Chapter 6

Majoritarian Democracy and Cultural Minorities

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The classic problem of majoritarian democracy is that it enables the majority to tyrannize minorities. This problem is less serious if different majorities tend to form on different issues, for in that case no minority is likely to be a permanent minority. It is more serious in culturally plural societies where one of the cultural groups is an absolute majority. The cultural ties binding the members of such a majority will incline them to stand together on many different issues, to use the principle of majority rule to secure their interests at the expense of the minority cultures, and to impose their values and way of life on them.

Members of the majority culture may claim that they should be free to impose their values and way of life on minorities. To support this claim they may appeal to the dangers of culturally plural societies and to the benefits of culturally homogeneous societies. Culturally plural societies are said to be prone to murderous conflict, and culturally homogeneous societies are said to contribute to community, fraternity, and a sense of belonging. But even if these claims are true, a cultural majority may act wrongly in imposing its values and way of life on cultural minorities. People may have rights to retain their culture and to pass it on to their children, which forbid their forcible acculturation, even if that would make the society culturally homogeneous and a better society.

Democracies have standardly tried to solve the problem of the tyranny of the majority by enshrining certain rights in a constitution that can be changed only by an overwhelming majority. This device can be applied to the particular problem of a majority culture trying to impose its values and way of life on minorities. But it is not altogether satisfactory. For one thing, even rights enshrined in a constitution can be revoked if the majority that wants them revoked is large and determined enough. More importantly, the
device only forces the majority to tolerate minorities. It may prevent a majority from violating minorities' most basic interests, but it need not give minorities opportunity to flourish or to contribute to the society. In this essay I develop this objection to majoritarian democracy and suggest briefly one possible solution to the problem it points to.

I begin with the argument that the usual rights enshrined in the Constitution for the protection of minorities need not give them an opportunity to flourish. My argument is based on an argument proposed by Mill in *Representative Government*. In that book Mill argued that "true" democracy required provisions to ensure that minorities were represented in the legislative body. Since the usual systems of majoritarian rule keep minorities out of the legislative body, Mill called them "false" democracy and argued that their "inevitable consequence" was the "complete disfranchisement of minorities" even if they had the vote. Mill's conclusion is too strong. Although he was right that the usual systems of majoritarian rule do not ensure that minorities are represented in legislative bodies, he was wrong to conclude that they lead to the disfranchisement of minorities. People are not disfranchised because their favorite candidate for office is not elected, they are disfranchised when their right to vote is violated; but the usual systems of majoritarian rule guarantee minorities the right to vote. Still, there is something to Mill's complaint about majoritarian democracy. Part of this, I argue, is that majoritarian democracy may not give cultural minorities an equal opportunity to flourish.

I assume that Mill's claim about majoritarian democracy and minorities in general implies a similar claim about majoritarian democracy and cultural minorities. That claim, that majoritarian democracy keeps members of cultural minorities out of legislative bodies, is the main premise of my argument. It does not imply by itself that majoritarian democracies do not give people of minority cultures an equal opportunity to flourish; arguably, to flourish in such democracies people must be represented by politicians who pass legislation to help them flourish, and such politicians may be drawn from the majority culture. My argument therefore appeals to two further considerations: first, that, given the usual assumptions of majoritarian democracy, politicians will normally be reluctant to pass legislation specifically to enable people of minority cultures to advance; second, that politicians who care about such people's interests and understand the kind of legislation necessary to enable them to thrive will probably share their culture.
Despite some utopian thinkers, it may not be possible to design policies that enable all cultural groups to advance and to do so at the same rate. In particular, legislation that enables people of minority cultures to advance may very well slow the advance of those of the majority culture. Further, because human beings usually seem to want to have others to feel superior to, people of the majority culture often feel threatened by legislation that would only enable people of minority cultures to gain on them. Since voters do not support politicians who introduce legislation they see as threatening and politicians want voters' support, politicians usually do not even discuss legislation that would obviously enable people of minority cultures to advance.

It is an invidious assumption that people from the majority culture cannot care about the interests of those in minority cultures and cannot possibly understand and devise the kind of legislation that would enable them to thrive. But two considerations suggest that, all else equal, people of minority cultures are more likely to be well represented by those who share their culture than by others. First, people who share their culture are more likely to identify with them, and consequently to love and care for them, than are outsiders. Supposing that this is usually the case, politicians from a minority culture are likely to be more strongly motivated to design and pass legislation aimed at helping their cultural group advance than are politicians from the majority culture.

