Tocqueville's American Odyssey

A Lecture Given at St. John's College, Annapolis
July 1, 2015

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I'll be talking tonight about a year-long journey that Alexis de Tocqueville, the author of the great work, *Democracy in America,* made to America when he was 25, soon to turn 26, about the age of many students in the St. John's College Graduate Institute. He published the first volume of his great work only 3 years after he returned home. It remains in print in several languages nearly two centuries later, and it is read in the College and the Graduate Institute. It gives Americans in particular, but proponents of democracy in general, an opportunity to think carefully about what they wish for — to consider, for example, the risks of tyranny by the majority, over-centralization of government, too great love of riches, and a general thoughtlessness.

One might therefore expect me to concentrate tonight on this great work, but the more Tocqueville I read — and there's so much to read: the book on democracy, memoirs, essays, legislative reports, and the great book on the French Revolution of 1789, which was a best seller recently in China (TLS, Nov. 1, 2013) — the more of him I read, the more I want to understand what sort of man he was. The units, one might say, of our tradition are, yes, great works, but also great people. I can't set aside the big book, but it's only part of him, and not always the most revealing. Tocqueville was a certain sort of man, of which we need many more — an aristocrat, yet a democrat; a moderate in politics, an immoderate in pursuing truth.

I've chosen to talk about only a year of Tocqueville's life, a year straddling his 26th birthday. Aristotle says the young are courageous and love honor, but old men are cowardly and seek only advantage; the man in his prime, is, of course, just right. Yet tonight you'll be hearing from a man nearly three times the age of his young subject. Is the lecturer to be trusted? And is a year too short a time?

Not when the subject is a young person choosing big. Think of Achilles leaving battle, Oedipus leaving home or what he thought was home, a Jane Austen heroine choosing a husband, Huck Finn looking for freedom on the river. These are somehow "ings" complete and full in their very being on the way. Is it bad metaphysics to say that something that's growing to fullness is still somehow complete? It might be good fiction or biography. So tonight will be more Plutarch than Plato.

I'll be relying mainly on the many letters Tocqueville wrote during the journey — to his father, his mother, his brothers and their wives, the woman who would become his wife, the priest who guided his education, fellow lawyers, and friends of many years. About these letters he said, "[T]his correspondence does me good. The obligation to formulate my ideas may help me sort them out a bit." LFA 86. "The few general ideas I've thus far expressed about this country are in letters ...." LFA 222. In several letters he asked the recipient to be sure to keep the letter so that he could read it later.

We could see the letters as preparation for the big book, but I won't emphasize that tonight. He hadn't yet decided to write that book. SLPS 95. And the letters have much in them that doesn't get into that book. Taken on their own, they reveal a young man coming to grips with his family, his nation, his times, who chose to deal with them only partly by writing a great book, and who is therefore valuable to us as more than the writer of that book.

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So now, imagine the stretch and stuff of his journey. He sailed for America in early April, 1831. He returned to France probably in mid-March the following year. Each crossing of the Atlantic took about a month. For the 9 or 10 months he was in America, he traveled as far north as Quebec City, as far south as New Orleans, as far West as the Mississippi. He spent much time in the cities, but also in the wildernesses. He crossed the country from east to west, or west to east, four times. He ran much danger. He worked hard, reading voluminously, talking to hundreds of people, writing long letters, and keeping over a dozen notebooks of interviews, ideas, and travel notes.

Why did he do this? I'm not sure there's a fully satisfying answer. One day while trying to find a way out of the Michigan wilderness, he and his traveling companion, Gustav Beaumont, who was to become a life-long friend, came to the meeting of three trails and didn't know which to take. They thought that only one of the three led out of the wilderness. Tocqueville wrote, "[W]e did what almost all great men do and acted more or less on chance." JA 375.

It may help to note a few things about the life he left behind, the other trail he might have followed. He was born an aristocrat; several of his relatives were executed during the Terror that followed the French revolution of 1789; his parents spent 10 months in prison, all the time expecting to meet the guillotine. They didn't, only because Robespierre met it first. Once free, Tocqueville's father pulled the family together and preserved much of its wealth. Tocqueville entered law school in 1824; he didn't care for it, partly because, according to one account, the curriculum had not long before been emptied of all philosophical content. JA xv. But he graduated and in 1827, with his father's

help, took up a position that combined judicial and prosecutorial functions. L 78. There he prepared at least 60 briefs over 4 years. JA xvi.

His barely settled ways were interrupted between late July and early August 1830. In that short time, Charles X, whom his family had supported, was overturned and Louis-Phillipe became a constitutional monarch. Tocqueville's father lost his seat in the Chamber of Peers, there was unemployment and destruction of church property, and there were riots. LFA 26. Alexis had to choose between taking an oath of loyalty to the new king and so retaining his position, or adhering to his family's politics and so possibly getting linked to revolutionary elements. He was no revolutionary. But neither did he need the work; he had money, and, besides, his position was not a paying one. It's not clear to me why, but he took the oath. Later, though, when he was in America, he wrote to a friend that, whoever followed Louis-Phillipe, he, Alexis, would resign his appointment and, as he put it, "be master again of my conduct and my actions." LFA 98.

