

TOCQUEVILLE'S NIGHTMARE



*The Administrative
State Emerges
in America,
1900—1940*

DANIEL R. ERNST

Tocqueville's Nightmare The Administrative State Emerges In America 1900 194

Alexis de Tocqueville



Tocqueville's Nightmare The Administrative State Emerges In America 1900 194:

Tocqueville's Nightmare Daniel R. Ernst, 2014-04-21 In the 1830s the French aristocrat Alexis de Tocqueville warned that insufferable despotism would prevail if America ever acquired a national administrative state Today's Tea Partiers evidently believe that after a great wrong turn in the early twentieth century Tocqueville's nightmare has come true In those years it seems a group of radicals seduced by alien ideologies created vast bureaucracies that continue to trample on individual freedom In Tocqueville's Nightmare Daniel R Ernst destroys this ahistorical and simplistic narrative He shows that in fact the nation's best corporate lawyers were among the creators of commission government that supporters were more interested in purging government of corruption than creating a socialist utopia and that the principles of individual rights limited government and due process were built into the administrative state Far from following an American model American state builders rejected the leading European scheme for constraining government the Rechtsstaat a state of rules Instead they looked to an Anglo American tradition that equated the rule of law with the rule of courts and counted on judges to review the bases for administrators' decisions Soon however even judges realized that strict judicial review shifted to courts' decisions best left to experts The most masterful judges including Charles Evans Hughes Chief Justice of the United States from 1930 to 1941 ultimately decided that a day in court was unnecessary if individuals had already had a day in commission where the fundamentals of due process and fair play prevailed This procedural notion of the rule of law not only solved the judges' puzzle of reconciling bureaucracy and freedom It also assured lawyers that their expertise in the ways of the courts would remain valuable and professional politicians that presidents would not use administratively distributed largess as an independent source of political power Tocqueville's nightmare has not come to pass Instead the American administrative state is a restrained and elegant solution to a thorny problem and it remains in place to this day Rights Delayed Charles Waite Romney, 2016 Progressive unions flourished in the 1930s by working alongside federal agencies created during the New Deal Yet in 1950 few progressive unions remained Why Most scholars point to domestic anti communism and southern conservatives in Congress as the forces that diminished the New Deal state eliminated progressive unions and destroyed the radical potential of American liberalism Rights Delayed The American State and the Defeat of Progressive Unions argues that anti communism and Congressional conservatism merely intensified the main reason for the decline of progressive unions the New Deal state's focus on legal procedure Initially progressive unions thrived by embracing the procedural culture of New Deal agencies and the wartime American state Between 1935 and 1945 unions mastered the complex rules of the NLRB and other federal entities by working with government officials In 1946 and 1947 however the emphasis on legal procedure made the federal state too slow to combat potentially illegal cooperation between employers and the Teamsters Workers who supported progressive unions rallied around procedural language to stop what they considered Teamster collusion but found themselves dependent on an ineffective federal state The state became even less

able to protect employees belonging to left led unions after the Taft Hartley Act s anti communist provisions and decisions by union leaders limited access to the NLRB s procedures From 1946 until 1950 progressive unions withered and eventually disappeared from the Pacific canneries as the unions failed to pay the cost of legal representation before the NLRB Workers supporting progressive unions had embraced procedural language to claim their rights but by 1950 those workers discovered that their rights had vanished in an endless legal discourse

The Making of Tocqueville's Democracy in America
James T. Schleifer,2000 It is impossible fully to understand the American experience apart from Alexis de Tocqueville s Democracy in America Moreover it is impossible fully to appreciate Tocqueville by assuming that he brought to his visitation to America or to the writing of his great work a fixed philosophical doctrine James T Schleifer documents where when and under what influences Tocqueville wrote different sections of his work In doing so Schleifer discloses the mental processes through which Tocqueville passed in reflecting on his experiences in America and transforming these reflections into the most original and revealing book ever written about Americans For the first time the evolution of a number of Tocqueville s central themes democracy individualism centralization despotism emerges into clear relief As Russell B Nye has observed Schleifer s study is a model of intellectual history an account of the intertwining of a man a set of ideas and the final product a book The Liberty Fund second edition includes a new preface by the author and an epilogue The Problem of the Two Democracies James T Schleifer is Professor of History and Director of the Gill Library at the College of New Rochelle

