdraw into the circle of family and friends," leaving "the larger society to take care of itself."[2] The vice of individualism is "democratic in origin" and "threatens to develop as conditions equalize," discouraging citizens from the active participation in civic life necessary to preserve liberty.

Fortunately, America's founders knew how to use "liberty to combat the individualism born of equality." To this end, they fostered "political life in each portion of the territory so as to create endless opportunities for citizens to act together and remind them of their dependence on one another."[3] In other words, the antidote to individualism was an active citizenry dispersed around the country. Robust, decentralized local democracy could thus, according to Tocqueville, preserve a nation from the scourge of democratic despotism to which individualism leads.

Tocqueville developed these ideas years before he had actually served in a democratic legislature, however. This belated experience brought him up short. When able to "study rather closely the men who inhabited" the Montagnard benches after the revolution of 1848, for instance, he found "it was like discovering a new world. … Their idiom and manners were so strange to me. I suspect they had … nourished their minds solely on newspapers."[4]

This was not the kind of active citizenry Tocqueville had had in mind when he theorized the virtues of active republican engagement. Could minds nourished "solely on newspapers" exercise mature judgment on matters of state? Wouldn't the collective good be better served if heads stuffed with partisan propaganda and incapable of independent judgment *did not participate* in the political life of democracy?[5]

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[1] I would like to thank David Bell, Daniel Gordon, Patrice Higonnet, James Miller, Cheryl Welch, and Olivier Zunz for comments on an earlier draft of this paper, which was originally presented as the keynote address at a Tocqueville colloquium organized by Daniel Gordon and Raymond Hain at Providence College on October 25, 2018.

[2] Alexis de Tocqueville, *Democracy in America,* trans. Arthur Goldhammer (New York: Library of America, 2004), p. 585. Hereafter cited as DA.

[3] DA591.

[4] Alexis de Tocqueville, *Recollections,* trans. Arthur Goldhammer (Charlottesville: University of Virginia Press: 2016), p. 74.

As is well known, Tocqueville relied on associations to resist the will of the omnipotent majority. But associations are not necessarily virtuous. Any association strong enough to resist the central power might also become strong enough to subvert it, to impose a minority tyranny even more fearsome than the majority tyranny Tocqueville deplored. This incipient power of association to multiply the disruptive potential of ignorance and inexperience was precisely what he feared in the Montagnard faction he observed on the benches of the Chamber in 1848: "Their kind had previously been represented only by isolated and obscure individuals, who had been more concerned with hiding their presence than with flaunting it."[6] Isolated, such "obscure individuals" could do nothing, but united in a political faction or party they threatened to submerge what Tocqueville saw as the benign and necessary influence of enlightened leaders like himself. Might it not be preferable, then, if such individuals were *discouraged* from active participation in politics rather than encouraged to band together in such a way as to multiply their untutored and unbridled passions?

In fact, Tocqueville's ambivalence on the question of political participation runs deep. His scattered comments on active citizenship reveal a constant skepticism about "the dogma of popular sovereignty"[7] deriving from persistent doubts about the nature of man—"neither beast nor angel,"[8] as Pascal, one of the very few philosophers he regularly read and re-read, liked to say.

Tocqueville's Ambivalence

With these prefatory remarks out of the way, let me now lay out the argument of this paper. Tocqueville, though deeply ambivalent about the prospects of democracy, persuaded himself that it might just be viable if its inherent destructive forces could be contained, and he proposed a model of how this might work in a large republic like the United States. It was a model that invoked equality of conditions as the *idée mère* of democracy yet viewed the population of equal citizens as mere "dust," without the consistency required to resist the potential tyranny of the central power. Resistance could come only from intermediary bodies, a concept that Tocqueville borrowed from Montesquieu, who of course based it on his observations of monarchy rather than democracy. For Tocqueville, associations, which he saw everywhere in the United States, were to play the role that Montesquieu assigned to the aristocracy, the courts, and other corporatist-institutional embodiments of "the social"—in his eyes, an essential counterweight to "the political," without which a democratic polity was all too likely to veer toward some form of despotism.

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[5] Tocqueville's judgment of his Montagnard colleagues was hardly unbiased. The point is not whether his prejudices, or mine, about the political capacity of certain segments of the electorate were correct, but rather that confidence in democracy is easily shaken by the discovery that our mental images of the demos are inaccurate or incomplete.

[6] Ibid.

[7] DA64.

[8] Blaise Pascal, *Pensées*, ed. Leon Brunschvicg, (New York: Penguin Classics, 1995), no. 358.

The viability of democracy was thus to depend on a tripartite structure: center, intermediary bodies, people. This could collapse, however, if any two of its components coalesced against the third. In Tocqueville's eyes, the idea that political stability depended on a tripartite structure in which a layer of institutions mediated between an amorphous people and a compact and powerful state transcended democracy. Indeed, the undemocratic Ancien Régime had collapsed in his view when the central power severed the aristocracy from its local roots, fatally attracting it into its own orbit and thus unbalancing the tripartite equilibrium of sovereign, aristocracy, and people. Could American democracy avoid an analogous type of disequilibrium?

Tocqueville thought it might if a certain form of socialization, which he saw at work in the New England town, prevailed. The chief purpose of socialization via the town was to apprise the citizen of the *limits* of his capacity to govern. Citizens would be rescued from the perils of individualism by being granted the opportunity to participate actively in government, but this very participation would teach them the complexities involved in the exercise of sovereign power and chasten the popular will.

Whether Tocqueville's account of the role of the New England town in the socialization of the democratic citizen is accurate or not is open to debate. If we think of it as an ideal type rather than an historical reality, we may take it as a model of how a healthy democracy might seek to educate its citizenry. The problem, however, is that even if this form of socialization once existed, it no longer does, so it can no longer play the essential role Tocqueville assigned it. Today's democracy is a democracy of the spectacle, in which *identification with the executive as the incarnation of the general will has become the chief form of citizen participation*, supplanting association at the grass roots. Tocqueville's model is therefore of little use in thinking about the crisis of contemporary democracy.

Let us begin at the beginning, at the place that Tocqueville sees as the blazing hearth from which the gentle heat of healthy democratic mores will gradually spread to warm hearts in rougher parts of the country: namely, the New England town.

For Tocqueville, the town is more a social form than a political one. Bear in mind his distinction between a democratic polity and a democratic society. Although the town is nominally a political construct, it interests Tocqueville primarily as the fundamental cell of the social organism, the matrix in which the democratic character is formed. It is in the town that the New Englander

> invests his ambition and his future … and participates in all aspects of community life. *In the limited sphere that is within his reach*, he tries his hand at governing society. He becomes accustomed to the forms *without which liberty advances only by way of revolution*, becomes imbued with their spirit, develops a taste for order, comprehends the harmony of powers, and finally, acquires clear and practical ideas about the nature of his duties and the extent of his rights.[9]

The town's chief function is therefore social, not political. It educates the ordinary citizen, shapes "his ambition and his future." In the lexicon of sociology, it socializes him. Note how Tocqueville circumscribes the action of the town's typical citizen within a "limited sphere." There, his role in government is that of an apprentice: he can "try his hand" and thus learn directly that governing is not easy. This, Tocqueville states, is a necessary lesson, because in societies whose members do not learn it, a false idea of freedom takes hold, namely, the idea that the past can be wiped away and everything made anew overnight, which Tocqueville calls the "way of revolution."

That hope for immediate, dramatic, *revolutionary* change is a forlorn faith is, according to Tocqueville, the paramount lesson that every citizen of democracy must be taught. In place of this forlorn faith, the good citizen must acquire not just a knowledge of but also "a taste for order" along with a comprehension of "the harmony of powers."

Note the plurality of powers. In the well-ordered society power speaks with many voices, as in the New England town with its rotating slate of town officers chosen from among the members of the town meeting, but these voices work in concert: they are harmonized. Rather than inflame abstract revolutionary fantasies, the town teaches the citizen only “practical ideas” for making use of his inherently limited rights. In other words, it is through the town and its gentle socialization of egalitarian man’s innate “restlessness” that society accomplishes its “slow and tranquil work on itself,” which is Tocqueville’s definition of an orderly republic.

