

Allen, Barbara, 2014. "An Undertow of Race Prejudice in the Current of Democratic Transformation: Tocqueville on the 'Three Races' of North America," in *Tocqueville's Voyages* ...

Tocqueville's Voyages

The Evolution of
His Ideas and Their
Journey Beyond
His Time

Edited and with an introduction by

CHRISTINE DUNN HENDERSON

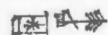


Liberty Fund

Indianapolis

2014

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Printed in the United States of America

P 10 9 8 7 6 5 4 3 2 1

Library of Congress Cataloging-in-Publication Data

Tocqueville's voyages: the evolution of his ideas and their journey beyond his time/edited and with an introduction by Christine Dunn Henderson.

pages cm

Includes bibliographical references and index.

ISBN 978-0-86597-870-6 (paperback: alkaline paper)

1. Tocqueville, Alexis de, 1805-1859—Travel. 2. Tocqueville, Alexis de, 1805-1859—Political and social views. 3. Tocqueville, Alexis de, 1805-1859—Influence. 4. Voyages and travels—History—19th century. 5. Democracy—History—19th century. I. Henderson, Christine Dunn, 1967—

DC36.98.T63 2014

306.2092—dc23

2014022561

LIBERTY FUND, INC.

8335 Allison Pointe Trail, Suite 300
Indianapolis, Indiana 46250-1684

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An Undertow of Race Prejudice in the Current of Democratic Transformation: Tocqueville on the "Three Races" of North America

BARBARA ALLEN

In *Democracy in America*, Alexis de Tocqueville portrayed European history as a complex set of transformations producing a "providential" democratic revolution. "Democracy," defined as the condition of social equality, swept away the aristocracies of the Western world and established a new basis for society in the New World. The gradual, progressive, irresistible development of equality emerges as the main current of Tocqueville's analysis of the dramatic *political* changes wrought by the revolutions of the late eighteenth century. These political revolutions, he contended, made manifest profound *intellectual* transformations affecting *all* social relations: political and economic, civic and intimate.

Equality of conditions reflected a mental stance as much as a social circumstance. The new ideation included a belief in the equal moral status of all human beings and concepts of equity, fairness, and justice that demanded rule of law, due process of law, and equality under law. Birth no longer provided the main channel to power. Intelligence became a social force, and knowledge a currency of public affairs. Commerce, industry, invention, and, most generally and powerfully, money aided the course of equality, which Tocqueville concluded was a universal, lasting, inescapable force.¹

1. Alexis de Tocqueville, *Democracy in America: Historical-Critical Edition of "De la démocratie en Amérique,"* ed. Eduardo Nolla, trans. James T. Schleifer, [242]

In neither New World nor Old were the effects of this progressive force uniformly positive. Tocqueville identified a profoundly paradoxical trend in social relations whenever equality gained at the expense of political liberty. He warned of a democratic tendency toward mediocrity, conformity, and heedless assent to mass opinion. His analysis of the myopic individualism and excessive materialism that would plague democracies and dim the light of liberty was summed into a single ominous phrase: democratic despotism. From the time of Tocqueville's birth in 1805, throughout his career as an analyst and as an actor in politics, France indeed faced the specter of despotic regimes. As the place where the equality of social conditions had "reached the most complete and most peaceful development," America suggested a case study that might foretell what could be hoped and feared from similar circumstances in France. Like the Americans, France would "sooner or later . . . arrive . . . at a nearly complete equality of conditions." America was not a model for France, but "in the two countries the generating cause of laws and mores is the same": equality of social conditions. Among Tocqueville's analytical tasks was distinguishing what was "democratic" from the peculiarities of "America."²

In America, Tocqueville discovered a countercurrent colliding with the powerful force of the democratic revolution. A strong undertow of race prejudice threatened to destroy the American Union while taking down the captives of an economy and society based on race slavery and Indians whose "removal" was essential to the Anglo-Americans' westward expansion. American race ideology poses several puzzles for Tocqueville's main narrative of increasing equality of social condition, in which aspects of birth status emerge as exceptionally resistant to the force of the democratic revolution. Is the equality of social condition less compelling and less universal after all? Are the institutional and ideational remnants of race slavery uniquely "American" and not "democratic"? Similarly, are colonial enterprises, which in the New World included strategies such as Indian removal, set apart from democratic impulses?

4 vols. (Indianapolis: Liberty Fund, 2010), 7–12. This edition is hereafter cited as DA.

2. DA, 28.

A Point of Departure: Democracy, Nationalism, and the Habits of Liberty

It is necessary to take stock of oneself, to struggle against the current in order to perceive that these institutions which are so simple and so logical would not suit a great nation that needs a strong internal government and fixed foreign policy; that it is not durable by nature; that it requires, within the people that confers it on itself, a long habit of liberty and of a body of *true* enlightenment which can be acquired only rarely and in the long run. And after all that is said, one comes back again to thinking that it is nonetheless a good thing and that it is regrettable that the moral and physical constitution of man prohibits him from obtaining it everywhere and forever.³

Tocqueville wrote these observations to his friend, Louis de Kergorlay, on June 29, 1831, shortly before he and Gustave de Beaumont set out for the Michigan frontier of American settlement. His thoughts reflect his more general concerns with a people's "point of departure," which included their mores, or "habits of heart and mind," and the specificities of place and time that, in the case of their physical environment, shaped their experience and reckoned their status in international arenas of geopolitics. The democratic social condition affected such particular facts, institutions, and intellectual qualities, but the response of each people to the force of equality varied according to the "national character" such a point of departure had formed.

In *Democracy in America*, Tocqueville turned first to the New England point of departure: its covenant-based federal theology and the federated unions constituted among numerous colonial governments, which the covenantal mental stance produced.⁴ The covenanted groups shared the same language, moral outlook, and purpose for coming to the New World; as Tocqueville put it, "[T]hey tore themselves from the comforts of their homeland to obey a purely intellectual need. By

3. Tocqueville to Louis de Kergorlay, June 29, 1831, in Tocqueville, *Selected Letters on Politics and Society*, ed. Roger Boesche, trans. James Toupin and Roger Boesche (Berkeley: University of California Press, 1985), 58.

4. Barbara Allen, *Tocqueville, Covenant, and the Democratic Revolution: Harmonizing Earth with Heaven* (Lanham, Md.: Lexington Books, 2005), 31-65.

exposing themselves to the inevitable hardships of exile, they wanted to assure the triumph of *an idea*."⁵ Their methods of dealing with contesting ideas and their general orientation to a voluntaristic society, Tocqueville claimed, had filtered through the institutions of the entire American Union.

In his letter to Kergorlay, he described "the ease with which [this people] does without government." Here was a democratic people that exhibited an "extreme respect for the law; alone and without public force, it commands in an irresistible way... [because] they make it themselves and can change it." Admirable, too, was the resulting ethic of self-control, self-organization, and self-government.

Every man here considers himself interested in public security and in the exercise of laws. Instead of counting on the police, he counts only on himself. It follows, in short, that without ever appearing, public force is everywhere. It is... incredible... how this people keeps itself in order by the sole sentiment that it has no safeguard against itself except within itself.⁶

After an additional five months of travel throughout the eastern coast, French Canada, and Michigan on the western frontier, Tocqueville expanded the range of American voluntarism to include associations of all kinds. Not only did this people seem to provide for itself the most basic requirement of government (security through law, order, and enforcement), but nearly every collective choice and activity appeared to be accomplished through voluntary associations. When Tocqueville ultimately published these observations in *Democracy in America*, he used them to *define* the true meaning of the democratic "dogma," the sovereignty of the people: it was the conviction, principle, and actuality that society "acts by itself on itself."⁷ This conception of governance set a high bar for the political capacities of citizen-sovereigns and demanded a novel network of institutional arrangements to engage officials of government in the public entrepreneurship characterizing this kind

5. DA, 54. Italics in original.

6. Tocqueville to Louis de Kergorlay, June 29, 1831, in Tocqueville, *Selected Letters*, 57.

7. DA, 91, 96.

of self-government. Not every people could exhibit such a national character or maintain its institutions.

