



Tyranny of the majority: Problem to Nigerian democracy

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Abstract

Tyranny of the majority is one of the most pressing issues of today's democracy and Nigeria especially. It arises when the dominance of a group in a democratic government's impedes the benefits of the minority ones; or a system where there are no checks on the majority's ability to dominate the minority. In context, democracy is a system of government made of popular rule, especially in promoting fundamental human rights, freedom, and common good. In fact, the reverse is the case in Nigeria. Citizens in most time have demonstrated publicly in demand for their trampled right. Democracy is no longer the government of the people but for the elected, corrupt politicians, and the rich majority which sole aim is to oppress the poor minority. This consequently pose a great problem to growth of democracy and democratic practice in Nigeria and a threat to the freedom and human dignity of the minority members of the society. However, the focus of this paper is to note how tyranny of majority has bedevilled our contemporary democracy; because the opinions of political minorities have been silenced and disregarded in the society. It also indicates what means could be used to control the tyranny of the majority and strengthen democracy in our society.

Keywords: Nigerian democracy, majority, tyranny

Introduction

Preamble

In the contemporary world, democracy is the most common system of government; many undemocratic nations are now taking the path of democracy. Tocqueville's in his work *Democracy in America*, spot the tendency towards the tyranny of the majority in democracy. Its emphasis on the 'Tyranny of the Majority' and the dangers it poses to minority rights within any society will help to wipe off or reduce to a great minimum the tendency towards marginalizing the minority that is gradually becoming the norm in many democratic nations. Even in the highly revered system of democracy practiced by the United States, Tocqueville was able to analyze and effectively portray how the principle of majority rule could be applied to the detriment of the minority; a subject he analyzed under the heading "Tyranny of the Majority". The task of this work is to critically examine the devastating effect of the tyranny of the majority could necessarily lead to suppression and oppression of the rights of the minority. Erik (1943:1) ^[1] once put it, lynching members of a minority is sometimes condemned as undemocratic, but this is a mistake: as soon as the majority wants to hang someone, "this action is un-Christian, illegal, but certainly very democratic."

Tyranny of the majority is contrary to what democracy is. This is because; democracy is a political arrangement that consolidates an egalitarian society with the full involvement of all citizens. In Nigeria, there are lots of threat to democracy which bad leadership, poverty, corruption, insecurity, poor justice delivery, election rigging, non-adherence to the rule of law. Among all these, tyranny of the majority is a serious impediment to democracy in Nigeria. This has created a wide gap in the socio, political, and economic system of the country. The question is, how well does democracy represent the interest of the minority since the emphasis is often laid on the majority? Can the minority lay claims to important areas of interest in a democratic regime since they often lack the required number to push their claims as often required in democracy? To Nigeria, this paper will contribute to bringing stability to the nation's fledgling democracy by insisting on the equality of rights of all the peoples that make up the nation; majority or minority.

Democracy and Its Basic Principles

Democracy may be a word familiar to most people, but it is a concept still misunderstood and misused at a time when dictators, single-party regimes, and military coup leaders alike assert popular support by claiming the mantle of democracy. Yet the power of the democratic idea has prevailed through a long and turbulent history, and democratic government, despite continuing challenges, continues to evolve and flourish throughout the world (Obonyano, 2020:7) ^[2]. Democracy, which is derived from the Greek word *demos*, or people, and *kratos* meaning power is defined, basically, as government in which the supreme power is vested in the people (Becker,

&. Raveloson, 2008:4) ^[3]. In some forms, democracy can be exercised directly by the people; in large societies, it is by the people through their elected agents. Or, in the memorable phrase of President Abraham Lincoln, democracy is government of the people, by the people, and for the people.

Freedom and democracy are often used interchangeably, but the two are not synonymous. Democracy is indeed a set of ideas and principles about freedom, but it also consists of practices and procedures that have been molded through a long, often tortuous history. Democracy is the institutionalization of freedom (Clack, 2013:1) ^[6]. In the end, people living in a democratic society must serve as the ultimate guardians of their own freedom and must forge their own path toward the ideals set forth in the preamble to the United Nations Universal Declaration of Human Rights (2003) ^[28]: “Recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice, and peace in the world.” Tocqueville suggested that democracy was “a providential new political arrangement of modernity, a regime legitimated not only by the official activities of voting and representation but more importantly, a radically new social arrangement based upon ‘equality of conditions’ that transformed every aspect of human life and from which all of democracy’s unique virtues and vices flowed (Dene, 2015:1).”