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[9] DA77. Italics added.

Tocqueville enlarged the example of the New England town to encompass a more comprehensive model of active citizenship, namely, the *association*. It is hardly an exaggeration to say that he finds the American penchant for association as astonishing as the American accommodation of equality. He sees associations of “a thousand kinds.”[10]

> Americans associate to give fêtes, to found seminaries, to build inns … This is how they create hospitals, prisons, and schools. … To publicize a truth or foster a sentiment … they associate. Wherever there is a new undertaking at the head of which you would expect to see in France the government and in England some great lord, in the United States you are sure to find an association.[11]

Under conditions of equality, Tocqueville says, “all citizens are independent and weak.”[12] They “become helpless if they do not learn to help one another.”[13] Hence “in democratic nations associations must take the place of the powerful private individuals who have been eliminated by equality of conditions.”[14]

Associations are thus ideas made flesh and endowed with power.[15] They fill the role that Montesquieu assigned to intermediary bodies, giving backbone to a society that would otherwise remain amorphous and invertebrate, molding the “dust” of isolated individuals into fortresses capable of withstanding the onslaughts of would-be tyrants.

Associations are also the antidote to individualism, which for Tocqueville is a vice peculiar to democracy.[16] When citizens become inactive, their sympathies shrink, but when they “are forced to concern themselves with public affairs, they are inevitably drawn beyond the sphere of their individual interests … their attention is diverted from themselves.”[17] This is perhaps his clearest statement that an inactive citizenry threatens democracy by narrowing horizons and thus inhibiting the conception of “self-interest properly understood.”[18]

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[10] DA595.
[11] Ibid.
[12] Ibid.
[13] Ibid.
[14] DA598.
[15] DA599.
[16] DA585-6.
[17] DA590.

Doubts about Participation

Now, all this amounts to a robust defense of an active citizenry, where “active” connotes engaged, associative, public-spirited, and, when necessary, self-sacrificing. We know that Tocqueville developed his appreciation of the socializing virtues of the town meeting without ever attending one. What he knew he learned from a book, *The Town Officer*, handed to him on the Harvard campus by Jared Sparks.

To rely on a book might seem incongruous for the writer who would later so fiercely denounce the Enlightenment’s *salonniers* for their bookish generalizations. He judged the town to be of too little *political* importance to devote any of his limited time in America to studying it firsthand. For him, the town was important primarily as a *socializing* instrument; its role in the operation of the state was negligible. It mattered to him only because “mores are more important than laws,”[19] and it was in the town, which he took to be the basic cell of the social organism, that mores were molded. Like the family, the town stemmed from nature itself: it “is the only association that is so much a part of nature that wherever men come together, towns naturally arise.”[20] But unlike the conservative theorists of the Restoration, Tocqueville believed that the family could no longer play the fundamental socializing role.

Associations, as Tocqueville’s analog to Montesquieu’s aristocracy, had a loftier role to play. As ideas made flesh, they embodied democratic society’s capacity for resistance against the state. But if ideas can be made flesh, so can superstitions, prejudices, and baseless opinions. When this happens, the association’s capacity to resist the central power becomes a vice rather than a virtue, and democratic politics devolves from a deliberation among “great parties” promoting noble ideas to a contest unfolding on “a darkling plain where ignorant armies clash by night.”[21]

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[18] Note that Tocqueville is here drawing once again on Pascal, who criticized Montaigne precisely for dwelling so much on himself—”*le sot projet qu’il a de se peindre*.” But he forgets that Pascal, a Jansenist, did withdraw from public life, albeit to devote his thoughts not to himself but to God.

[19] DA353.

[20] DA67.

[21] Matthew Arnold, “Dover Beach”, line 37. Poetry Foundation: https://www.poetryfoundation.org/poems/43588/dover-beach

So even if the town does teach useful skills, and even if those skills do spill over into a general capacity for association, participation at the local level need not eventuate in a healthy state. Tocqueville in fact never claimed that it would. For him, the primary function of local participation was *not* to impart the skills needed to govern. It was rather to teach *humility*, to counter democratic man's prideful assumption that everything can be bent to his will.

The town taught that man's powers are limited rather than infinite and thus deflated revolutionary hubris. It offered instruction in the need for tradeoffs among competing interests. It imparted knowledge of fiscal, physical, procedural, and organizational constraints. It chastened those who imagined that the purpose of political activity was to impose their own will or serve their own interests. It was meant, Tocqueville claimed, to enlarge the concept of individual interest so as to achieve that harmonic convergence of individualities he hopefully dubbed "self-interest properly understood."[22]

Ideally, then, participation taught people to know their limits—this is my key point. Local empowerment taught global deference. The argument is reminiscent of Tocqueville's strictures concerning the need for authority in intellectual matters. Democracy, he says, is naturally Cartesian. It promotes a corrosive skepticism of authority and encourages individuals to rely, rashly, on their own lights, informed only by their own experience and unaided reason. This is presumptuous and therefore dangerous. No one has the time or talent to work out for himself everything he needs to know about the world. The best one can do is to select judiciously the authorities to which one submits. If the function of the democratic school is to teach this lesson in the intellectual sphere, the function of the town is to teach it in the political sphere.

Let us pause for a moment to recapitulate. Tocqueville praised participation at the local level because he believed it would teach citizens to refrain from demanding to participate too directly in decision-making at higher levels. We know that he studied *The Federalist* carefully and that he particularly admired Madison's contributions. In Federalist 63 Madison wrote that "the true distinction" of the new system of government created in Philadelphia "lies IN THE TOTAL EXCLUSION OF THE PEOPLE, IN THEIR COLLECTIVE CAPACITY, from any share"[23] in actually making specific decisions of policy. (The emphatic capitalization is

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[22] DA, *passim.*

[23] James Madison, *Federalist*, (New York: Penguin Classics, 1983), no. 63.

Madison's.) This passage strengthens the case for believing that Tocqueville saw the function of an active citizenry primarily as a mechanism of socialization within a hierarchy of deference.

Tocqueville believed that experience in local government would, through the compromises and constraints it required, broaden sympathy, promote mutual comprehension, and enlarge the individual's temporal horizon. The democratic state, whose stability philosophers had doubted throughout most of history, could survive only if citizens learned to recognize the "limited sphere" beyond which they should be wary of their own judgment.

So Tocqueville's ideal-typical democratic republic looks something like this. Being a republic, it is defined by its "slow and tranquil action on itself," which begins with the citizen's gentle socialization through the town meeting and rotation through town offices. This experience gradually enlarges his conception of his self-interest. When needs transcending the capabilities of isolated individuals arise, citizens thus socialized will naturally form associations to promote their views, availing themselves of newspapers and other media to promulgate them beyond the borders of the town. Distinguished individuals will emerge from these associations to champion common interests. Taken together, these three ingredients—an active citizenry enlightened as to its self-interest through its participation in local government, freedom of association, and freedom of the press—suffice to create the intermediary bodies that Tocqueville, following Montesquieu, thought necessary as a bulwark against majority tyranny and administrative centralization. They would, moreover, create a citizenry circumspect about its capacity to govern and a sovereign prepared to heed the wise counsel of those better-versed in the "art and science of governing."[24]

Now, even if this prescription for a healthy democracy were correct, should we find it comforting? I think not. Look around.

Three problems stand out. First, Tocqueville's conception of the citizenry is at once too concrete and too unrealistic. The local no longer exists, or at any rate is no longer the place where political socialization occurs. We the People no longer live in New England towns or Renaissance city-states. We occupy an indeterminate space constituted not by concrete interactions but by our mediated impressions of people and events, some proximate but most quite remote. We form our representations of one another not through face-to-face exchanges but through what we have come to call "the media," whose ambit is global, almost to the exclusion of the local.

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[24] DA595.

