

【英汉对照全译本】

DEMOCRACY IN AMERICA

论美国民主

[法]托克维尔 著

(一)

中国社会科学出版社

图书在版编目(CIP)数据

论美国民主/[法]托克维尔著;朱尾声译. —北京:
中国社会科学出版社, 2007. 8

(西方学术经典译丛)

ISBN 978-7-5004-6291-0

I. 论… II. ①托…②朱… III. 民主—研究—美国
IV. D771. 209

中国版本图书馆 CIP 数据核字(2007)第 097674 号

出版策划 曹宏举

责任编辑 钟芳

责任校对 修广平

技术编辑 李建

出版发行 中国社会科学出版社

社址 北京鼓楼西大街甲 158 号 邮编 100720

电话 010—84029450(邮购)

网址 <http://www.csspw.cn>

经销 新华书店

印刷 北京京晟纪元印刷有限公司

版次 2007 年 8 月第 1 版

印次 2007 年 8 月第 1 次印刷

开本 630 × 970 1/16

印张 112.25

字数 1204 千字

定价 212.00 元

凡购买中国社会科学出版社图书, 如有质量问题请与本社发行部联系调换

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出版说明

为了进一步促进中西文化交流,构建全新的西学思想平台,我们出版了这套《西方学术经典译丛》(英汉对照全译本)。本译丛精选西方学术思想流变中最有代表性的部分传世名作,由多位专家学者选目,内容涵盖了哲学、宗教学、政治学、经济学、心理学、法学、历史学等人文社会科学领域,收录了不同国家、不同时代、不同体裁的诸多名著。

本译丛系根据英文原著或其他文种的较佳英文译本译出,在国内第一次以英汉对照的形式出版。与以往译本不同的是,本译丛全部用现代汉语译出,尽量避免以往译本时而出现的文白相间、拗口难懂的现象;另外出于尊重原作和正本清源的目的,本译本对原作品内容一律不做删节处理,全部照译。以往译本由于时代和社会局限,往往对原作品有所删节,因此,本译本也是对过去译本的补充和完善。

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中国社会科学出版社

Democracy in America
By *Alexis de Tocqueville*

本书根据 Alfred A. Knopf, Inc. 1976 年版本译出

To The Twelfth Edition

However sudden and momentous the events which we have just beheld so swiftly accomplished, the author of this book has a right to say that they have not taken him by surprise. His work was written fifteen years ago, with a mind constantly occupied by a single thought — that the advent of democracy as a governing power in the world's affairs, universal and irresistible, was at hand. Let it be read over again and there will be found on every page a solemn warning that society changes its forms, humanity its condition, and that new destinies are impending. It was stated in the very Introduction to the work that “the gradual development of the principle of equality is a providential fact. It has all the chief characteristics of such a fact: it is universal, it is durable, it constantly eludes all human interference, and all events as well as all men contribute to its progress. Would it be wise to imagine that a social movement the causes of which lie so far back can be checked by the efforts of one generation? Can it be believed that the democracy which has overthrown the feudal system and vanquished kings will retreat before tradesmen and capitalists? Will it stop now that it is grown so strong and its adversaries so weak?”

He who wrote these lines in the presence of a monarchy which had been rather confirmed than shaken by the Revolution of 1830 may now fearlessly ask again the attention of the public to his work. And he may be permitted to add that the present state of affairs gives to his book an immediate interest and a practical utility that it had not when it was first published. Royalty was then in power; it has now been overthrown. The institutions of America, which were a subject only of curiosity to monarchical France, ought to be a subject of study for republican France. It is not force alone, but good laws, that give stability to a new government. After the combatant comes the legislator; the one has pulled down, the other builds up; each has his office.

第十二版序

尽管那些我们仿佛刚刚经历过的出乎意料的重大的事件匆匆结束了,这部书的作者还是会说这些事情并没有使他感到惊讶。他的著作是在15年前写的,当时他头脑就一直被一个单一的思想占据着——那就是民主以统治力量的身份出现在世界事务中,那么广泛而且势不可挡。再读这部作品,文中每一页都透着社会变革和新的社会命运即将到来的郑重警示。本书的绪论中说道:平等原则的逐步发展是一件幸事。他有所应有的的一切重要特质:广泛、持久、避开了一切民族冲突,所有的人与事都为其进步服务。如果我们设想深藏其后的社会前进的起因是通过一代人的努力研究得到的,这样的设想是明智的吗?我们可以相信推翻了封建制度和没落君王的民主在面对商人和资本家时会退缩吗?民主势力的壮大和其对立方削弱的局势目前会改变吗?