Democracy is more than just a set of specific government institutions; it rests upon a well understood group of values, attitudes, and practices – all of which may take different forms and expressions among cultures and societies around the world. Democracies rest upon fundamental principles (Clack, 2013:3) ^[6], not uniform practices; and these principles are the core values that make all democracies democratic.

Basic Principles of Democracy

1. Fundamental Rights

A cordial relationship between the citizens and the State is fundamental to democracy. This relationship can only be sustained if the State respects the fundamental rights of her citizens. The United States Declaration of Independence, written by Thomas Jefferson in 1776 states thus:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights that among these are life, liberty and the pursuit of happiness. That to secure these rights, governments is instituted among men, deriving their just powers from the consent of the governed.

More specifically, in democracies, these fundamental or inalienable rights include freedom of speech and expression, freedom of religion and conscience, freedom of assembly, and the right to equal protection before the law. This is by no means an exhaustive list of the rights that citizens enjoy in a democracy, but it does constitute a set of the irreducible core rights that any democratic government worthy of the name must uphold (Clack, 2013:3) ^[6].

2. Citizen Responsibilities

Citizenship in a democracy requires participation, civility, patience – rights as well as responsibilities. Benjamin Barber notes that:

Democracy is often understood as the rule of the majority, and rights are understood more and more as the private possessions of individuals...But this is to misunderstand both rights and democracy. For democracy to succeed, citizens must be active, not passive, because they know that the success or failure of the government is their responsibility, and no one else’s (2013:9).

It is certainly true that individuals exercise basic rights – such as freedom of speech, assembly, religion – but in another sense, rights, like individuals, do not function in isolation. Rights are exercised within the framework of a society that is why rights and responsibilities are so closely connected. Democratic government, which is elected by and accountable to its citizens, protects individual rights so that citizens in a democracy can undertake their civic obligations and responsibilities, thereby strengthening the society as a whole. The essence of democratic action is the peaceful, active, freely chosen participation of its citizens in the public life of their community and nation. According to Diane Ravitch (2014:13):

Democracy is a process, a way of living and working together. It is evolutionary, not static. It requires cooperation, compromise, and tolerance among all citizens. Making it work is hard, not easy. Freedom means responsibility, not freedom from responsibility. Fulfilling this responsibility can involve active engagement in organizations or the pursuit of specific community goals; above all, fulfilment in a democracy involves a certain attitude, a willingness to believe that people who are different from you have similar rights.

3. Free and Fair Elections

Free and fair elections are essential in assuring the consent of the governed, which is the bedrock of democratic politics. Elections serve as the principal mechanism for translating that consent into governmental authority. Jeane Kirkpatrick, argues thus: “Democratic elections are not merely symbolic...They are competitive, periodic, inclusive, definitive elections in which the chief decision-makers in a government are selected by citizens who enjoy broad freedom to criticize government, to publish their criticism, and to present alternatives (2008:23).”

Democratic elections are competitive. Opposition parties and candidates must enjoy the freedom of speech, assembly, and movement necessary to voice their criticisms of the government openly and to bring alternative policies and candidates to the voters (Kirkpatrick, 2008:23) ^[18]. Democratic elections are periodic. Democracies do not elect dictators or presidents-for-life. Elected officials are accountable to the people, and they must return to the voters at prescribed intervals to seek their mandate to continue in office and face the risk of being voted out of office.

Democracies thrive on openness and accountability, with one very important exception: the act of voting itself (Kirkpatrick, 2008:23) ^[18]. To minimize the opportunity for intimidation, voters in a democracy must be permitted to cast their ballots in secret. At the same time, the protection of the ballot box and tallying of vote totals must be conducted as openly as possible, so that citizens are confident that the results are accurate and that the government does, indeed, rest upon their consent.