Two important themes emerge in Tocqueville's 1831 letter to Kergorlay: (1) the importance of gaining political experience that enlightens, if a people were to meet the necessary condition of gaining the *habit* of liberty; and (2) if we suppose a "great" nation required an authoritative "government" in order to take its proper place in international affairs, the difficulty of maintaining the highly institutional foundations conducive to political enlightenment. The requirements of self-governance, Tocqueville suggested, would inevitably be buffeted by the strong currents of international relations. The former theme is expressed throughout *Democracy in America*. In his later observations of the French mission to Algeria, Tocqueville confronted the ideational primacy of the nation-state and the effects of this ideal on his generation's aspirations to spread enlightenment on the crest of the democratic revolution.⁸

THREATS TO LIBERTY AND THE CAPACITIES OF CITIZENS

Tocqueville emphasized the importance of individual capacities for democratic self-government. These capacities, he suggested, were in many ways circumscribed by the conditions of a people's social order, conceived as its stage of "civilization." A well-ordered society characterized by the condition of equality demanded a capacity for exercising liberty, properly understood as a conjunction of right and obligation. In the daily realities of communal life, legal constructions of "individual" and individual rights acknowledged the mutual integrity and interdependence of individuals and their associations. To conceptualize the "individual," even in the abstract, as an entity wholly removed from social concourse was to encourage hubris and a new malady, "*l'individualisme*."

8. Melvin Richter, "Tocqueville on Algeria," *Review of Politics* 25 (July 1963): 362-98; Jennifer Pitts, "Empire and Democracy: Tocqueville and the Algeria Question," *Journal of Political Philosophy* 8, no. 3 (2000): 295-318; Jennifer Pitts, introduction to *Writings on Empire and Slavery*, by Alexis de Tocqueville, ed. and trans. Jennifer Pitts (Baltimore: Johns Hopkins University Press, 2001, ix-xxxviii); Cheryl Welch, "Colonial Violence and the Rhetoric of Evasion: Tocqueville on Algeria," *Political Theory* 31, no. 2 (April 2003): 235-64.

More than selfishness, which he defined as an exaggerated love of self, individualism was a "considered and peaceable sentiment that disposes each citizen to isolate himself from the mass of his fellows and to withdraw to the side with his family and his friends; so that after thus creating a small society for his own use, he willingly abandons the large society to itself."⁹ This perversion of self-interest would ultimately bring about a despotic, tutelary power, a "second providence," the genesis and terminus of individual and social existence.¹⁰

Equality could be an accessory of despotism or a condition enabling the rich associational life of a self-governing society. The social mobility that equality promoted severed the artificial bonds of aristocracy and increased the strength of natural sentiments of kinship. But the democratic age also weakened traditional and intergenerational dependencies; family ties and bonds of friendship could enlarge the sphere of sentiments and interests or induce insularity and isolation. A mild (yet potentially severe) despotism of an increasingly totalizing state was the destiny facing societies that were governed by the self-justifying rationale of individualism. Institutions alone would not counter the effects of individualism; the effectiveness of institutional constraints and incentives depended upon a people's habits of heart and mind.¹¹ It is in this context of evaluating "civilization" in terms of self-governing capacities that Tocqueville speaks of "national character," and the shorthand terminology of "race."

Within the broad structure of history, particularities of culture, the specific responses of individuals, as well as "accident" and happenstance brought short-term variations in the democratic social condition and influenced the trajectory of long-term historical development. Antecedent "facts," unique to a given polity, brought variation in responses to the democratic revolution. The range of individual or collective choice was circumscribed by the *mentalité* of an age; still, within that "fatal

9. DA, 882.

10. Tocqueville described "*le règne de l'égoïsme*" in a letter to Charles Stoffels, April 21, 1830, as quoted in Aurelian Craiutu, "Tocqueville and the Political Thought of the French Doctrinaires (Guizot, Royer-Collard, Rémusat)," *History of Political Thought* 20 (Autumn 1999): 476.

11. DA, 466.

circle," the individual was powerful and free.¹² To view the situation otherwise was to abandon analysis to determinism, conceiving individuals and peoples as victims of "I do not know what insurmountable and unintelligent force that arises from previous events, the race, the soil, or the climate."¹³ "Race," thought of as a genetic inheritance, was such an "unintelligent force"; race, for Tocqueville, signified the cultural inheritance, which, combined with history, political geography, and environment, reflected "circumstances" (*les circonstances*), which influenced laws and mores.¹⁴

The circumstances of the English settlers, Tocqueville noted on several occasions, had reached a level of "civilization" that in many respects uniquely enabled their self-governing capacities. Whole communities had immigrated to New England, bringing a complete set of institutions that reflected their national character and temperament as well as the particular beliefs inspiring their covenanted communities. Whatever was particular to their religious ideas and motivations or the institutional and intellectual adaptations necessitated by their colonial experiences, their national character was "English."¹⁵ As Puritans they were strivers; as the English they drew on a long history of rule of law, individual right, and communal obligation. Their arts and letters and even their religion were oriented toward political philosophy. Their notions of progress—gained from their covenant orientation and their English political culture—constantly brought them beyond their circle of intimates into the world, a possession, they believed, bestowed by grace for their continued cultivation. Tocqueville raised doubts about the worldview

12. DA, 1285.

13. DA, 1284.

14. DA, 466–67. See also James Schleifer, *The Making of Tocqueville's "Democracy in America,"* 2nd ed. (Indianapolis: Liberty Fund, 2000), 78–79; Tocqueville denounced race determinism in letters to Arthur Gobineau. See *Oeuvres complètes*, vol. 9, *Correspondance d'Alexis de Tocqueville et d'Arthur de Gobineau*, ed. M. Degros (Paris: Callimard, 1959), 203; *Alexis de Tocqueville on Democracy, Revolution and Society: Selected Writings*, ed. John Stone and Stephen Mennell (Chicago: University of Chicago Press, 1980), 320–22.

15. DA, 72–73.

of other European cultures and their consequent capacities for self-government.¹⁶

Reflecting upon American Indian civilizations and circumstances, Tocqueville explained that firsthand observation alone showed "their race is in no way inferior to ours." Their social state had circumscribed their experiences, drawing "around the mind of the Indians a narrow circle, but in this circle, they show themselves the most intelligent of men."¹⁷ The "natural genius" of such peoples as the Cherokee did not stem the colonial invasion, however. The English colonists enjoyed "intellectual preponderance," if not actual superiority, and means to exercise greater physical force. It was the latter, not the former, that secured their polities. Tocqueville suggested a path of transculturation between colonists and colonized by which Indian communities could have learned enough of English ways, particularly English political and legal culture, to preserve their communities as colonial settlements pushed westward. Indeed, historians of seventeenth-century colonial developments document the eastern tribes' use of just such resources.

16. For example, Tocqueville questioned whether members of the "German race" would adopt the Anglo-American mores in support of a voluntaristic society. German communities in western Pennsylvania, Tocqueville maintained, formed insular enclaves. Although their communities were clearly self-determining and, in that sense, self-governing, institutional arrangements were based on a conception of liberty and authority that he viewed as custodial. Individual enterprise, he suspected, would be stifled by a resulting servile approach to authority. Here, and in other cases, he suggested that a self-determining community might not express a passion for individual liberty and self-governance, but could, instead, exercise a form of collective liberty resulting in insularity, parochialism, and intolerance. See Barbara Allen, "Racial Equality and Social Equality: Understanding Tocqueville's Democratic Revolution and the American Civil Rights Movement, 1954–1970," in *Conversations with Tocqueville: The Global Democratic Revolution in the Twenty-first Century*, ed. Aurelian Craiutu and Sheldon Gellar (Lanham, Md.: Lexington Books, 2009), 85–115; Françoise Mélonio, *Tocqueville and the French*, trans. Beth G. Raps (Charlottesville: University Press of Virginia 1998), 91–93; Tocqueville, *The Old Regime and the Revolution: Notes on the French Revolution and Napoleon*, trans. Alan S. Kahan, 2 vols. (Chicago: University of Chicago Press, 1998), 2:247–50, 279–82; Tocqueville to Gustave de Beaumont, May 18, 1849, in Tocqueville, *Selected Letters*, 230–32.

