



The Founders and the Media

February 4, 2023

1. Cato's Letter No. 15, "Of Freedom of Speech: That the same is inseparable from Liberty." Thomas Gordon. 1721.
2. *On the Freedom of the Press*. Benjamin Franklin.
3. "An Account of the Supremest Court of Judicature in Pennsylvania, viz. The Court of the Press." Benjamin Franklin. September 12, 1789.
4. Letter from Thomas Jefferson to James Currie. January 28, 1786.
5. Article from the *Columbian Centinel*. Vol. 24, no. 45. August 8, 1798.
6. Letter from Thomas Jefferson to Edward Carrington. January 16, 1787.
7. Chapter VI: Of the Relation between Public Associations and the Newspapers. *Democracy in America*. Alexis de Tocqueville. 1835.

Cato's Letter No. 15
Of Freedom of Speech: That the same is inseparable from publick Liberty.
By Thomas Gordon

Sir,

Without freedom of thought, there can be no such thing as wisdom; and no such thing as publick liberty, without freedom of speech: Which is the right of every man, as far as by it he does not hurt and control the right of another; and this is the only check which it ought to suffer, the only bounds which it ought to know.

This sacred privilege is so essential to free government, that the security of property; and the freedom of speech, always go together; and in those wretched countries where a man cannot call his tongue his own, he can scarce call any thing else his own. Whoever would overthrow the liberty of the nation, must begin by subduing the freedom of speech; a thing terrible to publick traitors.

This secret was so well known to the court of King Charles I that his wicked ministry procured a proclamation to forbid the people to talk of Parliaments, which those traitors had laid aside. To assert the undoubted right of the subject, and defend his Majesty's legal prerogative, was called disaffection, and punished as sedition. Nay, people were forbid to talk of religion in their families: For the priests had combined with the ministers to cook up tyranny, and suppress truth and the law. While the late King James, when Duke of York, went avowedly to mass; men were fined, imprisoned, and undone, for saying that he was a papist: And, that King Charles II might live more securely a papist, there was an act of Parliament made, declaring it treason to say that he was one.

That men ought to speak well of their governors, is true, while their governors deserve to be well spoken of; but to do publick mischief, without hearing of it, is only the prerogative and felicity of tyranny: A free people will be shewing that they are so, by their freedom of speech.

The administration of government is nothing else, but the attendance of the trustees of the people upon the interest and affairs of the people. And as it is the part and business of the people, for whose sake alone all publick matters are, or ought to be, transacted, to see whether they be well or ill transacted; so it is the interest, and ought to be the ambition, of all honest magistrates, to have their deeds openly examined, and publickly scanned: Only the wicked governors of men dread what is said of them; *Audivit Tiberius probra queis lacerabitur, atque percussus est.* The publick censure was true, else he had not felt it bitter.

Freedom of speech is ever the symptom, as well as the effect, of good government. In old Rome, all was left to the judgment and pleasure of the people; who examined the publick proceedings with such discretion, and censured those who administered them with such equity and mildness, that in the space

of three hundred years, not five publick ministers suffered unjustly. Indeed, whenever the commons proceeded to violence, the great ones had been the aggressors.

Guilt only dreads liberty of speech, which drags it out of its lurking holes, and exposes its deformity and horror to day-light. Horatius, Valerius, Cincinnatus, and other virtuous and undesigning magistrates of the Roman commonwealth, had nothing to fear from liberty of speech. Their virtuous administration, the more it was examined, the more it brightened and gained by enquiry. When Valerius, in particular, was accused, upon some slight grounds, of affecting the diadem; he, who was the first minister of Rome, did not accuse the people for examining his conduct, but approved his innocence in a speech to them; he gave such satisfaction to them, and gained such popularity to himself, that they gave him a new name; *inde cognomen factum Publicolae est*; to denote that he was their favourite and their friend. *Latae deinde leges. Ante omnes de provocatione, adversus magistratus ad populum*, Livii lib. ii. cap. 8.