4. Equal Adherence to Law

Democracies, by contrast, have established the principle of the rule of law for rulers and citizens alike. The rule of law protects fundamental political, social, and economic rights and defends citizens from the threats of both tyranny and lawlessness (Schofield, 2008:26) ^[18]. Rule of law means that no individual, whether President or private citizen, is above the law. Democratic governments exercise authority by way of the law and are themselves subject to the law's constraints (Ceka, & Magalhaes, 2014:16) ^[5, 23].

Citizens living in democracies are willing to obey the laws of their society because they are submitting to their own rules and regulations. Justice is best achieved when the laws are established by the very people who must obey them. Whether rich or poor, ethnic majority or religious minority, political ally of the state or peaceful opponent – all must obey the laws. The citizens of a democracy submit to the law because they recognize that, however indirectly, they are submitting to themselves who are the makers of the law. When laws are established by the people who then have to obey them, both law and democracy are served (Clack, 2013:15) ^[6].

5. Due Process

In every society throughout history, those who have administered the criminal justice system have held power with the potential for abuse and tyranny. In the name of the State, individuals have been imprisoned, had their property seized, have been tortured, exiled, and executed without legal justification and often without formal charges ever being brought. No democratic society can tolerate such abuses.

Every State must have the power to maintain order and punish criminal acts, but the rules and procedures by which the State enforces its laws must be public and explicit – not secret, arbitrary, or subject to political manipulation – and they must be the same for all. The criminal justice system in a democratic society will be effective to the degree that its administration is judged by the population to be fair and protective of individual safety, as well as serving the public interest. This is what is meant by due process (Clack, 2013:15) ^[6].

A Brief on the Major Concepts of the Study: Tyranny of the Majority

The phrase “tyranny of the majority,” was first coined by French political theorist Alexis de Tocqueville in his work *Democracy in America*. The tyranny of the majority has no particular definition. Its meanings can simply be gotten from the combination of the two words ‘tyranny’ and ‘majority’. Tyranny can mean (a) governing for the ruler's own good; and (b) a systematic infringement of the citizens' basic rights. Majority can be (a) the majority of society, electorate, voters, or elected representatives. The tyranny of the majority is a rule by majority at the expense of those of the minority group.

The ‘Tyranny of the Majority’ is used in discussing systems of democracy and majority rule. It involves a scenario in which decisions made by a majority places its interests above those of an individual or a minority group, constituting active oppression comparable to that of a tyrant or despot (Robert, 2018) ^[24]. It refers to an inherent weakness of majority rule in which the majority of an electorate can and does place its own interests above, and at the expense, of those in the minority. Potentially, through tyranny of the majority, a disliked or disadvantaged ethnic, religious, political, social or racial group may be deliberately targeted for oppression by the majority element acting through the democratic process (Deneen, 2015:12) ^[8].

In agreement to the above, Alexander Hamilton, noted that majority rule as practiced in America could lead to the use of pure direct democracy by the majority to elect a demagogue who, rather than work for the benefit of all citizens, will set out to either harm those in the minority or work only for those of the upper echelon. Denovan *et al* (2014:131) ^[10] give approval to this position by affirming that:

One of the original concerns about direct democracy is the potential it has to allow a majority of voters to trample the rights of minorities. Many still worry that the process can be used to harm gays and lesbians, as well as ethnic, linguistic and religious minorities...

After extensive tour, Tocqueville observed that democracy under certain circumstances could devolve toward despotism. However, Tocqueville interpreted this absence of democratic sensibilities paradoxically as the consequence of the principle of majority rule. As one of the foundational principles of democracy, Tocqueville warned that the authority and moral legitimacy of majority rule could be vitiated when grounded in a species of individualism that transformed commercial values into religious objects of devotion. The rise of such a civic

vacuum would create the conditions in which democracy might devolve into tyranny or fascism (Burch, 2006:45-54) ^[4]. On this note, J.S. Mill (1859:7) ^[20] observes that “this results in oppression of minority groups comparable to that of a tyrant or despot.” Tocqueville argues that fear of the ‘tyranny of the majority’ leads to the rise of individualism.

