The Majority Principle in Democratic Ideology
by W B Vosloo* - Wollongong, August 2013

The position of the majority principle as part of democratic ideology has been controversial for many centuries since the era of the ancient Greek philosophers. Both Plato and Aristotle considered government of the many rather than the few as fraught with the dangers of mob-rule – of the triumph of ignorance and chaos over knowledge and order. Throughout the history of Western political thought, seminal thinkers and prominent leaders have grappled with the justification and extent of majority rule: Marcilio of Padua, John Locke, Jean Jacques Rousseau, John Stuart Mill, Thomas Jefferson, John C. Calhoun, Abraham Lincoln, Winston Churchill and many others.

The application of the majority principle has given rise to many questions. Is it a case of the winner taking all as in gambling? If “a win is a win” in a concocted slim parliamentary majority, can a hung parliament produce government with democratic legitimacy? If not, what are the constraints imposed by a sound democratic political culture? Are there constitutional conventions in a true democracy that go beyond the formalities of the letter of the law? Is the majority principle merely a procedural requirement for making decisions or does it override other components of democratic ideology? Does a parliamentary majority of 50 percent plus one or two or three entitle an elected government to pass a raft of laws that are fundamentally opposed by 50 percent minus one or two or three? What should be done by elected leaders when such an election outcome occurs? Opinions held by the voting public carry at least two dimensions: direction of focus and intensity of beliefs. Is consensus seeking simply what Margaret Thatcher called “... a process of abandoning all beliefs, principles, values and policies in search of something in which no one believes, but to which no one objects”?

In terms of mainstream Western political thought, democracy means “majority rule while respecting minority rights”. It combines two crucial propositions about who shall rule and how. It allows the majority to make decisions for the whole community, but to respect the rights and interests of those who are outvoted in the process of making decisions. Thus the majority principle is reduced to being essentially a process of reaching authoritative decisions.

The application of the majority principle in real life situations is a complex matter. Is it applicable to decisions in all human collectivities on all issues that are considered “political”? What about “technical”, “scientific” or “economic” issues? What “rights” or “interests” of minorities should majorities respect? At what point in its disregard for “minority positions” does a collectivity cease being a “democracy”? Mechanisms and standards for deciding such questions are necessary to safeguard the functioning of a democratic collective.

Equality as justification

Thomas Jefferson wrote in the 1776 Declaration of Independence that “all men are created equal”. He was not only restating a fundamental principle of democracy, but also supplying the historic rationale for the principle of “majority rule”. The justification for making decisions by recourse to prevalent public opinion – the opinion of the majority – is based on the belief that human beings are, in some fundamental sense, equal. In this sense the vote of three people must amount to more than the vote of two. But if all people are equal in some supremely overriding sense, no person has a greater right to govern others or to make decisions on their behalf and thereby undermine the principle of “majoritarianism” on the purist premise of equality. This implies that the proposition that the majority must have its way requires additional grounds for its justification.
The need for social order

An additional premise of democratic ideology is that people exist not in isolation but in collectivities which must be ruled according to some shared norms (laws) and toward some shared objectives. The absence of some common rules or objectives is normally regarded as undesirable if not impossible. Thus the need to make and enforce decisions, for and upon others, is usually taken as an important foundation for human societies. In this qualified context, the rule of numbers, of majority over minority, becomes a foundation for the formation of government.

The need for social interaction

The majority principle also receives support from another key democratic assumption which is that men are capable of cooperating with one another in ways that enhance the welfare of each and all. It means that people possess certain intellectual and moral attributes for a fruitful social life with shared means and shared ends. This favourable view of mankind is further supported by the underlying faith and hope of the democrat in an idealised “average person” and in their interaction with the collectivity of the “people”. This optimistic view of the virtue of the ordinary individual lies at the root of democratic expectations about the realisation of freedom and the possibilities of self-government. Democracy would not be viable or even possible if people did not take an active interest in political affairs or did not inform themselves about or participate in political decision-making.