The second argument that people of minority cultures are better represented by those who share their culture than by outsiders is that people who share their culture are likely to better understand their culture than outsiders, and consequently likely to better understand what legislation will help them to thrive. This may seem false on the ground that an outsider, standing outside a culture, may better understand a culture's strengths and weaknesses than does a cultural insider. I grant that one must be able to stand outside a culture in order to appreciate its strengths and weaknesses. But politicians from the minority culture will often be able to stand outside their own culture, because they live in a society dominated by the majority culture and are therefore often compelled to step outside their own culture and to operate in the majority culture. Consequently, they will be able to gain the perspective necessary to assessing its strengths and weaknesses. Assuming that they are likely to be among their culture's more mobile and energetic members, they will be especially able to have an informed outsider's view of it, although most members of the culture will enjoy this advantage to some degree. Further, standing outside a culture enables one to appreciate its strengths and weak-
nesses only if one knows the culture intimately. But politicians from the
majority are not likely to know the minority culture intimately. Their culture
dominates the society and they do not need to know much about minority
cultures. Consequently, unlike politicians from minority cultures, they are
unlikely to have an informed outsider’s view of minority cultures.

It may be objected that minority cultures do not have to be represented
by people who understand their peculiarities and who care about them
specifically. I will be reminded of the Japanese and Jews, who have done
remarkably well in the United States although they are usually represented
by Caucasians and Christians who neither understand them nor particularly
care for them. These cases, and others that could be cited, show that it is not
a necessary condition that a cultural minority be represented by its members,
or even those who understand and care about it, in order to thrive. The cul­
tural minority may feel itself invisible or may believe that the majority will
not take the trouble to devise legislation detrimental to it; or it may have qual­
ities that enable it to advance, given the legislation that the politicians elected
by the majority pass, even if this legislation is not passed in order to enable
it to advance. Considerations such as these probably account for the success
of the Japanese and Jews, though it is arguable that the Japanese might have
avoided some disasters—I have in mind their internment during the Second
World War—if they had not kept such a low political profile. But we cannot
generalize from these exceptional cases and conclude that cultural minori­
ties ordinarily do not need to represent themselves politically in order to
flourish. In many cases a cultural minority’s qualities will not enable it to
advance given the legislation that the politicians elected by the majority pass.
Normally, to thrive it must be represented by those who understand and care
about it, and usually such people will come from its own ranks. This is the
basic point about political life that the American revolutionaries learned, and
that justified their separation from Great Britain; and it explains why cultural
groups invariably seek political representation and power as soon as they be­
come too numerous or too successful to be invisible.

My argument that the usual apparatus of democratic procedures need
not give minority cultures opportunity to thrive assumes that members of
minority cultures will not be elected to office. This is a reasonable assump­
tion, given the principle of majoritarian democracy that the candidate elected
to office gets the most votes and that people tend to vote for candidates from
their own cultural group. But it is not always true. A cultural group can con­
stitute a majority in several voting districts even if it is a small minority in
the country as a whole. In these districts it will probably be represented by those who share its culture, precisely because people tend to vote for candidates of their own cultural groups, and the candidates elected to office are those who get the most votes.

Such representation is better than no representation. It gives the minority culture some measure of self-government and ensures that its representatives have an opportunity to urge policies for its advancement in legislatures made up of representatives of many voting districts, even if the policies they urge are unlikely to be adopted, given that the principle of majority rule holds in the legislature as well as in the competition for office. Nevertheless, requiring cultural groups to segregate themselves in particular voting districts in order to make themselves majorities in those districts has unacceptable consequences. The segregation involved is not likely to be only the innocent result of like-minded people freely choosing to live together. It will probably also require coercion. In order to remain, or to become, a majority in a voting district, a cultural group may have to prevent those of different cultures from moving into the district, or even compel them to leave if they are already there. Since this is unjust and likely to lead to conflict between cultural groups, representation achieved by cultural segregation probably comes at too high a price.

I now take up the argument that majoritarian democracies also fail to give people of minority cultures an equal opportunity to contribute to their societies by taking part directly in legislation. This does not mean, of course, that majoritarian democracies altogether prevent members of cultural minorities from contributing to their societies. There are ways to contribute to one’s society besides being elected to office.

The argument that majoritarian democracies do not give members of minority cultures an equal opportunity to contribute directly to the legislation of their society is in a sense a trivial implication of the fact, already established, that majoritarian democracies give members of minority cultures little opportunity to be elected to office. But members of cultural minorities who are excluded from political office by the mechanisms of majoritarian democracy are not likely to feel that their exclusion is trivial. Elected officials design and pass legislation and consequently are able to contribute to their societies in peculiarly powerful and effective ways.