Possible Causes for the Tyranny of the Majority

Popular sovereignty or sovereignty of the people is the principle that states that the authority of a state and its government is created and sustained by the consent of its people, through their elected representatives, who are the source of all political power. The people have the final say in government decisions. Benjamin Franklin (2003:398) ^[14] expressed the concept when he wrote, “in free governments, the rulers are the servants and the people their superiors and sovereigns.”

However, the supremacy of the people’s choice and the unguarded power of the majority is the possible causes of tyranny of the majority. One of the defining features of democracy is respect for the rights of the people. This also implies that elected officials into seats in government recognize and respect the choice and consent of the masses in whatever they do, especially with regard to critical decisions and policies affecting the national life. Tocqueville insists that such endemic influence of the masses on the decision of the government could lead to tyranny of the majority because the minorities will always be at the receiving end. The government will invariably feel handicapped to protect the interests of the minority since they most heed to the voice of the people who represent the majority.

Tocqueville observed that, the choice of the majority is omnipotent; omnipotent in the sense that such choices must always prevail. He observed that “the very essence of democratic government is that the dominion of the majority be absolute; for, in democracies, nothing outside of the majority can offer resistance. He observes that the legislative arm of government in America is basically an instrument structured to fulfil the whims of the majority, of course to the detriment of the minority. He notes: Of all political powers, the legislature is the one that most willingly obeys the majority (Tocqueville, 1839:404) ^[24].

On the other hand, Tocqueville says the constitution makes even weaker the position of the minority that is naturally already weak; and strengthens the position of the majority that is already naturally strong. The constitution is so described by Tocqueville because under its institutions both the legislature and the judiciary are structured to protect the interests of the majority (1839:404). There is such a social state in which the members of the minority cannot hope to attract the majority because to do so it would be necessary to abandon the very object of the struggle that the minority wages against the majority.

Tyranny of the Majority: Problem to Nigerian Democracy

Tyranny of the majority is currently the biggest problem and threat to democracy. In Nigeria democracy is in great danger due to corruption from the tyranny of majority leader’s occupying vital political position in the country. The majority leaders have made corrupt practice a culture in Nigeria making it a taboo to condemn. Most politicians are in office just for looting and stealing public funds. This is anti-Democracy for it aim is to create environment for good governances where every person will thrive. According to Anyang Nyango (1998) democracy ensures a judicious use of resources. But in Nigeria, democracy have created gang of criminals and turned democracy into reverse mode. The level of corruption from the tyranny of the leader is alarming. It is only in Nigeria where, in the midst of infrastructural decay, the nation acquires 11 presidential jets when the economy of the country is bleeding. Only in Nigeria ₦1billion be budgeted annually for the presidential kitchen. Also, billions of naira were spent for the renovation of a mere banquet hall. The dividend of democracy cannot be achieved if the majority of our leaders are corrupt. No wonder, President Muhammadu Buhari, in his statement said that if we (Nigerians) didn’t kill corruption, corruption would kill Nigeria.

On the other hand, an election in Nigeria is now a tool which the minority is tyrannised by the majority. Alexis de Tocqueville first presents the argument that political institutions with frequent elections will be too easily ‘swayed by the wishes of the majority’ (Tocqueville, 1839) ^[26]. In Nigeria, security agencies like the military, and police force who are supposed to protect law and order are during election now involved in electoral malpractices. They work with ruling party and thugs in hijacking ballot boxes and electoral materials. The Independent National Electoral Commission (INEC) are not left out in disrupting the growth of democracy for the benefit of leaders.

Even Prof. Atahiru Jega the former chairman of INEC assert that corrupt officials involved in assisting politicians in election fraud have been dismissed from the commission (Vanguard Newspapers, June 27, 2013) ^[7, 29]. In this case, the interests of rich members of the society prevailed through purchasing of votes during elections of political representation, corruption in expressing the interests and demands of citizens and “tyranny of the majority” in the law-making and implementation of laws in the society. This is contrary to Montesquieu thought in the Spirit of Laws, which state that in democracy people are rulers and subjects at the same time. Until all the partisan and corrupt officials of the electoral umpire are removed from office, credible elections will remain a wild goose chase in Nigeria and democracy will always be at risk of survival.

