

TYRANNY OF THE MAJORITY – A PERMANENT THREAT OF DEMOCRACY

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Abstract: *The author in her essay briefly visits the history of thinking about democracy. However, the focus of her contemplations is on describing the limits of contemporary democracy. One of the perils threatening the democratic parliamentary system is the “tyranny of the majority” in parliaments, which means that the opinions and proposals of political minorities are being overlooked.*

It was Alexis de Tocqueville who defined the term “tyranny of the majority” and the author of this work took this term and its definition as the cornerstone of this article and applied it to the current democratic model. She also indicated what means could be used to weaken the tyranny of the majority (as well as the tyranny of the minority) and strengthen democracy.

Keywords: *tyranny of majority, tyranny of minority, democracy, parliamentarism*

Throughout the whole history of the political life in human societies, from ancient times until the present day, it would be hard to find a richer, but also more vaguely defined term than *democracy* (from Greek *demokratia*: *démos* – people, *kratos* – power, rule). It is generally accepted that it is an expression of the content, form and principles of governing (political system) characterized by the principle that the minority must accept a decision of the majority in the process of creating, implementing and controlling political decisions.

The origins and development of democracy in the sense of government of the people (*démos*) can be traced back to the political system of the city states in Ancient Greece, especially Athens, between the 6th and 4th centuries BC. It was a direct democracy (*plebiscite*).

But already in those early days democracy had shortcomings and opponents: one of biggest opponents was Greek philosopher Socrates (469–399 BC), who considered the politics of his time bad for two reasons. First reason was the fact that all important decisions were made based on the votes of a majority that had no time or intellectual capacity to grasp the issues at hand. The second reason was the fact that political leaders depended on the election support of the majority, which they often acquired not through knowledge and abilities, but by making impression on people.

Only experience without proper intellectual foundation is not sufficient to make from a political representative a person capable of dealing competently with social problems. Socrates harshly criticized Athenian politicians for “creating the impression of prosperity and opulence” and “preferred the strict oligarchy of Sparta and Crete that valued more moral criteria of education and discipline”.¹

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¹ For more see KŘÍŽKOVSKÝ, L., ADAMOŤ, K. *Dějiny myšlení o státě*. Praha 2000, pp. 55–96; BRÖSTL, A. *Dějiny politického a právního myšlení*. Bratislava 1999, p. 24 an.; BARBER, B. *Demokracie*. In: *Blacwellova encyklopedie politického myšlení*. Brno 1995, p. 83 an.; KRŠKOVÁ, A. *Dějiny evropského politického a právního myšlení*. Praha 2003.

Also Aristotle's (384–322 BC) attitude towards democracy was rather negative, based on the fact that the key symbol of citizenship within certain political group was the participation in the government, by which he meant mainly taking part in the popular courts and popular assemblies (see the relationship of citizens towards legislative, executive and judicial power).

By evaluating and comparing the constitutions of his times he divided political structures into two groups – the “correct and deviant”. The “correct” constitutional forms were Kingship, Aristocracy and Polity, the “deviant” were Tyranny, Oligarchy and Democracy.²

Each of these “constitutions” contains the essential and real danger of degenerating to its “deviant form”: monarchy into tyranny, aristocracy into oligarchy and polity into democracy, perceived in the form of ochlocracy as a reign of terror.

In his contemplations on the best political structure Aristotle came to the conclusion that the essential condition of the survival of such structure is just citizens, who “must not lead the life of craftsmen or a merchants, because such life is low and contrary to the true virtue. These citizens also should not be farmers because they need all their free time to cultivate true virtues and attend to state matters”.

However, the political reality of his times was different. Aristocratic representatives of the “state” were with ever less scruples already growing rich on public funds and declining morally. Corruption, misappropriation of public property, political misuse of courts and security agencies were growing inside all “Aristotelian types of constitutional organizations”. In case of democracy the interests of rich members of the society prevailed through an ever present and hard-to-cure disease: 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.

Similar problems in the development of political relationships could be seen also in Rome/ for instance in Polybios (Greek historian and politician 200–120 BC) historical work “Roman History”.