The neat Tocquevillean-Montesquieuian triad of governors, governed, and intermediary bodies—concretized in the spatial metaphor of center, periphery, and in-between—has given way to a complex fluid manifold. Call it the *democracy of the spectacle*, in which governors no less than governed are spectators as well as actors. As David Runciman puts it in *How Democracies End,* "Democratic politics has become an elaborate show, needing ever more characterful performers to hold the public's attention."[25]

Second, elite and people stand in a relation of mutual incomprehension. The so-called general will, or in Tocqueville's kinder, gentler formulation, self-interest properly understood, is a fusion or confusion of contradictory desires. We the People want our children educated, our diseases cured, our bridges and roads maintained, and our borders defended but are reluctant to pay taxes to those ends. We want the fluctuations of the economy tamped down but disagree about the government's competence to do so. We want clean air and water but also all the conveniences of an energy-intensive industrial society. And so on, *ad infinitum*. The tension between the unweeded garden of the general will and the orderly *jardin français* of bureaucratic reason is the mainspring of the democratic spectacle. Those who govern speak a different language from the people they govern, and no common socialization diminishes the distance between them.

Third, Tocqueville's conception of "the people" is too homogeneous. He tended to think of the people as divided between the propertied and the unpropertied. His "active citizenry" was therefore modeled on the active citizenry of the French constitutional monarchy, in which the amount of property one owned determined one's eligibility to vote. He had little feeling for the durable resentments created by failures of social mobility, racial and ethnic differences, or the educational divide so prominent in contemporary American voting patterns. A highly differentiated and variegated society produces dynamics more complex than can be generated by the tripartite model of Tocqueville and Montesquieu. Some citizens come to feel that their desires go permanently unrepresented and therefore that their sovereignty has been usurped, while others, rejecting these complaints as ill-informed or unreasonable, protest that democracy

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[25] David Runciman, *How Democracy Ends,* (New York: Basic Books, 2018), p. 47.

has devolved into mere populism, that is, the claim by a particular segment of the population that it is the wholly authentic representative of the whole. What is to be done?

The Non-Existence of the Local and the Mutual Alienation of Elite and People

We find it difficult to recognize Tocqueville's disciplined and deferential democracy. The local no longer exists. The town-meeting model of government has all but vanished. Even where it is still practiced, as in small-town New Hampshire, the reality of town government is quite different from what Tocqueville imagined, as Jane Mansbridge's work shows.[26]

In Eastern Europe after 1989, there was a brief vogue for Tocqueville's work. The US government sent copies of *Democracy in America* to Prague and Warsaw and Budapest, hoping to promote burgeoning town meetings in the hinterlands of those Old-World capitals just liberated from the yoke of administrative centralization under communism. But civic-minded local associations proved to be no match for associations of acquisitive oligarchs and xenophobic populists.

Democracy without elites is not viable, but Tocqueville's image of an elite arising naturally, organically, out of local face-to-face interactions strikes us as a phantasm. He hoped, for instance, that civil society would find enlightened leadership in lawyers and newspaper editors. This choice reveals how his mental image of the state was still dominated by the Ancien Régime model, with the lawyer, preoccupied with the mundane affairs of his clients and thus rooted in his locality and blessedly remote from the center, standing in for the benign aristocrat devoted to the welfare of his tenants; and with the editor playing the part of a cultivated official like Tocqueville's father Hervé, the prefect with his library well-stocked with classics.

Though elite, such leaders, Tocqueville supposed, would retain their local roots. They would draw their sustenance from civil society rather than from the state. They would not become *déracinés*, those rootless cerebrals whom the novelist Maurice Barrès would later skewer as the bane of France's centripetal republic.

Yet these intermediary elites suffer from vices of their own. Their very distance from the center of power leaves them under-informed and parochial in their views, hence vulnerable to the belief that governmental error is easily banished. Tocqueville had no use for naïve reformist zeal underpinned by abstract speculation, the vice he believed had contributed to the undermining of the Ancien Régime. Overzealous pre-revolutionary reformers suffered from the mistaken belief that one could easily replace "complex traditional customs with … simple elementary rules, which could be deduced from reason and natural law."[27]

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[26] Jane Mansbridge, *Beyond Adversary Democracy* (Chicago: The University of Chicago Press, 1983).

Worse still, such illusions could all too easily spread beyond the salons of the radical chic. Even experience failed to confer immunity.

> It is not surprising that the nobility and bourgeoisie, which had been excluded from public life for so long, displayed such striking inexperience. What is more astonishing, however, is that the very men in charge of affairs—ministers, magistrates, intendants—exhibited little more foresight. … They possessed thorough knowledge of the details of public administration. But when it came to the great science of government, which teaches one to understand the general direction of society, to judge what is going on in the minds of the masses, and to anticipate what will come of it, they were quite as untutored as the people themselves.[28]

To make matters worse, the court and the city fatally attracted aspiring talent to themselves, alienating the enlightened from the masses. This, in Tocqueville's eyes, was the curse of the Ancien Régime, and it could easily become the curse of centralized democratic government as well.

Tocqueville hoped that the Americans might have found a remedy for this malady by pioneering two novel democratic institutions: public schools and the decentralized local press. In the intellectual realm these two institutions were to play the same role as towns in the realm of government. In the US, unlike France, "enlightenment, like power, is disseminated throughout this vast country. Hence the beams of human intelligence do not all emanate from a common center. … Nowhere have the Americans established any central direction over their thinking … "[29] Tocqueville approved of this decentralization of the press, which he contrasted with the situation in France, where the power of the press "is concentrated in one place and, in a sense, in the same hands, for the number of its organs is very small."[30]

And yet, as if suddenly awakening to the possibility that he might be overstating the extent of American enlightenment, he followed up this enthusiastic paean with a series of more sober reflections. Even in America, despite the disseminated free press, "people cling to their opinions as much out of pride as out of conviction."[31] Even in America, despite the vastly more favorable conditions there for intelligent political debate, "the reflective, self-assured conviction that grows out of knowledge and emerges from the agitation of doubt itself … will never be granted to more than a very small number of men … as a reward for their efforts."[32] Enlightenment is thus inherently elitist and bound to lodge uneasily in a democratic society, like a grain of sand in an oyster, capable of producing the occasional pearl but otherwise a bothersome foreign body.

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[27] Tocqueville, *The Ancien Régime and the Revolution*, trans. Arthur Goldhammer, p. 130.
[28] Ibid., p. 132.
[29] DA210.
[30] DA209.

Hegel called the newspaper the "modern man's equivalent of the morning prayer, the way he orients himself in his world."[33] But doxa could harden into dogma. Newspapers could enlighten, Tocqueville thought, but could also encourage men to "cling to their opinions" rather than think reflectively about politics.

Like later critics of democracy such as Walter Lippmann, Tocqueville was thus ambivalent about the potential for manipulation of the public by the media. A disseminated free press is essential, he said, because "where the dogma of popular sovereignty ostensibly reigns," people must be made aware somehow of the "various opinions that agitate" their contemporaries.[34] And yet, an elitist at heart, he doubted that many possess the means to achieve "reflective, self-assured conviction."[35]

Unlike Lippmann's antagonist John Dewey, Tocqueville had only limited faith in the power of education to immunize the public against such manipulation: "There is no way for people to educate themselves and develop their intelligence unless they can devote time to the effort."[36] To devote such effort to public affairs, "the people would need to be freed of worries about their material needs, in which case they would no longer be the people." Indeed, the only remedy is for people to "become accustomed to respecting intellectual and moral superiority," as he believed they had done in New England, "where education and liberty are the daughters of morality and religion" and "long-established" society has developed the necessary "maxims and habits."[37] This hope was destined to be disappointed. Many aspects of governing have become the province of specialists, socialized and educated differently from the ordinary citizen. The resulting elite stands closer to the political pole of Tocqueville's model than to the social. Its ability to mediate between the two is therefore reduced. An elite captured by the sovereign is no longer capable of giving consistency to the amorphous "dust" scattered by democracy's tendency to devolve into individualism.

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[31] DA213.
[32] DA214.
[33] *Miscellaneous Writings of G.W.F. Hegel*, translated by Jon Bartley Stewart, Northwestern University Press, 2002, page 247.
[34] DA207.
[35] Ibid.
[36] DA225.
[37] DA228.