17. DA, 535nt.

Unfortunately, knowledge of the law did not ensure lawful treatment or protect lawful order on the frontier where the law of retribution taught the mores of vigilante violence.¹⁸

Slavery presented an obvious counterprinciple to equality and liberty. Tocqueville described the political economy of slavery as counterproductive, arguing that a culture of false aristocracy and racial antipathy maintained the philosophy on which the practice depended. In the case of race slavery, "race" ultimately represented more than a cultural inheritance. The status of slaves and freed persons did not arise from genetically inherited capacities, Tocqueville argued; each generation inherited the social stigma of slavery along with the physical feature of skin pigmentation. Tocqueville suggests that in a different circumstance, one in which the ignominy of status was not marked by physical characteristics, the emancipated slaves' capacities for self-government could have emerged.¹⁹ Although Puritan strivers had in many cases extended themselves beyond the close circle of intimates, the English race, Tocqueville asserted, was the most likely of all European races "to preserve the purity of its blood and has the least mingled with the native races." Added to the "powerful reasons drawn from national character [and] from temperament" had been the historical happenstance of immigration as whole communities.²⁰ Prejudices, which had been put into law, prevented such social integration between English and African.

Stepping back from the particularities of English mores and Anglo-American circumstances, Tocqueville described universal tendencies that helped preserve racial divisions. The drive to rectify inequalities depended on the capacity to see inequalities. Inequalities within the same class of persons are more easily seen and appear more egregious than inequalities among individuals of different classes.²¹

18. DA, 535; James Axtell, *The Invasion Within: The Contest of Cultures in Colonial North America* (New York: Oxford University Press, 1985); Yashuhide Kawashima, *Puritan Justice and the Indian: White Man's Law in Massachusetts, 1630-1763* (Middletown, Conn.: Wesleyan University Press, 1986).

19. DA, 576-77.

20. DA, 547na.

21. DA, 571-72.

When differences in status were associated not merely with social class but with physical differences, how could such blindness be more absolute?

If they were noted at all, "racial" distinctions alone would justify disparities in treatment. These observations modify one of Tocqueville's broad themes: the potential for social relations in a democratic age to soften the divisions among peoples.

In a democratic age, Tocqueville expected the "extreme mobility of men" and their drive to improve their material well-being to enable not only in commercial but also in cultural exchange. The "inhabitants of different countries mingle together, see and hear each other, and borrow from each other."²² In what he viewed as a natural evolution of shared ideas and interests, "not only the members of the same nation ... become similar; nations themselves assimilate." The resulting global scene could be imagined as a "vast democracy" where each "citizen is a people" and the "figure of the human species" could be seen in its own light.²³ Before the essence of the human being could emerge for all to see, however, Tocqueville's observations of racial difference indicate that peoples must find sufficient similarities to listen, hear, and borrow from each other.

THE NECESSITIES OF NATIONALISM: IMPERIALISM, SLAVERY, AND THE GLOBAL COMMUNITY OF THE DEMOCRATIC REVOLUTION

Tocqueville witnessed the American continental expansion, forecast the annexation of Texas, and learned from his American correspondents of American designs on California, Cuba, and Spanish colonies in the Pacific.²⁴ Although he shared the misgivings about American imperialism voiced by his American friends, his journey to the Amer-

22. DA, 837.

23. DA, 838.

24. Tocqueville to Theodore Sedgwick, Paris, December 4, 1852, and Jared Sparks to Tocqueville, Cambridge, June 13, 1853, in *Tocqueville on America after 1840: Letters and Other Writings*, ed. and trans. Aurelian Craiutu and Jeremy Jennings (New York: Cambridge University Press, 2009), 135-36 and 144-45, respectively.

ican frontier left him smitten with the pioneering spirit. Soon after his return to France, believing that he might be able to see ideas put into practice by taking part in a colonial founding, Tocqueville considered buying land in Algeria and undertaking his own pioneering adventure.²⁵ His early speculations on his country's Algerian policy reflect this vision. He described the Kabyles living in the Atlas Mountains as an independent, entrepreneurial people whose minds would be open to alliances with French trading partners. In the second of two letters he published on Algeria as part of his bid for election to the Chamber of Deputies, he concluded a lengthy discussion of the future of Arab-French relations with even greater optimism, suggesting that there was no "incompatibility of temper between the Arabs and us." The "races intermix without trouble," the French daily understand the Algerians better, and Algerian youth were learning French and adopting French mores.²⁶ After visiting Algeria twice and becoming the primary figure in France's foreign policy in the region, Tocqueville articulated a different rationale for colonization. International relations and the prestige of the nation motivated his thinking: if France abandoned its colony in Africa, a rival European nation would quickly step in.²⁷

The preponderance of Tocqueville's writing on international relations and French imperialism reveals a primary assumption with broad implications for domestic and international relations that guided his policy positions. He believed that increasing equality of social conditions—the "democratic revolution"—was, at least in Europe, an unstoppable force that must be regulated to favor political liberty over the vices potential in the condition of social equality. Enlightened European nations had an obligation to steer the new age toward the virtues of political freedom. Among other implications, that imperative required that a balance be maintained among the great world

25. Tocqueville, *Writings on Empire and Slavery*, xii.

26. Tocqueville, "Second Letter on Algeria, 22 August 1837," in *Writings on Empire and Slavery*, 26.

27. André Jardin, *Tocqueville (1805–1859): A Biography*, trans. Lydia Davis and Robert Hemenway (London: Peter Halban, 1988), 309–314; David Clinton, *Tocqueville, Lieber, and Bagehot: Liberalism Confronts the World* (New York: Palgrave Macmillan, 2003), 17–43.

powers—France, Britain, Austria, Prussia, and Russia—most immediately in dividing the spoils of a fragmenting Ottoman Empire.²⁸

Instabilities in domestic affairs also influenced Tocqueville's perspective on French foreign policy. He forecast increasing passions for material equality expressed personally in envy and jealousy, and publicly in a totalizing government's welfare policy. In his view, the dangers he had theorized for bourgeois society were indeed emerging in workers' strikes, as a harbinger of socialism, the extreme opposite of individualism on a spectrum of threats to liberty. He described "great projects of imperialism" as an outlet for discontentment. His proposals for ending slavery in the French Antilles also reflect fears that materialist doctrines would gain ground with French workers, especially in light of rising prices for colonial sugar and other changes in the international political economy expected to follow abolition and emancipation.²⁹

Tocqueville's writings on Algeria and his proposals for abolition and emancipation in the Antilles, some of which were written as he drafted *Democracy*, illuminate the international dimension of his views on race and race relations in America. In 1841, Tocqueville wrote "Essay on Algeria," an analytical account of his travels in Algeria to be shared only with confidants. He began the "Essay," which was not published until 1962, with the same sentiment that would start later published reports: "Algeria must be colonized."³⁰ Once this doctrine had been accepted, the only path was to provide "good government" to pacify colonizer and colonized, and enable "a very notable diminution in our army." He held few hopes for such policies, and he found himself advancing measures to fund the Algerian military mission while also pleading for a policy that would not surround, push aside, or crush "Algerian inhabitants." He predicted that policies set to "smother" the Algerians (a term that

28. Jardin, *Tocqueville (1805–1859)*, 309–314.

29. Tocqueville, "Report on Abolition," in *Tocqueville and Beaumont on Social Reform*, trans. and ed. Seymour Drescher (New York: Harper & Row, 1968), 111–13, 115, 135, 166; *Oeuvres complètes*, vol. 3, pt. 1, *Écrits et discours politiques*, ed. André Jardin (Paris: Gallimard, 1962), 53–54, 57, 78, 105; Allen, *Tocqueville, Covenant, and the Democratic Revolution*, 233–39.

