

The Tyranny of the Majority

Time

2 to 4 periods (50 minutes per period)

Overview

This lesson uses the classic political science work *Democracy in America* by Alexis de Tocqueville, which examines, among other concepts, “the Tyranny of the Majority.” His analysis of the strengths and weaknesses of the culture of the United States in the mid-nineteenth century has proven to be uncannily insightful. Two points in particular are salient to Japanese American incarceration in Colorado: the tendency of elected officials to overstep their bounds, and the fate of the person who speaks out against the majority.

Objectives

- Students will understand Tocqueville’s thesis about the source of power in a democracy and be able to produce evidence from modern society to agree or disagree with Tocqueville’s thesis.
- Students will recognize the power wielded by the majority in a democracy and the basic inequity that this creates.
- Students will recognize the tension that exists between the good of the one and the good of the many in a democracy.
- Students will begin a conversation about the ways the one is separated out from the many in societies.
- Students will become more articulate in their expression of complex ideas.

Essential Questions

- How do societies striving for equality come to terms with the tension between the good of the one and the good of the many?
- How is the balance between the one and the many influenced by visual language?

Guiding Question(s)

- In a democracy, what is the responsibility of the individual and of elected officials toward minority opinions?

Colorado Model Content Standards (2008)

- History 2.2: Students know how to interpret and evaluate primary and secondary sources of historical information.
- History 5.3: Students know how political power has been acquired, maintained, used, and/or lost throughout history.
- Reading and Writing 1: Students will read and understand a variety of materials. As students in grades 9–12 extend their knowledge, what they know and are able to do includes using a full range of strategies to comprehend essays, speeches, autobiographies, and first-person historical documents in addition to the types of literature learned in previous grade levels.
- Reading and Writing 4: Students apply thinking skills to their reading, writing, speaking, listening, and viewing. As students in grades 9–12 extend their knowledge, what they know and are able to do includes recognizing an author’s point of view, purpose, and historical and cultural context.
- Advanced Placement English Language: Students are required to read, study, and understand complex culturally and historically significant texts from the sixteenth century to the twenty-first century.

Materials

- *Handout 3-1: Reading from Alexis de Tocqueville, Democracy in America, “Unlimited Power of the Majority in the United States, and Its Consequences”* (Vol. 1, Chap.15)
- *Handout 3-2: Vocabulary and Reading Guide for the Tocqueville passages*
- *Handout 3-3: Civilian Exclusion Order No. 43*
- *Handout 2-16: Transcription of Governor Ralph Carr’s radio address from February 29, 1942* (from Lesson 2)
- *Handout 3-4: Seminar Organizer* (optional)



- *Handout 3-5: Paraphrases from Tocqueville Passages* (optional)
- An additional primary source document must be downloaded and printed from the our Documents Web site:
 - President Franklin D. Roosevelt's Executive Order 9066 (transcript) <http://www.ourdocuments.gov/doc.php?doc=74&page=transcript> (accessed August 4, 2009)

Background

Alexis de Tocqueville was an aristocratic Frenchman who came to the U.S. in 1831, traveled extensively on the East Coast, and later wrote *Democracy in America*, a two-volume study of the American people and their political institutions. This work deals with issues such as religion, the press, money, class structure, racism, the role of government, the judicial system, the effect of democracy on the character of the people, and much more. These issues are just as relevant today as they were in the nineteenth century. *Democracy in America* is currently used in many colleges in political science and history courses. Historians consider it one of the most comprehensive and insightful books ever written about the United States.

In addition, students should review how Executive Order 9066 came to be as well as the attitude and actions of Colorado Governor Ralph Carr in regard to Executive Order 9066 (see Lesson 2 of this unit).

Opening

- Begin with a discussion of the reasons why democracy can be a successful form of government. Then introduce some of the downsides. If work has been done previously on Socrates' views of democracy or the advantages of monarchies or oligarchies, so much the better. One of the downsides that should be focused on is the helplessness of the minority opinion/interests under rule by the majority.