The best princes have ever encouraged and promoted freedom of speech; they knew that upright measures would defend themselves, and that all upright men would defend them. Tacitus, speaking of the reigns of some of the princes above-mention'd, says with ecstasy, *Rara temporum felicitate, ubi sentire quae velis, & quae sentias dicere liceat*: A blessed time, when you might think what you would, and speak what you thought!

The same was the opinion and practice of the wise and virtuous Timoleon, the deliverer of the great city of Syracuse from slavery. He being accused by Demoenetus, a popular orator, in a full assembly of the people, of several misdemeanors committed by him while he was general, gave no other answer, than that he was highly obliged to the gods for granting him a request that he had often made to them; namely, that he might live to see the Syracusians enjoy that liberty of speech which they now seemed to be masters of.

And that great commander, M. Marcellus, who won more battles than any Roman captain of his age, being accused by the Syracusians, while he was now a fourth time consul, of having done them indignities and hostile wrongs, contrary to the League, rose from his seat in the Senate, as soon as the charge against him was opened, and passing (as a private man) into the place where the accused were wont to make their defence, gave free liberty to the Syracusians to impeach him: Which, when they had done, he and they went out of the court together to attend the issue of the cause: Nor did he express the least ill-will or resentment towards these his accusers; but being acquitted, received their city into his protection. Had he been guilty, he would neither have shewn such temper nor courage.

I doubt not but old Spencer and his son, all honest men in England. They dreaded to be called traitors, because they were traitors. And I dare say, Queen Elizabeth's Walsingham, who deserved no reproaches, feared none. Misrepresentation of publick measures is easily overthrown, by representing publick measures truly: When they are honest, they ought to be publickly known, that they may be

publicly commended; but if they be knavish or pernicious, they ought to be publicly exposed, in order to be publicly detested.

To assert, that King James was a papist and a tyrant, was only so far hurtful to him, as it was true of him; and if the Earl of Strafford had not deserved to be impeached, he need not have feared a bill of attainder. If our directors and their confederates be not such knaves as the world thinks them, let them prove to all the world, that the world thinks wrong, and that they are guilty of none of those villainies which all the world lays to their charge. Others too, who would be thought to have no part of their guilt, must, before they are thought innocent, shew that they did all that was in their power to prevent that guilt, and to check their proceedings.

Freedom of speech is the great bulwark of liberty; they prosper and die together: And it is the terror of traitors and oppressors, and a barrier against them. It produces excellent writers, and encourages men of fine genius. Tacitus tells us, that the Roman commonwealth bred great and numerous authors, who writ with equal boldness and eloquence: But when it was enslaved, those great wits were no more. *Postquam bellatum apud Actium; atque omnem potestatem ad unum conferri pacis interfuit, magna illa ingenia cessere.* Tyranny had usurped the place of equality, which is the soul of liberty, and destroyed publick courage. The minds of men, terrified by unjust power, degenerated into all the vileness and methods of servitude: Abject sycophancy and blind submission grew the only means of preferment, and indeed of safety; men durst not open their mouths, but to flatter.

Pliny the Younger observes, that this dread of tyranny had such effect, that the Senate, the great Roman Senate, became at last stupid and dumb: *Mutam ac sedentariam assentiendi necessitatem.* Hence, says he, our spirit and genius are stupified, broken, and sunk for ever. And in one of his epistles, speaking of the works of his uncle, he makes an apology for eight of them, as not written with the same vigour which was to be found in the rest; for that these eight were written in the reign of Nero, when the spirit of writing was cramped by fear; *Dubii sermonis octo scripset sub Nerone—cum omne studiorum genus paulo liberius & erectius periculosum servitus fecisset.*

All ministers, therefore, who were oppressors, or intended to be oppressors, have been loud in their complaints against freedom of speech, and the licence of the press; and always restrained, or endeavoured to restrain, both. In consequence of this, they have brow-beaten writers, punished them violently, and against law, and burnt their works. By all which they shewed how much truth alarmed them, and how much they were at enmity with truth.

