

## **Tyranny of the majority**

For Tocqueville, the inevitable advent of democracy is accompanied by multiple threats that are inherent to it: chiefly, the centralization of power and legislative inflation, which together produce a form of omnipotence of the state at the expense of the free and responsible individual. The democratic man is often willing to relinquish part or all of his freedom in the name of equality and security. This new citizen withdraws into democratic individualism and, at the same time, adheres to a mass society driven by herd instincts, merging into the prevailing massification of public opinion.

Tocqueville devotes two full chapters to this fear of the *tyranny of the majority*, but the theme recurs frequently throughout both volumes of *Democracy in America*, like a leitmotif. Here, we retain only a few of the most telling passages from the subchapter "Tyranny of the Majority".

Let us first recall two affirmations that appear only in the Nolla edition. The first draws a direct line between the tyranny of the majority and the despotism it engenders:

"Despotism lies at both extremes of sovereignty: when one man reigns, and when the majority governs. Despotism is tied to omnipotence, whatever its bearer."

The second intensifies the gravity of Tocqueville's diagnosis:

"The omnipotence of the majority seems to me the greatest flaw of democratic governments and the source of their most serious dangers."

After denouncing "this maxim that, in matters of government, the majority of a people has the right to do anything," Tocqueville affirms the preeminence of universal values, of humanity itself, over the positive laws of any particular nation, laws which, though legal, may still be illegitimate:

"There exists a general law that has been made, or at least adopted, not only by the majority of a particular people, but by the majority of all humankind. This law is justice. Justice, then, forms the limit of every nation's rights (...). I appeal, not from the sovereignty of the people, but to the sovereignty of the human race."

And he continues:

"I think, therefore, that there must always exist somewhere a social power superior to all others (...). Omnipotence in itself seems to me an evil and dangerous thing. Its exercise exceeds the strength of man, whoever he may be; and I see only God who may safely be all-powerful, because His wisdom and justice are always equal to His power. There is no authority on earth so respectable in itself, nor vested with such sacred rights, that I would consent to leave it unchecked and free to dominate without limits. Whenever I see the right and the means of doing everything granted to any power whatsoever—whether called people or king, democracy or aristocracy, whether exercised in a monarchy or a republic—I say: here lies the seed of tyranny, and I seek to live under other laws."

Faced with the omnipotence of the democratic All-State, the individual is left helpless. Only associations may still defend causes and individuals, giving them the means to resist, with the support of the press if it joins their cause. Yet even this dual safeguard is insufficient—

especially when a citizen stands isolated, targeted by a public opinion that has already decided his downfall:

“When a man or a party suffers an injustice in the United States, to whom can he turn? To public opinion? It is the majority. To the legislature? It represents the majority and blindly obeys it. To the executive? It is appointed by the majority and acts as its passive instrument. To the police force? The police is simply the majority under arms. To the jury? The jury is the majority endowed with the right to pronounce verdicts. Even the judges themselves, in certain states, are elected by the majority. However iniquitous or irrational the measure that strikes you may be, you must submit to it.”