- Take about ten minutes of class time to have students write (in their ongoing journals, preferably) in response to a related prompt:
 - The good of the group is always more important than the private good (or needs or rights) of the individual.
 - When is it acceptable to abrogate the rights of an individual?
 - How heavily do you weigh public opinion or the opinions of your peers when you make decisions about your actions?
- In groups of no more than five, have students share their ideas, requiring them to come up with a group consensus on the answer. (All the better if they can't! How do they solve the disagreement? Does the majority rule?) Then have each group present its observations about the prompt and about their group's process of coming to consensus. Use those observations to introduce the reading from Tocqueville.

Activities

- Assign as homework *Handout 3-1: Reading from Alexis de Tocqueville, Democracy in America, "Unlimited Power of the Majority in the United States, and Its Consequences"* (Vol. 1, Chap. 15) or read aloud in class, along with *Handout 3-2: Vocabulary and Reading Guide for the Tocqueville passages*, which is supplemented by Executive Order 9066 (downloaded and printed), *Handout 3-3: Civilian Exclusion Order No. 43*, and *Handout 2-16: Transcription of Governor Carr's radio address from February 29, 1942* (from Lesson 2). Alternatively, use *Handout 3-4: Seminar Organizer* as an "entry ticket" to the seminar on the next day. Work through the reading together to clarify and find modern examples or refutations of Tocqueville's points.

Accommodations for this Activity

Some students may find the Tocqueville passages challenging reading. For the inexperienced reader of what the College Board Advanced Placement sys-

tem calls “archaic” reading, these two brief passages may present several roadblocks to understanding. Hence, the passages offer an excellent opportunity to work through those roadblocks with an eye toward helping all students prepare for success with difficult reading tasks.

The first roadblock is pronoun/antecedent expectations. Most “archaic” writers expected their readers to keep track of pronoun antecedents throughout relatively long passages. The two passages included for student consideration are written in that style, so they are good examples that bring this issue to students’ attention. In addition, because most modern student writers tend to be *very* careless with pronoun antecedents—often scrambling them so badly or even having none so that their readers cannot keep track of them even in short texts—this discussion should help student writers become more aware of the issue in their own writing.

The second roadblock concerns allusion and assumption. Tocqueville assumes his readers are familiar with certain Enlightenment-era philosophical concepts as well as conversations regarding power, monarchy, democracy, and human failings. These ideas have become so engrained in our own assumptions in the twenty-first century that they have become invisible. Therefore, some of Tocqueville’s points need expanding upon so that modern readers can fully appreciate them.

- Included with this unit is *Handout 3-5: Paraphrases from Tocqueville Passages*, a side-by-side paraphrase of the text which clarifies the pronoun/antecedent pairs and hopefully makes Tocqueville’s context more accessible to modern teenaged audiences. There are several ways the instructor might use this reading aid. Capable students might create their own version; less capable students and English Language Learners might use the paraphrase itself, either alongside or in place of the original Tocqueville.

- Discuss particularly the application of Tocqueville’s comments on the control of elected officials by the electorate. As suggested in the Reading Guide, apply Tocqueville’s observations to the reactions of President Franklin D. Roosevelt and of Governor Ralph Carr to the crisis precipitated by Japan’s attack on Pearl Harbor.

Extensions

- Students could write an essay on the duties of individuals within a democracy.
- Students might gather clippings about current events that exemplify the tensions between the one and the many—an obvious connection here is the U.S. reaction to 9/11.
- Students might write an essay proposing a new legal solution that would better protect the rights of the minority than our current system does.
- Students could create a personal narrative recounting a time when he or she became a victim to the “tyranny of the majority.”

References

Tocqueville, Alexis de. *Democracy in America*. Vol. 1. New York: Vintage Books, 1945.

Excerpts from *Democracy in America*

Handout 3-1

37

Name _____ Period _____

Excerpts from Alexis de Tocqueville, *Democracy in America*, “Unlimited Power of the Majority in the United States, and Its Consequences” (Vol. 1, Chap. 15), originally published in 1835.

A. Consider the following in relation to President Franklin D. Roosevelt and those who fashioned the plan to incarcerate Japanese Americans:

“[In the United States] [t]he majority has absolute power both to make the laws and to watch over their execution; and as it has equal authority over those who are in power and the community at large, it considers public officers as its passive agents and readily confides to them the task of carrying out its designs. The details of their office and the privileges that they are to enjoy are rarely divined beforehand. It treats them as a master does his servants, since they are always at work in his sight and he can direct or reprimand them at any instant.