Marcilio of Padua

In his seminal work, A History of Political Theory, George Sabine traces one of the clearest articulations of the majority principle to the writings of Marcilio of Padua in the 14th century. Marcilio wrote: “Human law arises by the corporate action of a people setting rules to govern the acts of its members ... The source of legal authority is always the people or its prevailing part”. But Marcilio thought of a people’s legislation as including custom and of “prevailing part” (pars valentior) not as a simple numerical majority but that “... both their number and quality in the community being taken into account.” Marcilio was the first theorist in the Western political tradition to hold that the “prevailing part” of a community may be weighted for quality as well as for quantity. This theory of popular sovereignty implied that there is no a priori reason why the community’s decision must always be made by a numerical majority.

Jean Jacques Rousseau

Rousseau, writing his Social Contract in 1762, is the main proponent of the idea that the volonté general gives the body politic absolute power over all its members. Rousseau argued that a person whose convictions are against those commonly held in the community is merely capricious and ought to be suppressed: being forced to be free! Rousseau believed that the general will is always right because the general will stands for the common good, which is itself the standard of right. Rousseau never succeeded in explaining how this absolute right stands in relation to conflicting or alternative judgments about it. It is understandable that the dogmatism of Rousseau found a fertile soil in the events surrounding the French Revolution which started in 1789. People who refused to comply with the general will were not only forced to comply, but were totally eliminated.
John C. Calhoun (1782-1850)

Calhoun had a distinguished career in the US public service as vice-president under John Quincy Adams and also under Andrew Jackson as well as a member of Congress for nearly forty years, both as member of the House and as Senator.

Calhoun's name is particularly associated with the concept of “concurrent majorities”, which he explained in his treatise entitled *A Disquisition on Government*. Calhoun took the social nature of people as fact. They instinctively group together but often tend to use the power of government to exploit other groups as a result of their selfish impulses. Hence society has an important duty to limit governmental power by exercising their constitutionally protected rights and to protect themselves against the "tyranny of the majority".

Calhoun's solution was to create a system in which society would be divided into several majority factions thus preventing any single group from attaining a permanent majority. Each of the "concurrent majorities", formed along economic, religious, regional and ethnic lines, would have to agree to a decision before the government could take action. This system of "concurrent majorities" would, Calhoun believed, result in an effective democratic government. Those who govern would be made responsible to the voters, and the need for a unanimous agreement by the several "majorities" would prevent government oppression.

Calhoun was opposed to majority rule as an absolute principle. He argued that the numerical majority only accounts for raw numbers and ignores the varying interests of the members of society. Hence it does not reflect society in all its complexity. He believed his concept of concurrent majorities gives a more accurate account of the popular will. He also maintained that a "permanent majority" is likely to emerge if a system of concurrent majorities is not allowed to flourish.

John Stuart Mill

John Stuart Mill was a strong believer that democratic self-government was not just a utilitarian convenience, but a moral necessity for the attainment of self-determination. But he was acutely aware of the dangers of political manipulation of numbers and the practical dangers implicit in mass action. He did not believe in the inevitable goodness and inherent rationality of majorities. As an intellectual, J.S. Mill was naturally much concerned about intellectual freedom. His fear of the masses was that they would use their majority power to discourage or prohibit uncommon lines of thought and action, forcing everyone to conform to a common standard of popular mediocrity. Like the Frenchman Tocqueville he was critical of the pressure for social conformity in a mass democracy.

Mill himself was not a man of Bohemian habits, but he was alarmed by pressures to standardise behaviour patterns. He believed that diversity and experiment are essential to human progress. He felt that lazy and unthinking devotion to familiar ways endangers the sources of all truly progressive creativity. Hence he tried to safeguard and secure recognition of the right of individual self-determination.

In his essay *On Representative Government*, J.S. Mill expressed a deep-rooted scepticism about the proposition that all men ought to share in the responsibilities of self-government. He believed that under the tutelage of a liberal-minded minority of experienced and well-educated elite, the masses could slowly acquire the skills needed for effective citizenship. As their education progressed, their
insights and sense of responsibility would increase in like proportion. Only then would it be possible
to bring liberalim and democracy together in effective partnership to attain responsible majority rule.
Untutored people, Mill argued, cannot be trusted to vote wisely. The needs of the nation are too
complex to be understood without proper guidance by a qualified intellectual elite.

