

Union perish, because above Congress resides the electoral body that can change the spirit of Congress by changing its members.

But if imprudent or corrupt men ever came to compose the Supreme Court, the confederation would have to fear anarchy or civil war.

But make no mistake; the root cause of the danger is not in the constitution of the court, but in the very nature of federal governments. We have seen that nowhere is it more necessary to constitute a strong judicial power than among confederated peoples, because nowhere are individual existences, which can struggle against the social body, greater and in better condition to resist the use of the physical force of the government.

Now, the more necessary it is that a power be strong, the more scope and independence it must be given. The more extensive and independent a power, the more dangerous is the abuse that can be made of it. So the origin of the evil is not in the very constitution of this power, but in the very constitution of the State that necessitates the existence of such a power.

How the Federal Constitution Is Superior to the State Constitutions

How the Constitution of the Union can be compared to those of the individual states.—The superiority of the federal Constitution must be attributed particularly to the wisdom of the federal law-makers.—The legislature of the Union less dependent on the people than those of the states.—The executive power freer in its sphere.—The judicial power less subject to the desires of the majority.—Practical consequences of this.—The federal law-makers have mitigated the dangers inherent in democratic government; the law-makers of the states have heightened these dangers.

The federal Constitution differs essentially from the constitutions of the states in the purpose that it intends, but it is highly similar in the means to achieve this purpose. The object of government is different, but the forms of government are the same. From this special point of view, they can usefully be compared.

I think that the federal Constitution is superior to all of the state constitutions. This superiority stems from several causes.

The present Constitution of the Union was formed only after those of most of the states; so the Union could profit from acquired experience.

You will be convinced, nonetheless, that this cause is only secondary, if you consider that, since the establishment of the federal Constitution, the American confederation has increased by eleven new states, and that these new states have nearly always exaggerated rather than mitigated the defects existing in the constitutions of their precursors.

The great cause of the superiority of the federal Constitution is in the very character of the law-makers.

At the time when it was formed, the ruin of the American confederation seemed imminent; it was obvious to all, so to speak. In this extremity, the people chose, perhaps not the men they loved most, but those they respected most.

I have already pointed out above that nearly all the law-makers of the Union had been remarkable by their enlightenment and more remarkable still by their patriotism.

They had all risen in the midst of a social crisis, during which the spirit of liberty had constantly to struggle against a strong and dominating authority. When the struggle ended, and while the excited passions of the crowd were, as usual, still fixed on combating dangers that for a long time no longer existed, these men had stopped; they had cast a calmer and more penetrating eye on their country; they had seen that a definitive revolution was accomplished, and that henceforth the perils that threatened the people could only arise from the abuses of liberty.^e What they thought, they had the courage to say, because deep in their hearts they felt a sincere and passionate love for this very liberty; they dared to speak of limiting it, because they were certain of not wanting to destroy it.³⁵

e. In the manuscript: "of their power {of their liberty}."

35. *In this period, the celebrated Alexander Hamilton, one of the most influential framers of the Constitution, was not afraid to publish the following in the Federalist, No. 71 [p. 307]. He said:*

Most of the constitutions of the states give a term of one year to the house of representatives and two years to the senate. In this way the members of the legislative body are tied constantly and in the closest way to the slightest desires of their constituents.

The law-makers of the Union thought that this extreme dependence of the legislature distorted the principal effects of the representative system, by placing in the people themselves not only the source of powers, but also the government.

They increased the length of the electoral mandate in order to allow the deputy greater use of his free will.

The federal Constitution, like the different constitutions of the states, divided the legislative body into two branches.

But in the states, these two parts of the legislature were composed of the same elements and followed the same mode of election. As a result, the

There are some," he said, "who would be inclined to regard the servile pliancy of the executive to a prevailing current, either in the community or in the legislature, as its best recommendation. But such men entertain very crude notions, as well of the purposes for which government was instituted, as of the true means by which the public happiness may be promoted.

The republican principle demands that the deliberate sense of the community should govern the conduct of those to whom they entrust the management of their affairs; but it does not require an unqualified complaisance to every sudden breeze of passion, or to every transient impulse which the people may receive from the arts of men, who flatter their prejudices to betray their interests.

It is a just observation that the people commonly intend the public good. This often applies to their very errors. But their good sense would despise the adulator who should pretend that they always reason right about the means of promoting it. They know from experience that they sometimes err; and the wonder is that they so seldom err as they do, beset as they continually are by the wiles of parasites and sycophants, by the snares of the ambitious, the avaricious, the desperate, by the artifices of men who possess their confidence more than they deserve it, and of those who seek to possess rather than to deserve it.

When occasions present themselves in which the interests of the people are at variance with their inclinations, it is the duty of the persons whom they have appointed to be the guardians of those interests to withstand the temporary delusion in order to give them time and opportunity for more cool and sedate reflection. Instances might be cited in which a conduct of this kind has saved the people from very fatal consequences of their own mistakes, and has procured lasting monuments of their gratitude to the men who had courage and magnanimity enough to serve them at the peril of their displeasure.

passions and will of the majority emerged as easily and found an organ and an instrument as rapidly in one as in the other of the houses. This gave a fierce and hasty character to the making of laws.

The federal Constitution also had the two houses come out of the votes of the people; but it varied the conditions of eligibility and the mode of election. So, if one of the two legislative branches did not represent interests different from those represented by the other, as in certain nations, at least it represented a higher wisdom.

To be a Senator you had to have reached a mature age; and a small assembly, itself already elected, was charged with the election.

Democracies are naturally led to concentrate all social force in the hands of the legislative body. The latter, being the power that comes most directly from the people, is also the one that most partakes of the omnipotence of the people.

So, in the legislative body, you notice an habitual tendency that leads it to gather all kinds of authority within itself.

This concentration of powers, at the same time that it singularly harms the good management of public affairs, establishes the despotism of the majority.

The law-makers of the states have frequently surrendered to these democratic instincts; those of the Union always fought courageously against them.

In the states, executive power is placed in the hands of a magistrate who appears to be placed alongside the legislature, but who, in reality, is only a blind agent and passive instrument of its will. From where would he draw his strength? In the length of his term in office? Generally, he is named for only one year. In his prerogatives? He has, so to speak, none at all. The legislature can reduce him to impotence by granting the execution of its laws to special committees drawn from its midst. If it wanted, it could, in a way, nullify him by taking away his salary.

The federal Constitution has concentrated all the rights of the executive power, as well as all of its responsibility, in a single man. It gave the President a four-year term; it assured him his salary during the entire length of his term in office; it created a group of supporters for him and armed him with a qualified veto. In a word, after carefully drawing the sphere of executive

power, it sought, within this sphere, to give the executive power as strong and as free a position as possible.