Tocqueville: Democracy in America Alexis de Tocqueville,2010-01-18 Tocqueville Democracy in America written by legendary author Alexis de Tocqueville is widely considered to be one of the greatest books of all time This great classic will surely attract a whole new generation of readers For many Tocqueville Democracy in America is required reading for various courses and curriculums And for others who simply enjoy reading timeless pieces of classic literature this gem by Alexis de Tocqueville is highly recommended Published by Classic Books International and beautifully produced Tocqueville Democracy in America would make an ideal gift and it should be a part of everyone s personal library *Tocqueville on America After 1840* Alexis de Tocqueville,2009-03-30 Tocqueville on America after 1840 provides access to Tocqueville s views on American politics from 1840 to 1859 revealing his shift in thinking and growing disenchantment with America

Democracy in America - Alexis De Tocqueville,2011-07 Many of the earliest books particularly those dating back to the 1900s and before are now extremely scarce and increasingly expensive We are republishing these classic works in affordable high quality modern editions using the original text and artwork *Democracy in America* Alexis de Tocqueville,2003-03-01 The only contemporaneous translation of Toqueville s work into English Tocqueville s two volume work published in 1835 and 1840 became the best description ever written of the fledgling republic s political culture and of democracy in general The book is a renewed eminently readable invitation to join a conversation already more than 165 years old but still vital to the right ordering and thus continuance of the American republic from jacket flaps **Democracy in America Volume 1**

Alexis de Tocqueville, 2020-09-10 When in 1831 Alexis de Tocqueville came to study Democracy in America the trial of nearly a half century of the working of our system had been made and it had been proved by many crucial tests to be a government of liberty regulated by law with such results in the development of strength in population wealth and military and commercial power as no age had ever witnessed **Alexis de Tocqueville: Democracy in America (LOA #147)** Alexis de Tocqueville, 2004-02-09 An exclusive new translation of the most perceptive and influential book ever written about American politics and society the bible on democracy The Texas Observer This Library of America volume presents de Tocqueville's masterpiece in an entirely new translation the first to fully capture his style and provide a rigorous faithful rendering of his profound ideas and observations Alexis de Tocqueville a young aristocratic French lawyer came to the United States in 1831 to study its penitentiary systems His nine month visit and subsequent reading and reflection resulted in this landmark masterpiece of political observation and analysis In Democracy in America Tocqueville vividly describes the unprecedented social equality he found in America and explores its implications for European society in the emerging modern era His book provides enduring insight into the political consequences of widespread property ownership the potential dangers to liberty inherent in majority rule the vital role of religion in American life and the importance of civil institutions in an individualistic culture dominated by the pursuit of material self interest He also probes the deep differences between the free and slave states writing prophetically of racism bigotry and prejudice in the United States Brought to life by Arthur Goldhammer's clear fluid and vigorous translation this volume of Democracy in America is the first to fully capture Tocqueville's achievements both as an accomplished literary stylist and as a profound political thinker Democracy in America; Volume 1 Alexis de Tocqueville, 2018-02-17 This work has been selected by scholars as being culturally important and is part of the knowledge base of civilization as we know it This work was reproduced from the original artifact and remains as true to the original work as possible Therefore you will see the original copyright references library stamps as most of these works have been housed in our most important libraries around the world and other notations in the work This work is in the public domain in the United States of America and possibly other nations Within the United States you may freely copy and distribute this work as no entity individual or corporate has a copyright on the body of the work As a reproduction of a historical artifact this work may contain missing or blurred pages poor pictures errant marks etc Scholars believe and we concur that this work is important enough to be preserved reproduced and made generally available to the public We appreciate your support of the preservation process and thank you for being an important part of keeping this knowledge alive and relevant Tocqueville's America, the Great Quotations Alexis de Tocqueville, 1983 boldness of enterprise is the foremost cause of America's progress its strength and its greatness With that succinct statement a young French aristocrat Alexis de Tocqueville expressed his perceptive analysis of the United States following a nine month tour of the young republic beginning in May of 1831 His remarkable two volume study Democracy in America presented an insight that has withstood