Tyranny of majority hampering the growth of democracy are experience in the Nigerian judiciary. The judiciary system is corrupt. It a system that places the rich above the law, while the poor masses suffer. In Nigeria, the majority leader steals billions of naira and go scot free while the poor are languishing in jail over little offences. An example is the ₦23 billion from police pension fund by director John Yakubu Yusufu was given 2 years jail

term with option of ₦750,000 fine by Abuja High Court (Vanguard Newspapers, Jan. 29, 2013) ^[7, 29]. These have plunged the citizens into abject poverty for money meant for the development of the country are catered away by our leaders. The law in Nigeria is clearly made to favour status. According to Prof. Itse Sagay (1996) ^[16], the rule of law is democracy and without it there is no democracy.

In Nigeria, the system practice majority rule, wherein the majority group places its own interests above the interests of a minority group without consideration for the welfare or rights of the minority. For example, this form of oppression involves the majority using the democratic process to shape public policy solely in their own interests, excluding the minority group from the distribution of benefits. Democracy then degenerates into tyranny where no one has discipline and society exists in chaos. Madison (1982:10) calls it in his *Federalist Paper*, “superior force of an interested and overbearing majority”. The greatest danger Tocqueville saw that majority could tyrannize unpopular minorities and marginalize individuals. For instance, the persistence feeling of marginalization led to the rise of ethnic militias in other parts of the country. In the South-East, Indigenous People of Biafra (IPOB), and in the South-South Region, Movement for the Emancipation of the Niger Delta (MEND); they are caused by perceived marginalization from the government. According to Lani Guinier (1994:1) ^[15], the idea of winner-take-all majority rule ensure in practice that ethnic or racial minorities will be perpetually powerless. Guinier suggest that decision making should be based on the “principle of taking turns,” which end up alleviating political tyranny by compelling majorities to confer with minority groups in the hope of generating a more inclusionary politics.

In summary, dividend of democracy like presence of a people’s constitution, respect for the rule of law and due process, respect for human rights and civil liberties, security of life and property and welfare of the people, separation of powers and checks and balances on the organs of government, arbitrary rule and tyranny, respect for the entities making up the federation and even distribution of amenities and appointments among the federating units (federal character) are missing. These are caused when tyrant majority are in power. This will continue if winning majorities are fixed, and when there are no checks on the majority’s ability to dominate the minority (Guinier, 1994:4) ^[15].

Closing Remark and Recommendation

Democratic system of government is a better form of government, as it is the "rule of people". In this system, the people have the right in the decision-making process of the nation. But when democracy is not properly checked its prone to tyranny of the majority. However, tyranny of the majority leaves nothing to be desired. The percentage of good governance among all members of the society is threatened because of its lopsided democratic practices. In the outcome of tyranny of the majority, more often than not injustice, marginalization, oppression, tyranny, inequality is achieved rather than justice as proclaimed in the 1999 Constitution of the Federal Republic of Nigeria (Eze, & Obonyano, 2022:7) ^[12, 13]. Tyranny of the majority is a smear on our social, economic, and political equilibrium so should not be tolerated. It is not an arguable fact that tyranny of the majority as against the minority is a great problem to Nigerian democracy. The government in power and other affluent member of the society should know that democracy is the government of the people and never for the majority member alone; therefore, society’s interest should be paramount to their policies and decisions. Democracy can never grow on the altar of injustice, sectionalism, tribalism, nepotism, or cabalisms been experienced in Nigeria. Democracy will only grow when justice is always at the heart of government policies and rule of law is upheld. One has to say that, tyranny of the majority should be stamped out from the democratic system. More so, corrupt polithieficians should be arrested to ensure a corrupt free society.

In the light of the above, Tocqueville in a famous passage, declares that the “organization and establishment of democracy” is the “great political problem of our time” (Tocqueville, 1839:298) ^[26]. Therefore, demand for decentralization and the transfer of as much power as possible to local self-government, in order to increase the degree of people’s participation in controlling public affairs to enable the freedom of individuals, the state, independent judiciary, respect for legally prescribed procedures and forms, social and political association, freedom of expression, freedom of the press, tolerance, media literacy, etc. because no form of government in which power is not divided, spread and balanced will escape the "tyranny of passion", especially not democracy. This, according to Tocqueville will curbed the harmful consequences of democracy. In support, Mill came to the conviction that to reduce the danger that the political majority consumes the minority he proposed strict enforcement of proportional representation.