He and Beaumont secured leaves from their positions and became unpaid commissioners authorized to study first hand the penitentiaries in the U.S There were reports circulating in France that American prisons were much superior to French ones. His father covered his expenses. Alexis said later that the government probably didn't know he was in the U.S., and that the subject of prison was "a pretext" for learning about America. SLPS 95. However much a mere pretext, and however little the French government may have taken notice, the subject was important, and the Americans knew it. Early on, he wrote, "I thought about the subaltern role I played in France two months ago and the comparatively lofty situation we enjoy in America ...." LFA 48-9.

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In 1830, the circumstances of travel to and in the U.S. challenged body and soul. The safety of the month-long crossings by sailing ships called "packets" was in fact very high, according to Tocqueville. In a letter to his family, he wrote that in 10 years of near weekly trips to three European ports, not one ship had been lost. LFA 263. Steamboats were another thing. He wrote that 30 steamboat explosions or sinkings had taken place in the first 6 weeks he and Beaumont were in the U.S. LFA 263.

Safety aside, travel on the sea could be soul-trying. One day, in calm seas under a lovely sky, someone on Tocqueville's ship proposed they dance on deck, to the accompaniment of Beaumont's flute. They all did just that, but Tocqueville wrote, "Man must be an animal heedless of all that may befall him to caper as we did over a bottomless abyss, under the vault of heaven, with death on all sides." LFA 7.

Even in New York City, he felt isolated. Writing to his father, he said, "[L]iving so far from those one loves is being only half alive." LFA 53. The isolation affected how he

viewed America: He said he "despair[ed] of conceiving anything but arid impressions." LFA 53.

The body was tried too. Toward the end of the trip, on the Chesapeake Bay, he wrote,

> I have not felt better in the last five or six years than I have during the past two months. .... [T]o keep well, one must: eat corn and pork; eat little, heartily, or not at all as the occasion warrants; sleep on the floor fully clothed; move in the course of a week from ice to heat and from heat to ice; push wagon wheels or wake up in a ditch .... [LFA 259.]

But the two men worked hard. Beaumont, writing to his father during the crossing to New York, reported that he and Tocqueville were translating a book on American prisons and reading an economics text by Jean-Baptiste Say (a French proponent of Adam Smith's ideas), and that they had already read a complete history of the U.S. LFA 12-13. From the start, a lot of this hard work was directed at more than prisons. Beaumont wrote,

> I can't tell you what a pleasure it is being shut up in our little cell, exchanging ideas, making an earnest effort to seek the truth. Tocqueville is truly a man of distinction, remarkable for his loftiness of intellect and nobility of soul. .... While visiting its prisons, we shall be familiarizing ourselves with its inhabitants, its cities, its institutions, its ways. .... What about a book ....? [LFA 13.]

Tocqueville said,

> In Paris, we fancied we knew English, not unlike collegiate school graduates who think that their baccalaureate is a certificate of learning. .... We truly drove ourselves during the crossing; I remember days on a windswept deck translating English when it was difficult to hold a pen. .... [If one doesn't know the language,] [o]ne might as well take strolls in one's room with the windows shuttered. [LFA 23.]

They kept up this pace throughout the trip, and they were aided in doing this by the extraordinary reception they got. In New York, the newspapers announced their arrival, and all doors were open, Tocqueville told his mother. LFA 23. Beaumont wrote that an Englishman they met on shipboard introduced them to the governor of New York state, the mayor of NewYork City, and many judges, several of whom, Beaumont wrote, "proffered their services before we asked for them." LFA 29.

Tocqueville described their work day in New York City this way: They rose between 5am and 6am, worked until eight, then had breakfast, afterwards visited several establishments to conduct interviews, returned for dinner at 3pm, between 5 and 7 put their notes in order, and at 7 went for tea. He said, "This way of life is most agreeable, and I believe eminently sane." LFA 23-4.

Early on, they began to form some unfavorable opinions of Americans. Tocqueville wrote to one of his brothers, "Here we are truly in another world. Political passions are only superficial. The one passion ... that stirs the human heart day in and day out, is the acquisition of wealth ...." LFA 44.

Tocqueville thought that U.S. pride in its form of government could be "fatuous". He said that, at a July 4th celebration, "a lawyer subjected us to a rhetorical harangue pompously parading all of world history to its consummation in the United States, seated at the center of the universe. .... I left, cursing the speechifier whose gab and fatuous national pride had dampened the vivid impressions the rest of the ceremony had made on me." LFA 121. What would he have thought of Lincoln's resolve that "government of the people, by the people, for the people, shall not perish from the earth."?

Yet allied to these vices were certain virtues. Tocqueville said, "A nation that seems to live only to enrich itself could not be a virtuous people in the strict sense of the word. But it is 'disciplined.'" LFA 68. And Beaumont saw discipline in more than just the pursuit of wealth. "... American mores are extremely pure", he said, though he immediately attributed the purity to just one source: "A wife who misbehaves is regarded as a rarity." LFA 29. Tocqueville himself misbehaved frequently during his marriage. L 395-97. There was a Penelope in his life: Mary Mottley, a middle-class English women, whom he married not long after his return to France. Early in his American Journey, he wrote her in the following terms. "I love what is good more for love of you than for any other reason." LFA 37. "You conquered my soul ...; you now reign over it as absolute mistress." LFA 38.