30. Tocqueville, "Essay on Algeria, October 1841," in *Writings on Empire and Slavery*, 59; Tocqueville, "Second Report on Algeria, 1847," in *Writings on Empire and Slavery*, 174. See also Richter, "Tocqueville on Algeria," 362–98.

was not merely metaphorical) would bring a race war to "a walled arena, where the two peoples would have to fight without mercy, and where one of the two would have to die."³¹ Very little in Tocqueville's recommendations for administrative reform actually portended an alternative to this dénouement. We find, instead, social segregation, with little hope that administrative and judicial reforms would lead toward political integration, or indication that this remained a goal. As we now also know, the peoples of Algeria and France were not delivered from this destiny.

As a practical matter of foreign policy, Tocqueville connected democratization and imperialism in a manner that complements his observations of the imperial urge and national pride in *Democracy*. His proposals for the abolition of slavery and emancipation of slaves in the Antilles likewise reflect the effects of the democratic social condition and necessities of international political economy. In this case, sugar production and sugar prices lay at the core of the imperial imperative. Emancipation could cripple colonial and domestic economies tied to colonial sugar. For France, a new colonial labor regime and the increase in sugar prices it might bring could exacerbate the problems associated with an increasingly agitated labor force in metropolitan France. Tocqueville, who authored the policy recommendations of two legislative commissions on abolition, found example in British policies designed to limit such effects of emancipation on its domestic economy. He rejected aspects of the British model that seemed to replicate a master-slave relationship with wage laborers. Liberty, in this case, demanded extensive government intervention to change the dynamics of these heinous labor practices.³² Ultimately, the sugar economy dictated the new relationship among master, laborer, and government, with Tocqueville writing to support policies of emancipation that forbade the property ownership and self-employment of former slaves.

In a series of newspaper articles, Tocqueville insisted that the incentives produced by these laws could instill moral values and change the

31. Tocqueville, "First Report on Algeria, 1847," in *Writings on Empire and Slavery*, 146.

32. Tocqueville, "Report on Abolition," in *Tocqueville and Beaumont on Social Reform*, trans. and ed. Seymour Drescher (New York: Harper & Row, 1968), 123-25.

harmful habits that slavery had instilled. He expected the former slaves to respond to opportunities in ways that "resemble other men perfectly": to be law abiding under a just regime, self-sufficient under a system of fair labor practices, and desirous of education, property rights, and civil order.³³ Logic predicted that property ownership would only increase the attractiveness of self-employment, encouraging individual industry, perhaps, but certainly destroying the colonial economy. No philosophy or economic need could justify slavery, but, Tocqueville maintained, France should not destroy slavery only to ruin white colonials who would then abandon their former slaves to the abject poverty of a collapsing economy. France, he said, "intends not only to bestow liberty on the enslaved, but to constitute civilized, industrious, and peaceable societies."³⁴ Such a society was intimately associated with the uninterrupted production of colonial sugar and other aspects of trade and security in the ongoing race between England and France for maritime dominance.

The imperatives motivating colonization and the labor relations of abolition had nothing to do with race, Tocqueville insisted. Interactions with French plantation owners had brought the former slave in the Antilles to a level of self-sufficiency that threatened the present circumstance of political economy; Algerian Arabs had refused French institutions, necessitating territorial conquest and war waged not against government but "on people."³⁵ Tocqueville described the effects of these imperatives at length in the American case. His expectation was that the restive character of the Americans would sweep them toward the Pacific in a wave that would "push aside or trample underfoot," like so many obstacles, the original inhabitants of the territory.

A THEORY OF CIVILIZATION APPLIED TO THE THREE RACES OF NORTH AMERICA

Tocqueville's analysis of the "three races" occupying North America not only calls upon the concept of origins, circumstances, and social learning, but also his construction of the "Indian," the "slave," and the

33. Tocqueville, "On the Emancipation of Slaves," in *Writings on Empire and Slavery*, 214-15.

34. Tocqueville, "Report on Abolition," 15.

35. Tocqueville, "Essay on Algeria," 70.

"master" as ideal types. Typological generalization, while illuminating differences in sharp relief, may also hide analytical gradations in role and response. By adopting role typology as one of his methodological tools, Tocqueville underestimated the potential of the human being to transcend imperialism and slavery, and the relevance of federal bonds in doing so.³⁶

Slavery, Tocqueville correctly predicted, would bring unending racial discord and, if the Union were to survive, an increasingly powerful Federal government. He accurately foresaw that political maneuvers aimed at containing the crisis created by race slavery would speak primarily to the shared interests of whites, North and South. But he underestimated the existence and significance of cultural, political, and economic institutions that freed blacks developed in the midst of segregated America.³⁷ Tocqueville also accurately described the dispossession, dislocation, removal, relocation, and reconstitution of American Indian tribes as administrative units under Federal supervision. He, however, predicted the complete annihilation of these peoples down to the last individual and did not imagine the modern resurgence of American Indian communities with claims to a semisovereign legal status. He saw the start of American imperial adventures and forecast the ascendance of American military might and cultural influence. The culture he envisioned was monochromatic, however, and he had difficulty imagining a multicultural or multiethnic continental republic.

Democracy and the Imperial Urge: The Westward Expansion of Anglo-Americans and American Indian Removal

A little more than two months into their American journey, Tocqueville and his traveling companion, Gustave de Beaumont, ventured through the Michigan territory to Saginaw and the frontier of Anglo-American westward expansion. Their aim was to "travel across the farthest limits of European civilization" and "visit a few of those

36. Allen, *Tocqueville, Covenant, and the Democratic Revolution*, 234-39.

37. Allen, "Racial Equality," 89-91.

Indian tribes that have preferred to flee into the most untamed wilderness than to yield to what whites call the delights of the life of society." At first it seemed, however, that everywhere they went, Tocqueville and Beaumont encountered the same disappointing news about these peoples: "ten years ago they were here; there, five years ago; there, two years ago." As they crossed the valleys and rivers the Indians had named, they could find only places of historical interest like the site of the tribal council creating the Iroquois confederation more than a century before.

This people, Tocqueville recorded, the "first and the legitimate master of the American continent[,] melts away daily like snow in the rays of the sun and disappears before your eyes from the surface of the earth."³⁸ When finally they encountered Indians near Buffalo, New York, the sight was deeply unsettling. Instead of their hopes for dignified personages, muscular bodies sculpted by hunting and war-making, and exotic beauty, they found emaciated beggars, whose visages seemed "ignoble and nasty." They exhibited "the vices that they got from us . . . mingled [with] something of the barbaric and uncivilized that made them a hundred times still more repulsive."³⁹ Writing retrospectively of these first impressions, however, Tocqueville remarked that to judge Native American peoples by this unfortunate remnant would be a mistake.

As Tocqueville and Beaumont journeyed westward, they at first took as the normative expression of "the Indian" the demeanor of their two silent, stoic, solitary young guides. They soon resolved that the fate of the Iroquois near Buffalo—a life shortened by poverty, alcohol, and idleness amid the economic boom of newly settled towns—portended what lay ahead for encounters between Anglo-Americans and Indians. Although it was far too early to speak of "urban" poverty, villages that overnight grew into cities, encroaching on forests and waterways, signaled the dislocation and dispossession that was to come.

As shocking as the condition of the Indians in western New York was the speed with which the settlers felled the forests, drained swamps, and built the roads and bridges of their new colonies. That these settlers

38. *DA*, 1303-4.

39. *DA*, 1306.

were Americans rather than Europeans, emigrants rather than immigrants, was also a surprise. More amazing still, Tocqueville noted, was the settler's perception of events: an "unbelievable destruction" that for the American was not a result of choice but part of the "immutable order of nature."⁴⁰ Were these sentiments "American" or "democratic"? Was the "democratic revolution" inevitably entangled with the territorial conquests of an imperial age? Tocqueville's observations of the Michigan wilderness raised myriad questions drawn from these riddles, most of which he wove into his analysis of the agitation and anxieties of the democratic age.