An elite alienated from the underlying society rather than representative of it becomes a technocracy. Tocqueville actually anticipated the problem of technocracy without naming it. He recognized the tendency for an elite stratum of officials qualified by expertise in the arcana of government to separate themselves from the general population and become a kind of permanent political caste:[38]

> However coarse a democratic people may be, the central power that rules it is never completely devoid of enlightenment, because it has no difficulty drawing to itself what little enlightenment exists in the country. … Hence in a nation that is ignorant as well as democratic, a prodigious difference between the intellectual capacity of the sovereign and that of each of his subjects will inevitably manifest itself. … The administrative power of the state grows steadily, because it alone possesses sufficient skill in administration.[39]

In 1835 he still hoped that America would prove exceptional in this regard because "enlightenment" was more evenly distributed there. True, he said that the number of "the learned" in America was small, but so was the number of the "ignorant." In New England in particular, everyone received instruction "in the elementary notions of knowledge, … doctrines and proofs of his religion, … the history of his country and the principal features of the Constitution that governs it." Even in the ruder reaches of the American frontier, he was stunned to discover "how rapidly thought propagates through this wilderness."[40]

Even so, the people would still be required "to reflect on issues of which they have no firsthand experience."[41] Mistakes were inevitable, but the damage might be limited, because while "the majority in the United States often has the tastes and instincts of a despot, the most advanced instruments of tyranny are still lacking."[42] But they would prove to be not all that difficult to acquire.

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[38] Language is revealing in this regard: the French call their political elite *la caste politique;* Italians say *la casta.* Americans think in terms of spatial differentiation rather than class hierarchy: "the inside-the-beltway crowd" draws upon the "pointy-headed intellectuals" of "the Ivy League."

[39] DA800.

[40] DA348-350.

[41] Melvin Rogers, introduction to John Dewey, *The Public and Its Problems* (Columbus: Ohio University Press, 2016), p. 22.

Technocracy and the Democracy of the Spectacle

I return to the democracy of the spectacle. The democracy imagined by Tocqueville, springing from nature in towns huddled around the steeples of white clapboard churches, shepherded by men steeped in tradition and learning and blessed with sufficient leisure to reflect upon the great issues of the day, does not exist. In place of this locally rooted democracy, we have the geographically rootless, disembodied democracy of the spectacle. In place of town meetings we have a form of participation that is vicarious but emotionally intoxicating, almost a gladiatorial spectacle, which unfortunately teaches nothing about the actual problems of governing or mechanics of achieving consensus. Citizens observe and judge, applaud and jeer, march and attend rallies, while governors adept at using the technologies of mass communication constantly monitor opinion, the better to mold it. They don whatever masks they need to nudge the needle of approval upward or to divide one portion of the house against the other. The result is increasing dissensus rather than consensus. For most of us today, to be an active citizen means simply that we tune in. We are spectators—more or less engaged spectators, but spectators nonetheless—of the activity of the state. Or, rather, some of us are. Others tune out entirely, or worse, tune in only selectively, when the contest reaches a fever pitch.

The substitution of the more comprehensive term "media" for Tocqueville's "newspapers" is no mere updating. Changes in technology have effected a change in substance. When citizens used to read about the deliberations of Congress in their newspapers, they could engage with arguments, understand democracy as deliberation, and appreciate the dilemmas faced by the decision-makers. Technology has progressively changed this perception-at-a-distance of the processes of government. When people learned the news of government action primarily through reading, the governing institution that loomed largest in their minds was the legislature. Tocqueville recognized this: nothing, he wrote, could stand in the way of the majority, "*for the legislature represents the majority*, which claims to be the sole organ of reason."[43]

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[42] DA301.

[43] DA99-100. Italics added.

Today, however, the image of the legislature is at a low ebb. A recent Gallup poll put the public's approval of Congress at 17 percent.[44] The presidency has replaced the Congress as the central institution of the central government. It is the president who represents the majority—or, rather, as the French like to say, who *incarnates* the majority. There are many reasons for this change, too many to explore here. As the size of government has grown, the power of the executive branch has grown with it. America's transition from peripheral power to sole hyperpower, dominant on the world stage, has been matched by the rise of an imperial presidency.

The increased centrality of the presidency satisfies a need on the part of those whose participation in the public sphere is increasingly vicarious. When the central institution of democracy was the legislature, there was a problem of incarnation. The legislature did not speak with one voice. It did not represent a singular will. There remained what the political philosopher Claude Lefort calls an "empty place" where some yearned to hear a univocal voice capable of quelling their fears and fulfilling their desire for a clear direction.[45] Instead there was only dissension. It is no accident that the demise of democracy was traditionally linked to the figure of the demagogue, the singular voice capable of bringing clarity to confusion, which occupied Lefort's empty place. And it is no accident that in the democracy of the spectacle the central power, embodied in the executive rather than the legislature, represents not reason but *will.*

The advent of modern communications technology has magnified the danger of demagogy. As Roger Chartier has shown, print, historically, was a medium that fostered inwardness.[46] The reader's inner voice entered into dialogue with the writer. By contrast, the orator subdues his listener, silencing the inner voice. First radio and then television multiplied the number of ears that an orator could reach. Tocqueville marveled that a newspaper could deposit an idea in hundreds of minds at once. Television can do the same in millions of minds, and with a visceral immediacy to which print cannot aspire, but only at the cost of coarsening the idea or even replacing it altogether with mere affect.

Even more than radio, television enveloped the head of state in an aura, established his real presence among the host of spectators. This unprecedented bond between the human incarnation of the central power and the simple citizen altered the relation between center and periphery. Individuals could simultaneously become more psychologically remote from their fellows and yet feel more closely tied to the central power, whether to admire or revile it. The ordinary citizen no longer felt the need of an intermediary body to act as protector or intercessor. Her relation to power became immediate, intimate, one-to-one. Identification replaced association as the means of participation in acts of the sovereign will. Candidates propose themselves for office today not to *become* the government but rather to *overcome* it. Rather than the twin poles of elite and people that Tocqueville saw, a part of the electorate now identifies passionately with the chief executive as the incarnation of its will, with the government itself cast as the chief obstacle to the sovereignty of the people—a novel representation of American democracy that we have recently become accustomed to seeing enacted daily on Twitter or Fox and Friends.

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[44] https://news.gallup.com/poll/1600/congress-public.aspx.

[45] Claude Lefort, Essais sur le politique (Paris : Esprit/Seuil, 1986), p. 17.

[46] Roger Chartier, *Inscription and Erasure*, trans. Arthur Goldhammer (Chicago: The University of Chicago Press, 2008).

In the second volume of *Democracy*[47] Tocqueville argued that democracy in America would lead naturally to the concentration of power, but he thought that this would come about because intense faith in equality would lead to the conclusion that "simple and general" laws could be applied to all in defiance of subsisting differences between subgroups of the population.[48] He did not foresee how efforts to reduce those differences could provoke a backlash, nor did he anticipate how a group threatened with the loss of its privileges could seek identification with a leader sufficiently contemptuous of the pieties of egalitarian dogma to declare openly that certain races, religions, and nationalities did not deserve to partake of America's plenty and did not contribute to its putative "greatness." He did not foresee how the false sense of intimacy induced by the modern media could circumvent reflection and mobilize atavistic passions he thought had been banished from America by its inhabitants' instinctive piety purged of sectarian intolerance.

In short, he did not foresee the deep moral crisis into which an election like the last presidential election could plunge us. I say moral crisis rather than political crisis because, to reiterate one last time, Tocqueville held that mores are more important than either laws or physical circumstances in determining the fate of a nation. Ultimately, it is the moral character of the people that determines whether democracy will survive, and while Tocqueville believed that

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[47] DAII.4.2.
[48] DA789-90.

