

# Elections are not the only test of democracy

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Is democracy an end in itself? We do appear to live in an age where the strongest political argument is the result of an opinion poll, and a winning political card is an electoral success. Our leaders and media seem to concur with Disraeli that “a majority is the best repartee”.

This unexamined consensus, so much a part of the furniture in public life in the industrialised world that we no longer notice it, has been provocatively challenged in a recent bestselling book by an American journalist of Indian origin, Fareed Zakaria.

His book, *The Future of Freedom: Illiberal Democracy at Home and Abroad*, is mainly concerned with political debate in the United States and particularly with its troubled attempts to ‘export democracy’ via its foreign policy.

Some of the issues he raises have relevance to politics in Ireland.

One of Zakaria’s basic ideas is to rediscover the ‘liberal’ part of liberal democracy, that is, a concern with the protection of individual liberties, classically understood, and the rich set of institutions, apart from those which rely on head-counts, under which such institutions flourish.

He regards as especially important the rule of law administered in impartial judicial systems, the protection of property rights, and the vigour of civic society generally, but especially an energetic and entrepreneurial middle class.

Zakaria argues that when these institutions are well-established, democratic government can be expected to strengthen the freedoms citizens expect, but that democracy by itself does not guarantee such a happy result.

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He points to many cases worldwide of countries which have the outward form of democracy in more or less freely contested elections, but which have tended to turn autocratic or downright repressive.

Russia tops the list of 'illiberal democracies', with some former Soviet republics not far behind, along with many Latin American countries, notably Venezuela, (whose coup-defying and coup-starting President Chavez is idolised by some in the Irish media).

Zakaria argues that some other countries have managed to put the beginnings of the institutional framework of classical liberty in place over time, before making successful transitions to recognisable democracies.

South Korea seems to be the clearest example, with high hopes expressed for China's democratic future, although Zakaria's treatment of Chile's eventual liberalisation under Pinochet takes little account of the gross repression of that régime.

All of this and more, the author argues, should prompt a reconsideration of the obsession of holding elections in less developed countries as the only criterion of good government, and leads him to a critique of America's intensely democratic but dysfunctional political system.

Ireland's experience with constitutional democracy has been fairly happy, and it has been regularly acknowledged that the embedding of democracy through many challenges has been a substantial, if unequal, achievement. Perhaps some of the preconditions to liberal democracy were inherited, so that our relative success was not uniquely due to our genius for self-government. Some elements of our current political culture give cause for concern that we too may be confusing means with ends in governance.

For example, the lack of an immigration policy in this country is prime example of the vagaries of unformed and uninformed opinion trumping the virtues of deliberative government, or even of leadership. The 'No' side in the recent citizenship side have mainly themselves to blame for a fairly shambolic campaign, but the self-evident popularity (or populism) of the proposal itself was worrying, not least because it appears to make citizenship a legislative matter at a government's time of choosing.

More broadly, we suffer in this country from an unthinking willingness to cede authority and control to central, national government, trading on its democratic credentials.

We rarely concede the virtues of autonomous, even competing, centres of power.

The danger here is that, while we avoid the messiness inherent in divided or ‘uncoordinated’ government, we miss also the compromising virtues of checks and balances, the barriers to overweening interference, unduly simplistic decisions, and extremism itself.

And when those barriers are missing, however democratic decisions may be, they become more, not less, legitimate in the eyes of affected minorities.

The smoking ban is probably the most topical example of a decision that comes near to enforced majoritarian virtue. My point is not to attack its merits, but simply to observe that if it suffers on the legitimacy test, there are few alternative arenas in which it can be effectively contested, beyond the minister’s well made-up mind—unless the courts eventually discern a conflict of rights here which deserves a more nuanced policy response.

(Some hope, unless they’re off the patches that week.)

The well-documented weakness of local and regional government in Ireland is the most glaring gap in our liberal constitution. It is essentially unthinkable, and has been since Independence, to give local government power over anything that really matters. Why, for example, do we have one planning régime for the whole country? Or one set of environmental rules? Of course, these options would be messy, because diversity is messy.

But the trial and error of autonomous institutions may sometimes deliver more truly legitimate and better government than over-reliance on the superior wisdom the people expressed in a national election on a day they have now forgotten.

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