The judicial power, of all the powers, is the one that, in the state constitutions, remained least dependent on the legislative power.

Nonetheless, in all the states, the legislature retained the authority to set the salaries of judges, which necessarily subjected the former to immediate legislative influence.

In certain states, judges are appointed only for a time, which again removes a large part of their strength and freedom.

In others, legislative and judicial powers are entirely mixed. The Senate of New York, for example, serves as the highest court of the state for certain trials.

The federal Constitution has, on the contrary, carefully separated the judicial power from all the others. In addition, it made judges independent by declaring their salaries fixed and making their office irrevocable.

The practical consequences of these differences are easy to see. It is clear to all attentive observers that the affairs of the Union are conducted infinitely better than the particular affairs of any state.

The federal government is more just and more moderate in its action than the state governments. There is more wisdom in its views, more continuity and intelligent design in its projects, more skill, steadiness and firmness in the execution of its measures.

A few words suffice to summarize this chapter.

Two principal dangers menace the existence of democracies:

The complete subservience of the legislative power to the will of the electoral body.

The concentration, in the legislative power, of all the other powers of government.

The law-makers of the states favored the development of these dangers. The law-makers of the Union did what they could to make them less to be feared.

What Distinguishes the Federal Constitution
of the United States of America from
All Other Federal Constitutions

The American confederation outwardly resembles all confederations.—Its effects are different, however.—What causes that?—How this confederation stands apart from all others.—The American government is not a federal government, but an incomplete national government.^f

The United States of America has not presented the first and only example of a confederation. Without mentioning antiquity, modern Europe has furnished several. Switzerland, the German Empire, the Dutch Republic have been or still are confederations.

When you study the constitutions of these different countries, you notice with surprise that the powers they confer on the federal government are more or less the same as those granted by the American Constitution to the government of the United States. Like the latter, they give the central power the right to make war or peace, the right to raise an army, to levy taxes, to provide for general needs and to regulate the common interests of the nation.

Among these different peoples, however, the federal government has almost always remained deficient and weak, while that of the Union conducts public affairs with vigor and ease.

Even more, the first American Union could not continue to exist because of the excessive weakness of its government. Yet this government, so weak,

f. In the margin: "Temporary alliance, *league*."

"Lasting alliance, confederation."

"*Limited* [v: incomplete] national government."

"*Complete* national government."

"The Union is not a confederation [v: federal government], but an incomplete national government."

had received rights as extensive as the federal government of today. You can even say that in certain respects its privileges were greater.^g

So several new principles are found in the current Constitution of the United States that are not striking at first, but make their influence profoundly felt.

This Constitution, which at first sight you are tempted to confuse with previous federal constitutions, rests as a matter of fact on an entirely new theory that must stand out as a great discovery in the political science of today.

In all the confederations that have preceded the American confederation of 1789, peoples who combined for a common purpose agreed to obey the injunctions of a federal government; but they retained the right to command and to supervise the execution of the laws of the Union at home.

The American states that united in 1789 agreed not only that the federal government could dictate laws to them, but also that the federal government itself would execute its laws.

In the two cases, the right is the same; only the exercise of the right is different. But this single difference produces immense results. [Such is the power of laws over the fate of societies.]^h

In all the confederations that have preceded the American Union of today, the federal government, in order to provide for its needs, applied to the individual governments. In the case where the prescribed measure displeased one of them, the latter could always elude the need to obey. If it was strong it appealed to arms; if it was weak, it tolerated a resistance to the laws of the Union that had become its own, pretended weakness and resorted to the power of inertia.

Consequently, one of these two things has constantly happened: the

g. "The old constitution gave Congress great power to command the different states (illegible word) in order to compel them other than by war. It established a *league* among independent states, not a *federal government*" (YTC, CVh, I, p. 47).

h. Hervé de Tocqueville: "I believe that this paragraph could be deleted. It develops an idea that springs from what precedes and comes naturally to the mind of the reader. By removing it, the pace will be faster. Be careful about slowing the pace by reflections, when they are not absolutely necessary. The last sentence of the paragraph is a useless commonplace" (YTC, CIIIb, 3, p. 22).

most powerful of the united peoples, taking hold of the rights of the federal authority, has dominated all the others in its name;³⁶ or the federal government has been left to its own forces. Then anarchy has become established among the confederated peoples, and the Union has fallen into impotence.³⁷

In America, the Union governs not the states, but ordinary citizens. When it wants to levy a tax, it does not apply to the government of Massachusetts, but to each inhabitant of Massachusetts. Former federal governments faced peoples; the Union faces individuals. It does not borrow its strength, but draws upon its own. It has its own administrators, courts, officers of the law, and army.

Certainly the national [*sic*: state] spirit, collective passions, provincial prejudices of each state still strongly tend to diminish the extent of federal power so constituted, and to create centers of resistance to the will of the federal power. Limited in its sovereignty, it cannot be as strong as a government that possesses complete sovereignty; but that is an evil inherent in the federal system.

In America, each state has far fewer opportunities and temptations to resist; and if the thought occurs, the state can act on it only by openly violating the laws of the Union, by interrupting the ordinary course of justice, and by raising the standard of revolt. In a word, it must suddenly take an extreme position, something men hesitate to do for a long time.

In former confederations, the rights granted to the Union were causes of war rather than of power, since these rights multiplied its demands without augmenting its means of enforcing obedience. Consequently, the real weakness of federal governments has almost always been seen to grow in direct proportion to their nominal power.

36. *This is what was seen among the Greeks under Philip, when this prince took charge of enforcing the decree of the Amphictyons. This is what happened to the republic of the Netherlands, where the province of Holland has always made the law. The same thing is still going on today among the Germans. Austria and Prussia are the agents of the Diet and, in its name, dominate the entire confederation.*

37. *It has always been so for the Swiss confederation.—Were it not for the jealousy of its neighbors, Switzerland, for several centuries, would no longer exist.*

This is not so for the American Union; the federal government, like most ordinary governments, can do everything that it has the right to do.

The human mind invents things more easily than words; this is what causes the use of so many incorrect terms and incomplete expressions.^j

Several nations form a permanent league and establish a supreme authority that, without acting on ordinary citizens as a national government could, nonetheless acts on each of the confederated peoples, taken as a group.

This government, so different from all the others, is given the name federal.

Next, a form of society is found in which several peoples truly blend together as one for certain common interests, and remain separate and only confederated for all the others.