At times, the two men came across a kind of virtue that went beyond business discipline or well-behaved wives. In New York state, Tocqueville drew a portrait of a kind of person one might find after crossing a little wilderness: "[O]ne reaches a farmhouse, [and] one is amazed at encountering more evidence of civilization than one would find in any French village. The farmer is neatly dressed; his dwelling is perfectly clean; there is usually a newspaper near to hand; and his first subject of conversation is politics." LFA 126. The farmer would even ask about the relative strengths of the parties in France. The farmer here emerges, as he does in Adam Smith and Lincoln, as having an independence of mind, a freedom from certain urban vices, and a knowledge of many useful and interesting things about nature, machinery, animals, humans, economics, and politics.

If you've read much Tocqueville, you know that he thought humans could not rely entirely on law and political institutions in order to live good lives, that religion must also play a part. Years after his American journey, he wrote, '[M]an's true grandeur lies only in the harmony of the liberal sentiment and religious sentiment, both working simultaneously to animate and to restrain souls ...." SLPS 295, and he asserted that he was a man "whose sole political passion for thirty years has been to bring about this harmony." SLPS 295.

But early in his American journey, he made clear that some manifestations of the religious sentiment in America proved what he called the "feebleness of our nature." He found Americans unusually tolerant of each others' religious beliefs, but "the tolerance amounts to good old indifference." LFA 89. He reported that there might be chaplains of different faiths in prisons, but that they stuck to moral commonplaces and didn't, as he put it, "cramp one another". LFA 89. Religion didn't move them. "These sectarians live and die in the wishy-washy, without worrying about the heart of things ...." LFA 90. He saw two kinds of religious sentiment in America that went off in opposite directions, both wrong. Those who needed religion but despaired of finding the truth, "deliver themselves, neatly tied up, into the arms of 'authority.' Their critical faculty is a burden that weighs upon them, and they happily cast it off. They become Catholics." LFA 92 Then there were the Unitarians. "J.C. [that's his abbreviation] is seen as an angel, a prophet, or a Socrates. They are pure deists." LFA 91. He found them logical, dispassionate, full of intellect and learning, with no inclination to factionalism. LFA 91-92. The one group, he said, "sways people's wills, dominates the imagination, and begets real, profound beliefs" but "divides the human race into the blessed and the damned .... The other religion preaches tolerance, cleaving to reason, ... and what is it? — an inert fellowship, feckless and almost lifeless." LFA 93. Here he dropped the subject. "[I]t will drive me mad if I dwell on it any further." LFA 93.

His own beliefs at the time, and probably for the rest of his life, tended to be simple and based on a sense of fairness. They come to light in some letters he wrote after he learned that the Abbe' Lesueur, his teacher for many years, had died. Writing to a cousin, he said that the Abbe' had been "a father to us in his tenderness and care. It was on his knee that we learned moral discernment; it was he who gave us that childhood education whose lasting effect has been to make us honorable men ...." LFA 200. Despite Tocqueville's belief that forms of religion in America demonstrated the feebleness of human nature, he was convinced that the soul was immortal, and that the good were rewarded. He said, "That he [meaning the Abbe'] who lived only to do good could possibly suffer the same fate as great criminals is something against which my heart and my reason violently rebel." LFA 182.

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I turn now to what seems to me the core of Tocqueville's American Odyssey: the encounter with boundaries — between city and wilderness, Indian and European, master and slave, the past and the future, the old France and the new France, and, most important, between the national government and local government, and between government at any level and citizen. In contending with these boundaries, he began to show what he was capable of, and to help us contend with these same boundaries.

I begin with a short trip Tocqueville made into the wilderness of western New York state. This short trip suggests one way in which Tocqueville thought about his whole journey. He was following up on a story he'd heard about a Frenchman who had lived there some years before, on an island in Oneida Lake. Writing to a sister-in-law in July, Tocqueville told the story of that Frenchman. To his sister-in-law he said, "If it doesn't make you dream for a week, by which I mean daydream, I shall no longer recognize you." LFA 128. About 40 years before Tocqueville's visit, a Frenchman from a rich family had come to America with his wife, "fleeing from the revolutionary turmoil of his native land." LFA 128. Penniless, he borrowed to build a cabin and small farm on the island. Around 1810, the wife died, and some time later, the man went away, whereto no one knew. LFA 130. When Tocqueville and Beaumont visited the island, the cabin was a ruin, and the farm visible only in outline. Tocqueville said,

> Can one think of an odyssey comparable to this poor devil's? Men treated him as a leper, driving him out of society, he made the best of his expulsion and created a world unto himself where he dwelled, serene and happy ...; his wife then died, leaving him bereft, an alien in the wilderness no less than in civilization. And yet, despite it all ..., is there not something seductive in the idea of being cut off from the entire world ...? [LFA 131-2.]

Not long after, Tocqueville had a much longer encounter with wilderness, in Saginaw, Michigan, now an industrial city of about 200,000 people, but in 1831 a village of maybe 30, on the very edge of the wilderness. His letters contain only a bare mention of this trip, but soon after, while still in America, he wrote an essay on the Saginaw trip, entitled, in the best-known English translation, "A Fortnight in the Wilds". As far as I know, it's the most extended piece of writing he did in America, and the length may testify to its importance to him, and yet the essay was not published until the year after he died. It was a worthy first effort to grasp the border between wilderness and civilization, the kinds of people who lived there, their likely future relations with each other, and the impact of the wilderness on himself.