There is a famous instance of this in Tacitus: He tells us, that Cremutius Cordus, having in his *Annals* praised Brutus and Cassius, gave offence to Sejanus, first minister, and to some inferior sycophants in the court of Tiberius; who, conscious of their own characters, took the praise bestowed on every worthy Roman, to be so many reproaches pointed at themselves: They therefore complained of the book to the Senate; which, being now only the machine of tyranny, condemned it to be burnt.

But this did not prevent its spreading. *Libros cremandos censuere patres; sed manserunt occultati & editi*: Being censured, it was the more sought after. “From hence,” says Tacitus, “we may wonder at the stupidity of those statesmen, who hope to extinguish, by the terror of their power, the memory of their actions; for quite otherwise, the punishment of good writers gains credit to their writings:” *Nam contra, punitis ingeniis, gliscit auctoritas*. Nor did ever any government, who practised impolitick severity, get any thing by it, but infamy to themselves, and renown to those who suffered under it. This also is an observation of Tacitus: *Neque aliud [externi] reges, [aut] qui ea[dem] saevitiae usi sunt, nisi dedecus sibi, atque gloriam illis peperere*.

Freedom of speech, therefore, being of such infinite importance to the preservation of liberty, every one who loves liberty ought to encourage freedom of speech. Hence it is that I, living in a country of liberty, and under the best prince upon earth, shall take this very favourable opportunity of serving mankind, by warning them of the hideous mischiefs that they will suffer, if ever corrupt and wicked men shall hereafter get possession of any state, and the power of betraying their master: And, in order to do this, I will shew them by what steps they will probably proceed to accomplish their traitorous ends. This may be the subject of my next.

Valerius Maximus tells us, that Lentulus Marcellinus, the Roman consul, having complained, in a popular assembly, of the overgrown power of Pompey; the whole people answered him with a shout of approbation: Upon which the consul told them, “Shout on, gentlemen, shout on, and use those bold signs of liberty while you may; for I do not know how long they will be allowed you.”

God be thanked, we Englishmen have neither lost our liberties, nor are in danger of losing them. Let us always cherish this matchless blessing, almost peculiar to ourselves; that our posterity may, many ages hence, ascribe their freedom to our zeal. The defence of liberty is a noble, a heavenly office; which can only be performed where liberty is: For, as the same Valerius Maximus observes, *Quid ergo libertas sine Catone? non magis quam Cato sine libertate*.

G. I am, &c.

Source: <https://www.thefire.org/catos-letter-no-15>

On the Freedom of the Press

Benjamin Franklin

While free from Force the Press remains,
Virtue and *Freedom* cheer our Plains,
And *Learning* Largesses bestows,
And keeps unlicens'd open House.
We to the Nation's publick Mart
Our Works of Wit, and Schemes of Art,
And philosophic Goods, this Way,
Like Water carriage, cheap convey.
This *Tree* which *Knowledge* so affords,
Inquisitors with flaming Swords
From Lay-Approach with Zeal defend,
Lest their own Paradise should end.

The *Press* from her fecundous Womb
Brought forth the Arts of Greece and Rome;
Her Offspring, skill'd in Logic War,
Truth's Banner wav'd in open Air;
The Monster *Superstition* fled,
And hid in Shades her Gorgon Head;
And *lawless Pow'r*, the long kept Field,
By *Reason* quell'd, was forc'd to yield.

This Nurse of Arts, and Freedom's Fence,
To chain, is Treason against Sense:
And *Liberty*, thy thousand Tongues
None silence who design no Wrongs;
For those that use the Gag's Restraint,
First rob, before they stop Complaint.

Source: <https://poets.org/poem/freedom-press>

An Account of the Supremest Court of Judicature in Pennsylvania, viz. The Court of the Press

by Benjamin Franklin
September 12, 1789

POWER OF THIS COURT

It may receive and promulgate accusations of all kinds against all persons and characters among the citizens of the state, and even against all inferior courts, and may judge, sentence, and condemn to infamy, not only private individuals, but public bodies, &c. with or without inquiry or hearing, *at the court's discretion*.