Here the central power acts without intermediary on the governed, administering and judging them as national governments do, but it acts this way only within a limited circle. Clearly that is no longer a federal government; it is an incomplete national government. So a form of government, neither precisely national nor federal, is found. But here things have stopped, and the new word needed to express the new thing does not yet exist.^k

Because this new type of confederation was unknown, all unions have arrived at civil war, or slavery, or inertia. The peoples who composed them have all lacked either the enlightenment to see the remedy to their ills, or the courage to apply them.

j. Hervé de Tocqueville: "In my opinion, this paragraph and the four following must be deleted and replaced by one or two sentences. It is long and a bit heavy; its importance does not justify its defects. I therefore advise pruning the grammatical discussion and quickly going straight to the paragraph: *Because this new type of confederation was unknown . . .*"

Édouard de Tocqueville: "I cannot share this opinion. This reflection seems very profound to me. Moreover, if you went to the paragraph beginning *Because this new type . . .*, it would have absolutely no sense, since it relates only to the deleted paragraph" (YTC, CIIb, 3, p. 22).

k. In the margin: "≠The thing is new [v: other], but an old word is still needed to designate it. ≠"

The first American Union had also lapsed into the same faults.

But in America, the confederated states, before achieving independence, had been part of the same empire for a long time; so they had not yet contracted the habit of complete self-government, and national prejudices had not been able to become deeply rooted. Better informed than the rest of the world, they were equal to each other in enlightenment; they only weakly felt the passions that ordinarily, among peoples, resist the extension of federal power; and these passions were fought against by the greatest citizens. The Americans, at the same time that they felt the evil, resolutely envisaged the remedy. They corrected their laws and saved the country.

Of the Advantages of the Federal System in General, and of Its Special Utility for America^m

*Happiness and liberty that small nations enjoy.—Power of large nations.—Large empires favor the developments of civilization.—That strength is often the first element of prosperity for nations.—The purpose of federal systems is to combine the advantages that peoples gain from the largeness and the smallness of their territory.—Advantages that the United States derives from this system.—The law yields to the needs of the populations; the populations do not yield to the necessities of the law.—Activity, progress, taste for and practice of liberty among the American peoples.—The public spirit of the Union is only the sum of provincial patriotism.—Things and ideas circulate freely within the territory of the United States.—
The Union is free and happy, like a small nation;
respected, like a large one.*

Among small nations, society keeps its eye on everything; the spirit of improvement gets down to the smallest details. Since the weakness of the people profoundly tempers their ambition, their efforts and resources are

m. In the margin: “Perhaps this chapter should be shifted to the place where I will talk about the future of the Union.”

almost entirely focused on their internal well-being and are not likely to be wasted on the empty illusion of glory. Since the capacities of each one are generally limited, desires are limited as well. The mediocrity of wealth makes conditions nearly equal; and mores have a simple and peaceful air. Thus, considering everything and taking into account various degrees of morality and enlightenment, more comfort, population and tranquillity are usually found in small nations than in large ones.

When tyranny establishes itself within a small nation, it is more troublesome than anywhere else; acting inside a smaller circle, it extends to everything within this circle. Unable to undertake some great objective, it is busy with a multitude of small ones; it appears both violent and meddling. From the political world, which is strictly speaking its domain, it penetrates into private life. After dictating actions, it aspires to dictate tastes; after governing the State, it wishes to govern families. But that rarely happens; as a matter of fact, liberty forms the natural condition of small societies. There, government offers too little attraction to ambition, and the resources of individuals are too limited, for sovereign power to be easily concentrated in the hands of one man.ⁿ Should it happen, it is not difficult for the governed to unite together and, by a common effort, to overthrow the tyrant and the tyranny at the same time. [≠Liberty is, moreover, something so natural and so easy within a small nation that abuse can hardly be brought about.≠]

So small nations have at all times been the cradle of political liberty. It has happened that most of them have lost this liberty by growing larger, which clearly reveals that liberty is due to the small size of a people and not to the people themselves.

The history of the world provides no example of a large nation that remained a republic for long;³⁸ this has led men to say that the thing was impractical. As for me, I think that it is very imprudent for man to want to limit the possible and to judge the future; the real and the present elude

n. In the margin: “≠The power of one man easily succeeds in putting itself above the law and the interest of all.≠”

38. *I am not speaking here about a confederation of small republics, but of a large consolidated republic.*

him every day, and he finds himself constantly surprised by the unexpected in the things he knows best. What can be said with certainty is that the existence of a large republic will always be infinitely more at risk than that of a small one.^o

All the passions fatal to republics grow with the extent of the territory, while the virtues that serve to support them do not increase in the same measure.^p

The ambition of individuals increases with the power of the State; the strength of parties, with the importance of the end that they have in mind; but love of country, which must combat these destructive passions, is not stronger in a vast republic than in a small one. It would even be easy to prove that love of country there is less developed and less powerful. Great riches and profound poverty, large cities, depravity of mores, individual egoism, complexity of interests are so many perils that almost always result from the large size of the State. Several of these things do not harm the existence of a monarchy; some can even work toward its duration. In monarchies, moreover, government has a strength of its own; it makes use of the people and does not depend on them; the more numerous the people, the stronger the prince. But to these dangers, republican government can oppose only the support of the majority. Now, this element of strength is not proportionately more powerful in a vast republic than in a small one. Thus, while the means of attack constantly increase in number and power, the strength of resistance remains the same. It can even be said that it decreases, for the more numerous the people and the more varied the nature

o. "I suspect that this doctrine that presents small States to us as the only ones that are suitable for republican forms will be refuted by experience. Perhaps it will be recognized that in order to establish a republic in which justice reigns, the republic must be large enough so that local egoism is never able to harm the whole, nor corrupt the major part of those who lead it; so that on every question you will always be sure to find in the councils a majority free of particular interests and capable of making solely the principles of justice prevail."

Jefferson to Davernois [d'Ivernois (ed.)], 6 February 1795. (YTC, CVh, 5, p. 2). Citation from Louis P. Conseil, editor. *Mélanges politiques et philosophiques extraits des mémoires et de la correspondance de Thomas Jefferson* (Paris: Paulin, 1833), vol. I, pp. 407–9.

p. The wording of this sentence comes from Beaumont (YTC, CIIb, 3, p. 34).

of minds and interests, the more difficult it is, as a result, to form a compact majority.