He believed that since its founding the Roman state had had the perfect constitution, combining Aristotle's three variants of “correct government”: monarchy, aristocracy and polity. A combination of the positive elements of these three forms, as represented by the **Rome's republican constitution**, leads to the optimal state organization of slaveholding society, whose stability and potential for the development in the form of eternal prosperity is ensured by the balanced effects of three political forces: 1. **monarchial**, represented by the institution of **consuls**; 2. **aristocratic**, represented by the **senate** and 3. **democratic**, represented by the **popular assembly**.³

² a) monarchy = power vested in a single person focusing, according to Aristotle's scheme, on the general welfare; aristocracy = power vested in several persons also aiming at general welfare and polity = name of a government consisting of a significant portion of the society also aiming at general welfare;

b) tyranny = power vested in a single person, who usurped political power and enforces his will using violence, oligarchy = power is concentrated in the hands of senators (a small group of the wealthiest citizens); and democracy = government, in which minority is forced to accept the will of a majority through a system of organizational and functional principles allowing to enforce the will of the majority after negotiating with the minority. Because “majority” sometimes included also the poor, it was often in the thinking of some people connected with the rule of mob.

³ For more see ZIPPELIUS, R. *Geschichte der Staatsideen*, München 1989, p. 46; KŘÍŽKOVSKÝ, L., ADAMOVIČ, K. *Dějiny myšlení o státě*. Praha 2000, p. 88 an.

Not only through the influence of Plato's and Aristotle's views, but also by detailed study of historical facts of the Roman politics also Polybios came to the conclusion that in the development cycle of social dynamics and the derived forms of social organization monarchy usually turns into tyranny, aristocracy into oligarchy and polity into democracy, often degenerating into ochlocracy, i.e. mob rule.

Added to that, the later historical development showed that rather than to a temporary "mob rule" the decline of democracy leads to unlimited dictatorship.

The philosophical concepts of government that can be found in the works of Plato, Aristotle, Polybius and other thinkers were usually based on the ideal of a **mixed system**, in which the rules were following the virtues or the law or controlling each other", while the "aristocratic and democratic assemblies that were not based on moderation and reason could turn out to be corrupted".⁴

This had a significant impact also on the thinking of the leading renaissance philosophers and lawyers contemplating the forms and spiritual values of political organizations. **N. Machiavelli** (in his work *Discourses on Livy*), as well as **Ch. L. Montesquieu** (in the *Spirit of Laws*) considered democracy to be a component of a mixed republican system reserving a share in the government to the prince, aristocracy and the people (i.e. citizens).

Machiavelli attached much importance to the control of constitutionality and the application of legislative power. He recommended that control be carried out by the middle class citizens because those that govern are too power hungry and therefore are usually poor guardians of the constitution. On the other hand the middle class citizens, especially craftsmen, journeymen and small merchants usually wish not to be controlled so they are the most reliable guardians of constitutionality, as well as the laws.⁵

According to Montesquieu in democracy people are rulers and subjects at the same time. Rulers thanks to the votes they may use to express their political will, subjects in their dealing with authorities, which they appoint.

The shortcomings (or rather permanent diseases) that have accompanied since the ancient times until the present day the substance, form and methods of the application of democracy continue to intensify. This is to a large extent caused by the worldwide civilization crisis, as one of the consequences of the demographic explosion in certain regions of the world, and growing of economic, social, political, religious and other conflicts until becoming hard to resolve antagonisms.

From the perspective of the second half of the 20th and early 21st century some theorists see **democracy** as the most feasible way towards the ideal social organization, which will supposedly never be reached, but it serves as an important corrective factor for the current political relations. According to these thinkers this method guarantees the functioning of the political system and becomes the aim of the future organization of the society – path to the emancipation of the repressed and helpless.

They understand the political participation of the largest social classes in the democratic process as something more than just an opportunity to protect own interests – realization of the ideal of human dignity and identity.⁶

⁴ Compare with BARBER, B. R. *Demokracie*. In: *Blacwellova encyklopedie politického myšlení*. Brno 1995, p. 84.

⁵ Compare with GUMPLOWICZ, L. *Dějiny teorii o státě*. Praha 1911; KŘÍŽKOVSKÝ, L., ADAMOVIÁ, K. *Dějiny myšlení o státě*. Praha 2000, p. 113 an.