At the start of the essay, he said, "One of the things that pricked our most lively curiosity in going to America, was the chance of visiting the utmost limits of European civilization ...." JA 328. He and Beaumont went off into the wilderness "as thoughtless of the future and happy as a pair of schoolboys leaving college to spend their holidays ...." JA 337. But more than "lively curiosity" was demanded by the Michigan wilderness. They were lucky to have survived it: the swarms of mosquitoes whose stings could penetrate ordinary bed sheets, horses whose shoes broke miles from help, dense forests littered with the trunks of huge trees, forest fever that could kill, lack of food, loss of the way, and rattlesnakes.

There were, in this wilderness, moments of great beauty and peace, but also terror. At night, "All around one could see nothing but gatherings of confused masses, without shape or symmetry, strange disproportionate forms, incoherent sights and fantastic images that seemed to come from the sick imagination of a fever bed." JA 361. Even at midday, "... everything around you falls back into ... a stillness so complete that the soul is invaded by a kind of religious terror." JA 357. Yet one evening, out in a canoe, exploring a branch of the Saginaw River, he and Beaumont, as he put it, "fell ... into a tranquil reverie full of inexpressible charm." JA371, He then tries to express the charm: "[T]he universe seems before your eyes to have reached a perfect equilibrium; then the soul half asleep hovers between the present and the future, between the real and the possible, ... with natural beauty all around and the air tranquil and mild, at peace with himself in the midst of universal peace ...." JA 371. "The wilds were there surely just the same as when our first fathers saw them six thousand years ago." JA 371. Tocqueville's evocation of the Garden of Eden reminds me that, only about two months before Tocqueville got back to France, Darwin left England on his 5-year voyage on the Beagle. The next-to-last sentence of *The Origin of Species* speaks not of the "universal peace" Tocqueville found on the river, but rather of "the war of nature", the "famine and death" from which the higher animals emerged.

Certainly the humans in Saginaw did not present a picture of universal peace. Tocqueville counted four types of them. There were the Indian, the Englishman, the Frenchman, and what he called the "half-caste" — French father, Indian mother. I'll focus on just two of the several points he made about the relations among these four.

First, he captured well the vividly unfair, but perfectly logical attitude the richest man in the village, an Englishman, had toward the Indians. The man said, "They were good, inoffensive, a thousand times less inclined to theft than the white men." JA 369. Partly proving what the Englishman had said, Tocqueville reported that this same Englishman was cheating the Indians in his commercial dealings with them. JA 369.

Especially poignant to Tocqueville was the way the French and Indian contended with each other in the soul of the half-caste. At various points in his writings Tocqueville said that intermarriage could be a route peace among peoples, but at this point, in Saginaw, he was full of concern for the half-caste: "Proud of his European origin he scorns the wilds, and yet he loves the freedom that prevails there. ... Not knowing how to find his way by his uncertain lights, his soul is the painful battleground of all the arguments of universal doubt." JA 468. Perhaps Tocqueville saw a bit of himself in the half-caste. He was headed toward a sort of mixed marriage, he an aristocrat, she an English commoner; and his aristocratic upbringing and belief in the future of democracy were in conflict. He also suffered a period of "universal doubt", which I'll talk about later.

Summing up what he saw about Saginaw's four human types, he said, "[I]n this corner of the earth unknown to the world, God's hand had already sown the seeds of

diverse nations[,] ... several distinct peoples facing one another. .... There are scarcely thirty of them ..., but they cast only looks of hatred and suspicion on one another. .... Where could one find a more complete picture of the wretchedness of our nature in a narrower frame?" JA 368-9.

Tocqueville the master of word pictures was emerging here. The pictures are often simultaneous. A striking example occurs in his account of their trip back from Saginaw. No moment of universal peace on the river, this moment on the way back combined the terrors of the wilderness with the terrors of man. They had traveled from Saginaw to the Flint river in a day without seeing another human. He said,

> It was in the midst of that profound solitude that we suddenly thought of the Revolution of 1830 .... I cannot describe the impact with which memory of the 29th July took possession of our minds. The cries and smoke of battle, the roar of guns, the rattle of rifles, the even more horrible ringing of the tocsin, that whole day with its delirious atmosphere seemed suddenly ... to stand before me like a living picture. This was only a sudden hallucination. ... When I raised my head and looked around me, the apparition had already vanished; but never had the silence of the forest seemed so icy, the shadows so sombre, the solitude so absolute. [JA 375-6.]

These are the last words of his memoir of the wilderness. If the two friends went out schoolboys, did they come back men with no retreating place — neither revolutionary France nor the wilderness — like the Frenchman who'd lived in Oneida Lake?

As terrifying, dangerous, wretched, and hallucinatory as his experience in and near Saginaw may have been, he was grateful for having been permitted another pair of superimposed pictures, one of what was now, and the other of what was not yet. He said, "it struck us as a peculiar privilege of fate that we ..., children of an ancient people, should be brought to witness one of the scenes of the primitive world and to see the still empty cradle of a great nation. " JA 372.