[≠Republican government is fragile by nature. It lasts much more because of the weakness of the attacks directed against it than because of a strength of its own [v: its own power]. It relies only on a certain sentiment of order, virtue and moderation on the part of the governed. The immoderate desires of parties, great riches and great poverty, vast cities, and the profound corruption of mores that they engender, constantly threaten the existence of republics. Now, all of these things are found only among large nations alone. A government that has the source of its power outside of the people can continue to exist for a long time, whatever the opinions of the people; but a republican government has strength only in the support of the majority; the more numerous the people, the harder to form a majority. Here my reasoning is based only upon a numerical calculation.≠]

We have been able to note, moreover, that human passions acquired intensity, not only from the greatness of the end that they wanted to attain, but also from the multitude of individuals who felt them at the same time. There is no one who does not find himself more moved in the middle of an agitated crowd that shares his emotion than if he were to feel it alone. In a large republic, political passions become irresistible, not only because the objective that they pursue is immense, but also because millions of men experience those political passions in the same way and at the same moment.

So it is permissible to say that, in general, nothing is so contrary to the well-being and to the liberty of men as large empires.

Large States have particular advantages, however, that must be recognized.

In them, the desire for power is more passionate among common men than elsewhere. So too the love of glory there is more developed among certain souls who find in the applause of a great people an objective that is worthy of their efforts and appropriate for raising them, in a way, above themselves. There, thought in all fields is given a more rapid and powerful impetus; ideas circulate more freely; large cities are like vast intellectual centers where all the lights of the human mind come to shine and combine.

This fact explains for us why large nations bring more rapid progress to enlightenment and to the general cause of civilization than small ones.^q It must be added that important discoveries often require a development of national strength of which the government of a small people is incapable; among large nations, the government has a greater number of general ideas; it is more completely free from the routine of antecedents and from local egoism. There is more genius in its conceptions, more boldness in its ways of doing things.

Internal well-being is more complete and more widespread among small nations as long as they remain at peace; but a state of war is more harmful to them than it is to large nations. In the latter, great distance from the borders sometimes allows most people to remain far from danger for centuries. For them, war is more a cause of discomfort than of ruin. [≠ Large nations are at war more than small ones, but all things considered, among the large ones, there are more men at peace.≠]

Moreover, in this matter as in many others, there is a consideration that predominates over all the rest: that of necessity.

If there were only small nations and not any large ones, humanity would certainly be freer and happier; but the existence of large nations cannot be avoided.

This introduces into the world a new element of national prosperity, which is strength. What good is it for a people to present a picture of comfort and liberty, if they are exposed each day to devastation or conquest? What good is it that they have manufacturing and commerce, if another people commands the seas and establishes the law for all markets? Small nations are often miserable, not because they are small, but because they are weak; large nations prosper, not because they are large, but because they are strong. So for nations, strength is often one of the first conditions of happiness and even of existence. Because of that, barring particular circumstances, small peoples always end up being violently united with large ones or uniting with them on their own. I know of no condition more deplorable than that of a people able neither to defend itself nor to be self-sufficient.

q. This sentence and the preceding one have been corrected by Beaumont (YTC, CIIIb, 3, pp. 34–35).

The federal system has been created to unite the various advantages that result from the large and the small sizes of nations.^r

It is enough to look at the United States of America to see all the good that comes to those who adopt this system.

Among large centralized nations, the legislator is forced to give laws a uniform character that does not allow for the diversity of places and mores; never learning about individual cases, he can only proceed by general rules. Men are then obliged to bend to the necessity of legislation, for legislation cannot adapt to the needs and mores of men; this is a great cause of trouble and misery.^s

This disadvantage does not exist in confederations. The congress regulates the principal actions of social existence; all the detail is left to the provincial legislatures.

You cannot imagine to what degree this division of sovereignty serves the well-being of each of the states that compose the Union. In these small societies, not preoccupied by the need to defend themselves or to expand, all public power and all individual energy are turned toward internal improvements.^t The central government of each state, situated close to the governed, is alerted daily to needs that make themselves felt. Consequently, each year new plans are presented; these plans, discussed in town assemblies or the state legislature and then reproduced in the press, excite universal

r. Rousseau made the following recommendation to the Poles: "Apply yourselves to expanding and perfecting the system of federative governments, the only one that unites the advantages of large and small States" (*Considérations sur le gouvernement de Pologne*, chapter V, in *Œuvres complètes*, III, Paris: Pléiade, 1964, p. 971). The same idea is set forth at the beginning of *Jugement sur le projet de paix perpétuelle*, and it appears in a note at the end of chapter XV of book III of the *Contrat social* (*ibid.*, p. 431). The advantages of the federal form had been equally praised by Montesquieu in the first chapter of book IX of *Esprit des lois* (in *Œuvres complètes*, Paris: Pléiade, 1951, II, p. 369).

s. Cf. conversation with Mr. Bowring (*Voyage en Angleterre*, OC, V, 2, p. 35).

t. "Nevertheless, the greatest difficulty is not to find some peoples who know how to manage their own affairs, but to find some with this habit who can understand federal sovereignty and submit to it" (YTC, CVh, 4, p. 4).

interest and the zeal of the citizens. This need to improve agitates the American republic constantly and does not trouble them; there, ambition for power is replaced by the love of well-being, a more vulgar, but less dangerous passion. It is an opinion generally shared in America that the existence and duration of republican forms in the New World depend on the existence and the duration of the federal system. A great part of the miseries engulfing the new States of South America is attributed to the desire to establish large republics there, instead of dividing sovereignty.^u

As a matter of fact, it is incontestable that in the United States the taste and the practice of republican government were born in the towns and within the provincial assemblies. In a small nation such as Connecticut,^v for example, where the important political matter is opening a canal or laying out a roadway, where the state has no army to pay nor war to sustain, and where the state can give to those who lead it neither wealth nor much glory, you can imagine nothing more natural and more appropriate to the nature of things than a republic. Now, this same republican spirit, these mores and these habits of a free people, after being born and developing in the various states, are then applied easily to the whole country. In a way, the public spirit of the Union is itself only a summary of provincial patriotism. Each citizen of the United States transfers, so to speak, the interest inspired in him by his small republic to the love of the common native land. By defending the Union, he defends the growing prosperity of his district, the right to direct its affairs, and the hope of winning acceptance there for the plans for improvement that are to enrich him himself: all things that ordinarily touch men more than the general interests of the country and the glory of the nation.

u. Hervé de Tocqueville: "All that precedes is very good. A thought however: Isn't the well-being that, for the states of the Union, results from the division of sovereignty disturbed by the vices of their democratic organization that Alexis had pointed out?"

Édouard de Tocqueville: "It seems to me that this can only be related to the whole. It is certain that the United States, as they are constituted, enjoy an enormous prosperity, and that the nations of the South are in anarchy" (YTC, CIIb, 3, p. 24).

v. In the first version, the state cited was Massachusetts.