THE DEMOCRATIC SOUL AND THE COLONIZING PROJECT

Introducing the chapter on the "three races," Tocqueville told his reader that although he had spoken about "Indians and Negroes" and the spirit and laws of the "Anglo-American confederation," these topics had not entered into his subject: "they are American not democratic." As Eduardo Nolla points out, Tocqueville repeatedly substituted the term "Anglo-American" for "European" in his description of the encroachment upon Indian lands. Americans, it would seem, were the agents of destruction; "democracy" could presumably take another course. Yet Tocqueville also discovered in the United States an agitated, highly mobile, anxious population driven inexorably into the "wilderness," and these anxieties and motivations he ultimately attributed to the democratic social condition.

The democratic social condition never provided perfect equality—of opportunity or results. If there were not always materially "better" states, there were surely different states of being—and difference alone could motivate the next great effort. Democratic mores lent an inflationary character to a growing list of contesting desires; the democratic soul oscillated between a desire for ease and for fame, for leisure and for striving, and no amount of success dimmed the hope for even more—more material pleasures and more "equality." Equality, which encouraged vast hopes and portended a great destiny for each individual, also limited the likelihood that one of the vast number eyeing the same prize could rise above the crowd and achieve such ambitions. The

40. DA, 1304.

inevitable disappointments that followed brought a "singular melancholy," which, Tocqueville noted, might account for the rising rate of suicide in France and, in America, insanity.⁴¹ Tocqueville made copious notes to himself about his analysis of this "restless curiosity," "restlessness of spirit," and "care-ridden" existence. He considered deleting the chapter, which had been difficult to compose.⁴² A deleted section recalled the following experience from his Michigan travels.

Tocqueville tells of stopping at the home of a rich American plantation owner, while in the company of several Indians. He was taken into a "well-lighted, carefully heated room" where the planter and his neighbors, all of whom "were more or less drunk," spoke in somber tones about public affairs and economic worries. By contrast, the Indians, who sat outdoors around a fire with nothing but ragged blankets to protect them from the steady drizzle, conversed happily: "the noisy bursts of their joy at each instant penetrated to gravity of our banquet."⁴³ The frontier society of the Anglo-Americans reflected the temperament of a people harried by modern life, which Tocqueville contrasted with "small populations that have been as if forgotten amid the universal tumult." The latter could be found with increasing rarity left "unchanged when everything around them moved."⁴⁴ The contrast between the care-ridden frontiersmen and the carefree conviviality of the Indian campfire is only one side of Tocqueville's narrative. Particular to Tocqueville's "Indian" is also a distinct lack of community owing to the prideful independence of "les sauvages de l'Amérique du Nord."⁴⁵

Placed at the extreme limits of liberty, the social condition of the Indian condemns him to inexpressible miseries culminating in extinction. His pride inhibits assimilation, Tocqueville claimed, while the political economy of colonization at once demands and makes impossible his entry into "civilization." To explain the Indians' plight, Tocqueville started with a conventional portrayal of the "savage

41. DA, 946–47.

42. DA, 942^{na}.

43. DA, 943^{nb}.

44. DA, 942.

45. DA, 518–20.

populations" as a part of the natural world taken under by the force of the institutions, technologies, and societies of settled peoples. His ultimate analysis, however, offers several remarkable insights about the problems of adaptation and transculturation.

CIVILIZATION IN THE WILDERNESS

Tocqueville introduced *le sauvage* as one who is "left to himself as soon as he can act." He knows neither the authority of the family nor that of a community; the concept of law is meaningless and he cannot distinguish subjection from voluntary obedience.⁴⁶ This characterization did not fit the ideal that Tocqueville had carried to the United States. What had happened to the constitutional form of the Great Iroquois Confederacy or to the politically sophisticated Narragansett and Mohican?⁴⁷

Tocqueville described Indian societies able to meet their subsistence needs before colonization increased both their desires and their needs inordinately. Staples, particularly furs, became a medium of exchange in trade "to satisfy the frivolous passions of Europeans";⁴⁸ forests hunted to depletion were felled for colonial settlement, and famine hounded their remnant societies from forest to plains. While imbalanced trade relations, colonial land use, and later Anglo-American migration progressively destroyed the capacities of hunting societies to sustain forest resources, the legislated removal of the Indians led to the dramatic exodus that Tocqueville observed.⁴⁹

From the American case, Tocqueville drew a more general trajectory of colonization: dispossession, first occurring by degrees, according to the "greediness of the colonist," joins "the tyranny of the government." In America, state legislatures expelled the Indians, seized their lands, and resisted meager congressional efforts to contest these "tyrannical

46. DA, 519.

47. Allen, *Tocqueville, Covenant, and the Democratic Revolution*, 231-33, 253-58; Francis Jennings, *The Invasion of America: Indians, Colonialism, and the Cant of Conquest* (Chapel Hill: University of North Carolina Press, 1975), 265-81; Alden T. Vaughan, *The New England Frontier: Puritans and Indians, 1620-1675* (Boston: Little, Brown, 1965), 155-61; James Axtell, *Invasion Within*, 286, 307-10, 318-20.

48. DA, 523.

49. DA, 523-26.

measures." Ultimately, Congress cleared the way for expansion, resolving "to let a few savage tribes . . . perish in order not to put the American Union in danger."⁵⁰ The federal form (if congressional thinking truly differed from the expansionist vision) could not moderate democratic impulses. Law finished what "European tyranny" had started; their societies decimated, isolated Indians wandered the countryside.⁵¹

This narrative suggests that more than the Indians' supposed "habits of the wandering life," American migration to the Pacific, spurred by the democratic social condition, extinguished indigenous life. Tocqueville offers several additional hypotheses, leading him to conclude that Europeans had the power to destroy, but they lacked the will to assimilate the Indian into European civilization, as well as the power to compel him to assimilate.

Why not assimilate? At several points Tocqueville reduces the answer to a single term: pride. Pride in a culture that had already perished, a culture romanticized but largely forgotten by Europeans; the pride of resistance, and a perversely prideful self-image mirrored in a desire for natural liberty—these are among Tocqueville's suppositions. As supporting evidence of a prideful character, Tocqueville cited numerous military officers, legislators, jurists, and other notables whom he had interviewed or whose accounts he had read. Yet this answer failed to satisfy him.

He also suggests that a subjugated group cannot easily compete—or indeed cooperate—with its vanquishers as it attempts to join their society. Agriculture, an art that Tocqueville associated with superior civilizations, was unknown to the Indian, he claimed. Knowledge of such practice would do little for the vanquished, however: they would be

50. DA, 541-42.

51. Tocqueville applied this characterization to colonial treatment of Indian populations in North America and described as "monstrous crimes" the treatment of these communities in Central and South America. Such crimes, Tocqueville commented in irony, failed "in exterminating the Indian race" or "preventing it from sharing" in the rights of a colonial regime. By contrast, "the Americans of the United States have achieved this double result with a marvelous ease, calmly, legally, philanthropically, without shedding blood, without violating a single one of the great principles of morality in the eyes of the world. You cannot destroy men while better respecting the laws of humanity." See DA, 519, 547.

forever catching up to European innovators and thus unable to establish their own markets as efficiently as their European competitors—even within Indian communities, he observed.⁵² Although he also saw examples of transculturation and assimilation—in French Canada, where marriage had joined colonist and colonized—Tocqueville portrayed these cases as exceptions.⁵³ Another hypothesis brought these several threads together: the intractable race prejudice of the Anglo-Americans. On his journey to the Michigan territory, he witnessed Anglo-Americans' profound prejudice against the dispossessed Indians hovering at the edges of their towns and cities. Following one incident, he believed he could read their thoughts: "What [matter] is the life of an Indian?"⁵⁴ In the case of this colonized people, the democratic tide had perhaps met in race prejudice an insurmountable barrier.⁵⁵ Efforts to join the Americans' community were futile; the possibilities for transculturation went unrealized; prejudice eclipsed understanding; law became an instrument of conquest.