According to **N. W. Wiseman** the current meaning of the word *democracy* is hard to exactly define, but it is possible to summarize certain basic characteristics, common to different definitions. These are especially: 1) shaping political will through political representation, usually parliamentary; 2) significant impact of political parties on all areas of life; 3) legitimacy of the government and control of the government by the parliament; 4) establishing of power centers based on the will of the people and for the purpose of carrying out the will of people. From this point of view it is a system of civil government with the following functional components: a) representative bodies of the state power, restored through periodical elections, passing laws and using the executive branches of the state to make sure laws are followed; b) sufficiently strong and active opposition, accepted as an indispensable part of the functioning of a political system; c) reliable and well-organized mechanisms of the state administration (consisting of experts politically loyal to every constitutional government) and independence of the justice system; d) free system for the formulation and expression of the public opinion functioning as a correction mechanism for government's policies by means of pressure groups; e) sufficiently strong continuation of democratic traditions and political culture of the past.⁷

Removing at least the major shortcomings of democratic governing is today made difficult by the existence of a number of various theories, forms and methods of their implementation. For example, E. Wiesendahl differentiates: 1) pluralist democracy; 2) competitive democracy; 3) elite democracy.⁸

Pluralist democracy, as explained by **E. Fraenkel**, is in fact a continuation of the traditional concepts of democracy that see democracy as a mechanism of expressing different social, economic and power interests of political parties and their transformation into state will in the parliament.⁹

According to **R. A. Dahl** the advocates of the pluralist democracy usually list the following reasons of its effects: a) the government of majority maximizes the number of persons that can through collective political decision making realize their self-determination. Considering the limitations of a concrete political system, social differentiation of citizens and the need for collective decisions in certain matters ensures that the highest possible number of citizens live according to laws they chose; b) the government of the majority is said to represent a “necessary consequence of reasonable requirements and higher probability of correct decisions”. It is also to maximize the average benefit of laws for all citizens. Those who lose in one matter may logically expect to win in the next election; c) this means that there are no permanent majorities and minorities in a democratic society. The system of majority government cannot permanently express and advance the interests of the entire society without upholding the political rights of the minority.¹⁰

⁶ See e.g. BÖHRET, C. – JANN, W. – KRONENWETT, E. *Innenpolitik und politische Theorie*. Opladen 1979; WISEMAN, N. W. *Political Systems, Some Sociological Approaches*. New York, Washington, 1967.

⁷ Compare ADAMOVÁ, K., KRÍŽKOVSKÝ, L. *Základy politologie*. 2. vydání, Praha 2004, p. 265 an. Here we find elaborated to the detail the characteristics of democracy as a process of creating, implementing and controlling politics.

⁸ WIESENDAHL, E. *Moderne Demokratietheorie: eine Einführung in ihre Grundlagen, Spielarten und Kontroversen*. Frankfurt a. M. 1981.

⁹ Compare with FRAENKEL, W. *Staat und Politik*. Frankfurt a. M., Hamburg 1969; compare also with DAHL, R. A., LINDBLOM, CH. *Politics, Economics and Welfare*. New York 1953.

¹⁰ For more see DAHL, R. A. *Demokracie a její kritici*. Praha 1995; DAHL, R. A. *Demokracie v právním státě*. Praha 1995. Compare also with ADAMOVÁ, K., KRÍŽKOVSKÝ, L. *Politologie*. Praha 1997, p. 342 an.

As a modification of the pluralist democracy R. A. Dahl introduced the theory of **polyarchy**, in which he tried to combine some principles of pluralism with the hard reality of today's industrial and developed societies and with the basic principle of democracy: the broadest possible participation of citizens in solving the problem of social, economic, political and cultural development of the society, especially in elections.

When studying democracy as a method of governing we come to the concept of **competitive democracy**. **J. Schumpeter** explains it as “such organization of the institutions of political decision-making, which allows winning votes in a competitive struggle”.¹¹ It is clearly an analogy of the market economy from the peak period of capitalism. This was where **A. Downs** was coming from when he created the concept of “market democracy”, which became respected by many political scientists (e.g. R. Curry, L. Wade, R. Dinke). According to Downs special kinds of goods circulate in politics (e.g. various benefits, privileges, ways of acquiring wealth, corruption) and these goods are related to the selection of political figures, as well as with the directions of their political decision-making.¹²

According to **F. M. Burlackuj** and **A. A. Galkin** the **sellers** are the real or potential bearers of political power, **customers** are individuals sufficiently knowledgeable about finance and ready for action and the act of casting votes during election is compared to purchases or investments.¹³

H. W. Wiseman analyzed the theory and practice of **tutelary democracy**. He explained that it is a type of democracy that assumes little political knowledge and average (or below-average) interest of citizens in politics, including the decisions made by those who possess political power in representative bodies, the government and in the presidential office.