On the other hand, if the spirit and the mores of the inhabitants make them more suitable than others to cause a large republic to prosper, the federal system has made the task much less difficult. The confederation of all the American states does not show the usual disadvantages of numerous human agglomerations. The Union is a large republic in terms of expanse; but in a way, it can be likened to a small republic, because of the small number of matters that concern its government. Its acts are important, but rare. Since the sovereignty of the Union is hindered and incomplete, the use of this sovereignty is not dangerous to liberty. Nor does it excite those immoderate desires for power and reputation that are so deadly to great republics. Since everything there does not necessarily end up at a common center, you see neither vast cities,^w nor enormous wealth, nor great poverty, nor sudden revolutions. Political passions, instead of spreading instantaneously like a firestorm over the whole surface of the country, are going to break against the individual passions and interests of each state.

Within the Union, however, ideas and things circulate freely, as among one and the same people. Nothing stops the rise of the spirit of enterprise. Its government draws upon talents and enlightenment. Within the boundaries of the Union, as within the interior of a country under the same empire, a profound peace reigns. Outside, the Union ranks among the most powerful nations of the world; it offers to foreign trade more than eight hundred leagues of coastline. Holding in its hands the keys to a whole world, it enforces respect for its flag in the far reaches of the seas.^x

w. Hervé de Tocqueville: "And New York which is so large?"

Édouard de Tocqueville: "New York, it seems to me, is only a large city and not a metropolis, in the true meaning of this word" (YTC, CIIb, 3, p. 24).

x. Hervé de Tocqueville: "This peroration is beautiful, but isn't Alexis making America into too much of an El Dorado? It must not be forgotten that he thinks himself obliged to disenchant us in the following chapters. Two sentences here appear too strong to me: that of the profound peace that reigns within the interior—two recent examples have shown that this peace is easily troubled—and that of respect for the flag, which exists only because the European nations wish it or do not agree to humiliate it. Not with its small fleet would America force the maritime powers to respect its flag."

Édouard de Tocqueville: "Alexis shows in several places what the future dangers of the American government are, and what its weak side is at the present time. But, if one judges it now as a whole, one can say, as in the last sentence, '*The Union is free and happy*, etc.'" (YTC, CIIb, 3, pp. 24–25).

The Union is free and happy like a small nation, glorious and strong like a large one.^y

What Keeps the Federal System from Being within
the Reach of All Peoples; And What Has Allowed
the Anglo-Americans to Adopt It

There are, in all federal systems, inherent vices that the law-maker cannot fight.—Complication of all federal systems.—It requires from the governed the daily use of their intelligence.—Practical knowledge of the Americans in the matter of government.—Relative weakness of the government of the Union, another vice inherent in the federal system.—The Americans have made it less serious, but have not been able to destroy it.—The sovereignty of the individual states weaker in appearance, stronger in reality than that of the Union.—Why.—So among confederated peoples, there must be natural causes of union, apart from the laws.—What these causes are among the Anglo-Americans.—Maine and Georgia, 400 leagues apart, more naturally united than Normandy and Brittany.—That war is the principal danger to confederations.—This proved by the very example of the United States.—The Union has no great wars to fear.—Why.—Dangers that the peoples of Europe would run by adopting the federal system of the Americans.

[Of all beings, man is assuredly the one best known; and yet his prosperity or miseries are the product of unknown laws of which only a few isolated and incomplete fragments come into our view. Absolute truth is hidden and perhaps will always remain hidden.] The law-maker sometimes succeeds, after a thousand efforts, in exercising an indirect influence on the destiny of nations, and then his genius is celebrated. While often, the geo-

y. See the conversation with Mr. MacLean (non-alphabetic notebooks 2 and 3, YTC BIIa, and *Voyage*, OC, V, 1, p. 127).

graphic position of the country, over which he has no influence; a social state that was created without his support; mores and ideas, whose origin is unknown to him; a point of departure that he does not know, impart to society irresistible movements that he struggles against in vain and that carry him along as well.

The law-maker resembles a man who plots his route in the middle of the sea. He too can navigate the ship that carries him, but he cannot change its structure, raise the wind, or prevent the ocean from heaving under his feet.

I have shown what advantages the Americans gain from the federal system. It remains for me to explain what allowed them to adopt this system; for not all peoples are able to enjoy its benefits.

Accidental vices arising from the laws are found in the federal system; these can be corrected by law-makers. Others are encountered that are inherent in the system; these could not be destroyed by the peoples who adopt it. So these peoples must find within themselves the strength to withstand the natural imperfections of their government.

Among the vices inherent to all federal systems, the most visible of all is the complication of means that they use. This system necessarily brings two sovereignties face to face. The law-maker succeeds in making the movements of these two sovereignties as simple and as equal as possible, and he can enclose both of them within clearly defined spheres of action. But he cannot make it so that there is only one of them, nor prevent them from being in contact at some point.

[The federal system of the United States consists of combining two governments: one, provincial; the other, national.

It is already not so easy to find a people who have the taste and, above all, the habit of provincial government. I have already remarked earlier that, among enterprises that can be attempted, certainly one of the most difficult was to persuade men to attend to their own affairs. It follows that the federal system is hardly ever established except among nations who, independent of one another for a long time, have naturally contracted this taste and these habits to a high degree. Notably, this is what happened in the United States. Before the Revolution, they all recognized the authority of the mother country, but each of them had its individual government as well and did not depend on its neighbor.

Nonetheless, the great difficulty is not finding some peoples who know how to run their own affairs, but finding some who can understand federal sovereignty and submit to it.]

So no matter what is done, the federal system rests on a complicated theory whose application requires, in the governed, the daily use of the light of their reason.^z

In general, only simple conceptions take hold of the mind of the people. An idea that is false, but clear and precise, will always have more power in the world than a true, but complicated, idea. It follows that parties, which are like small nations within a large one, are always quick to adopt, as a symbol, a name or a principle that often represents only very incompletely the end that they propose and the means that they employ. But without this symbol, they would be able neither to subsist nor to stir. Governments that rest only on a single idea or single sentiment, easy to define, are perhaps not the best, but they are assuredly the strongest and the most durable.

On the contrary, when you examine the Constitution of the United States, the most perfect of all known federal constitutions, you are alarmed by the many varieties of knowledge and by the discernment that it assumes among those whom it must govern. The government of the Union rests almost entirely on legal fictions. The Union is an ideal nation that exists only in the mind so to speak; intelligence alone reveals its extent and its limits.