**Institutional Arrangements**

Ideological considerations about majority rule translated into practical institutional concerns. How
should representative government be organised? What electoral system is preferable? What should
the powers, privileges and procedures of representative bodies be? What checks and balances are
necessary to safeguard basic rights and to control the exercise of power and authority? Wherein lies
the legitimacy of majority decisions?

It took several centuries to arrive at the basic format of the modern representative constitutional
democracy. In the process monarchs were beheaded, governments were violently overthrown, civil
wars were fought, executives were brought to account by parliamentary assemblies, systems of
proportional representation were devised and the franchise was extended to all adult citizens. But the
central challenge remained: how liberty and order or authority and freedom could be balanced and
reconciled.

**Limited versus Unlimited Majority Rule**

Proponents of unlimited majority rule believe that popular majority decisions should not be subject to
any limitations other than those imposed – and removable – by such majorities. This version of
democracy is sometimes described as “populist democracy”. In contrast, proponents of limited
majority rule maintain that “unlimited” majority rule is not compatible with true democracy if such
majorities are allowed to impinge on basic human rights and liberties or the due process of law. This
interpretation of democracy is called “constitutional democracy”. It holds that any action in which a
bare popular majority are allowed to curtail basic human rights and civil liberties has no legitimate
claim to be a democracy. But how far can a majority go to thwart its rulings upon its opposition?

In the populist model of democracy, the majority, the larger number of persons in the community,
rules without qualification. Majority rule is the sole method of making decisions recognised to be
binding and legitimate. But this interpretation raises serious difficulties concerning its value both as a
guide to action and as an aid in understanding the proper functioning of a democracy.

Modern democratic communities are marked by a growing degree of individualism and a
_corresponding pluralism in group life. Hence, in the contemporary world, political action cannot follow
a strict populist model. Such majorities are often the result of demagogic leadership. In this model of
democracy there is limited scope for opposition. Any serious opposition is easily equated with
disloyalty and often oppressed.

The populist model is undesirable as a recommendation for constitution building. It does not in fact
provide political equality, but rather justifies inordinate power for those who can create or simulate
broad popular support. It also fails in providing specific standards according to which other political
values such as equality, justice and freedom can actually be maintained.
Democracy cannot be attained by simply proclaiming “the people”, or a majority of them, as government. The people, as such, cannot be the government, nor are elected representatives simply agents of the people. Proper democracy requires appropriate electoral procedures and institutions with defined powers to exercise the functions of government.

The “constitutional democracy” model is the predominant model in today’s world. It defines the conditions under which political power is acquired and exercised. In practice, democracy has become a continuous interaction of leaders and the constituent majorities supporting them. At its core are those procedures and values tending to preserve that interaction on a continuous basis through regular testing in recurrent and free elections. This process is essentially organic in nature because a simplistic mechanical approach to democracy will not serve its realisation or preservation. It undermines the proper functioning of a democratic political culture.

Concluding Remarks

It should be clear that the majority principle is not absolute and has no inherent morality of its own. It is essentially a technique for making decisions. A majority decision can never be considered as inherently, logically and absolutely “right” *per se*. Poor old Galileo discovered centuries ago that scientific validity cannot be determined by a show of hands. Logical validity lies in the evidence-based substantive underlying argument. Ethical validity rests on the consistent application of normative principles.

If the majority vote is the sole source of rights, democracy would not be possible. The meaningful control of government by the governed depends upon the existence of non-governmental power – preferably scattered amongst numerous parties and interest groups. True democracy can only survive within the context of a constitutional democracy embedded in a deep-rooted democratic political culture. It is also prudent to be reminded of Churchill’s assessment of democracy. He concluded that despite its many shortcomings, democracy was infinitely better than any other system that had been tried.

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