Many voters are not concerned with the election programs of parties and under the influence of often one-sided media (whose actions and standpoints are directly or indirectly determined by their owners or customers) cast their votes following emotional rather than rational reasons.

Some political scientists even come to the conclusion that democracy is in modern society unthinkable without the leadership of the elites and that excessive activity of voters and too much of their interest in political events at the level of government and the parliament may threaten the stability of the society. The more apathetic are the masses of citizens towards political decision-making the easier it is to meet their political, social and other social needs and interests.¹⁴

Also the theory and practice of the **democratic rule of elites** is criticized by many political and state scientists. For example, **P. Bachrach** and **T. Bottomore** point out the danger of totalitarianism and misuse of political power of the ruling group that could reduce the political importance of common citizens and the threat of autocratic rule overlooking the needs, interest and demands of the controlled masses.

We also hear arguments that there is also a more insidious and hidden way of controlling the thinking and actions of societies. For example, the elite group may control the actions of other political parties and social initiatives through private security agencies.

¹¹ SCHUMPETER, J. A. *Kapitalismus, socialismus a demokracie*. CDK, Brno 2004, pp. 253–320.

¹² See DOWNS, A. *An Economic Theory of Democracy*. New York 1954.

¹³ Compare e.g. BURLACKUJ, F. M., GALKIN, A. A. *Politická sociologie kapitalismu*. Praha: Svoboda, 1989, p. 238 an.

¹⁴ Compare BURLACKUJ, F. M., GALKIN, A. A. *Politická sociologie kapitalismu*. Praha: Svoboda, 1989.

These may then just before the election flood the media with manipulated information about the contents of wiretapping of the members of competing parties so influence final decisions of voters. Using the press, television, radio and other media they usually limit political discussions to only cover “safe problems”, i.e. problems that do not threaten the interests and plans of the elites.¹⁵

All this was anticipated by some theorists of the state and law as early as the mid 19th century. For example, French political theorist, sociologist and historian **Alexis de Tocqueville** (1805–1859). In his study “The Old Regime and the Revolution (*L’Ancien régime et la révolution*)” we looked into the consequences of what he referred to as **democracy**. He tried to outline what needs to be done in politics to ensure **freedom**, which is in his opinion threatened by democracy.¹⁶

As explained by **Jack Lively**, Tocqueville assigned two meanings to the term *democracy*. In political context he used it to refer to a system of representation based on general suffrage, but more often in the sense of **social democracy**, referring to a society with **equality** as the highest social value.¹⁷

The effort to have equality shape the social standpoints was summarized by Tocqueville under the term **individualism**, which, however, has pejorative connotation for him.

He perceived individualism as the faith in individual reason, which is the basis for all needs, interest and requirements in politics. But he also saw individualism and a selfish focus on one’s personal interests.

The essence of natural democratic attitude in philosophical sphere was, according to Tocqueville, a revolt against the dominating intellectual authority and against the way its authority was enforced. All ideas and proposals from political life of the society must be, according to Tocqueville, examined by the individual mind of each individual.

The second dark side of democratic individualism is **egoism** resulting in the effort of individuals to use all opportunities to increase personal well-being or the well-being of the family and using material supremacy to assert own individual or group interests in politics.

Democratic ideology is based on intellectual independence of individuals. But every society needs intellectual authority, a source of unity that, in Tocqueville’s opinion, “democratic society found in public opinion, meaning **the tyranny of majority**.”

In situation, where everyone has one vote and nobody can claim the exclusive and objective truth the truth is what majority decides. Tocqueville came to the conclusion that this was how people learned **conformity** and came to believe that any opinion other than that of a majority is bad, which means restrictions of the autonomy of an individual.

¹⁵ For more see BACHRACH, P., BARATZ, M. *Nacht und Armat*. Frankfurt 1977; See also the above cited ADAMOŮVÁ, K., KRÍŽKOVSKÝ, L. *Základy politologie*. 2. vydání, Praha 2004, p. 138 and p. 269 an.; see also DOWNS, A. *An Economic Theory of Democracy*. New York 1954.

¹⁶ For more see TOCQUEVILLE, A. *Demokracie v Americe*. Transl. V. Jochman. Praha: Lidové noviny, 1992; TOCQUEVILLE, A. *L’Ancien régime*. Transl. M. W. Paterson. Oxford: Blackwell, 1947; BROGAN, H. *Tocqueville*. London: Fontana, 1973; ZETTERBAUM, M. *Tocqueville und the problem of Democracy*. Stanford: Stanford University Press, 1967.