Once the general theory is well understood, the difficulties of application remain; they are innumerable, for the sovereignty of the Union is so entangled with the sovereignty of the states that it is impossible at first

z. In the fourth lecture of his course on civilization in Europe, Guizot insisted on this point:

The federative system, logically the most simple, is in fact the most complex; in order to reconcile the degree of independence, of local liberty, that it allows, with the degree of general order, of general submission that it requires and assumes in certain cases, a very advanced civilization is clearly required. . . . The federative system is therefore the one that clearly requires the greatest development of reason, of morality, of civilization, in the society to which it applies (*Histoire générale de la civilisation en Europe*, Brussels, Société belge de Librairie, 1839, lesson IV, p. 41).

glance to perceive their limits. Everything is by convention and by artifice in such a government, and it can only suit a people accustomed, for a long time, to running their own affairs, a people among whom political knowledge has penetrated to the lowest levels of society. I have never admired the good sense and practical intelligence of the Americans more than in the way in which they escape the innumerable difficulties that arise from their federal constitution. I almost never met a common man in America who did not, with surprising ease, discriminate between the obligations arising from the laws of Congress and those originating in the laws of his state, and who, after distinguishing the matters that were among the general attributions of the Union from those that the local legislature had to regulate, could not indicate the point at which the jurisdiction of the federal courts began and the limit at which that of the state courts ended.

The Constitution of the United States resembles those beautiful creations of human industry that shower glory and wealth on those who invent them, but that remain sterile in other hands.

This is what Mexico has demonstrated in our times.

The inhabitants of Mexico, wanting to establish the federal system, took as a model and almost completely copied the federal constitution of the Anglo-Americans, their neighbors.³⁹ But while importing the letter of the law, they could not at the same time import the spirit that gives it life. So they are seen constantly encumbered by the mechanism of their double government. The sovereignty of the states and that of the Union, leaving the circle that the constitution had drawn, penetrate each other daily. Still today, Mexico is constantly dragged from anarchy to military despotism, and from military despotism to anarchy.

[But even if a people were advanced enough in civilization and versed enough in the art of government to submit intelligently to so complicated a political theory, it would still not mean that the federal system could meet all their needs.

There is, in fact, a vice inherent in this system that will manifest itself no matter what is done. That is the relative weakness of the government of the Union.]

39. *See the Mexican constitution of 1824.*

The second and more destructive of all the vices, which I regard as inherent in the federal system itself, is the relative weakness of the government of the Union.

The principle on which all confederations rest is the division of sovereignty. Law-makers make this division hardly noticeable; they even hide it from view for awhile, but they cannot keep it from existing. Now, divided sovereignty will always be weaker than complete sovereignty.

In the account of the Constitution of the United States, we saw how artfully the Americans, while enclosing the power of the Union within the limited circle of federal governments, succeeded in giving it the appearance and, to a certain extent, the strength of a national government.

By acting in this way, the law-makers of the Union reduced the natural danger of confederations; but they were not able to make it disappear entirely.

The American government, it is said, does not address itself to the states; it applies its injunctions directly to the citizens and bends them, separately, to the work of the common will.

But if federal law collided with the interests and prejudices of a state, should it not be feared that each of the citizens of this state would believe himself interested in the cause of the man who refuses to obey? When all the citizens of the state found themselves thus harmed at the same time and in the same way by the authority of the Union, the federal government would seek in vain to isolate them in order to combat them. They would instinctively feel that they must unite to defend themselves, and in the portion of sovereignty left for their state to enjoy, they would find an organization already prepared. Fiction would then disappear and give way to reality, and you would be able to see the organized power of one part of the territory joining battle with the central authority.

[This is, moreover, the spectacle most recently presented by South Carolina. The regulations of the United States concerning the tariff had become completely unpopular in Carolina; the state legislature took the initiative and suspended the enforcement of the federal law. This result is inevitable. When the interest or passions of men are left a powerful means of satisfaction, you can be assured that legal fictions will not long prevent them from noticing and making use of that means. #This is so well understood

even in America that, no matter how large certain states already are, care has been taken not to create district assemblies that could represent a collective resistance. The legislature never has to make anything obey, other than towns, without links to each other.[≠]

Former federal constitutions obliged the states to *act*. The Constitution of the United States only obliges them to *allow action*, an essential difference that makes resistance very rare; for it is very much easier to refuse to act than to prevent someone else from acting. But once what you resolved simply to endure reaches a certain level of pain, the reluctance that men have to take initiative does not take long to disappear, and the precaution of the law-maker is found wanting.

The principle of federal law is that the Court of the United States must endeavor to judge only individuals. In this way, it does [not (ed.)] generally attack the laws of the states, which reduces the danger of a collision between the two sovereignties. But if, in a particular interest, it violates an important state law, or harms a general state principle or interest, the precautions of the law-maker are again useless; and the struggle, real if not obvious, is between the harmed state, represented by a citizen, and the Union, represented by its courts. The Constitution gives the Union . . . [text of note 40 (ed.)].

It is enough, moreover, to see in what a persuading and conciliatory manner the federal government calls for the execution of laws, in order to judge that, despite appearances and the efforts of the law-maker, the federal government constantly finds itself facing not individuals, but sovereigns.

It is even easy to go further, and it must be said with the famous Hamilton in the *Federalist* that of the two sovereignties, the stronger is assuredly the sovereignty of the state.

You can even go further . . . [cf. *infra* (ed.)] . . .]

I will say as much about the federal judicial system. If, in a particular trial, the courts of the Union violated an important state law, the real, if not obvious, struggle would be between the harmed state, represented by a citizen, and the Union, represented by its courts.⁴⁰

40. Example: *The Constitution gave the Union the right to have unoccupied lands sold for its benefit. I suppose that Ohio claims this same right for those that are enclosed within its*

You must have little experience in the ways of this world to imagine that, after leaving the passions of men a means of satisfaction, you will always prevent them, with the aid of legal fictions, from noticing and making use of that means.

So the American law-makers, while making the struggle between the sovereignties less probable, did not destroy the causes.

You can even go further and say that they were not able to secure preponderance to the federal power in case of conflict.^a

They gave the Union money and soldiers, but the states retain the love and the prejudices of the people.

The sovereignty of the Union is an abstract thing connected to only a small number of external matters. The sovereignty of the states is felt by all the senses; it is understood without difficulty; every moment, it is seen in action. One is new; the other was born with the people themselves.

The sovereignty of the Union is a work of art. The sovereignty of the states is natural; it exists by itself, without effort, like the authority of the father of a family.