In whose favor and for whose emolument this court is established. In favor of about one citizen in 500, who by education, or practice in scribbling, has acquired a tolerable stile as to grammar and construction so as to bear printing; or who is possessed of a press and a few types. This 500th part of the citizens have the privilege of accusing and abusing the other 499 parts, at their pleasure; or they may hire out their pens and press to others for that purpose.

Practice of the Court.

It is not governed by any of the rules of common courts of law. The accused is allowed no grand jury to judge of the truth of the accusation before it is publicly made; nor is the name of the accuser made known to him; nor has he an opportunity of confronting the witnesses against him; for they are kept in the dark, as in the Spanish Court of Inquisition. — Nor is there any petty jury of his peers sworn to try the truth of the charges. The proceedings are also sometimes so rapid, that an honest good citizen may find himself suddenly and unexpectedly accused, and in the same morning judged and condemned, and sentence pronounced against him, That he is a *rogue* and a *villain*. Yet if an officer of this court receives the slightest check for misconduct in this his office, he claims immediately the rights of a free citizen by the constitution, and demands to know his accuser, to confront the witnesses, and to have a fair trial by a jury of his peers.

The foundation of its authority.

It is said to be founded on an article in the state-constitution, which establishes *the liberty the press*. A liberty which every Pennsylvanian would fight and die for: Though few of us, I believe, have distinct ideas of its nature and extent. It seems indeed somewhat like the *liberty* of the *press* that felons have by the common law of England, before conviction, that is, to be either *pressed* to death or hanged. If by the *liberty of the press* were understood merely the liberty of discussing the propriety of public measures and political opinions, let us have as

much of it as you please: But if it means the liberty of affronting, calumniating and defaming one another, I, for my part, own myself willing to part with my share of it, when our legislators shall please so to alter the law and shall cheerfully consent to exchange my *liberty* of abusing others for the *privilege* of not being abused myself.

By whom this court is commissioned or constituted.

It is not by any Commission from the Supreme Executive Council, who might previously judge of the abilities, integrity, knowledge, &c. of the persons to be appointed to this great trust, of deciding upon the characters and good fame of the citizens; for this court is above that council, and may *accuse, judge, and condemn* it, at pleasure. Nor is it hereditary, as in the court of *dernier resort*, in the peerage of England. But any man who can procure pen, ink, and paper, with a press, and a huge pair of BLACKING balls, may commissionate himself: And his court is immediately established in the plenary possession and exercise of its rights. For if you make the least complaint of the *judge's* conduct, he daubs his blacking balls in your face wherever he meets you; and besides tearing your private character to slitters, marks you out for the odium of the public, as an *enemy to the liberty of the press*.

Of the natural support of these courts.

Their support is founded in the depravity of such minds as have not been mended by religion, nor improved by good education;

“There is a lust in man no charm can tame,
Of loudly publishing his neighbour's shame.”
Hence;

“*On eagle's wings immortal scandals fly,*
While virtuous actions are but born and die.”

Dryden.

Whoever feels pain in hearing a good character of his neighbour, will feel a pleasure in the reverse. And of those, who, despairing to rise into distinction by their virtues, and are happy if others can be depressed on a level with themselves, there are a number sufficient in every great town to maintain one of these courts by their subscriptions. — A shrewd observer once said that in walking the streets in a slippery morning, one might see where the good natured people lived by the ashes thrown on the ice before their doors: probably he would have formed a different conjecture of the temper of those whom he might find engaged in such a subscription.

Of the checks proper to be established against the abuse of power in these courts. Hitherto there are none. But since so much has been written and published on the federal constitution, and the necessity of checks in all other parts of good government has been so clearly and learnedly explained, I find myself so far enlightened as to suspect some check may be proper in this part also; but I have been at a loss to imagine any that may not be construed an infringement of the sacred *liberty of the Press*. At length however I think I have found one, that instead of diminishing general liberty, shall augment it; which is, by restoring to the people a species of liberty of which they have been deprived by our laws, I mean the *liberty of the Cudgel*. — In the rude state of society, prior to the existence of laws, if one man gave another ill language, the affronted person would return it by a box on the ear; and if repeated, by a good drubbing; and this without offending against any law; but now the right of making such returns is denied, and they are punished as breaches of the peace; while the right of abusing seems to remain in full force: the laws made against it being rendered ineffectual by the *liberty of the press*.