¹⁷ See LIVELY, J. *The Social and Political Thought of Alexis de Tocqueville*. Oxford 1962; see also LIVELY, J. *Tocqueville, Alexis de*. In: *Blacwellova encyklopedie politického myšlení*. Brno 1995.

Other dangers to the functioning of democracy anticipated by Tocqueville included the growth of the centralized power caused by individualist attitudes of those in politics, but also equal and uniform dealing with all citizens, discarding regional differences, and the preference of the state as the prime founder of social organizations and the only organizer of collective action.

He emphasized that all this may lead to a **new type of despotism** – in the sense that it is not a direct **tyranny**, but **intrusive benevolence**, which answers to the needs of individuals and groups afraid to oppose the public opinion and so busy with their private interests that they gladly accept the political system that provides them with economic benefits. In this Tocqueville saw the threat not only to freedom itself but also to the thirst for freedom.

In his view the main shortcomings of political democracy were: weak political leadership and formal political importance of the public opinion. He admitted that democracy is a necessary condition of democratic freedom, but he also demanded that as much power as possible be transferred to **local self-government**, which would increase the participation of people in political control of public matters.

To counterbalance state power he demanded that a strong system of **volunteer organizations** is created to: a) help crystallize and make visible the interests, needs and demands of citizens, which would otherwise remain unknown to the public; b) encourage mutual help and reduce the tendency to rely on the initiative of the state; c) function as a school of citizenship, drawing people into activities based on cooperation; d) break down social isolation and increase the responsibility of citizens. For him, the most important forms of volunteer association were **free political parties** and free press was a necessary condition of the development of civil initiatives and associations.

British philosopher, economist and statesman **John Stuart Mill** (1802–1873) came, under the influence of Tocqueville, to the conviction that in order to preserve democracy it is necessary to: 1) in political practice consistently assert the “antagonism of opinions”, 2) use expertise wherever it can be used. To reduce the danger that the political majority consumes the minority he proposed strict enforcement of **proportional representation**.

He also reminded of the need to face the threat of uneducated people seizing control of the educated. He recommended a **weighted voting** system, in which educated voters would have **additional votes**. All citizens, except for the illiterate, criminals and those incapable for earning their own living would have the right to vote and have at least one vote.

In order for this improved system to yield practical results, Mill claimed, a **parliament** must exist that would not prepare and change legislation but only assign expert legislative committees in the preparation of the necessary laws. The aim would be to create a balance between the general participation and a progressive government on one side and the influence of the intellectual and moral elite of the society on the other side.

Mill knew that such balance is unstable and that in practice it would be increasingly threatened by the formation of political parties (especially during the last quarter of the 19th century).

Mill's ideas about political organization were based on the principle that “the main contribution to happiness is a well-developed personality and the main need of such person is freedom. Freedom is a part of happiness and it is indispensable in searching for new forms of happiness”.¹⁸

He was convinced that the principle of freedom can be used in political discussions about the role and functions of the government only with respect to the level of society's culture and ethics.

As an advocate of the original ideas of socialism he was against conservatism, as well as against extreme visions of philosophical radicalism. As dangerous for democracy he saw the ever-growing economic power of capital and the resulting ruthlessness of capital's political representatives in the struggle for political power, the thinking of a large part of the middle class, obsessed with the pursuit of money, and also low level of education and insufficient awareness of the working class. According to Mill preservation of the “antagonism of opinions and enforcing expertise anywhere it is necessary and useful” were the priorities.¹⁹

In his interpretation of Tocqueville **L. Hejdánek** states that the problem lies in the high variability of laws and that certain principles must be built in the foundations of all democratic legislative actions and are never to be changed by circumstances and momentarily needs. These rules should be the fundamental inalienable **civil and human rights**. One complication is that according to Hejdánek these rules, as they are formulated today, are incomplete and lack the most essential part – the right to express and assert the truth, liberty and justice by all means.²⁰

According to **E. Rádl**, who is often mentioned by theorists of today, “justice is primarily not the state and law”. In his opinion, the majority democracy is not at all based on the idea of justice, but rather on the idea of power. Neither laws nor political power alone can guarantee the truth and justice – they can only create conditions, under which individuals and groups struggling for the victory of truth and justice can rise high in the society.