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His idea that the new world was the frame for a clash of peoples expanded during his visits to Canada and western states, especially Ohio, and in a trip down the Mississippi, by my reckoning only four years before Huck Finn made the same trip.

After the wilderness, they visited lower Canada, and Tocqueville wrote to his former teacher, the Abbe', describing a community I'm sure he much preferred to the United States. "I can't tell you how comforting it was to be in the bosom of the community. ... [O]ld France now lies on this side of the ocean .... We've discovered old French habits and mores, especially in the countryside." LFA 175. He reported that there was singing and dancing, the curates were good-humored and most distinguished, they arbitrated games,

befriended and advised the people, and resisted English authorities. Morals had remained strong, thieves had to leave the community, fallen women were rare. The national character of old France existed there despite British rule. LFA 276. Beaumont wrote, "... Canadian French are gayer than we are now in France, the reason being simple that their situation has changed less than ours. Our Revolution added darker colors to our national character . ..." LFA 154.

Quebec showed Tocqueville the France of the past, but his trips west and down the Mississippi showed him what might France might have been, had it defeated the English in America: Writing to a brother, he laid out a compact but elaborate analysis that, again, superimposed on the present another time, not future time, as in Saginaw, but the time of what might have been. He said that there was "real genius" in the way France had situated military outposts from Canada to Louisiana before the war of 1754. The outposts were ideal sites for cities that could attract commerce because they commanded navigation of rivers. Those cities and forts would have hemmed in the English by an immense arc, at their back the French and their allies the Indians. He thought that, under these circumstances, the English of America would not have rebelled, and that perhaps there would have been no French revolution in 1789, or at any rate not the one there was. LFA 230. "The French of America possessed within themselves all the resources to be a great people. They are still the finest offspring of the European family in the New World." LFA 231. But, in his opinion, it wasn't only France that lost out in the 7-year war that began in 1754. Though England won the war and now ruled the French in North America, England had not foreseen that the English in North America, "no longer dependent on the mother country's support, would aspire to independence, ... a fait accompli twenty years later, with England in economic tatters after a disastrous war and facing an immense new nation on the American continent, English-speaking but her natural foe, almost certainly destined to usurp her lordship of the seas." LFA 231. Are young people, being hard at work making choices among possible futures, more likely to see a given moment in time as over-laid with might-have-beens?

After Canada, they went west again, this time to Pittsburgh and Ohio, because, he said, in one of those sketches that appears to take in a whole culture,

> We had no real understanding of the western states .... What we encountered there is all the good and bad of American society set in bold relief ..... [LFA 242.] Here is where one must come to witness the most singular state of things imaginable. A people absolutely without precedents, without traditions, without habits, even without foundational ideas, has cleared a new path for itself in its civil, criminal, and political legislation, and plunged ahead, indifferent to the wisdom of other peoples and all memory of the past. It is shaping its institutions the way it has built roads straight across the forests, secure in the knowledge that it will encounter no limits or impediments .... [LFA 243.]

In Ohio, the two men got iced in and so could not return east except by going overland further west, to the free-flowing Mississippi, and taking it down to New Orleans, and then going overland up to Washington, D.C. But the stay along the frozen Ohio, and the trip down the Mississippi, taught the men much they hadn't seen of the clash of peoples.

> [In Ohio] for the first time, we had the opportunity to observe the social consequences of slavery. The right bank of the Ohio is a scene of animation and industry; work is honored, no one owns slaves. But cross the river and you suddenly find yourself in another universe. Gone is the spirit of enterprise. Work is considered not only onerous but shameful .... South of the Ohio, whites form a veritable aristocracy that, like every other, marries low prejudices to lofty instincts .... They ... value many things higher than money. They will end up being dominated by the North, however. [LFA 249.]

Highly memorable language emerged when he talked about the Indians and how the English were treating them. Before his trip down the Mississippi, he'd said that the American Indians "are a most peculiar people ...! They think that when a man has a blanket to cover himself with, a weapon with which to kill game, and a beautiful sky overhead, he has all that good fortune can provide. He despises the yearnings and seekings of our civilization. It is absolutely impossible to bend him to any of our ways. He and his fellows are the proudest creatures in creation." LFA 202.

But he entered another world on the Mississippi. On Christmas day, 1831, he and Beaumont were stalled in Memphis, waiting for a boat to carry them to New Orleans; finally one arrived. As Tocqueville described it to his mother,

> [A]t length, a large group of Indians emerged — old people, women, children, with baggage — all led by a European, and came toward us. ... You will learn that the Americans of the United States, a rational people without prejudices, known for their philanthropy, conceived the idea, like the Spanish before them, that God had bestowed upon them, as an unrestricted gift, the New World and its inhabitants. .... And listen to this: it having been demonstrated that one square mile could nourish ten times more civilized men than savages, it followed logically that wherever civilized men settle, savages had to make way for them. What an excellent thing is logic. .... [T]he president of the United States sent them a message explaining that, in their own interest naturally, they would do well to retreat slightly westward. [LFA 252-3.]

Compare the argument about the square mile to John Locke's similar argument, which he too applied to America, that where resources are unlimited, no one is hurt if someone encloses a part of those infinite resources. Excellent logic.