Tocqueville was resigned to the fate of the American Indians. Statements deleted from the text ask: "Why of these three races, is one born to perish, the other to rule, and the last to serve?" "Why this unequal

52. DA, 532–37.

53. DA, 539–19. Tocqueville also expressed ambivalence toward his countrymen's capacities as colonists and noted that their settlements, many of which included cultural as well as commercial exchange with Indians, were often easily overtaken by the more entrepreneurial Anglo-Americans. See Tocqueville, "Some Ideas about What Prevents the French from Having Good Colonies," in *Writings on Empire and Slavery*, 1–4, and DA, 1307.

54. Tocqueville, *Democracy in America/De la démocratie en Amérique*, 1307.

55. Historians of Indian relations with French and English colonists underscore the opportunities for transculturation that Indians seized in order to survive European conquest. Opportunities for exchange declined with each decade, however, with war and the threat of war as well as the inadequacy of law and treaty enforcement among new waves of migration on the frontier. Violence, particularly lawful violence, provided the necessary and sufficient conditions to decimate the Indian communities, as Tocqueville described. Kawashima, *Puritan Justice*, 225–39; Axtell, *Invasion Within*, 4, 286, and chap. 13; Jean O'Brien, *Dispossession by Degrees: Indian Land and Identity in Natick, Massachusetts, 1650–1790* (Cambridge: Cambridge University Press, 1997), 91; Axtell, *Invasion Within*, 4–5, 332–34.

sharing of the good things of this world? Who can say?"⁵⁶ To these existential questions Tocqueville offered a rational analysis of choices resulting in the flight of Indians into the woods in search of prey for their next meal. The tableau is strikingly individualistic; indeed, during his travels, he generally saw only dispossessed individuals, not Indian communities. Assimilation to neither European civilization nor the mores of the democratic social condition protected Indian communities. Ironically, the same individualism that propelled Americans westward is the essence of the Indian's tragic fate. Tocqueville's discussion of Anglo-American restiveness and its link to the democratic mental stance draws on hypothesized relations between high expectations for opportunity and gratification under equality and the anxieties flowing from the reality of competition and limitation. What is "democratic," what constitutes the "good colonist" of a democratic age, and what is uniquely "American," all coalesce in the narrative of the imperial enterprise and the American Indian.

Democracy and Slavery

After returning from the Michigan territory to Buffalo, New York, in late August, and visiting French Canada, Tocqueville and Beaumont returned to their studies of the penitentiary system and ways of life in New England, New York City, and Philadelphia. In mid-November, they embarked on their excursion to the southern states. It was a harrowing journey punctuated by stagecoach breakdowns, frozen rivers, and shipwreck, as well as a life-threatening bout with the influenza. They arrived in New Orleans on New Year's Day and started their return trip only forty-eight hours later. Their twelve-day return covered Alabama, Georgia, South Carolina, North Carolina, and Virginia, on their way to meet President Andrew Jackson in Washington, D.C.

Their grueling excursion not only offered an opportunity to read *The Federalist* and Justice James Kent's *Commentaries on the U.S. Constitution* but also the chance to talk with several leading American figures, including former Texas governor and future Republic of Texas

56. DA, 516nc, 517nd.

president Sam Houston and former ambassador to Mexico Joel Roberts Poinsett.⁵⁷ To these discourses, Tocqueville added conversations with plantation owners and interviews with several well-informed northerners: President John Quincy Adams, attorney Timothy Walker, and historian and later Harvard president Jared Sparks. These figures had a great deal to tell Tocqueville about federalism, interposition and nullification, republican government, American expansionism, and slavery. From Timothy Walker, a recent Harvard graduate who would later distinguish himself as an Ohio jurist, Tocqueville learned of the "prodigious" difference between Ohio and Kentucky, which Walker said could only have been caused by slavery. Slavery, Walker pointed out, dishonored labor and esteemed idleness; Ohio grew and prospered, while Kentucky remained a backwater.⁵⁸ Tocqueville quoted extensively from these conversations in *Democracy*.⁵⁹

Adams agreed that slavery had changed the entire culture of the South into a false aristocracy in which "whites form a class of their own" with "every white man . . . an equally privileged being whose destiny it is to make the Negroes work without working himself."⁶⁰ As a result, no undertaking that failed to include subservient labor could succeed in the South; in their idleness the southern white devoted himself to "bodily exercises, to hunting, and races. . . . They are more touchy on 'points of honor' than anywhere else." Tocqueville incorporated this description with the observations of Henry Clay on inheritance laws, which kept southern plantations intact.⁶¹ The result, Tocqueville said, was "each family was represented by a rich man who did not feel the need any more than he had the taste for work; the members of his family that the law had excluded from the common inheritance lived

57. George Wilson Pierson, *Tocqueville in America* (Baltimore: Johns Hopkins University Press, 1996), 543-678.

58. Tocqueville, "Pocket Notebook Number 3, 21st-25th Second Conversation with Mr. Walker: *Important*, December 1831," *Journey to America*, trans. George Lawrence, ed. J. P. Mayer (New York: Doubleday Anchor, 1971), 91.

59. *DA*, 557-58.

60. Tocqueville, "Non-alphabetic Notebooks Number 2 and 3, Boston, 1 October 1831," *Journey to America*, 48-50.

61. Tocqueville, "Non-alphabetic Notebooks Number 2 and 3, 18 September 1831," *Journey to America*, 36.

around him in the same manner, as so many parasitic plants." The southern culture could produce poor men, but not workers; "poverty there seemed preferable to industry," because work meant slavery. Anything to be done must be done by slave labor, because no white would dishonor himself by showing that he *needed* to earn a living.⁶²

In *Democracy*, Tocqueville emphasized the economic consequences of degraded labor, reduced productivity, and the creation of a dependent class—of masters—who relied on an insecure resource in the midst of a more productive wage-based national economy. Along with citing harmful economic effects, Tocqueville also underscored slavery's psychological consequences. He linked the literally dehumanizing conception of a property right in a human being to the incapacitation of any would-be emancipated citizen. Sam Houston explained the loss of political capacities that came with slavery. The Negro, he told Tocqueville, was a slave before he was born; "his first notion of existence [was to] understand he was the property of another." As such, he was of no use to himself; care for his own future is no concern of his.⁶³ Tocqueville carried Houston's insight into his own analysis.

Violence created the slave. In the trauma of capture, sale, transport, and auction, "the Negro," Tocqueville said, "lost even the memory of his country; he no longer hears the language spoken by his fathers; he has renounced their religion and forgotten their mores. . . . The Negro has no family, he cannot see in a woman anything other than the temporary companion of his pleasures and, at birth, his sons are his equals."⁶⁴ Tocqueville described the slave as "useless to himself." It was the master in whose interest it was to "watch over [the slave's] days." Emancipation brought the *burden* of liberty, because "in the course of his existence, he has learned to submit to everything, except reason," a voice he cannot recognize. He would be "besieged" by needs he had never known and, lacking reason, could not master. As a result, "servitude brutalizes him and liberty destroys him."⁶⁵ The capacities of citizenship would evade most emancipated individuals. The typology of roles and relationships

62. *DA*, 563.

63. Tocqueville, "Notebook E," *Journey to America*, 254.

64. *DA*, 517.

65. *DA*, 518.

of "slave" and "master" suggested a postabolition culture marked by continuing segregation based in race ideology. Neither abolition nor emancipation would reform the mores learned, North and South, in a constitutional regime of southern slavocracy.

With its systematic dehumanization, American race slavery was particularly vicious, and its consequences would be particularly long lasting. Tocqueville described the consequence of such victimization as passivity and accurately portrayed the many laws aimed at destroying the slave's humanity and cultural identification, including prohibitions on slave marriage, education, and use of the languages or religions of Africa. He expected such aspects of human relationships to become subjects of control after abolition. "The non-material and transitory fact of slavery is combined in the most fatal way with the material and permanent fact of the difference of race." The mark of race slavery, skin color, forever branded persons of African descent.⁶⁶ The perception that any person so identified had been reduced from human capacity to an object lacking a sense of self and the rational faculties that motivated self-preservation, self-esteem, self-control, self-interest, and, above all, self-government pervaded the minds of Americans with whom he spoke. The hypothesis is overshadowed by another dimension of the analysis: the continuing violence supported by opinion when law no longer raised a barrier.