the test of time to the extent of being described by many scholars as the finest treatise of its kind in the past century and a half As one of a few companies spanning that period of time Cooper Industries represents an intriguing mirror for Tocqueville s long range observations Boldness of enterprise has indeed been reflected by the efforts of individual entrepreneurs whose companies have come together as Cooper Industries and many of their names continue to identify successful company products Among those men were Charles and Elias Cooper Robert W Gardner Huntington B Crouse Jesse L Hinds Carl E Weller Charles W Kirsch E T Lufkin William T Nicholson and Jacob Wiss They men living in democracies are therefore all led to engage in commerce not only for the sake of the profit it holds out to them but for the love of the constant excitement occasioned by that pursuit wrote Tocqueville Were profit the only motive most of the men who have guided Cooper Industries through the fluctuating business cycles of 150 years would have given up in the depths of economic disasters created by depressions and market shifts Cooper s growth by no means has been a steady uphill climb but no reviewer could criticize its history as lacking excitement Tocqueville contrasted the American notion of labor with that of Europeans writing that in the United States not only is labor not dishonorable among such a people but it is held in honor the prejudice is not against it but in its favor The history of Cooper Industries is sprinkled liberally with instances of employees rising from beginning shop floor jobs to high management positions Respect for all positions and opportunities for advancement have remained key elements of company philosophy since Cooper was founded in 1833 in Mount Vernon Ohio on the edge of a huge undeveloped frontier

Democracy in America Vol 1 Alexis de Tocqueville, 2017-01-18 De La D

mocratie en Am rique published in two volumes the first in 1835 and the second in 1840 is a classic French text by Alexis de Tocqueville Its title translates as On Democracy in America but English translations are usually simply entitled Democracy in America In the book Tocqueville examines the democratic revolution that he believed had been occurring over the previous seven hundred years In 1831 Alexis de Tocqueville and Gustave de Beaumont were sent by the French government to study the American prison system In his later letters Tocqueville indicates that he and Beaumont used their official business as a pretext to study American society instead They arrived in New York City in May of that year and spent nine months traveling the United States studying the prisons and collecting information on American society including its religious political and economic character The two also briefly visited Canada spending a few days in the summer of 1831 in what was then Lower Canada modern day Quebec and Upper Canada modern day Ontario After they returned to France in February 1832 Tocqueville and Beaumont submitted their report Du syst me p nitentiaire aux tats Unis et de son application en France in 1833 When the first edition was published Beaumont sympathetic to social justice was working on another book Marie ou L esclavage aux Etats Unis two volumes 1835 a social critique and novel describing the separation of races in a moral society and the conditions of slaves in the United States Before finishing Democracy in America Tocqueville believed that Beaumont s study of the United States would prove more comprehensive and penetrating