America's "point of departure"[49] had endowed its people with many positive moral traits, he saw that these were not unalloyed: many Americans exhibited "violent" passions, harbored only the vaguest "ideas" about the nature of society and the world, and "barely know their neighbors," he wrote.[50] "How powerful do customs remain," he asked, "when a people has changed its face entirely and continues to change it constantly, when every act of tyranny has its precedent and every crime its example; when one can find nothing so old that one hesitates to destroy it or think of anything so new that one dares not attempt it? What resistance can mores offer when they have already yielded so many times?"[51]

Thus we return to where I began. Can an active citizenry compensate for such moral decay if the people themselves cease to offer resistance? "It is difficult to make the people participate in government," Tocqueville writes. "It is still more difficult to provide them with the experience and inspire in them the feelings they would need to govern well."[52]

I began by asking what importance Tocqueville ascribed to participation. The answer, I think, is this. An active citizenry is the *sine qua non* of good democratic government, but the actions of a citizenry without the proper "experience" and "feelings" will only make things worse. This is a dark thought, but it has become increasingly difficult to ward off the darker side of Tocqueville's work, which in any case never lies far from the surface. Rousseauian optimism vied constantly in his heart with Pascalian pessimism. Tocqueville's refusal to opt simply and simplistically for one or the other was the source of his clairvoyance and the reason why his thought still speaks to us so eloquently today.

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[49] DA31.
[50] DA356.
[51] DA362.
[52] DA364.

Tocqueville in Politics:

French Lessons for American Democracy – Cheryl B. Welch

Introduction

Democracy in America teaches us that democracy is more than politics: it is a social condition of advancing equality that ushers in a new type of society with a distinctive set of mores and psychological dispositions. What Tocqueville most dreaded was that the coming of democracy as a "social state" might poison its political promise: the hope that citizens—all free and all equal—could literally rule themselves. Faced with a democratic way of life that privileged materialism and individual self-interest, that stoked the destructive passions of envy and a drive for competitive advantage, and that encouraged withdrawal from public life, citizens might all too easily betray the promise of democracy by ceding political agency to a centralized administrative state and becoming servants of the state rather than free citizens. These lessons of *Democracy in America* have often led contemporary readers, especially on the political right, to a nostalgic focus on how nineteenth-century Americans, at least according to Tocqueville, avoided these dangers. A potent antidote of intermediary associations, religious restraints, family values, and decentralized local government allegedly inoculated them against the ills of despotism. If we in the twenty-first century want to keep alive the promise of "self-government," we are told, we should struggle to "be what we once were."[53]

In this essay I argue that there is another possible Tocquevillian diagnosis of "what ails democracy" and a different set of recommendations for what we might do about it. These recommendations may strike some readers of Tocqueville as surprising—even heretical. Nevertheless, if nineteenth-century France is in some ways a better guide to our current political situation than Jacksonian America, then we should at least consider Tocqueville's analysis of how to move his own society towards greater civic freedom. The essay proceeds in three stages: first, a discussion of why the analogy with mid-nineteenth century France, rather than an idealized American past, might be relevant; second, a brief detour to consider Tocqueville's views on centralization; and finally, Tocqueville's proposals to reform French political life, which focused less on encouraging local participation than on changing the norms of the political elite in order to inspire a more edifying "spectacle" on the national stage.

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[53] Paul Rahe, *Soft Despotism, Democracy's Drift: Montesquieu, Rousseau, Tocqueville and the Modern Prospect* (New Haven: Yale University Press: 2009), 280.

I: Mid-nineteenth-century France and twenty-first-century America

Extending a comment that Pierre Manent makes about Montesquieu, Harvey Mansfield notes that Tocqueville is distinctive as a democratic theorist because he begins from the particular facts of democracy; he draws on "the authority of the present moment."[54] I likewise begin with the present moment and some particular facts about democracy in the United States and France. Throughout *Democracy in America*, Tocqueville insists that Jacksonian America, despite its flaws, was exceptionally instructive because it was unique: a democracy that was both equal and free, and that had grown up that way naturally, so to speak. This anomalous history allowed the observer to see in a particularly clear way the dynamics at work in a democratic society, but also limited the usefulness of America as a direct model from which the legislator could copy. In 1830 the United States was isolated from foreign threats and did not need to maintain a first-rate military or a centralized administration. It had no pre-eminent position to defend in the world. It was allegedly blessed with a lack of fundamental social unrest due to the absence of entrenched status inequalities.[55] Finally, it had a unique *point de départ* that fostered a particular kind of political socialization (exemplified in the New England town). Citizens learned not only how to take care of local matters, but also to recognize with salutary humility the limits and difficulties of the political craft. Americans in Tocqueville's ideal portrait were thus saved from the illusions of revolution and prepared to defer to the wiser among them on complicated matters of state.[56] France, however, displayed none of these traits; Tocqueville therefore feared that the American solutions to the "ills of democracy" could be applied only indirectly to his own country. The immediate dangers posed by democracy in France would have to be combatted by considering the particular facts that defined its situation and by attempting to temper or moderate the worst consequences.

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[54] Harvey C. Mansfield and Delba Winthrop, "Editors' Introduction," *Democracy in America*, ed. and trans. Harvey C. Mansfield and Delba Winthrop (Chicago: University of Chicago Press, 2000), xxxiv. [Citing Pierre Manent, *The City of Man*, trans. M. Le Pain (Princeton, N.J.: Princeton University Press, 1998) 15.]

[55] Save, of course, for race. Tocqueville devoted his longest chapter of the first volume of *Democracy in America* (Part II, chapter 10) to the exceptional status of slaves, freed Blacks, and native peoples.

[56] On Tocqueville's ambivalence about democratic participation, see Arthur Goldhammer, "Does Democracy Require an Active Citizenry: A Tocquevillean View," this issue (originally presented as the keynote address for Tocqueville Colloquium at Providence College, October 5, 2018).

During his career in the French Chamber of Deputies, Tocqueville engaged in such a targeted attack: a battle to establish and elevate representative government in France that would accommodate the inevitable facts about democracy but could also foster a freer way of life. He didn't abandon the general lessons that he had learned from his comparative study of the United States—an awareness of the dangers to civic freedom posed by the interactions among social equality, material self-interest, individualism, and centralization—but he looked for ways to counteract these dangers consistent with France's position as a major player on the international stage and its ambitions to lead the "civilized" world. For such a country, both a strong national government and an effective centralized administration were necessary and even beneficial. Hence Tocqueville looked for a plan of action that would help him negotiate a situation quite unlike the one he portrayed in *Democracy in America* but eerily like our own. The prestige of national political institutions, and especially the legislature, was at a low ebb. The French public exhibited very little trust in political elites and was largely alienated from politics. The legislative body in which Tocqueville served was deeply divided by partisan enmity, mirroring deep social divisions in the country. Mutual tolerance was rare. The habit of painting one's rivals as enemies or traitors was common.[57] What was to be done? We have quite a record of Tocqueville's answers to this question: expressed in reports, speeches, letters, and notes. We also have his bitter reflections (in the *Recollections*) about the failure of his generation to rise to the challenge.

In the United States, Tocqueville tells us in the *1835 Democracy*, the biggest problem in institutional design was how to bridle state legislatures and the national congress to prevent a tyranny of the majority.[58] Hence his approval of indirect elections and institutionalized checks on legislative power like the veto. He was relatively unconcerned about the power of the executive because in egalitarian societies with fully democratic political institutions, legislative overreach was likely to be the more immediate threat to freedom. The lack of a widespread administrative apparatus at the disposal of the president in the United States, moreover, would limit the damage the executive could do. In nineteenth-century France, and arguably in twenty-first century America, the reality was and is the opposite: executive dominance and legislative weakness in a situation in which the executive and the national administration are inevitably centralized to a much greater degree than was true in the early American republic. Like the nineteenth-century French, we live in a political system in which the executive is the focus of the popular imagination and the legislature is widely viewed as unproductive and ineffective. I will focus in this essay on Tocqueville's analysis of his own generation of legislators who he thought were derelict in their duty to develop their proper role as the moral and deliberative center of French politics. What were these failures, according to Tocqueville? First, they had embraced a corrupt politics based on money and self-interest rather than deliberation about the public good, with devastating consequences for the country as a whole; second, they had failed to balance the necessary but competing values of compromise and conscience in a legislative body that reflected a deeply polarized civil society.

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[57] See, for example, his comments in Alexis de Tocqueville, *Recollections: The French Revolution of 1848 and Its Aftermath*. Ed. Olivier Zunz, trans. Arthur Goldhammer (Charlottesville and London: University of Virginia Press, 2017) 14.