What motivates those who today think about the state, law and politics to go back to the discussions about Tocqueville's and Mill's ideas about the future of the then developing democracy is the warning against the tyranny of the majority.²¹

To capture the political activities that today threaten further existence of democracy we can start by looking at the brief but fitting Wiseman's characteristic of the principles of democracy as a form of civil government that includes:

1. Representative bodies of the state power renewed periodically through elections, agreeing on laws and ensuring that laws are implemented by executive bodies of state power;
2. Sufficiently strong opposition accepted as a necessary and creative part of political system;
3. Reliable and well-organized mechanism of state administration, consisting of experts and loyal towards every constitutional government;

¹⁸ See RYAN, A. *Mill John Stuart*. In: *Blacwellova encyklopedie politického myšlení*. Brno 1995, p. 312.

¹⁹ For more see RYAN, A. *Mill John Stuart*. In: *Blacwellova encyklopedie politického myšlení*. Brno 1995; see also ROBSON, J. M. (ed). *The Collected Works of John Stuart Mill*. Toronto: University of Toronto Press, 1963; PACKE, M. *The Life of John Stuart Mill*. London 1954; RYAN, A. J. S. *Mill*. London and Boston, 1974.

²⁰ See HEJDÁNEK, L. *Demokracie jako tyranie většiny?*. *Listy*. Olomouc 1992, roč. XXII, č. 4, pp. 44–47; ADAMOVIÁ, K., KRÍŽKOVSKÝ, L. *Politologie*. Praha 1997, p. 281.

²¹ For more see the entire chapter “Strengths and Weaknesses of the Theory of Democracy”, from book ADAMOVIÁ, K., KRÍŽKOVSKÝ, L. *Politologie*. Praha 1997, pp. 277–299; see also from these authors: *Dějiny myšlení o státě*, part XII: “Thinking about the State in the 20th Century”: overview of selected recent theorists of state, p. 295 an. and part XVII. “Theory of the Legal and Social State”, Praha 2000, p. 314.

4. Independent justice and prosecution system;

5. A functioning system of public opinion as a correction factor of government's politics, working through pressure groups, public media etc.;

6. Continuity of democratic traditions and historical culture with a clear vision of the economic, social, political and cultural development of the society in the future.²²

All these characteristics of democracy imply political behavior referred to in the past, as well as today, as “tyranny of majority” and “tyranny of minority”, “destruction of the content, forms and means of democratic rule of the people” etc.

Firstly, elections into representative bodies of state power are increasingly deformed by theatrical pre-election actions taken by political parties recently in power and by the governments they control, having at their disposal various security and information agencies and media channels to influence the opinions and actions of the largest classes of citizens. Immediately before elections they almost regularly shock the society with distorted and mostly unsubstantiated information about unlawful activities of the opposition with the aim of influencing the decisions of voters to gain advantage.

Increasingly important role in the election strategy and tactics of political parties that represents the interest of rich but relatively small groups is to undermine the trust of the largest social groups in the abilities and moral status of politicians, party secretariats and state institutions by spreading the notion that “people are in bad mood”. It is true, but by repeating this over and over again through media without explaining the reasons and proposing solutions strengthens the conviction of social classes that politics has become so deformed as an area of social life that it would be below their civil dignity to vote in elections.

This is one of the biggest threats to democracy in the world of today. For this reason political parties in many states take it into consideration in their election plans and sometimes it seems that by underestimating the life needs of most of citizens and by political arrogance, vulgarization, corruption scandals and refusing to deal with the opposition they purposefully provoke and feed it. The more people living under or just above the level of poverty, seniors, members of the middle class and self-employed persons relinquish their right to vote, the higher are the chances to succeed for parties representing the interests of small, but rich and powerful social groups. Under their patronage, often accompanied by the effort to corrupt the decision-making processes of party secretariats and leading political managers, often a simple one-seat majority in representative bodies of the state administration suffices for a “tyranny of majority” to root in. We may agree with the remarks on the position and functions of the parliament in today's democratic societies, as summarized by Škaloud chapter “Is parliament the future of democracy” of book “Current Problems of Parliamentarism” (Brno 1996).