My proposal then is, to leave the liberty of the Press untouched, to be exercised in its full extent, force and vigor; but to permit the *liberty of the Cudgel* to go with it *pari passu*. Thus my fellow-citizens, if an impudent writer attacks your reputation, dearer to you perhaps than your life, and puts his name to the charge, you may go to him as openly and break his head. If he conceals himself behind the printer, and you can nevertheless discover who he is, you may in like manner way-lay him in the night, attack him behind, and give him a good drubbing. If your adversary hire better writers than himself to abuse you the more effectually, you may hire brawny porters, stronger than yourself, to assist you in giving him a more effectual drubbing. — Thus far goes my project, as to *private* resentment and retribution. But if the public should ever happen to be affronted, *as it ought to be* with the conduct of such writers, I would not advise proceeding immediately to these extremities; but that we should in moderation content ourselves with tarring and feathering, and tossing them in a blanket.

If, however, it should be thought that this proposal of mine may disturb the public peace, I would then humbly recommend to our legislators to take up the consideration of both liberties, that of the Press, and that of the Cudgel, and by an explicit law mark their extent and limits; and at the same time that they secure the person of a citizen from assaults, they would likewise provide for the security of his reputation.

Source: <https://teachingamericanhistory.org/document/an-account-of-the-supremest-court-of-judicature-in-pennsylvania-viz-the-court-of-the-press/>

Letter from Thomas Jefferson to James Currie, 28 January 1786

Paris Jan. 28. 1786

DEAR SIR

Your favor of Oct. 17. with a P.S. of Oct. 20. came to hand a few days ago, and I am now to thank you for the intelligence it contains. It is more difficult here to get small than great news, because most of our correspondents in writing letters to cross the Atlantic, think they must always tread in buskins, so that half one's friends might be dead without it's being ever spoken of here. Your letter was handed me by Mr. Littlepage whom I had never seen before and who set out from hence for Warsaw after two or three days stay. I observe by the public papers that he has brought on a very disagreeable altercation with Mr. Jay, in which he has given to the character of the latter a colouring which does not belong to it. These altercations, little thought of in America, make a great impression here. In truth it is afflicting that a man who has past his life in serving the public, who has served them in every the highest stations with universal approbation, and with a purity of conduct which has silenced even party opprobrium, who tho' poor has never permitted himself to make a shilling in the public employ, should yet be liable to have his peace of mind so much disturbed by any individual who shall think proper to arraign him in a newspaper. It is however an evil for which there is no remedy. Our liberty depends on the freedom of the press, and that cannot be limited without being lost. To the sacrifice, of time, labor, fortune, a public servant must count upon adding that of peace of mind and even reputation. And all this is preferable to European bondage. He who doubts it need only be placed for one week on any part of the Continent of Europe. Your desire of possessing the new Encyclopedie was expressed so problematically in a former letter, that I doubted whether you did not merely render yourself thro' complaisance to my proposition. Your last letter however is more explicit, wherefore I have immediately subscribed for you, and have obtained an abatement of two guineas in the price. It will be brought to me to day, and as there are now 29. vols. complete, and binding is done so much better and cheaper here (about 2 livres a volume) I will have them bound and send them by the first conveyance. The medical part has not yet begun to appear, that author having chosen to publish the whole at once. I do not expect it will be the most valuable part of the work, for that science was demolished here by the blows of Moliere, and in a nation so addicted to ridicule, I question if ever it rises under the weight while his comedies continue to be acted. It furnishes the most striking proof I have ever seen in my life of the injury which ridicule is capable of doing. I send by this conveyance designs for the Capitol. They are simple and sublime. More cannot be said. They are not the brat of a whimsical conception never before brought to light, but copied from the most precious the most perfect model of antient architecture remaining on earth; one which has received the approbation of near 2000 years, and which is sufficiently remarkable to have been visited by all travellers. It will be less expensive too than the one begun. For some time past nothing has come out here worth sending you. Whenever there does you shall receive it. The Abbé Rochon (who had discovered that all the natural chrystals were composed of two different substances of different refracting powers, and those powers actually uncombined tho' the substances seem perfectly combined) has lately