[58] Tocqueville also has a deeper and more general critique of the tyranny of majority that focuses on tyranny of opinions and the dangers of democratic conformity, a critique that he develops fully in the 1840 *Democracy*.

II: Intelligent Centralization

Before proceeding to Tocqueville's analysis of the political context of his own "present moment," I turn to an aspect of Tocqueville's thought that is frequently ignored: his recognition that both governmental and administrative centralization would play an indispensable role in the democratic future: the future for which he hoped as well as the one that he feared. This theme can be traced across the entire trajectory of his thought, from *Democracy in America* to the *Old Regime*.

In a marginal note in the manuscript of Part 4 of the 1840 *Democracy*, the famous section on centralization, Tocqueville reminded himself: "Contained within certain limits, centralization is a necessary fact, and I add that it is a fact about which we must be glad. A strong and intelligent central power is one of the first political necessities in centuries of equality. Acknowledge it boldly**. "**[59] Centralization of purpose and power, not only governmental but to some extent administrative, was necessary in both foreign and domestic affairs. To carry out great national projects—building canals, roads, railroads; creating a sound banking system; encouraging the growth of science; coordinating what we would call "welfare policies;"—for all these projects, a strong state was needed.[60] Or, in Tocqueville's words, "only the legislator can do it."[61] But what constituted "intelligent" centralization? What were the limits? The goal was to create the right balance between central control and private initiative. Everything in private hands could lead to unaccountable consolidated power.[62] Everything in public hands led to the dreaded "French model" in which the government spoiled everything it touched.

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[59] Alexis de Tocqueville *Democracy in America*. Historical-Critical Bilingual Edition of *De la démocratie en Amérique*. ed. Eduardo Nolla, trans. James T. Schleifer. 4 vols. (Indianapolis: Liberty Fund, 2010), IV: 1255, note p. [Hereafter cited as DA Nolla/Schleifer.]

Now that we have full access to the critical edition of *Democracy in America*, we also know that the old chestnut that Tocqueville knew little about questions of economics is false. Indeed, what struck him most about America was that an economic infrastructure was being built by a combination of private actors, the local states, and the federal government.[63] Tocqueville's friendly attitude to national governmental initiatives—if pursued in the right way, with meaningful involvement of the legislature and courts and local political bodies—is also quite clear throughout his parliamentary writings and speeches as a deputy in the July Monarchy. He consistently advocates a strong national state that will take charge in a "firm and prudent" manner, exerting "energetic and moderate power."[64]

Tocqueville's colonial writings perhaps go furthest in elaborating the need for governmental organization of social and economic life.[65] In Algeria, as in the West Indies, Tocqueville was obsessed with establishing a stable property regime in the European settlements. He was completely disgusted by the meddling policies of the French government: not because they were doing too much, but because they were doing it badly and backwards, thereby creating chaos and uncertainty. What the French government needed to do, in Tocqueville's view, was to create an equitable central banking system and credit institutions that people could trust. Above all it needed to institute a well-functioning and regulated mortgage system so people weren't subject to paralyzing uncertainty and unfairness.[66] For this, administrators needed to know what they were doing; hence Tocqueville favored the creation of a professional civil service for the colonies staffed by trained bureaucrats selected through neutral and competitive exams. The problem was a combination of ignorant and arrogant governmental mismanagement by central administrators, a pattern that Tocqueville eventually traced to the Old Regime. Indeed, in his notes for the *Old Regime*, in chronicling the brutal policies of extorted labor towards the peasantry, he adds "You'd think you were in Algeria!"[67]

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[60] In the drafts of *Democracy in America*, Tocqueville specifically urges government support and even funding of academic and scientific societies, for example.

[61] *Œuvres complètes*, ed. J. D. Mayer, André Jardin, and Françoise Mélonio (Paris: Gallimard, 1951---) 10, 663. Hereafter cited as OC.

[62] Tocqueville's warnings about industrial aristocracy are about just such an unaccountable oligarchy. See DA

[63] Richard Swedburg, *Tocqueville's Political Economy* (Princeton, NY: Princeton University Press, 2009) 29.

[64] " *Rapport fait au nom de la commission chargée d'examiner la proposition de M. DeTracy, relative aux esclaves des colonies* (1839)" OC 3:1, pp. 57, 48, 45.

[65] His reports on slave emancipation in the West Indies give the French state a large role in creating "flourishing new societies;" for example, the state could impose a transitional regime on ex-slaves and ex-masters with new laws, new administrative rulings, and new functionaries—or even go so far as temporarily to fix wages and manipulate property laws. See "L'Emancipation des esclaves," and "Intervention dans la discussion de la loi sur le régime des esclaves dans les colonies (30 May 1845), OC, 3:1.

This leads me to my final example: Tocqueville's discussion of the defects of centralization in the *Old Regime*. It has often been eloquently pointed out that this work is a devastating critique of the centralized monarchy and its legacy for French politics. Yet his long excursus on the exemplary and exceptional region of Languedoc was no paean to localism, but rather a case study in intelligent centralization. Languedoc was a big region, and the projects undertaken were ambitious and far beyond the means of any locality, yet beneficial to the entire region. Moreover, what Tocqueville most praises there is that representatives from the region worked with the centralized administration in a creative partnership. It is not that the Government should not coordinate things—in an advanced democratic society there is no one else to do it—it's just that it shouldn't be using the tools of the Old Regime (tax favoritism, extortion, the sale of offices, self-serving patronage) to do the job. Instead, the Government should both initiate and oversee private/public partnerships and erect economic structures that create stability and incentivize innovation. The worst crime of the Old Regime monarchy was not extending its power but extending its power in the wrong way: using taxation to exacerbate inequalities, renting out or even selling core functions of the state to ambitious place-seekers, brutally exploiting the weakest members of society. This use of power to make citizens incapable of cooperation and public-minded activity was the difficult legacy that the Old Regime bequeathed to French democracy.

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[66] "Rapport fait par M. de Tocqueville, sur le projet de loi portant demande d'un crédit de 3 millions pour les camps agricoles de l'Algérie" (1847) OC 3:1, pp. 406-407.
[67] *The Old Regime and the Revolution* ed. François Furet and Françoise Mélonio, trans. Alan S. Kahan (Chicago: University of Chicago Press, 2001), Vol. 2, p. 395.

Tocqueville was clearly thinking of the downstream situation that had emerged in his own time (the July Monarchy, the Second Republic, and the Second Empire) when he wrote the *Old Regime*. He found in eighteenth-century France a model of "unintelligent" centralization: a way of consolidating state power that did not incorporate representative institutions that could give citizens a stake in their society, but rather used government power to divide and conquer and to reward friends and punish enemies. In 1853 he had a particularly revealing conversation with his friend, the influential English economist, Nassau Senior. Senior asked: what was the worst aspect of Louis Napoléon's regime—and what would eventually bring down the dictator? Tocqueville said that it was Napoleon's corruption, not his consolidation and expansion of centralized power, that was the worst problem. Napoleon was engaging in arbitrary punitive measures against those whom his administration presumed to be their enemies in the countryside and was corrupting national politics through personal favoritism in Paris. "[N]othing in the corruption that prevailed in the worst moments of the reign of Louis XV . . . resembles what is happening now."[68] What was inadmissible, according to Tocqueville, was government by rogues and crooks (*le règne des fripons*). To Tocqueville's mind, it was not centralized government itself that created dependency and stifled innovation; rather it was being in a humiliating situation in which one's public actions were determined by fear and favor, a situation made that much worse if those in power were scoundrels.

This obsession with corruption brings me to the point of this essay: Tocqueville's analysis of what was wrong with the national legislature in France, and how his contemporaries should think about reform.