It correctly says that: a) the parliament is for many of its members just an opportunity to use power that may become not power representing the voter but power controlling the voter (while the voter never suspected that it could be exercised on him); b) the par-

²² Compare and for more details see WIESEMAN, H., V. *Political Systems*. New York – Washington 1967; see also PARSONS, T. *The Principal structure of Community*. Glancov 1960. See also the above cited book ADAMOVIÁ, K., KŘÍŽKOVSKÝ, L. *Politologie*. Část páta: Demokracie, Praha 1997, pp. 267–315.

liament is increasingly more an opportunity to assert ideology than a place where the wishes, interests and desires of voters-citizens are respected; functions of the parliament offer an opportunity to use the information for personal enrichment; d) transformation of the work of many MPs into mere lifting of hands or pressing buttons on voting systems as instructed by the party leadership and their sponsors implies that the parliament may lose its democratic essence.²³

Based on the findings from the above book on parliamentarism we may identify the following limits of democracy, as well as the means that could lead to the rehabilitation of democracy of today.

1. Sufficiently strong opposition is a necessary and creative part of the political system and for the democracy it is a *sine qua non* requirement. Automatically refusing the opinions, critical comments and proposals of the opposition when discussing bills in the parliament, government intent and other issues from the political life of the society, inability of the government to compromise by limiting the right of MPs to be informed, arrogance of the cabinet members in answering questions from MPs who are members of parties in opposition etc., are not just some of the most dangerous forms of the “tyranny of the majority” and “tyranny of minority”, but also a path leading to the destruction of democratic legitimacy of state power.

2. The requirement of a reliable and well-organized state administration consisting of experts loyal to each constitutional government is ignored any time a politician clearly preferring the interests of one party is elected head of the state, when cabinet members are people lacking even the basic understanding of their ministries, depending completely on lawyers and instructions from the leaders of the party that nominated them and refusing responsibility for the actions (often unprofessional and corrupt) of their deputies and clerks.

3. The same holds for some employees at the Supreme Audit Office, National Bank and local administrations. The small competence, lack of understanding and frequent corruption and unlawful conduct threatens directly the roots of democratic organization of the society.

4. The system and activities of the independent justice system, as one of the new cornerstones of the democratic state, is in democracies of today often devalued by power interventions with the functioning of the court system, as well as the productivity and level of professionalism of some judges, leading to the piling unresolved cases and the possibility of manipulating with their ordering to gain advantage. This opens the door to various politically and otherwise motivated manipulations, including re-assignment of cases to other courts. Relatively frequent are cases of corrupt and otherwise manipulated or even unlawful conduct by judges, which considerably lowers the prestige not only of courts and institutions, but also of the justice system, as one of the cornerstones of the democratic system, and the entire institution of democratic governing.

5. The functioning of the public opinion as a necessary corrective factor for the intents and methods of politically resolving economic, social, cultural and other problems in the life of the society is respected by the ruling party and government groups only when it

²³ Compare with ŠIMÍČEK, V. (ed). *Aktuální problémy parlamentarismu*. Brno 1996, pp. 153–160.

does not contradict their interest. If it does, any critical comments, suggestions and demands of civil initiatives, including opposition parties, labor unions and other interest groups expressing the opinions of large groups in the society, are disparaged, rejected and denounced through propaganda. This is made easier for the ruling group by the fact that they can influence a majority of media institutions, especially televisions, radios and press.

6. The continuity of democratic traditions and culture of the past is in our society, which went through such immense changes (World War I, winning national independence and sovereignty, democracy of Masaryk's era, German occupation, World War II, the period of socialism-building during the Stalin era, nationwide revival of the sixties, Soviet occupation, the normalization and in the end the disappointment of the unfulfilled expectations and ideas about freedom, rights and democracy after the Velvet Revolution), an extremely difficult and complicated process that will take a long time.

So little was done in the area of democratic political thinking and conduct since the last decade of the last century that it is causing a spiritual disillusion in a majority of our society. The motto "the truth and love prevail" without specifying how, when, in what and for what is a motto that may catch one's interest, but will not lead to concrete fulfillment in politics.

The motto "the market will take care of everything" in connection with the preferences of politically and individually overstretched liberalism has had so far in the political, economic, but also in spiritual sphere of social life only detrimental consequences. Giving absolute preference to the individual over the social, privatization that lacked legal backing, stealing national wealth and transferring it abroad, widespread corruption in almost all areas of political, economic and social life and steep decline of political prestige of almost all components of state power and administration – all this comprises the causes and effects of a deep crisis of democracy, aggravated by the current world crisis of financial capital.