Democracy in America. by Alexis de

Tocqueville. Tr. by Henry Reeve, Esq. Ed., with Notes, the Translations Revised and in Great Part Rewritten, and Th Alexis de Tocqueville,2006-09 The Collected Works of Alexis de Tocqueville. Illustrated Alexis de Tocqueville,2021-04-13 Reader in this volume we compiled the most outstanding works of the famed writer Alexis de Tocqueville 1805 1859 A historian and statesman de Tocqueville s foundational work Democracy in America 1835 1840 featured an educated novel analysis of the state political structure and spiritual life of the United States of America The book uses a complex fusion of travel notes research philosophical essays and journalism to describe the birth of the American Nation which literally transformed before his eyes from a frontier on the edge of civilization to a New World power impacting European politics His 1856 book The Old Regime and the Revolution examined the period of the French Revolution In trying to flesh out its origins de Tocqueville found that the old order that existed prior to the revolution had been all but forgotten He had to delve into the archives and reconstruct the image of old France Without a proper understanding of the interplay between the aristocrats and bourgeois it was impossible to explain why the Revolution took place and why it played out as it did His book not only shed light on the French revolution it also created a new scientific method for studying the origins and character of a revolt Democracy in America Volume I and II American Institutions and Their Influence The Old Regime and the Revolution **Best Work of Alexis de Tocqueville: Democracy in America – Volume 1 and Democracy in America – Volume 2** Alexis de Tocqueville,2024-07-09 Explore the Definitive Works of Alexis de Tocqueville with Democracy in America Volume 1 and Democracy in America Volume 2 A Monumental Compilation Embark on a profound journey into the heart of democracy with this exceptional 2 Ebook combo showcasing the seminal works of Alexis de Tocqueville a visionary thinker whose insights continue to shape political discourse Book 1 Democracy in America Volume 1 by Alexis de Tocqueville A Comprehensive Study of Democracy s Foundations Step into the rich tapestry of American society as Tocqueville meticulously examines the principles that underpin democracy With keen observation and penetrating analysis Tocqueville explores the strengths and weaknesses of democratic governance offering invaluable insights into the nature of political participation individual liberty and the role of civil society Book 2 Democracy in America Volume 2 Alexis de Tocqueville s Continued Exploration of Democratic Institutions Continue your journey through the corridors of power with Tocqueville s second volume where he delves deeper into the intricacies of American democracy From the dynamics of majority rule to the challenges of reconciling equality with individualism Tocqueville s keen observations shed light on the complexities of democratic governance and its implications for society at large Immerse yourself in the profound wisdom and timeless insights of Alexis de Tocqueville whose visionary works continue to inform and inspire generations Join the Expedition through the Foundations of Democracy As you delve into the pages of Democracy in America Volume 1 and Democracy in America Volume 2 ponder this What are the enduring principles that sustain democracy and how can we navigate the challenges that threaten its foundations Let Tocqueville s seminal works guide you on a journey of discovery and enlightenment Don t miss this unparalleled 2 Ebook

combo Your Exploration of Democracy s Essence Begins Now **Tocqueville** Alexis De Tocqueville,2013-04 Alexis de Tocqueville 1805 1859 was a French political thinker and historian and wrote the famous work Democracy in America in two volumes This work is renowned for characterising the American Institutions and adding to the understanding of the United States like no other He analysed the social standards of people and the relationship between raising social standards and the free market He thereby became one of the founding fathers of sociology and political science This book is a seminal text in economic sociology Tocqueville has the capacity to stand back from the object of his study and to reflect deeply and at times with wit whilst offering the reader his incisive clarity This collection includes both volumes of Democracy in America in addition it includes the Recollections of Alexis de Tocqueville his thoughts and observations on the French Revolution another work demonstrating his shrewd objective perspective He identified the hazards of the course that his country was taking and also the difficulties of ensuring that there was both equality and freedom It is a first hand account of the upheavals that the country suffered over the months of the revolution consequently it is exhilarating honest and thrilling to read Tocqueville s analysis is relevant for any democracy and consequently this work is relevant far beyond the borders of France *Democracy in America, Complete* Alexis De Tocqueville, Henry Reeve, 2015-02-10 This Book Contains The First and The Second Volumes Democracy in America published in two volumes the first in 1835 and the second in 1840 is a classic French text by Alexis de Tocqueville **Democracy in America** Alexis De Toqueville, 2015-08-02 Democracy in America was published in two parts In 1831 the French government sent Tocqueville then a 35 year old aristocrat and statesman on a mission to report on the US prison system During his nine month trip however he and his buddy Gustave de Beaumont recorded much more the budding nation s economic and political system and its social cultural and religious systems during a the tumultuous Jacksonian political era The central focus of Democracy in America is the study of the nature of representative democracy why it had succeeded in the US and failed throughout Europe With no punches pulled Tocqueville also does a solid job of predicting where democracy was headed in the US including the the dangers of democracy tyranny of the majority as well as the threats to democracy such as the divisive nature of slavery and a future rivalry with Russia *Democracy in America, Volume 2 Of 2* Alexis de Tocqueville, 2009-02-01 Democracy In America Volume 2 of 2 **The Recollections of Alexis de Tocqueville** Alexis de Tocqueville, 2016-02-20 Alexis de Tocqueville s Democracy in America is perhaps the most famous analysis of the social and political structure of the United States in the early 19th century As a contemporary of the Founding Fathers and a detached objective observer de Tocqueville is one of the most important political scientists to write about America and many of his observations on issues like slavery would prove particularly prescient As a result his seminal work is still considered a must read for anyone interested in American history

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