III: Dysfunctional Democracy: Corruption/Compromise/Conscience

To speak and act because you hope to gain favor from those who hold power, rather than to deliberate independently about public matters, is largely what Tocqueville meant by political corruption.[69] And it could take many forms.[70] For example, representative governments in settings like nineteenth-century England, with its huge economic inequalities and consequent class privilege, are breeding grounds for corrupt electoral processes.[71] But the coming of democracy—with its erosion of aristocratic norms, focus on economic progress, privileging of material self-interest, and greater number of individuals involved in governing—would inevitably increase the potential for corruption. In this regard, the situation of France revealed the problem in a stark way. Like nineteenth-century America—unique but capable of providing general lessons—so his own country was both distinctive in its circumstances but representative of a general problem for democracy in the future. The French, according to Tocqueville, were the first to try to combine three things that had never yet been united in the same time and place: an egalitarian society, centralization, and a serious representative system.[72] Unfortunately, a perfect storm of circumstances in post-revolutionary France had encouraged a dysfunctional way of combining these three things. What were these circumstances and how could the pathology they promoted be overcome?

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[68] OC 6:2, 401.

France had a highly restricted electorate whose instincts, so Tocqueville argued, were now shaped by egalitarian materialistic passions unleashed by the coming of democracy; it also had a large, centralized administration in which paid positions, controlled by the government, were lucrative ways to get ahead. These offices could be bartered for electoral support or votes in parliament. Indeed, to overcome a fractured and divided parliament, the government was deliberately attempting to cement support through interest and patronage. So the government, in Tocqueville's view, bribed parliamentary deputies to support its policies. The deputies, in turn, bribed voters in order to get elected.[73] The bureaucracy was so big and the electorate so small that the entire political system had become a kind of self-serving game of exploiting public goods for private ends.

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[69] For a superb discussion of Tocqueville's views on corruption and how they fit into his larger view of the democratic social state, see William Selinger, "'Le grand mal de l'époque': Tocqueville on French Political Corruption," *History of European Ideas,* 42:1 (2016), 73-94. My comments here have been influenced by Selinger's careful and persuasive arguments about Tocqueville's focus on the dangers of, and solutions to, corruption in the July Monarchy.

[70] Our contemporary notions of corruption—in which political leaders either allocate budgets or introduce legislation to facilitate projects from which they themselves or their close associates in industry will benefit, in which corporate lobbying of Congress has metastasized to an unhealthy extent, in which running for office means full-time fund-raising—would surely also fit under his conception.

[71] Alexis de Tocqueville, *Journeys to England and Ireland*, trans. George Lawrence and J. P. Mayer (New Haven, CT: 1958).

[72] "La centralisation administrative et le système représtentatif, " OC III:2, 129-30, 132.

[73] "Fonctions publiques," in OC III: 2, 215.

What outraged Tocqueville most about the French way of combining social equality, centralization, and representative government, i.e., insider political trading in offices and places, was the insidious effect of this corrupt activity on the public. Democratic instincts among the population and centralization certainly helped to cause legislative dysfunction, but the sorry spectacle of a corrupt governing system in turn worsened and deepened the very materialism and individualism that made it possible.[74] Rather than modeling political life for the nation, debates in the legislature had become a mere show in which deputies descended to partisan posturing, "painting their feelings in lurid colors and exaggerating their ideas."[75] Mincing no words himself, Tocqueville painted his fellow deputies as a "pack of hounds" who had abdicated responsibility for the public good.[76] The French public, alienated from the representative politics practiced by such leaders and dispirited by the spectacle of elite disarray, had almost given up on the promise of democracy. Some citizens retreated to private money-making and turned their eyes away from politics; others decided to join deputies at the public trough. Meanwhile, the national government had abandoned the needs of the poorest citizens, citizens who then incubated political unrest by falling under the sway of dangerous fantasies of political salvation through a leader or a revolutionary movement. Elite failures in fact *hastened* the fatal attraction of social levelling and centralization. The lack of character and honesty among figures who should be exemplary had created a sense among the masses that political life was merely a self-interested charade in which the people lose.[77]

Tocqueville, however, was never one to succumb to fatalism or determinism; if political elites were part of the problem, they also had the power to find a solution—by altering the structural situation and working to change elite practices and norms.

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[74] Tocqueville makes this the theme of a speech given on January 18, 1842, "Discussion de l'adresse," OC III: 2, 198-201, 206.

[75] *Recollections*, 14.

[76] *Recollections*, 23.

[77] Tocqueville to Beaumont, December 14, 1846, *Tocqueville: Lettres Choisies Souvenirs: 1814-1859*, ed. Françoise Mélonio and Laurence Guellac (Paris: Gallimard, 2003), 577.

It is fascinating to consider the strategies Tocqueville entertained to fight French political corruption, because they are not what a reader of *Democracy in America* might expect.[78] Rather than decentralization, he recommended intelligent centralization. First, he hoped to reduce the opportunity to use offices as a bartering medium by changing the laws that facilitated the "revolving door" between the bureaucracy and parliament and that governed the electoral system. That is, he wanted to regulate. Second, he hoped—as in the case of the mismanagement of the French colonies—to professionalize the bureaucracy through competitive examinations, somewhat on the model of Prussia. The problem, he reminded his fellow deputies, was not the number of offices, it was that anyone—however lacking in talent and education—could enter into a public career.[79] Tocqueville was under no illusion that imposing what he called "limits" and "rules" would completely solve the problem, but he thought such intervention was necessary to halt the deterioration of legislative norms. It was still possible to recognize violations and excesses, he thought, but soon the lack of any standard for honorable political behavior would become the new normal. In painting a picture of this possible fall into a dystopian future in which national political life was completely dead and invisible to new generations of citizens, Tocqueville recalls the picture of soft despotism from *Democracy in America*.[80] Changing the behavior of political elites would not alter the underlying dangers of the democratic social state, but it might counter and balance them. At least "one would set a great example, one would provide a good rather than a bad model from above."[81]

Finally, Tocqueville hoped to counter the undesirable effects on the public that flowed from a political elite that modeled bad citizenship by reconstructing a great opposition party in the country, beginning with a parliamentary coalition of public-spirited legislators.[82] Throughout his time in parliament, Tocqueville proposed several versions of this new patriotic political alignment; perhaps the most well-known was his effort to create what he called a "new left" in the late 1840s. His proposed strategy was to support a modest increase in the electorate and to create support and enthusiasm among old and new voters for a more principled opposition by promoting more just social policies—for example tax reforms that would "rework the entire system in such a way as to reduce the burden on the poor and increase it a bit on the rich."[83] He counted on the popular appeal of a new coalition of the willing who would make ruling in the public interest a priority and hoped that the electorate would then increase the representation of this coalition in parliament. If we lead, he reasoned, the public will follow.[84] Complaints by Tocqueville in his letters about the "sterility" of his political career are invariably followed by new efforts to change the political situation.[85] He never seemed to stop nudging his colleagues in the direction of adopting a "new attitude, language, and moral power."[86]

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[78] For a longer discussion of Tocqueville's strategies to fight corruption, and their apparent divergence from the accepted interpretations of his views on local participation and the need for decentralization, see Selinger, "Le Grand Mal," 83, 87-93.
[79] "Discussion de l'adresse," OC III: 2, 204-205.
[80] See especially "La centralisation administrative et le système représentatif, " OC III:2, 131.
[81] "Notes pour un discours," OC III: 2, 209
[82] "Lettres sur la Situation Intérieure de la France, OC III: 2, 117.

Tocqueville's efforts to create such a broader movement were continually frustrated and came to nothing. Matters weren't helped by the fact that he lacked the skills to play the political game well. He was near-sighted, so sometimes insulted his colleagues by failing even to recognize them, much less remember their names. Moreover, he couldn't think on his feet or speak spontaneously in public. But Tocqueville's failure to forge an acceptable way forward in politics illustrates more than personal political failings: his situation reminds us of the vicious circle that can emerge in a dysfunctional democracy. On the one hand, to get anything accomplished there must be the kind of reciprocity and trust that Tocqueville noticed in the United States. In a famous description from *Democracy in America*, Tocqueville notes: ". . . [the American] does not expect to bend by force wills that are opposed to his, and he knows that to gain the support of his fellows it is above all necessary to win their favor. So he is patient, thoughtful, tolerant, slow to act, and persevering in his designs."[87] These political norms were necessary to activate the positive alchemy of association in political life, both local and national. Tocqueville gave similar advice to his own close collaborators in France. There are many men in the opposition, he wrote to his friend Francisque de Corcelles, "with whom I would like to be able to work in future." [88] Or consider his later advice to Corcelles, with whom he was hoping to launch a political journal that would drum up public support for his policies among the electorate. His warning about being overly squeamish was also a reminder to himself:

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[83] Tocqueville to Jules Dufaure, July 29, 1847, *Lettres Choisies*, 580. Cf. OC III: 2, "Vers la création d'un parti de la 'Jeune Gauche,'" 719-744.