In general, the American functionaries are far more independent within the sphere that is prescribed to them than the French civil officers. Sometimes, even, they are allowed by the popular authority to exceed those bounds; and as they are protected by the opinion and backed by the power of the majority, they dare do things that even a European, accustomed as he is to arbitrary power, is astonished at. By this means habits are formed in the heart of a free country which may some day prove fatal to its liberties.” (page 272)

B. Consider the following in relation to Colorado Governor Ralph L. Carr and his actions at the time of the Japanese American incarceration:

“I know of no country in which there is so little independence of mind and real freedom of discussion as in America. . . . in a nation where democratic institutions exist, organized like those of the United States, there is but one authority, one element of strength and success, with nothing beyond it.

In America the majority raises formidable barriers around the liberty of opinion; with these barriers an author may write what he pleases, but woe to him if he goes beyond them. Not that he is in danger of an auto-da-fé, but he is exposed to continued obloquy and persecutions. His political career is closed forever, since he has offended the only authority that is able to open it. Every sort of compensation, even that of celebrity, is refused to him. Before making public his opinions he thought he had sympathizers; now it seems to him that he has none any more since he has revealed himself to everyone; then those who blame him criticize loudly and those who think as he does keep quiet and move away without courage. He yields at length, overcome by the daily effort which he has to make, and subsides into silence, as if he felt remorse for having spoken the truth.

. . . Under the absolute sway of [a monarch] the body was attacked in order to subdue the soul; but the soul escaped the blows which were directed against it and rose proudly superior. Such is not the course adopted by tyranny in democratic republics; there the body is left free, and the soul is enslaved. The master no longer says: ‘You shall think as I do or you shall die’; but he says: ‘You are free to think differently from me and to retain your life, your property, and all that you possess; but you are henceforth a stranger among your people. You may retain your civil rights, but they will be useless to you, for you will never be chosen by your fellow citizens if you solicit their votes; and they will affect to scorn you if you ask for their esteem. You will remain among men, but you will be deprived of the rights of mankind. Your fellow creatures will shun you like an impure being; and even those who believe in your innocence will abandon you, lest they should be shunned in their turn. Go in peace! I have given you your life, but it is an existence worse than death.’” (page 273)



Vocabulary and Reading Guide

Handout 3-2

38

Name _____ Period _____

Excerpts from Alexis de Tocqueville, *Democracy in America*, “Unlimited Power of the Majority in the United States, and Its Consequences” (Vol. 1, Chap. 15), originally published in 1835.

Vocabulary words: As you read the passages for the first time, look up these words as you encounter them and write down the **definition that fits the context**. Remember, this is a document written in the nineteenth century; the meanings the author intended may not how we would define a word today. Also look up any other words you don’t know. Learn them.

1. divined _____
2. tyranny _____
3. arbitrary _____
4. functionaries _____
5. sphere _____
6. formidable _____
7. auto-da-fé **being sentenced to death by burning at the stake**
8. obloquy _____
9. compensation _____
10. remorse _____
11. sway _____
12. retain _____
13. affect _____

Peruse and Ponder: Write thoughtful answers to the following questions:

Passage from page 272:

- I. Clarify each of Tocqueville’s assertions about the power of the majority by paraphrasing each of these phrases from paragraph 1:
Ex: “has absolute power to . . . make the laws” = the majority elects and removes legislators and can even overrule legislation through voter initiatives, etc.
a. “. . . and to watch over [the laws’] execution” = _____
b. has “. . . equal authority over those in power” = _____
c. and equal authority over “the community at large . . .” = _____

II. According to Tocqueville in paragraph 1, how do elected officials know what their jobs are and what they are and are not permitted to do?

III. Paragraph 2:

a. “American functionaries” = _____

b. “. . . are more independent within the sphere that is prescribed to them . . .” = _____

c. Why are the “functionaries” sometimes allowed to exceed the bounds established for them?

d. What may we infer are the dangerous “habits” that Tocqueville implies?

IV. Consider the forces that created Executive Order 9066 and allowed it to be executed. Write a paragraph connecting those events to Tocqueville’s observations and warning.