From interviews conducted in Philadelphia, Boston, and New York, Tocqueville learned that where slavery had been abolished and equal rights conferred, prejudice prevented their exercise. Terrorist intimidation awaited former slaves who came forward to vote.⁶⁷ In Kent's *Commentaries*, Tocqueville likewise read of continuing segregation and constraints on marriage and voting rights in the northern states.⁶⁸ He was told, "Laws have no force . . . where public opinion does not support them." Facing "strong prejudices against Negroes . . . the magistrates feel that they have not the strength to enforce laws."⁶⁹

66. DA, 551-52.

67. Tocqueville, "Pocket Notebook Number 3, Philadelphia, 15 October 1831" and "Alphabetic Notebook B, N/Negroes," *Journey to America*, 156 and 232-33.

68. Tocqueville, "Notebook E," *Journey to America*, 267, 279.

69. Tocqueville, "Pocket Notebook 3, 25th October 1831," *Journey to America*, 156.

He reported in *Democracy* that the free black could seek relief from oppression through the courts, "but he finds only whites among their judges." Although the free black may legally serve as a juror, prejudice prevents it. Segregated schools and other public institutions, segregated civil associations and public places, and the stigmatization of intimate relations preserved the barriers between the races. The slave had been taught that he was inferior to the whites and, Tocqueville said, the freedman believed it. Rather than making his own way, he "bows to the tastes of his oppressors," imitating them and aspiring "to mingle with them." Such hopes exceed merely assimilating, Tocqueville conjectured, for they sprang from a desire to repudiate the stigma that shames him, his color and his race—an absolute repudiation of himself.⁷⁰

Tocqueville concluded that however the grip of slavery was eased, a culture of prejudice would consume American civil society for generations, with lasting destructive political, social, and economic effects. His interviews with Americans provided the propositions that Tocqueville placed within his framework linking experience, culture, and character to reach this conclusion. His American interlocutors apparently did not alert him to facts that, while not wholly changing his analysis of race prejudice and its effects, might have illuminated an alternative scenario for freed persons of African descent.

Tocqueville did not see the strong networks among African American-created institutions in New York, Boston, and Philadelphia. He could not imagine the growth of African American financial, business, educational, religious, and civic organizations that, during the hundred years of constitutionally supported racial segregation, paralleled "white" institutions, North and South. Although he remarked, "[I]t can be interesting to visit," he never made the trip to Wilberforce, Canada, to learn about a "Colony that the colored men are establishing."⁷¹ Whatever he might have seen there, something of the possibilities for African American institutional development might have occurred to him from his acquaintance with the American Missionary Society

70. DA, 519, 551, 554.

71. Tocqueville, *Democracy in America/De la démocratie en Amérique*, editor's note "d." Allen, "Racial Equality and Social Equality," 96-105.

project of colonizing a new country on the west coast of Africa, Liberia, with freed African Americans.⁷²

The fate of the slave was relevant to *Democracy* primarily as it affected the fate of America. Tocqueville was more quizzical than analytical about how the art of being free could have been learned in the prison of slavery. If he had turned his attention to that topic, he would have found far greater capacities for self-government among freed blacks than his presuppositions allowed. The task of considering how Frederick Douglass or Booker T. Washington arose from slavery to become moral and intellectual leaders of a biracial civil rights movement is left to his readers, as is the effort of understanding how African Americans in the South could establish one of the few banks to survive the 1893 depression among numerous other institutions, societies, and missions. Tocqueville's typological method described the state of many black sharecroppers in the rural South following the Civil War and well into the twentieth century. His analysis did not explain the institutional and social evolution that, after a century, brought new constitutional and social opportunities to end legal segregation and make advances in political and social integration in many cases through the same processes that he described as a democratic revolution.⁷³

The "Third" Race and the Dangers to American Federalism

The vast majority of Tocqueville's analysis of America and democracy is devoted either to the "third race" of Anglo-Americans proper, or, more generally, to the effects of the democratic social condition on the (white) people of the "Christian nations." Tocqueville described the third race in America as preeminent, but there were "two branches"

72. DA, 576–77. The two hundred thousand freed American slaves transported by the society introduced institutions to Liberia that included "a representative system, Negro jurors, Negro priests, . . . churches and newspapers."

73. Allen, *Tocqueville, Covenant, and the Democratic Revolution*, 246–52, 258; Allen, "Racial Equality," 94–107; Barbara Allen, "Martin Luther King's Civil Disobedience and the American Covenant Tradition," *Publius: Journal of Federalism* 30, no. 4 (2000): 71–113.

of the "great Anglo-American family," the northern and the southern, which "have grown up without being completely merged," and their futures diverged.⁷⁴ Tocqueville indicated that for northern whites, the union of racial brotherhood brought the dilemma of maintaining the southern way of life or dealing with the escalating issue of racial discord that disunion would bring. For southern whites, the consequences of secession were more immediate and, perhaps, more dire. Whites, North and South, had a shared interest in maintaining their supremacy, in Tocqueville's analysis. Southern whites had an interest in enlisting northern whites in any cause requiring protection against African Americans. Northern whites had numerous reasons to preserve peace to their south. Whether that goal was to be accomplished through abolition and emancipation or not (and, if so, the form abolition and emancipation would take) remained to be seen.

Tocqueville expected Southerners to recognize the inefficiency and harm slavery brought to the master, while also seeing that it would be nearly impossible to destroy the system without risking their lives.⁷⁵ Any moral censure about maintaining slavery, he said, should not be placed on the present generation of slaveholders, which was trapped by this dilemma. Fault the generations who centuries earlier had introduced this bane in the New World and the political economy of the states, which would shape choices more than moral arguments. Ultimately, Tocqueville surmised, "[s]lavery is being destroyed in the United States not in the interests of the Negroes, but in that of the whites."⁷⁶ Whatever policies followed from abolition and emancipation would likewise be made in the interests of whites, North and South.

Common interests did not prevent Civil War, however. Whatever they shared, differences in the mores of whites, North and South, meant that their Union ultimately could be maintained only by force of arms. In the final sections of the chapter on the "Three Races of North America," Tocqueville turned again to questions of national character and interests, to show that differences in mores may eclipse apparent similarities of interests—in this case, where interest included maintaining

74. DA, 51.

75. DA, 579–82.

76. DA, 555.

the security of the federal bond as well as economic prosperity and material well-being.

The consequences of slavery for the Union were immediately obvious; the continuing results for American federalism and democracy more generally, perhaps less so. A third branch of the Anglo-American family was also gaining strength; they were the adventurers "plung[ing] into the West . . . impatient of any kind of yoke, greedy for wealth, often cast out by the states where they were born." They took little cognizance of the rule of law or the dictates of civilized mores; they were "inferior in all ways to the Americans who inhabit the old limits of the Union." Although they demonstrated little experience with governance or capacity for self-control, they were very influential in politics.⁷⁷ They would become the actors in a proxy war between North and South as pro- and antislavery surged into Kansas, hoping to tip the majority vote of the territory in favor of one of these options.