The sovereignty of the Union touches men only through a few general interests; it represents an immense and distant country, a vague and indefinite sentiment. The sovereignty of the states envelops each citizen in a way and catches him every day by details. It is the state that takes responsibility

borders, under the pretext that the Constitution only meant territory not yet submitted to the jurisdiction of any state; and that consequently Ohio itself wanted to sell the lands. The judicial question would be posed, it is true, between the buyers who held their title from the Union and the buyers who held their title from the state, and not between the Union and Ohio. But if the court of the United States ruled that the federal buyer was in possession, and the courts of Ohio maintained the holdings of his competitor, then what would become of the legal fiction?

a. With a bracket that goes from this paragraph to the one that ends with the words “that carry them toward peace”:

To note.

I say the same thing with more development in the last chapter on the future. Ask for advice?”

Hervé de Tocqueville: “Do not put it here. One can do without it.”

Édouard de Tocqueville: “The more I reread the passage, the more I regret that there is a question of deleting it, even more because I have not read the one that it repeats” (YTC, CIIB, 3, p. 25).

for guaranteeing his prosperity, his liberty, his life; at every moment, it influences his well-being or his misery. The sovereignty of the states rests on memories, on habits, on local prejudices, on the egoism of province and of family; in a word, on all the things that make the instinct for native land so powerful in the heart of man. How can its advantages be doubted?

Since the law-makers cannot prevent the occurrence of dangerous collisions between the two sovereignties that are brought face to face by the federal system, their efforts to turn confederated peoples away from war must be joined with particular dispositions that carry them toward peace.

It follows that the federal pact cannot exist for long if, among the peoples to whom it applies, a certain number of conditions for union are not found that make this common life easy for them and facilitate the task of government.

Thus, to succeed, the federal system needs not only good laws, but also favorable circumstances.

All peoples who have been seen to form a confederation have had a certain number of common interests that serve as the intellectual bonds of the association.

But beyond material interests, man still has ideas and sentiments. For a confederation to last for a long time, there must be no less homogeneity in the civilization than in the needs of the diverse peoples who constitute it. The civilization of a *canton* in Vaud compared with that of a *canton* in Uri is like the XIXth century compared with the XVth; so Switzerland has never truly had a federal government. The union among the different *cantons* exists only on the map; and that would be clearly seen if a central authority wanted to apply the same laws over the whole territory.^b

b. Before the 1836 visit, Tocqueville probably went to Switzerland in 1829 and 1832 (Cf. Luc Monnier, "Tocqueville et la Suisse," in *Alexis de Tocqueville. Livre du centenaire*, Paris: Editions du C.N.R.S., 1960, pp. 101–13).

André Jardin indicates that in his view Tocqueville must have visited Switzerland at least five times between 1823 and 1836. The notes of the voyage to Switzerland in 1836 are known to us thanks to the text published in the *Oeuvres complètes*, Beaumont edition. André Jardin ("Tocqueville et la décentralisation," in *La décentralisation, VI colloque d'histoire*, Aix-en-Provence: Publication des Annales de la Faculté des Lettres, 1961, pp. 89–117, 97) has nonetheless remarked that certain similarities between these notes

[There are men who pretend that one of the advantages of federal constitutions is to allow each portion of the same empire to live entirely in its own way, without ceasing to be united. That is true, if confederation means a kind of offensive and defensive league, by means of which different peoples unite to repel a common danger and remain strangers to each other for everything else. But if, among confederated peoples, you want to create a common existence and a true national government, it is absolutely necessary that their civilization be homogeneous in nature. This necessity makes itself felt even much more in confederations than in monarchies, because in order to be obeyed, government has much more need for the support of the governed in the first than in the second.

The federal system allows and favors diversity in laws dealing with specifics, which is a great good; but it often resists uniformity in general laws, which is a great evil.]

In the United States there is a fact that admirably facilitates the existence of the federal government. The different states not only have more or less the same interests, the same origin and the same language, but also the same degree of civilization; this almost always makes agreement among them easy. I do not know if there exists any European nation, however small, that, in its different parts, does not present a less homogeneous face than the American people whose territory is as large as half of Europe.

From the state of Maine to the state of Georgia, there are about four hundred leagues. However, less difference exists between the civilization of Maine and that of Georgia than between the civilization of Normandy and that of Brittany. So Maine and Georgia, placed at two extremities of a vast

and *Democracy* lead to the thought that these texts, published by Beaumont as dating from 1836, are perhaps the fruit of an earlier voyage (*Voyages en Angleterre, Irlande, Suisse et Algérie*, OC, V, 2, pp. 173–88). In his “Rapport fait à l’Académie des sciences morales et politiques sur l’ouvrage de M. Cherbuliez, intitulé *De la démocratie en Suisse*” (*Séances et travaux de l’Académie des sciences morales et politiques*, XII, 1848, pp. 97–119, reproduced as an appendix to *Democracy* beginning with the twelfth edition), Tocqueville comments on the Swiss confederation in terms entirely similar to those of this chapter, and concludes that Switzerland possesses the most ineffective federal constitution that could exist.

empire, naturally find more real ease in forming a confederation, than Normandy and Brittany, which are separated only by a stream.

With these opportunities, which the mores and habits of a people offer to the American law-makers, are joined others that arise from the geographic position of the country. It is principally to the latter that the adoption and maintenance of the federal system must be attributed.^c

[Despite all these obstacles, I believe federal governments still more appropriate for maintaining internal peace and for favoring, over a vast empire, the peaceful development of social well-being, than for struggling with advantage against foreign enemies.

It is the difficulty that confederations find in sustaining great wars that makes so many peoples incapable of enduring federal government.]

The most important of all the actions that can mark the life of a people is war. In war, a people acts as a single individual vis-à-vis foreign peoples; it fights for its very existence.

As long as it is only a question of maintaining peace within the interior of a country and of favoring prosperity, skill in the government, reason among the governed, and a certain natural attachment that men almost always have for their country can easily suffice. But for a nation to be able to wage a great war, the citizens must impose numerous and painful sacrifices on themselves. To believe that a large number of men will be capable of submitting themselves to such social exigencies, is to know humanity very badly. [Were the necessity of war to be universally acknowledged, the natural inclination of the human mind is to reject the annoying conse-

c. In the margin:

≠General ideas./

Insular position of the Union.

Indians, nothing. 4,000 soldiers. Attacked from a distance, defended close by./

Impossibility of taxes. *Federalist*./

Difficulties over the militias in the War of 1812./

Inability of the large nations of Europe to live federally./

Fortunate Americans.≠

quences of the principle that it previously accepted. So once the principle of war is accepted, an authority capable of forcing individuals to bear its consequences must be found somewhere.]

It follows that all peoples who have had to wage great wars have been led, almost despite themselves, to augment the forces of the government. Those who have not been able to succeed in doing so have been conquered. A long war almost always puts nations in this sad alternative; their defeat delivers them to destruction, and their triumph, to despotism.