applied the metal called Platina to the purpose of making the specula of telescopes. It is susceptible of as high a polish as the metallic composition heretofore used, and as insusceptible of rust as gold. It yeilds like that to no acid but the aqua regia. One Hoffman practices here a pleasing method of engraving, such as would be useful to any gentleman. He gives you a plate of copper; write on it with his ink, letters, designs of animals, landscapes, architecture, music, geography or what you please, and in an hour the plate is ready to strike off what number of copies you please. I charge you always with my affectionate respects to the families at Tuckahoe and Amphill and to Mc.Lurg whose indolence is the only bar to our correspondence without an intermediate. I have taken the liberty of desiring A. Stuart to send some objects of natural history for me to your care, relying you will be so good as to contrive them to me, always remembering that Havre is the most convenient port, and next to that l'orient, and that packages for me must be directed to the American Consul at the port. I am with sincere esteem Dear Sir your friend and servt,

TH: JEFFERSON

Source: <https://founders.archives.gov/documents/Jefferson/01-09-02-0209#TSJN-01-09-0209-kw-0001>

Article from the Columbian Centinel. Vol. 24, no. 45 August 8, 1798

Boston, Massachusetts, 8 August 1798.

Newspaper, 1 page.

LAWS OF THE UNITED STATES

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By Authority

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Fifth CONGRESS of the UNITED STATES.

AT THE SECOND SESSION,

Begun and held at the City of *Philadelphia*, in the State of Pennsylvania, on Monday, the thirteenth of November, one thousand seven hundred and ninety-seven.

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The Sedition Act.

An Act in addition to an act, intituled, “an act for the punishment of certain crimes against the United States.”

SEC. 1 BE *it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.* That if any persons shall unlawfully combine or conspire together, with intent to oppose any measure or measures of the government of the United States, which are or shall be directed by proper authority, or to impede the operation of any law of the United States, or to intimidate or prevent any person, holding a place or office in or under the government of the United States, from undertaking, performing or executing his trust or duty; and if any person or persons with intent as aforesaid, shall counsel, advise or attempt to procure any insurrection, riot, unlawful assembly, or combination, whether such conspiracy, threatening, counsel, advise, or attempt, shall have the proposed effect or not, he or they shall be deemed guilty of a high misdemeanor, and on conviction, before any court of the United States having jurisdiction thereof, shall be punished by a fine not exceeding five thousand dollars, and by imprisonment during a term not less than six months, nor exceeding five years; and further, at the discretion of the court, may be holden, to find sureties for his good behaviour, in such sum, and for such time, as the said court may direct.

SEC. 2. *And be it further enacted* That if any person shall write, print, utter or publish, or shall cause or procure to be written, printed, uttered or published, or shall knowingly and willingly assist or aid in writing, printing, uttering or publishing, any false, scandalous, and malicious writing or writings against the government of the United States, or either house of the Congress of the United States, or the President of the United States, with intent to defame the said government, or either house of the said Congress, or the said President, or to bring them or either of them into contempt or disrepute; or to excite against them, or either or any of them, the hatred of the good people of the United States; or to stir up sedition within the United States; or to excite any unlawful combination therein, for opposing or resisting any law of the United States, or any act of the President of the United States, done in pursuance of any such law, or of the powers in him vested by the Constitution of the United States, or to resist, oppose, or defeat any such law or act; or to aid, encourage or abet any hostile designs of any foreign nation against the United States, their people or government, then such person, being thereof convicted before any court of the United States, having jurisdiction thereof, shall be punished by a fine not exceeding two thousand dollars, and by imprisonment not exceeding two years.