Passage from page 273. [Teacher instruction: Preface this paragraph with a journal writing and discussion on the level of freedom of speech present in our society, as perceived by students.] Then read the first paragraph of this passage and discuss.

Paragraph 1: Does the class opinion on this topic agree with Tocqueville's?

Paragraph 2:

a. According to Tocqueville, how does the majority enforce conformity to its opinions? Use your own words.

b. Keep track of Tocqueville's pronouns. Throughout paragraph 2, who is "he?"

c. In the face of majority pressure, what eventually happens to a truth that is contrary to majority opinion?

Paragraph 3:

a. Explain the contrast Tocqueville draws between the way a king controls his people and the way democracies control their people.

b. Who is "the master" in this passage?

Consider the actions of Colorado Governor Ralph Carr during World War II, and his subsequent political career. On the back of this page, write a paragraph connecting him to Tocqueville's observations in this passage.



Civilian Exclusion Order No. 43

Handout 3-3

41

WESTERN DEFENSE COMMAND AND FOURTH ARMY WARTIME CIVIL CONTROL ADMINISTRATION

Presidio of San Francisco, California
May 5, 1942

INSTRUCTIONS TO ALL PERSONS OF **JAPANESE** ANCESTRY

Living in the Following Area:

All of that portion of the City and County of San Francisco, State of California, within that boundary beginning at the intersection of Presidio Avenue and Sutter Street; thence easterly on Sutter Street to Van Ness Avenue; thence southerly on Van Ness Avenue to O'Farrell Street; thence westerly on O'Farrell Street to St. Joseph's Avenue (Calvary Cemetery); thence northerly on St. Joseph's Avenue to Geary Street; thence westerly on Geary Street to Presidio Avenue; thence northerly on Presidio Avenue to the point of beginning.

Pursuant to the provisions of Civilian Exclusion Order No. 41, this Headquarters, dated May 5, 1942, all persons of Japanese ancestry, both alien and non-alien, will be evacuated from the above area by 12 o'clock noon, P. W. T., Monday, May 11, 1942.

No Japanese person living in the above area will be permitted to change residence after 12 o'clock noon, P. W. T., Tuesday, May 5, 1942, without obtaining special permission from the representative of the Commanding General, Northern California Sector, at the Civil Control Station located at:

1530 Buchanan Street,
San Francisco, California.

Such permits will only be granted for the purpose of uniting members of a family, or in cases of grave emergency. The Civil Control Station is equipped to assist the Japanese population affected by this evacuation in the following ways:

1. Give advice and instructions on the evacuation.
2. Provide services with respect to the management, leasing, sale, storage or other disposition of most kinds of property, such as real estate, business and professional equipment, household goods, boats, automobiles and livestock.
3. Provide temporary residence elsewhere for all Japanese in family groups.
4. Transport persons and a limited amount of clothing and equipment to their new residence.

The Following Instructions Must Be Observed:

1. A responsible member of each family, preferably the head of the family, or the person in whose name most of the property is held, and each individual living alone, will report to the Civil Control Station to receive further instructions. This must be done between 8:00 A. M. and 5:00 P. M. on Wednesday, May 6, 1942, or between 8:00 A. M. and 5:00 P. M. on Thursday, May 7, 1942.

2. Evacuees must carry with them on departure for the Assembly Center, the following property:

- (a) Bedding and linens (no mattress) for each member of the family;
- (b) Toiletries for each member of the family;
- (c) Extra clothing for each member of the family;
- (d) Sufficient knives, forks, spoons, plates, bowls and cups for each member of the family;
- (e) Essential personal effects for each member of the family.

All items carried will be securely packaged, tied and plainly marked with the name of the owner and numbered in accordance with instructions obtained at the Civil Control Station. The size and number of packages is limited to that which can be carried by the individual or family group.

3. No pets of any kind will be permitted.
4. No personal items and no household goods will be shipped to the Assembly Center.
5. The United States Government through its agencies will provide for the storage, at the sole risk of the owner, of the more substantial household items, such as iceboxes, washing machines, pianos and other heavy furniture. Cooking utensils and other small items will be accepted for storage if crated, packed and plainly marked with the name and address of the owner. Only one name and address will be used by a given family.
6. Each family, and individual living alone, will be furnished transportation to the Assembly Center or will be authorized to travel by private automobile in a supervised group. All instructions pertaining to the movement will be obtained at the Civil Control Station.