1830年大革命的爆发证实了那些描写君主政体统治的作者现在可以毫无顾忌地再次号召大家关注他的作品了。也许他应该被允许给自己的著作补充一点:现状赋予其作品的意义和对现实的作用,这些都是他在第一次出版的时候没有具备的作用。曾经是王室掌握的权力现如今被推翻了。曾经使法国王室感到好奇的美国的的社会制度,成为共和制下的法国研究的对象。这不仅是在武力方面,也是在法律完备方面,使得新政府得以维护社会的稳定。战士下场,立法者登场,他们一个专于推倒,另一

Though it is no longer a question whether we shall have a monarchy or a republic in France, we are yet to learn whether we shall have a convulsed or a tranquil republic, whether it shall be regular or irregular, pacific or warlike, liberal or oppressive, a republic that menaces the sacred rights of property and family, or one that honors and protects them both. It is a fearful problem, the solution of which concerns not France alone, but the whole civilized world. If we save ourselves, we save at the same time all the nations which surround us. If we perish, we shall cause all of them to perish with us. According as democratic liberty or democratic tyranny is established here, the destiny of the world will be different; and it may be said that this day it depends upon us whether the republic shall be everywhere finally established or everywhere finally overthrown.

Now, this problem, which among us has but just been proposed for solution, was solved by America more than sixty years ago. The principle of the sovereignty of the people, which we enthroned in France but yesterday, has there held undivided sway for over sixty years. It is there reduced to practice in the most direct, the most unlimited, and the most absolute manner. For sixty years the people who have made it the common source of all their laws have increased continually in population, in territory, and in opulence; and — consider it well—it is found to have been, during that period, not only the most prosperous, but the most stable, of all the nations of the earth. While all the nations of Europe have been devastated by war or torn by civil discord, the American people alone in the civilized world have remained at peace. Almost all Europe was convulsed by revolutions; America has not had even a revolt. The republic there has not been the assailant, but the guardian, of all vested rights; the property of individuals has had better guarantees there than in any other country of the world; anarchy has there been as unknown as despotism.

Where else could we find greater causes of hope, or more instructive lessons? Let us look to America, not in order to make a servile copy of the institutions that she has established, but to gain a clearer view of the polity that will be the best for us; let us

个专于建立,都有自己的职责。尽管在法国,我们应该拥护君主政体还是共和政体已不需要再讨论,但我们还不知道我们应该拥有动荡或者平稳的共和政体,它的发展是规范的还是杂乱无章的,是和平的还是纷乱的,是自由的还是强权的,是威胁到财产和家族神圣权利的,还是对两者保护和尊敬的。这是一个严肃的问题,它的解决不仅仅牵扯到法国,而是涉及整个文明社会。如果我们拯救了自己,我们也就拯救了邻族。一旦我们毁灭,就会给其他民族带来灭顶之灾。民主的自由和民主的暴政的建立会给世界带来完全不同的局面;或者说,这也关系到我们今天,关系到我们是否能够建立起完全的共和政体或者将其彻底推翻。

如今,在我们中间刚刚提出的这一问题,早在 60 多年前美国人就解决了。人民主权的原则,在法国刚刚被创建,而在美国已坚定地统治了 60 多年。人民主权以最直接、最自由和最彻底的方式在美国得以实行。60 年来,美国人民将其作为立法的根本,在其影响下,美国在人口、领土、财富方面都取得了极大的提高;在那个时期,人民主权统治下的美国不仅比世界所有的其他国家更繁荣,而且更稳定。在欧洲国家都被战争所毁坏、被内讧所分裂的时候,唯独美国人民保持了和平状态。几乎整个欧洲都被革命撼动的时候,美国甚至没有发生一场暴动。共和政体在美国不仅没有侵犯其他权利,反而成了既得权利的捍卫者;个人的财产在美国得到了比世界上其他任何国家更好的保护;无政府主义和专制在美国都不存在。

还有其他地方可以使我们得到更大的希望,获得更多的启发吗?我们学习美国,并不是为了照搬它所建立的一切,而是要对国家组织结构有更清楚地认识,以建立适合我们的政体;我们学

look there less to find examples than instruction; let us borrow from her the principles, rather than the details, of her laws. The laws of the French republic may be, and ought to be in many cases, different from those which govern the United States; but the principles on which the American constitutions rest, those principles of order, of the balance of powers, of true liberty, of deep and sincere respect for right, are indispensable to all republics; they ought to be common to all; and it may be said beforehand that wherever they are not found, the republic will soon have ceased to exist.

1848

习美国,更多的是要得到启发而不是学习他们的实例;我们应该从美国汲取法律的原理而不是细节。法国的共和体制下的法律,可以或者说应该在许多方面有别于美国的法律,但是美国政体所依附的那些原则,如遵守秩序的原则、权力均等的原则、真正自由的原则以及对权力的深厚诚挚尊敬的原则,是任何共和政体都不可缺少的;这些原则是所有共和政体都应当具备的,而且可以这么说,如果不建立这些原则,共和政体最终还是走向灭亡。

1848年

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