Tocqueville's American friends kept him apprised of the vigilante battles known as "Bleeding Kansas," which were set in motion under the Kansas-Nebraska Act (1854). A policy known as "popular sovereignty" that would purportedly let the "people" of the territory decide by majority rule whether the new state would be slave or free motivated self-interested pro- and antislavery politicians to bring migrants supporting their faction en masse to Kansas for the vote deciding the proposed state's status. Tocqueville consistently distinguished "democracy" as majority rule, "which can do great evils while perceiving good," from republican government, composed of deliberative bodies, each comprising representatives of many diverse majorities. In the United States, the latter, plus the mores of voluntarism, revealed the true meaning of "popular sovereignty," the "slow and tranquil action of society on itself."⁷⁸ In Kansas, the intimidation, violence, and tyranny brought by a self-proclaimed majority fit anything but this description. Although Tocqueville voiced opposition to "extreme" abolitionists, who, he believed, agitated with little thought of the consequences, he called the efforts of proslavery forces to spread the "abominable institution

77. DA, 603.

78. DA, 630.

...dreadful and unpardonable."⁷⁹ Tocqueville identified the cause of such terrible public policy as the poor judgment of leaders who pandered to the worst instincts of democracy.⁸⁰ In facing the crisis of the disunion, Americans were also facing a critical juncture in their practice of "democracy."

In his introduction to the 1862 translation of *Democracy*, the American editor, Francis Bowen, underscored the distinctions that Tocqueville made between "democracy" and "federalism" in the United States, which, Bowen contended, the Civil War made more germane than ever to American self-understanding. Readers who wondered whether the federal union could survive—whether, indeed, a federal republic could extend across a vast continent—would find in *Democracy* an exceptional understanding of the distinctive features and vulnerabilities of the Union.⁸¹ Bowen focused on Tocqueville's evaluation of the 1789 U.S. Constitution as a compact among states. In fact, Tocqueville had little to say about the alternative, Unionist ideal of a "great national covenant" joining the states and the people of the states.⁸² Tocqueville and his American friends likewise did not discuss the junior senator from Illinois, Abraham Lincoln, who in speeches as early as 1854, and later debates with Senator Steven A. Douglas, enunciated this view. Perhaps Tocqueville drew his constitutional interpretation from his firsthand observation of the "Tariff Question" debates and the legal constructions of "interposition and nullification" articulated most persuasively

79. Tocqueville to Edward Vernon Child, April 2, 1857, in *Tocqueville on America*, 224.

80. Tocqueville to Charles Sumner, March 28, 1858, in *Tocqueville on America*, 285–87. Tocqueville, who had stock in American railroads, also wrote to Sumner of his concern for the railroads in the wake of Bleeding Kansas (Tocqueville to Charles Sumner, November 14, 1857, in *Tocqueville on America*, 265–67).

81. Tocqueville, *Democracy in America*, trans. Henry Reeve, as revised by Francis Bowen (Cambridge, Mass.: Sever and Francis, 1862), 1:iv.

82. Vermont antislavery Republican Charles Rich characterized the relationship thus, see *Acts of Congress*, 16th Cong., 2nd sess., 1395. See also language of House member Timothy Fuller of Massachusetts; see Sean Wilentz, "Jeffersonian Democracy and the Origins of Political Antislavery in the United States: The Missouri Crisis Revisited," *Journal of the Historical Society* 4, no. 3 (Fall 2004): 375–401, 395; *Acts of Congress*, 15th Cong., 2nd sess., 1180.

by South Carolina senator John C. Calhoun. His conclusion reflects Calhoun's understanding; in Tocqueville's view, "The confederation has been formed by the free will of the states; the latter by uniting did not lose their nationality and did not merge into one and the same people." Secession is constitutional.⁸³

The tariff debates also revealed the potential for rival interests between North and South, emerging from the uneven pace of regional development and the possibility that differences in mores rather than the difference—or coincidence—in interests could determine loyalties and policies. The southern export economy depended on northern shipping, and maintaining the Union should have been each region's greatest interest. Northern industrialists were destroying the basis of this mutually advantageous relationship with tariffs to their benefit and to the detriment of the South. Regional economies could be explained as a result of diverse natural resources and infrastructure—harbors, canals, roadways, and industry—but Tocqueville maintained that the true difference was a work ethic destroyed by slavery in the South and propelled by freedom in the North. Slavery, he concluded, did not attack the Union directly through diverse interests, but indirectly through diverse mores.⁸⁴ Contesting understandings of the federal bond and regional interests alike figured less prominently than differences in mores and regional character to the future of the American democracy, in Tocqueville's final analysis.

Beyond the impending confrontation between North and South, the rapid growth of the Anglo-American population and its diffusion across the continent tested the federalist and republican principles. Expansion, as we have seen, resulted from the enterprising, adventurous American national character of the Anglo-Americans and, in the final sections of Tocqueville's *Democracy*, more clearly as a consequence of the democratic revolution itself. The tumult of democratic society, the concern with well-being that democracy encourages, along with a belief in unending progress and the anxiety and restiveness such

beliefs bring, all of these habits of heart and mind plus their institutional results pushed emigration to the Pacific, the tundra, and the Rio Grande.⁸⁵

American expansionism augured several possible futures; the main republican idea—that reason provided to every person sufficient capacity for self-direction—would prevent an aristocracy from reasserting the institutions of a ruling class in the United States. Whether the Americans would restrict their political rights or "confiscate" them "for the profit of one man" was less certain.⁸⁶ Their tremendous, often unfounded or misplaced fear of federal powers in some instances mitigated the very protections they needed, Tocqueville observed. The Americans easily forgot the necessity of a federal government, acting in its sphere, to articulate the promise of republican principles to each individual.⁸⁷

Democracy and Liberty

In his final word on the "third race," Tocqueville presented a preview of the currents leading to a new reigning class, the "aristocracy of manufacturers," and a new form of servitude, "democratic despotism," if the Americans find their projects hampered by their republican institutions and grow impatient of a society working slowly and tranquilly upon itself. The Anglo-Americans were poised to become a commercial giant. The U.S. merchant fleet filled harbors around the globe; the spirit of innovation and enterprise drove its captains to withstand the greatest hardships and take the greatest risks to reap the greatest profits by outflanking every competitor in the maritime maelstrom. "For the American all of life happens like a game of chance, a time of revolution, a day of battle."⁸⁸ But that did not mean commercial interests would leave to chance the security of their markets.

83. DA, 267–68, 592, 609–12, 267–68; Allen, *Tocqueville, Covenant, and the Democratic Revolution*, 142–48.

84. DA, 603.

85. DA, 607–9.

86. DA, 633–37.

87. DA, 615–16.

88. DA, 643.

Commercial greatness demanded military power. The structure of international relations motivated the United States to seize power in a competition that required increasing means merely to maintain a balance among the maritime nations. The American position was, Tocqueville said, analogous to that of France: "It is powerful, without being dominant; it is liberal because it cannot oppress."⁸⁹ Tocqueville expected that situation to change, however; American commercial success would lead the United States to become the "premiere maritime power of the globe." France would be relegated to playing the spoiler by joining weaker powers to balance U.S. domination and maintain the liberty of the seas.⁹⁰

In the final two decades of Tocqueville's life, he took part in the efforts of his country to maintain this balance through, among other means, colonization, militarization, and imperialism. He corresponded with Americans who witnessed their country following the same path, despite and in some respects because of its civil discord. As American Indians and other occupied peoples engaged in the self-governing efforts of resistance or accepted the necessity of transculturation that likewise promoted the spirit of self-determination, the great maritime powers laid down the institutions that generated another century of violent domination and resistance. The citizenship capacities developing in communities that were set aside by segregation, as in the case of African American and Anglo-American relations in the United States, went unnoticed. Where highly centralized administrative systems were teaching the lessons of autocracy, as Tocqueville predicted of the French colonial legacy in North Africa, these ways and their likely outcome for future generations also submitted to immediate necessity. The questions that Tocqueville raised about the course of the democratic revolution remain with us today. Are "we" to realize that "they" are "like 'us' in every way"? Tocqueville remarked that the features of an enlightened, enterprising people included the ability of individuals to solve problems, a capacity that developed through the experience of providing for oneself the diverse necessities of life. "[T]he same man

89. *DA*, 647.90. *DA*, 648.

plows his field, builds his house, fashions his tools, makes his shoes, and weaves by hand the crude fabric that has to cover him."⁹¹ The description begs us to consider what the basis of enlightenment may include as necessary foundations for self-government. The analysis also begs us to ask where this sort of intellectual diversity is found today.

91. *DA*, 642.