These indians disembarked down the river, and there Tocqueville and Beaumont met the remarkable Sam Houston. He'd been Governor of Tennessee, but later withdrew among the Creek Indians, who were in the area to which the disembarking Indians were going. Houston was adopted by an Indian chief and married the chief's daughter, and had since lived half European, half savage. He gave Tocqueville an idea that proved useful for Tocqueville's extraordinary chapter on the future of the three races in America, which is in the first volume of *Democracy in America*. Houston, as recorded in one of Tocqueville's notebooks that he kept during his American journey, argued that Europeans, Indians, and Africans were equally intelligent by nature. JA 242. But, he said, in terms that echo through Tocqueville's writings,

> The Indian is born free: he makes use of this freedom from his first steps .... He is left to look after himself as soon as he can act. .... This necessity imposed on the Indian gives his intelligence a degree of development and ingenuity which are often wonderful. The ordinary Negro has been a slave before he was born. Without pleasures as without needs, and useless to himself, the first notions of existence which he receives, make him understand that he is the property of another, that care for his own future is no concern of his, and that the very power of thought is for him a useless gift of providence. [JA 242.]

This account is carried over largely intact into that chapter on the three races. It is, of course, low-resolution history. Turn up the pixillation, or, if you like, the light-gathering power, and someone like Frederick Douglass comes into view, like the moon mountains Galileo saw in his telescope. Douglass was born a slave, but discovered his intelligence and manhood early. When he was about the same age Tocqueville was in America, Douglass published his first autobiography. Because some readers thought about enslaved Africans the way Houston did, they found it hard to believe that Douglass, who'd been enslaved, could have written such a good book. For all the detail in Tocqueville's writing, many of his most compelling passages are low-resolution history and therefore may not show some important details.

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I come now to the last topic that is prominent in Tocqueville's letters home. He said, in the opening paragraphs of *Democracy in America,* that, "Among the new objects that attracted my attention during my stay in the United States, none struck my eye more vividly than the equality of conditions. .... More and more I saw in [the] equality of conditions the generative fact from which each particular fact seemed to issue ...." DA 3. But if equality of conditions struck his eye more vividly than any other new object, his letters seem to me not to reflect that vivid striking. Far more important in them is something I've already quoted, his comment, in an early letter, that there really was no government in

this "happy land". LFA 79. In the course of the year in America, that early observation led him to undertake a real inquiry into a question that became a focus of his later work, and that is before us today in many vivid forms, namely, how centralized should government be? Or, as he sometimes put it, where should be the boundary of government control of its citizens? (I'm not sure these two formulations are the same; the first formulation reflects more his experience in France.) The question about centralized control is an old and more general one than the question about what the equality of conditions entails, because one must ask about centralization even where an equality of conditions does not prevail. And his formulation of it in the context of the polities of America and France is highly enlightening. I will focus here on his discovery of the question while he was in the United States, and on his later weighing of its import.

At the start, he boasted that he and Beaumont knew what questions to ask of their reading and interviewees. "Knowing as we do exactly what we want to ask, the most humble conversation is instructive ...." LFA 53. He recognized the relative absence of government in the U.S. at the time, but he didn't seem to see yet any question to ask about that absence. But he was beginning to understand one impact of that absence. Writing to his father in early June, he said that prison officials had been most helpful, bringing him and Beaumont all sorts of documents, but that the documents hadn't covered some important topics. The experience led him to a general reflection:

> ... I would say that, where administration is concerned, this country and France have gone off the edge, but in opposite directions. While among us, government meddles in everything, here there is not, or appears not to be, any government at all. Alike the virtues and defects of centralization are seemingly unknown; there is no mainspring regulating the machine's moving parts, with the result that in many specific ways overall performance cannot be judged. [LFA 52.]

In July, he recognized some vices of decentralization: There was no fixity in administration of the prisons, nothing firm in their discipline; the mode of administration changed every time a new administrator came in. LFA 122. But in another letter he pointed to a virtue of decentralization: He said that because the central government "amounts to almost nothing. ... [L]ocalities manage their own affairs unfettered. This is what make the republic work. With personal ambition finding an outlet locally, it doesn't endanger the state." LFA 109.

But later, in October, he awakened to his confusion and to his *not* knowing what questions to ask. LFA 201. Writing to his mother, he said, "Everything I see, everything I hear, everything I perceive ... is a tangle in my mind ...." LFA 193. Writing to a friend two weeks later, he said, "... it is constantly borne in on us that the greatest obstacle to learning is not knowing." LFA 194. What Tocqueville said here at first sounds upside down. One would think that *not* knowing is essential to learning. But he had in mind a particular thing

he needed to know before he could learn what he wanted to learn. He said, "....we don't know what questions to ask because we don't know how France works, and the mind is stymied if it has no basis for making comparisons...." To Tocqueville, comparison was essential: The Indian and the African, the Spanish and the English, New France and Old France, wilderness and cities, economies with slavery and economies without, now and later, now and might have been. And enabling his comparisons were his low-resolution archetypes: *the* indian, *the* slave, *the* half-caste, *the* American.