I also want to make the stronger point that members of minority cultures may have something to contribute to legislation in their society that members of the majority culture may not be able to contribute. It relies on
the kind of considerations that John Stuart Mill used to justify his claim that society should value freethinkers, eccentrics, and intellectuals. Mill did not simply urge mechanisms and policies—like systems of entrenched rights—that would help to prevent the majority from overwhelming freethinkers, eccentrics, and intellectuals. More generally, he did not want the majority only to tolerate these minorities. He believed that it should value them because they could have something to teach it. His best-known argument is stated in *On Liberty*. In that work Mill maintains that unless people harm others they should be allowed to live as they decide. Some of his arguments for this claim justify only toleration. I have in mind where he argues that a person’s “own mode of laying out his existence is best, not because it is best in itself, but because it is his own mode.” But other arguments stress that allowing others to live as they please can contribute to the discovery of ways to live that are objectively best. This is the well-known “experiments in living” argument. Mill’s idea was that people who try unconventional ways of living may well hit on practices that the majority can learn from and adopt to its benefit. As he wrote, “It is important to give the freest scope possible to uncustomary things, in order that it may in time appear which of these are fit to be converted into customs.”

If Mill's argument is sound, valuable and useful ideas about how to live probably derive from all cultures, and consequently from minority cultures. I believe this to be the case because cultures are experiments in living.

People do not normally think of their own culture as an experiment in living. They do not suppose that their culture’s mores and practices are hypotheses about how life should be lived and that in following these mores and practices they are behaving somewhat like scientists subjecting hypotheses to empirical tests. Normally they act as their culture dictates because they don’t think about it, or because they believe that alternatives are wrong, or sometimes because they cannot conceive of alternatives. Still a culture is an experiment in living in the sense that things happen as a result of people following its mores and practices, and people do learn from how and why these things happen. This is why cultures change. People see what the consequences of living according to the mores and practices of their culture are, and as a result some of the more sensitive or imaginative or daring among them are moved from time to time to do things differently themselves or to urge their fellows to do things differently. When their example is followed, or their suggestions are accepted—and only rarely does either happen quickly—their culture slowly changes.
I say "changes" advisedly, and not "improves." An enterprising knave may hit on a way to circumvent an important cultural convention for his personal advantage. If others follow his example, the overall result could be retrogression. Of course, in time people will learn from that "experiment," and some of them may introduce reforms, though again we cannot conclude that these reforms will be altogether successful or that they will not have unforeseen and undesirable side effects. Still, if Mill is right that a majority may stand to learn from the experiments in living of freethinkers and eccentrics, it probably stands to learn much more from the experiments in living of minority cultures. The experiments in living of freethinkers and eccentrics are usually conducted on a small scale and for a short time. This should make a large society that wants to reproduce itself extremely wary of taking them seriously, however attractive they may seem. A culture, on the other hand, is always the result of an exceedingly long series of related experiments in living in which each experiment is designed in the light of what was learned in earlier experiments. More than that, it is also partly a series of interrelated reflections on the series of experiments in living. People do not only learn from their mores and practices; they also reflect on what they have learned, on the possibilities and impossibilities it reveals to them, and consequently on what they can and cannot reasonably hope to achieve. Each of these reflections is made in the light of previous reflections and influences the direction the series of experiments in living takes. As a result the experiments in living of a culture become an attempt to work out a point of view of how to live, and every culture contains a commentary on the difficulties and possibilities of working out that point of view. Now it is highly unlikely that every culture has the same point of view on how to live and the same commentary on the difficulties and possibilities of working it out. The protean nature of human inventiveness and the variety of circumstances in which cultures evolve ensure this. Assuming that the majority has not discovered all there is to know about how to live, and that minorities have not gotten it all wrong, I conclude that minority cultures may well contain moral and political ideas that would help legislatures make better laws if they were presented there.

The main conclusion of the preceding sections is that the classic problem of majoritarian democracy, the "tyranny of the majority," is likely to be especially pertinent and costly in culturally plural societies where one of the cultural groups is an absolute majority. In such societies, majoritarian
democracy denies cultural minorities opportunities to flourish and to contribute directly to legislation. Since people feel alienated from their societies when they are denied such opportunities, it is hardly surprising that the standard democratic apparatus of measures and provisions often fails to foster a sense of community and belonging in culturally plural societies.

This suggests that culturally plural societies should begin to consider seriously alternatives to the standard procedures of majoritarian democracy. One alternative is especially attractive because it has much to recommend it apart from the fact that it seems a promising way to correct the tendency of majoritarian democracy to exclude cultural minorities from public office. This is Thomas Hare’s system of the single transferable vote, which Mill hailed as “among the greatest improvements yet made in the theory and practice of governments.” Mill was enthusiastic about Hare’s system because it ensured that his favorite minorities—freethinkers and intellectuals—would get represented in proportion to their numbers without having to live in any particular part of the country. But it would also ensure that cultural minorities were represented in proportion to their numbers without having to segregate themselves in particular voting districts. Majoritarians have strongly criticized the single transferable vote system and have questioned Mill’s motives for endorsing it. These criticisms have to be taken seriously. But the single transferable vote system seems a good place to start the search for a way to avoid the weakness of majoritarian democracy in culturally plural societies.

Notes

5. Arthur Lewis made this point when he recommended proportional representation to the culturally plural societies of West Africa. See his *Politics in West Africa* (New York: Oxford University Press, 1965).