[There is a great nation in Europe where the forces of society [v: governmental forces] are centralized in such a way that in case of war, a drum-beat assembles the entire nation, so to speak, around its leader, like the inhabitants of a village. This nation, apart from its courage, must have a great advantage over others for waging war; on several occasions, therefore, we have seen it dominate all of Europe by force of arms.

The fact is that to draw from people the enormous sacrifices of men and money that war requires and to concentrate, in one place and at a given time, all national forces, nothing less is required than the efforts of complete sovereignty.

Now, the inevitable evil of confederations, I have already said, is the division of sovereignty. In the federal system, not only is there no administrative centralization or anything approaching it, but also governmental centralization itself exists only very incompletely. That is always a great cause of weakness when it is a question of defense against peoples among whom governmental centralization exists.

In the federal Constitution of the United States . . . [cf. *infra* (ed.)]].

So, in general, it is during a war that the weakness of a government is revealed in a most visible and dangerous manner; and I have shown that the inherent vice of federal governments was to be very weak.

In the federal system, not only is there no administrative centralization or anything approaching it, but also governmental centralization itself exists only incompletely. That is always a great cause of weakness, when defense is necessary against peoples among whom governmental centralization is complete.

In the federal Constitution of the United States, of all federal constitutions, the one where the central government is vested with the most real

strength, this evil still makes itself acutely felt. [The law gives Congress, it is true, the right to take all measures required by the interest of the country, but the difficulty is to exercise such a right. If Congress, pressed by urgent needs, comes to impose on the governed sacrifices equal to the dangers, the discontent of those individuals who suffer does not fail to find a place of support in the sovereignty of the states, or at least in the ambition of those who lead the states and who, in turn, want the support of the malcontents. The states that do not want to wage war, or to whom the war is useless or harmful, easily find in the interpretation of the Constitution the means to refuse their support. The physical and, above all, the moral force of the nation is considerably reduced by it, for even the possibility of such an event renders the federal government weak and slow to act; it fills the government with hesitations and fears and prevents it from even attempting all that it could do.

“It is evident,” says Hamilton in the *Federalist*, no. 12, “from the state of the country, from the habits of the people, from the experience we have had on the point itself that it is impracticable to raise any very considerable sums by direct taxation.” The direct tax is in fact the most visible and burdensome of taxes; but at the same time, it is the only one that can always be resorted to during a war.]

A single example will allow the reader to judge.

The Constitution gives Congress the right to call the state militias into active duty when it is a matter of suppressing an insurrection or repelling an invasion. Another article says that in this case the President of the United States is the Commander in Chief of the militia.

At the time of the War of 1812, the President ordered the militias of the North to move toward the national borders; Connecticut and Massachusetts, whose interests were harmed by the war, refused to send their contingents.

The Constitution, they said, authorizes the federal government to use the militias in cases of *insurrection* or *invasion*; but in the present situation there was neither insurrection nor invasion. They added that the same Constitution that gave the Union the right to call the militias into active service, left the states the right to appoint the officers. It followed, according to them, that even in war, no officer of the Union had the right to command

the militias, except the President in person. But this was a matter of serving in an army commanded by someone other than him.

These absurd and destructive doctrines received not only the sanction of the Governors and the legislature, but also that of the courts of justice of these two states; and the federal government was forced to find elsewhere the troops that it needed.⁴¹

[A fact of this nature proves, better than all that I could say, the inability the American Union would have to sustain a great war, even with the improved organization that the 1789 Constitution gave it.

Allow for a moment the existence of such a nation in the midst of the aggressive peoples of Europe where sovereignty is unified and omnipotent, and the relative weakness of the American Union will become for you a proven and plain truth.]

So how is it that the American Union, all protected as it is by the relative perfection of its laws, does not dissolve in the middle of a great war? It is because it has no great wars to fear.^e

[In general, we must give up citing the example of the United States to prove that confederations can sustain great wars, for the Union has never had a single one of this nature.

Even that of 1812, which the Americans speak about with such pride, was nothing compared to the smallest of those that the ambition of Louis XIV or the French Revolution brought about in Europe. The reason is simple.]

Placed in the center of an immense continent, where human industry

41. Kent's Commentaries, vol. I, p. 244. *Note that I have chosen the example cited above from the time after the establishment of the current Constitution. If I had wanted to go back to the period of the first confederation, I would have pointed out even more conclusive facts. [(Nothing more miserable can be imagined than the way the central government conducted the War of Independence and yet)] Then true enthusiasm reigned in the nation; the Revolution was represented by an eminently popular man; and yet, in that period, Congress had no resources at all, so to speak. Men and money were needed at every moment; the best laid plans failed in the execution; and the Union, always at the brink of perishing, was saved much more by the weakness of its enemies than by its own strength.*^d

d. At first, the text of this note was found before "[In general . . .]."

e. In the beginning, note 41 was found at this place in the manuscript.

can expand without limits, the Union is almost as isolated from the world as if it were enclosed on all sides by the ocean.^f

Canada numbers only a million inhabitants; its population is divided into two enemy nations. The rigors of climate limit the extent of its territory and close its ports for six months of the year.

From Canada to the Gulf of Mexico, there are still a few, half-destroyed, savage tribes that six thousand soldiers^g drive before them.

In the South, the Union at one point touches the empire of Mexico; probably great wars will come from there one day [if the Anglo-Americans and the Mexicans each continue to form a single, unified nation. In Mexico, in fact, there is a numerous population that, different from its neighbors by language, religion, habits and interest [broken text (ed.)]]. But, for a long time still, the little developed state of its civilization, the corruption of its mores and its poverty will prevent Mexico from taking an elevated rank among nations. As for the great powers of Europe, their distance makes them little to be feared.^o

So the great happiness of the United States is not to have found a federal constitution that allows it to sustain great wars, but to be so situated that there are none to fear.

No one can appreciate more than I the advantages of the federal system. There I see one of the most powerful devices favoring prosperity and human liberty. I envy the fate of nations permitted to adopt it. But I refuse, nonetheless, to believe that confederated republics could struggle for long, with equal strength, against a nation where governmental power would be centralized.

The people who, in the presence of the great military monarchies of Europe, would come to divide sovereignty, would seem to me to abdicate, by this fact alone, its power and perhaps its existence and its name.

Admirable position of the New World where man has only himself as an enemy. To be happy and free, he only has to want to be.

f. In the margin, with a bracket that includes this paragraph and the two following:
"To note.

I also say part of all of this at the *future*. Quid?"

g. The figure 4,000 appears in the manuscript as well as in a few other places.