Writing to his father on the very same day, he confessed to having spoken too confidently earlier: "[W]e are not exceptions to the rule that people speak with greatest assurance and certitude about that which they know imperfectly." LFA 195. (The shade of Meno rises to say, "I too.") Then Tocqueville asked his father some hard questions. "I know generally speaking, that our government meddles in almost everything; the term 'centralization' has been dinned into me a hundred times, with no elaboration. .... You have seen the administration at work in matters large an small .... I would like to know what ... are the accepted principles of a general nature ... [and] how they are applied." LFA 196. But then Tocqueville wanted also his father's "political observations": "... I would like to know your opinion as to where the line should be drawn against action by the central government; what kind of independence can be prescribed for townships; ... how much power can safely be vested in departmental assemblies." LFA 197. And he wanted all this right away! He also wondered whether there wasn't just too much to understand, and too few ideas. LFA 197.

Before he left America, Tocqueville in fact received that memoir from his father, and thanked him in terms that show that Tocqueville now knew better what questions to ask, and hoped that he might thereby be on the way to accomplishing something great. "[Y]our work sheds light on subtleties that help me understand the administration of this land. .... Your memoir has already served as the basis for many very useful questions. You say in one of your letters to me, dear father, that you are counting on me to do something beneficial in this world; I desire it no less than you — I daresay, even more for your sake than for mine." LFA 268.

Because the question about centralization arose so late in his journey, its importance emerged only in his published works. A memorable statement of that importance appears in a late chapter in the second volume of *Democracy in America,* the chapter entitled, "What Kind of despotism Democratic Nation Have to Fear." Some of you have read that chapter. Recall that he, as he puts it, "paints a picture" of that despotism, a kind never seen before:

> I see an innumerable crowd of like and equal men who revolve on themselves without repose, procuring the small and vulgar pleasures with which they fill their souls. .... Above these an immense tutelary power is elevated, which alone takes charge of assuring their enjoyments and watching over their fate. It is absolute,

> detailed, regular, farseeing, and mild. .... [E]very day it renders the employment of free will less useful and more rare .... [I]t rarely forces one to act, but it constantly opposes itself to one's acting ... and finally reduces each nation to being nothing more than a herd of timid and industrious animals of which the government is the shepherd. [DA 663.]

In other writing, Tocqueville claimed that over-centralization was a permanent habit of French government. This habit was, he thought, at work even in times of revolution. In the wake of the revolution of 1848, both Tocqueville and Beaumont were elected by the Constituent Assembly to be members of the Committee for the Constitution. From the start, a critical issue the committee faced was whether the new government should be, as before, highly centralized. Tocqueville sided with the few who thought it should not be, but they did not prevail. R 210. He said, "... when people say that we have nothing that is safe from revolutions, I tell them that they are wrong, that centralization is one thing. .... The government's enemies love it, and the rulers cherish it. .... It is true that rulers notice that it occasionally exposes them to sudden, irremediable disasters, but .... [t]he pleasure of meddling with everything and holding everybody in the palm of their hands makes up for the danger." R 211.

Tocqueville could have cited a classic example of the centralization of even a revolution. In late 1793, there emerged what has become known as "The Constitution of the Terror". It made the National Convention "the sole motive center of the Government", DSFR 482; it tasked newly constituted "national agents" with supervising the application of all laws, DSFR 487; and it revoked the powers of all bodies established by the people's representatives or popular societies, for being "subversive of the unity of action of the government, and *tending to federalism",* DSFR 488 (italics in the original).

In the great work of his last years, *The Old Régime and the French Revolution,* he elaborated the idea that over-centralization exposed the government to, as I just quoted him saying, "sudden irremediable disaster". He said,

> I have shown how the monarchical government ... had brought under its direct management all public business, even the most trivial. I have also shown how, owing to the centralization of power, Paris, which had until now been merely the capital city, had come ... to embody in itself the whole kingdom. These two circumstances ... suffice to explain why it was that an uprising of the people could overwhelm so abruptly and decisively a monarchy that for so many centuries had successfully withstood so many onslaughts .... [ORFR 205.]

But Tocqueville, even when he was in America, thought that some issues *should* be centralized, and that administration of those issues *should* be energetic. He was troubled by what he and others called "conventions". He admired the ease with which Americans entered into associations for all sorts of purposes — political, religious, literary. JA 212.

Think of the Young Men's Lyceum before which young Lincoln delivered his speech on the perpetuation of our political institutions. When Tocqueville was in America, he thought that temperance unions were the last word in such associations. JA 212. Think of young Lincoln's speech before the Springfield Temperance Union. But the word "convention", as Tocqueville used it, pointed to an association for almost legislative purposes. In October, Tocqueville and Beaumont were in Philadelphia to observe a convention on tariffs; the convention concluded that tariffs were unconstitutional! Later, in Boston, the two men asked John Quincy Adams about the convention; Adams at the time had been President and was now a Member of the House of Representatives. He said, "I find these assemblies dangerous. They usurp the place of political bodies and could end by completely thwarting their action." JA 60. Adams, and Tocqueville's own further study, persuaded him that Adams was right. In the chapter on the future of the three races in America, Tocqueville reported that South Carolina, in 1832, had held a national convention that had passed a so-called "law" that claimed to "void" federal tariffs, and that South Carolina had, "armed its militia and prepared for war." DA 376. South Carolina's action was, he said, inconsistent with the very idea of the Union, and threatened anarchy. DA 375. South Carolina was just warming up for its so-called secession a generation later.