SEC. 3 *And be it further enacted and declared*, That if any person shall be prosecuted under this act, for the writing or publishing any libel aforesaid, it shall be lawful for the defendant, upon the trial of the cause, to give in evidence in his defense, the truth of the matter contained in the publication charged as a libel. And the jury who shall try the cause, shall have a right to determine the law and the fact, under the direction of the court, as in other cases.

SEC. 4 *And be it further enacted*, That this act shall continue and be in force, until the third day of March, one thousand eight hundred and one, and no longer: *Provided*, that the expiration of the act shall not prevent or defeat a prosecution and punishment of any offense against the law, during the time it shall be in force.

JONATHAN DAYTON,
Speaker of the House of Representatives.
THEODORE SEDGWICK,
President of the Senate. (pro tem.)

Approved, July 14, 1798.
John Adams,
President of the United States

Notes:

This is an article printed in the Columbian centinel. [Vol. 24, no. 45 (August 8, 1798)]

Letter from Thomas Jefferson to Edward Carrington, 16 January 1787

“The tumults in America, I expected would have produced in Europe an unfavorable opinion of our political state. But it has not. On the contrary, the small effect of those tumults seems to have given more confidence in the firmness of our governments. The interposition of the people themselves on the side of government has had a great effect on the opinion here. I am persuaded myself that the good sense of the people will always be found to be the best army. They may be led astray for a moment, but will soon correct themselves. The people are the only censors of their governors: and even their errors will tend to keep these to the true principles of their institution. To punish these errors too severely would be to suppress the only safeguard of the public liberty. The way to prevent these irregular interpositions of the people is to give them full information of their affairs thro’ the channel of the public papers, and to contrive that those papers should penetrate the whole mass of the people. The basis of our governments being the opinion of the people, the very first object should be to keep that right; and were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter. But I should mean that every man should receive those papers and be capable of reading them. I am convinced that those societies (as the Indians) which live without government enjoy in their general mass an infinitely greater degree of happiness than those who live under European governments. Among the former, public opinion is in the place of law, and restrains morals as powerfully as laws ever did any where. Among the latter, under pretence of governing they have divided their nations into two classes, wolves and sheep. I do not exaggerate. This is a true picture of Europe. Cherish therefore the spirit of our people, and keep alive their attention. Do not be too severe upon their errors, but reclaim them by enlightening them. If once they become inattentive to the public affairs, you and I, and Congress, and Assemblies, judges and governors shall all become wolves. It seems to be the law of our general nature, in spite of individual exceptions; and experience declares that man is the only animal which devours his own kind, for I can apply no milder term to the governments of Europe, and to the general prey of the rich on the poor.”

Source: <https://firstamendmentwatch.org/history-speaks-letters-thomas-jefferson-edward-carrington/>

Ch. VI: Of the Relation Between Public Associations and the Newspapers **Alexis de Tocqueville, *Democracy in America* (1835)**

WHEN men are no longer united among themselves by firm and lasting ties, it is impossible to obtain the co-operation of any great number of them unless you can persuade every man whose help you require that his private interest obliges him voluntarily to unite his exertions to the exertions of others. This can be habitually and conveniently effected only by means of a newspaper; nothing but a newspaper can drop the same thought into a thousand minds at the same moment. A newspaper is an adviser that does not require to be sought, but that comes of its own accord and talks to you briefly every day of the common weal, without distracting you from your private affairs.

Newspapers therefore become more necessary in proportion as men become more equal and individualism more to be feared. To suppose that they only serve to protect freedom would be to diminish their importance: they maintain civilization. I shall not deny that in democratic countries newspapers frequently lead the citizens to launch together into very ill-digested schemes; but if there were no newspapers there would be no common activity. The evil which they produce is therefore much less than that which they cure.

The effect of a newspaper is not only to suggest the same purpose to a great number of persons, but to furnish means for executing in common the designs which they may have singly conceived. The principal citizens who inhabit an aristocratic country discern each other from afar; and if they wish to unite their forces they move towards each other, drawing a multitude of men after them. In democratic countries, on the contrary, it frequently happens that a great number of men who wish or who want to combine cannot accomplish it because as they are very insignificant and lost amid the crowd, they cannot see and do not know where to find one another. A newspaper takes up the notion or the feeling that had occurred simultaneously, but singly, to each of them. All are then immediately guided towards this beacon; and these wandering minds, which had long sought each other in darkness, at length meet and unite. The newspaper brought them together, and the newspaper is still necessary to keep them united.