This paper has shown that, tyranny of the majority is a problem to Nigerian democracy and need to be address. In addressing the issue, the constitutions should be upheld so asto protect the minority from tyranny from the majority, appointments and employment opportunities should be justly distributed. Hence, constitutional reform is needed to protect the fundamental human rights of individuals, and guarantee their right to autonomy, which the current Nigerian system is sadly lacking (Eze, 2022:13) ^[12, 13].

References

1. Anyang Nyango. Political Instability and the Prospects of Democracy in Africa. Africa Development, 1998, 13(1).
2. Barber B. in G. Clack, The Culture of Democracy, 2013.
3. Becker P, Raveloson JA. What is Democracy? Antananarivo: KMF-CNOE & Nova Stella., 2008.

4. Burch K. "How Tocqueville's Theory of the 'Tyranny of the Majority' can Benefit Social Justice Pedagogies", *Philosophical Studies in Education*, 37, 2006.
5. Ceka B, Magalhaes PC. *The Meaning of Democracy and its Determinants*. Lisbon: University of Lisbon, 2014.
6. Clack G. *The Culture of Democracy*. Woodrow: Wilson International Center for Scholars., 2013.
7. Corrupt and partisan staff of INEC, *Vanguard Newspapers*, 2013.
8. Deneen PJ. *Equality, Tyranny and Despotism in Democracy: Remembering Alexis de Tocqueville*. Notre Dame: Great Books, 2015.
9. Denen PJ. *Equality, Tyranny and Despotism in Democracy: Remembering Alexis de Tocqueville*. Notre Dame: University of Notre Dame, 2015.
10. Denovan T, *et al.* *State and Local Politics*. California: Cengage Learning, 2014.
11. Erik von Kuehnelt-Leddihn. *The Menace of the Herd*. Milwaukee: Bruce Publishing, 1943.
12. Eze VE. *Locke's Social Contract Theory in Evaluating Massob Agitation in Nigeria*. Owerri: Imo State University, 2022.
13. Eze VE, Obonyano DB. *Ethics, Democracy and Mass Media: A Necessary Wheel for Good Governance in Nigeria*, 2022.
14. Franklin B. *The Political Thought of Benjamin Franklin*. Hackett Publishing, Amazon.com, 2003.
15. Guinier, L. *The Tyranny of the Majority: Fundamental Fairness in Representative Democracy*. New York: Free Press, 1994.
16. Itse Sagay. *Nigeria: The Travails of Democracy and the Rule of Law*. Ibadan: Spectrum Books, 1996.
17. Jefferson T. *The United States Declaration of Independence, 1779*.
18. Kirkpatrick J. In N. Schofield, *The Political Economy of Democracy and Tyranny*. Oldenbourg, 2008.
19. Madison J. *The Federalist Papers*, ed. Garry Wills. New York: Bantam, 1982.
20. Mill JS. *On Liberty*, *The Library of Liberal Arts*, 1859.
21. Obonyano DB. *Tyranny of the Majority in Alexis De Tocquevill's Concept of the American Democracy: An Analytical Study*. An Unpublished Ph.D. Dissertation defended at the Department of Philosophy, Faculty of Arts, Nnamdi Azikwe University Awka, Anambra State, 2020.
22. Onyedika Agbedo, "Nigeria's Democracy...Counting the gains, arresting the threats". *The Guardian*, 2021.
23. Ravitch D, In Ceka B, Magalhaes PC. *The Meaning of Democracy and its Determinants*. Lisbon: University of Lisbon, 2014.
24. Robert DA. *Democracy and its Critics*, Wiki notes, 2017, accessed 12/7/2018.
25. Schofield N. *The Political Economy of Democracy and Tyranny*.
26. Tocqueville A. *Democracy in America*, 3rd Edition, George Adlard, New York, 1839.
27. Tocqueville Alexis de. *Democracy in America*, 1990, 2. Phillips Bradley. New York: Vintage.
28. *United Nations Universal Declaration on Human Rights*, 2003.
29. *Verdict for theft of ₦23 billion Police Pension Fund*, *Vanguard Newspapers*, 2013.