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The spirit of South Carolina may still be with us. On April 28 this year, The Governor of Texas, responding to some citizens' claims that an upcoming federal military exercise in Texas was a step toward imposition of martial law there, http://www.statesman.com/news/news/national/bastrop-critics-on-armys-jade-helm-training-come-a/nk454/#__federated=1, directed the Texas State Guard to monitor the federal exercise. In his directive, he said, "it is important that Texans know their safety, constitutional rights, private property rights and civil liberties will not be infringed." http://gov.texas.gov/files/press-office/20150428125759.pdf. And beyond this sort of state-level action, there has been in recent years a debate in the law schools over whether federal administrative agencies are constitutional.[1]

There's no denying that the federal government governs many more activities than it did when Tocqueville was in America. It's even likely that he would be alarmed at the growth of the central administration since his time here. When he was in America, he said, "This country must thank the Lord for being so situated that it needs neither a standing army nor a police force, nor a skillful and sustained foreign policy. If ever one of these three should become necessary, one can predict … that the United States will lose its

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[1] See, e.g., Daniel R. Ernst, *Tocqueville's Nightmare*, Oxford University Press, 2014; and Phillip Hamburger, *Is Administrative Law Unlawful?*, University of Chicago Press, 2014.

freedom or its balance of powers." LFA 121-22. By young Tocqueville's standard, the U.S. has lost its freedom or its balance three times over. I think, though, that he abandoned that standard by the time he wrote *Democracy in America,* for there he expressed concern that democracy might not be able to develop and execute sound external policy. DA 219. And he expressed rather more complicated views about armies than he did when he was here. DA 618ff.

In the light of these two examples, it might be prudent not to conclude too rashly what Tocqueville would criticize in our current circumstances. I'm confident he would read much, ask lots of questions, lead in New York that same sane life he'd led there many years ago. One question is whether, despite the highly regulated environment in which we live, there have arisen compensating institutions that encourage individual thought and action, and whether all regulatory law is borne out of a desire simply to meddle. Compare Adam Smith's account of the division of labor, which is an advanced form of centralization. It, like over-centralization in Tocqueville's view, can lower the workers to something less than human — in Tocqueville-like language, "like and equal men revolving on themselves without repose, repeating the small and vulgar tasks with which they fill their working hours." But Smith thought there were compensating institutions and practices that encouraged independence despite the division of labor.

The question, like most involving the one and the many, is not easy. *E Pluribus Unum* it says on the dollar bills Tocqueville thought we too much pursue. Making a political one out of many independently acting persons might aspire to imitating the works of Palestrina. His voices move with great freedom, but within a framework of rules that minimize their clashes, and even make those clashes serve beauty. So far so good. One question is, though, whether those effects could have been achieved without his having dictated to each singer what to sing and when to sing it.

There's another important discovery Tocqueville made in America. Two weeks after he asked his father for a memoir on French administrative practices, he wrote to a former schoolmate these words.

> When I first began to reflect upon the world, I believed that it was full of demonstrable truths; that one had only to look hard to see them. But when I applied myself to considering matters, all I perceived was a tangle of doubts. ..... I've never been more miserable; [he was 16;] I can only compare myself to a man who, seized with vertigo, feels the floor quaking underfoot and sees the walls around him shifting. I'm still horrified when I think about that period. .... And only yesterday (!) did I convince myself that the search for ... demonstrable truth, like the search for perfect happiness, is futile. .... For the immense majority of questions to which we need answers, all we have are likelihoods, approximations. [LFA 219.]

In closing, he told his friend, "Keep this letter. I shall be glad to reread it one day." LFA 220. Perhaps the letter was in part prompted by his struggle with his often tangled thoughts on America. We too might keep this letter in mind.

Abbreviations and References

DA Alexis de Tocqueville, *Democracy in America*, translated by Harvey Mansfield & Delba Winthrop, University of Chicago Press, 2000.

DSFR John Hall Stewart, *A Documentary Survey of the French Revolution*, Macmillan, New York, 1951.

JA Alexis de Tocqueville, *Journey to America*, translated by George Lawrence, edited by J.P. Mayer, Yale University Press, 1959.

L Hugh Brogan, *Alexis de Tocqueville: A Life*, Yale University Press, 2006.

LFA Alexis de Tocqueville, *Letters from America*, translated by Frederick Brown, Yale University Press, 2010.

ORFR Alexis de Tocqueville, *The Old Régime and the French Revolution*, translated by Stuart Gilbert, Doubleday Anchor, Garden City, NY, 1955.

R Alexis de Tocqueville, *Recollections,* translated by George Lawrence, edited by J.P. Mayer & A.P. Kerr, Doubleday Anchor, Garden City, NY, 1971.

SLPS Alexis de Tocqueville, *Selected Letters on Politics and Society*, translated by Roger Boesche, edited by Boesche and James Toupin, University of California Press, 1985.

WES Alexis de Tocqueville, *Writings on Empire and Slavery*, translated and edited by Jennifer Pitts, the Johns Hopkins University Press, 2001.