Go to the Civil Control Station between the hours of 8:00 A. M. and 5:00 P. M., Wednesday, May 6, 1942, or between the hours of 8:00 A. M. and 5:00 P. M., Thursday, May 7, 1942, to receive further instructions.

J. L. DeWITT
Lieutenant General, U. S. Army
Commanding

SEE CIVILIAN EXCLUSION ORDER NO. 41

Gift of Kiyoshi Toi, Japanese American National Museum (92.94.1)

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Seminar Organizer

Handout 3-4 (optional)

42

Name _____ Period _____

Before you participate in a seminar, you must

READ the selection

UNDERSTAND the words in the selection

COMPREHEND the selection

This form is designed to help you do that. Complete it and bring it with you to the seminar.

Selection _____ Date _____

Author _____

Five key words in the selection and their definitions:

1. _____
2. _____
3. _____
4. _____
5. _____

Five words I didn't know and their definitions:

1. _____
2. _____
3. _____
4. _____
5. _____

The main point(s):



Ideas(s) I do agree with:

Ideas(s) I don't agree with:

Connection(s) to other readings/events/ideas:

Ideas in this selection that are/are not relevant today:

Three questions to begin our discussion:

1.

2.

3.

Notes from the seminar:



Paraphrases from Tocqueville Passages

Handout 3-5 (optional)

44

Name _____ Period _____

Paraphrases from Alexis de Tocqueville, *Democracy in America*, “Unlimited Power of the Majority in the United States, and Its Consequences” (Vol. 1, Chap. 15), originally published in 1835.

A. Consider the following in relation to Franklin D. Roosevelt and those who fashioned the plan to incarcerate Japanese Americans during World War II:

(From page 272) [In the United States] The majority has absolute power both to make the laws	In the United States, the group of people in the majority has complete power to make the laws [because the majority elects the people who are in Congress, and laws are passed by majority vote within the legislatures]
and to watch over their execution;	and to make sure the government enforces the laws [because the group of people in the majority elect or appoint the people who appoint the police and judges in the courts]
and as it has equal authority over those who are in power	and because the group in the majority controls the elected officials [because the majority can remove the elected officials by not reelecting them or by legally removing them from office]
and the community at large,	[the majority controls the whole community because by definition “the majority” is most of the people who agree on a specific issue; therefore the majority can pressure other people in the community to behave the way that the majority demands/expects]
it considers public officers as its passive agents	the majority believes that elected officials act on behalf of the majority
and readily confides to them the task of carrying out its designs.	and the majority hands over the job with confidence that elected officials will do as the majority wishes.
The details of their office and the privileges that they are to enjoy	The actual jobs of the elected officials and the special treatment and power that they might enjoy

are rarely divined beforehand.	are not really understood by the community before the officials start their work.
It treats them as a master does his servants,	The group of people who are in the majority treats the elected officials as a master does his servants [that is, with some lack of attention at times]
since they are always at work in his sight	because elected officials work in the public eye
and he can direct or reprimand them at any instant.	and the majority can give elected officials instructions or can correct them if they misbehave or don't accomplish the expected job, whenever the majority sees the need.
In general, the American functionaries are far more independent within the sphere that is prescribed to them than the French civil officers.	In general, American officials have more freedom to act as they wish within their jobs than officials of other countries [Tocqueville was French so he compared the U.S. to France].
Sometimes, even, they are allowed by the popular authority	Sometimes, the majority ("the popular authority") even allows the officials ("they")
to exceed those bounds;	to act in ways that aren't really allowed by the rules of the job the officials are supposed to do;
and as they are protected by the opinion and backed by the power of the majority,	and because the officials ("they") are protected by the majority who agrees with the officials and who controls the community [because the majority <i>is</i> most of the community],
they dare do things that even a European, accustomed as he is to arbitrary power, is astonished at.	the officials ("they") act in really shocking ways, even in the eyes of Europeans who are used to being ruled by kings and nobles who can do whatever they please.
By this means	By allowing officials to behave in illegal ways and to extend their power in illegal ways
habits are formed in the heart of a free country	the people of a free nation will get in the habit of overlooking that illegal behavior,
which may some day prove fatal to its liberties.	a habit which may in the future cause the freedoms of the people to be cancelled or lost.