[84] "Lettres sur la Situation Intérieure de la France," OC III: 2, 117.

[85] For example, he bemoans in a letter to Pierre-Paul Royer-Collard (September 27, 1841) that he feels isolated, that he doesn't have the ability to create a truly liberal but non-revolutionary party, that he is a lone figure expressing his individual ideas without the hope of changing anything. "C'est là un role honorable mais sterile." *Lettres Choisies*, 485. But just a year later he is energetically writing a long and important letter to Odilon Barrot to try to convince Barrot to break with Thiers and lead the "center left" in a new direction. Tocqueville to Odilon Barrot, September 16, 1842, *Lettres Choisies*, 499-505. He recaps this letter in a subsequent letter to Beaumont, September 19, 1842, *Lettres Choisies*, 506-508. (For other statements of his perceived isolation and discomfort with politics, see *Lettres Choisies*: letters to Stoffels, 492, to his brother Édouard, 497, to Kergolay, 532.)

[86] Tocqueville to Beaumont, September 19,1842, *Lettres Choisies*, 507.

[87] DA (1835), Part 2, chapter 10, "Some considerations on the Present State and Probable Future of the Three Races that Inhabit the Territory of the United States." Nolla/Schleifer, 602.

> It seems to me that political matters must be dealt with in a political spirit, leaving aside all the delicate sensitivities that might be relevant in private life. What joint action produces results that correspond precisely to the aims that one would have proposed individually, and in which one doesn't do a little more, a little less, or a little differently than one would have done if one were alone? This is the necessary condition of association. If one does not wish to submit to it, one no doubt remains more fully oneself, but one cannot do for others any of the good that one wishes for them, and ultimately one works more for oneself than for one's country.[89]

Common political action, then, requires a certain party loyalty, in the sense of a suspension of scruples for the sake of getting something accomplished. On the other hand, the freedom to break ranks—to change course and to speak the truth—is crucial in a situation in which others are untrustworthy and therefore potentially dangerous as allies. Tocqueville's predicament illustrates the acute tension between compromise and conscience that continually must be negotiated in a dysfunctional legislature.

Tocqueville's own negotiation of the tension between political compromise and personal conscience in politics was skewed toward heeding the latter. Care for his own moral independence often led him to fall out with potential allies. In the first flush of victory after his second run for office, for example, he wrote to a friend that he had succeeded honorably: he didn't pander, he didn't promise anyone a job, he didn't engage in secret schemes; he merely appealed to voters' better natures.[90] During his years in the Chamber of Deputies, Tocqueville was loosely affiliated with the opposition to Guizot's governing faction. For the most part, he refused to cooperate with the government in domestic matters because he believed that Guizot was deliberately exploiting voters' and deputies' worse natures. Indeed, he thought that the opposition had compromised too much, rather than too little, with a government that in his view had no long-term vision beyond staying in power. Perhaps more revealing, however, is the way in which Tocqueville distrusted "political friendship" with others in the opposition with whom he agreed on many matters. His most frequent target was Adolphe Thiers. Thiers, he warned, might seem to favor reasonable policies, but he was too self-centered, ambitious, and mercurial to sustain a real sense of common action.[91] Even those closest to Thiers, for example, did not entirely trust him or know what he would do next. Such a person did not know the meaning of cooperation, even for limited purposes, but only how to bully others and make them into his dependents.[92] "Of all the men in the world," Tocqueville wrote to his friend Gustave de Beaumont, "Thiers is assuredly the one who most frequently wounds and injures all the sentiments that I think of as the most refined, pure and precious in myself and others. . . . what I love, he hates or ridicules; what he loves, I fear or scorn."[93] Tocqueville always seemed to be politically stuck between a rock and a hard place: risk cooperating with others who would either exploit this alliance for their own dishonorable purposes or would move too fast, or do nothing, which would preserve his independence and honor but would sacrifice the opportunity to move forward at all.

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[88] Tocqueville to Francisque de Corcelles, October 19, 1839, *Lettres Choisies*, 451.

[89] Tocqueville to Francisque de Corcelles, August 13, 1844, *Lettres Choisies,* 548 [trans. Arthur Goldhammer].

[90] Tocqueville to Eugène Stoffels, March 7, 1839, *Lettres Choisies*, 441. Or, as he writes to Henry Reeves, November 7, 1840, *Lettres Choisies*, 468: "I will never sacrifice to [the spirit of party] what I believe to be the permanent interests of my country." Nevertheless, he is honest enough to question his own motives: is he motivated by personal ambition or rather, as he hopes, by a sense of duty to make the government do the most good and least evil possible? See Tocqueville to Louis Le Peletier de Rosambo, March 13, 1839, *Lettres Choisies*, 445.

Looking back on Tocqueville's career in politics, and on his own attempts to fight corruption and maintain the delicate balance between compromise and conscience, we can certainly question whether his judgements were always correct, whether opportunities were missed, whether he always succeeded, as he put it in *Democracy in America*, in seeing "not differently, but farther than parties."[94] But France's lack of success in combining an egalitarian society, intelligent centralization, and a free representative political regime is quite clear—and Tocqueville puts much of the blame squarely on his colleagues and himself. In a letter to the *Times of London* written to set the record straight just after Louis-Napoléon's coup, Tocqueville defends the legislature from the worst calumnies of the Bonapartists, but levels his own devastating criticisms.

> No doubt history will have serious charges to bring against this legislative *Assemblée* . . .. The parties of which the Assembly was composed were not able to agree; this led to uncertain and even contradictory policies that ended by discrediting it and rendering it unable to defend liberty or even its own existence. . .. The majority of the Assembly,

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[91] Tocqueville to Odilon Barrot, September 16, 1842, *Lettres Choisies*, 500-501. Cf. his letter to Louis de Kergolay, October 25, 1842, *Lettres Choisies*, 509, in which he notes that he himself needs to take a more active part in the opposition, but that is a delicate matter if one wishes to maintain one's individuality.

[92] Tocqueville to Odilon Barrot, September 16, 1842, *Lettres Choisies*, 501.

[93] Tocqueville to Gustave de Beaumont, December 14, 1846, *Lettres Choisies*, 576.

[94] DA (1835) I: Introduction, Nolla/Schleifer, 32.

> instead of conspiring against Louis-Napoléon, sought nothing so much as to avoid a quarrel with him; it pushed moderation towards him to the verge of weakness and a desire for conciliation to the point of spinelessness.[95]

Conclusion

In one sense, Tocqueville's strategic analysis of how to achieve a more stable and just democratic regime in nineteenth-century France provides a window onto a unique political world, but in another sense, he reveals some of the existential difficulties of action within any dysfunctional representative system. His advice to his fellow legislators, who faced a situation in which a wellspring of frustrations and grievances among the people threatened to destroy the representative system itself, was to cease considering political privilege as an entitlement and to model a more honorable and public-spirited form of political life that could seriously address popular anxieties and discontents. A failure to do so, he thought, would only intensify a festering and dangerous populist resentment. Tocqueville of course experienced the results of his generation's failure. In the *Recollections* he gives us a frightening picture of how the Revolution of 1848 led to a deepening estrangement in which political actors completely lacked mutual tolerance and continually spoke past each other. An authoritarian coup then completed the evisceration of representative politics. Tocqueville's picture of a political world in which factions "feel one another out, they come to grips, but neither sees the other"[96] is closer to the reality of contemporary politics in the United States than is the portrait of a vibrant republic in *Democracy in America*. Whether our generation of political leaders will do better than Tocqueville's in combining a passion for equality, a strong centralized state, and a fair representative system is an open question.

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[95] Tocqueville to Mrs. Harriet Grote, December 8, 1851, *Lettres Choisies*, 731-732.

[96] *Recollections*, 96.