In order that an association among a democratic people should have any power, it must be a numerous body. The persons of whom it is composed are therefore scattered over a wide extent, and each of them is detained in the place of his domicile by the narrowness of his income or by the small unremitting exertions by which he earns it. Means must be found to converse every day without seeing one another, and to take steps in common without having met. Thus hardly any democratic association can do without newspapers.

Consequently, there is a necessary connection between public associations and newspapers: newspapers make associations, and associations make newspapers; and it if has been correctly

advanced that associations will increase in number as the conditions of men become more equal, it is not less certain that the number of newspapers increases in proportion to that of associations. Thus it is in America that we find at the same time the greatest number of associations and newspapers.

This connections between the number of newspapers and that of associations leads us to the discovery of a further connection between the state of the periodical press and the form of the administration in a country, and shows that the number of newspapers must diminish or increase among a democratic people in proportion as its administration is more or less centralized. For among democratic nations the exercise of local powers cannot be entrusted to the principal members of the community as in aristocracies. Those powers must be either abolished or placed in the hands of very large numbers of men, who then in fact constitute an association permanently established by law for the purpose of administering the affairs of a certain extent of territory; and they require a journal to bring to them every day, in the midst of their own minor concerns, some intelligence of the state of their public weal. The more numerous local powers are, the greater is the number of men in whom they are vested by law; and as this want is hourly felt, the more profusely do newspapers abound.

The extraordinary subdivision of administrative power has much more to do with the enormous number of American newspapers than the great political freedom of the country and the absolute liberty of the press. If all inhabitants of the Union had the suffrage, but a suffrage which should extend only to the choice of their legislators in Congress, they would require but few newspapers, because they would have to act together only on very important, but very rare occasions. But within the great national association lesser associations have been established by law in every county, every city, and indeed in every village, for the purposes of real administration. The laws of the country thus compel every American to co-operate every day of his life with some of his fellow citizens for a common purpose, and each one of them requires a newspaper to inform him what all the others are doing.

I am of the opinion that a democratic people¹ without any national representative assemblies but with a great number of small local powers would have in the end more newspapers than another people governed by a centralized administration and an elective legislature. What best explains to me the enormous circulation of the daily press in the United States is that among the Americans I find the utmost national freedom combined with local freedom of every kind.

¹ I say a democratic people: the administration of an aristocratic people may be very decentralized and yet the want of newspapers be little felt, because local powers are then vested in the hands of a small number of men, who either act apart or know each other and can easily meet and come to an understanding, but the fact that the newspaper keeps alive is a proof that at least the germ of such an association exists in the minds of its readers.

There is a prevailing opinion in France and England that the circulation of newspapers would be indefinitely increased by removing the taxes which have been laid upon the press. This is a very exaggerated estimate of the effects of such a reform. Newspapers increase in numbers, not according to their cheapness, but according to the more or less frequent want which a great number of men may feel for intercommunication and combination.

In like manner I should attribute the increasing influence of the daily press to causes more general than those by which it is commonly explained. A newspaper can survive only on the condition of publishing sentiments or principles common to a large number of men. A newspaper, therefore, always represents an association that is composed of its habitual readers. This association may be more or less defined, more or less restricted, more or less numerous;

This leads me to a last reflection, with which I shall conclude this chapter. The more equal the conditions of men become and the less strong men individually are, the more easily they give way to the current of the multitude and the more difficult it is for them to adhere by themselves to an opinion which the multitude discard. A newspaper represents an association; it may be said to address each of its readers in the name of all the others and to exert its influence over them in proportion to their individual weakness. The power of the newspaper press must therefore increase as the social conditions of men become more equal.

Source: https://xroads.virginia.edu/~Hyper/DETOC/ch2_06.htm