B. Consider the following in relation to Colorado Governor Ralph L. Carr and his actions during World War II:

(From page 273) I know of no country in which there is so little independence of mind and real freedom of discussion as in America. . . . in a nation where democratic institutions exist, organized like those of the United States, there is but one authority, one element of strength and success, with nothing beyond it.

In America the majority raises formidable barriers around the liberty of opinion;	In America, the group of people who make up the majority creates very strong controls on people's opinions;
with these barriers an author may write what he pleases,	any writer may write whatever he likes within these controls
but woe to him if he goes beyond them.	but he will be really sorry if he tries to write something against these controls
Not that he is in danger of an auto-da-fé,	He won't be threatened with being burned at the stake [like religious heretics were in the past],
but he is exposed to continued obloquy and persecutions.	but his reputation will be ruined and he will be treated unfairly.
His political career is closed forever,	He will never be able to gain political power
since he has offended the only authority that is able to open it.	because he has turned the majority of people against him [by not agreeing with their ideas], and they are the people whose votes he would need to gain political power.
Every sort of compensation, even that of celebrity, is refused to him.	Every kind of reward that the writer might want, even the reward of fame, is not available [because it is the attention of the majority that makes a person famous].
Before making public his opinions he thought he had sympathizers;	Before the writer published his opinions [that disagreed with the majority], he thought other people agreed with him;

now it seems to him that he has none any more since he has revealed himself to everyone;	now it looks as if he has no supporters since he published his unpopular opinions;
then those who blame him criticize loudly	now that he has published his unpopular opinions his critics speak against him loudly
and those who think as he does keep quiet and move away without courage.	and those who do agree with him are too afraid to speak up, and they stay away from him.
He yields at length, overcome by the daily effort which he has to make,	The writer finally gives up because it is so hard to disagree with the majority
and subsides into silence . . .	and publishes no more unacceptable ideas,
as if he felt remorse for having spoken the truth. . . .	as though he were sorry for speaking the truth. . . .
Under the absolute sway of [a monarch] the body was attacked in order to subdue the soul;	When kings ruled as they pleased, with no power to control them, a person who dissented was jailed and tortured in order to make him agree with the king;
but the soul escaped the blows which were directed against it and rose proudly superior.	but the man's soul/mind/opinions were not affected by the physical punishment. The man did not change his unacceptable opinions.
Such is not the course adopted by tyranny in democratic republics;	The absolute power that democratic governments have isn't used to punish the body of the disagreeing person;
there the body is left free, and the soul is enslaved.	in a democracy, the disagreeing person is not jailed or tortured; instead, his mind is jailed and tortured.
The master no longer says: "You shall think as I do or you shall die";	Like the master of slaves, the person in power [in this case, the democratic majority] no longer says, "Agree with me, or I'll kill you";
but he says: "You are free to think differently from me and to retain your life, your property, and all that you possess;	but the democratic majority says [to the disagreeing person]: "You can think anything you like and keep your life and everything you own;

but you are henceforth a stranger among your people.	but [as long as you disagree with us, the majority] no one in the community will welcome you.
You may retain your civil rights, but they will be useless to you,	You are still a citizen and will have the rights of a citizen, but that won't do you any good,
for you will never be chosen by your fellow citizens if you solicit their votes;	because you will never rise to any power in society since the majority is against you and won't vote for you;
and they will affect to scorn you if you ask for their esteem.	and if all you ask for is their respect, they won't give it. They will reject you.
You will remain among men, but you will be deprived of the rights of mankind.	You will be free in society [not imprisoned], but you will not have the respect that other men will have.
Your fellow creatures will shun you like an impure being;	All men will stay away from you as though you were evil
and even those who believe in your innocence will abandon you, lest they should be shunned in their turn.	and even the people who might agree with you will not stand by you because they are afraid of also becoming outcasts.
Go in peace! I have given you your life, but it is an existence worse than death."	So, [man of the odd opinion ("you")] go on with your life [says the majority ("I")]. You may continue to exist, but you will never be happy under the conditions you will experience."