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Chapter 25

Democracy

AMY GUTMANN

Although the root meaning of democracy is simple – ‘rule by the people’ from the fifth-century BC Greek *demokratia* – and democracy is almost universally commended in contemporary politics, the ideal of democracy is complex and contested, as are its justifications and practical implications. Democracy is sometimes identified narrowly with majority rule (Hardin, 1990, p. 185), and other times broadly to encompass all that is humanly good (Macpherson, 1973), but neither view is adequate to an understanding of democracy as a social ideal. Majoritarian decision making may be a presumptive means of democratic rule, but it cannot be a sufficient democratic standard. Other standards – concerning who rules, by what procedures, over what matters, within what limits, and with what degree of deliberation – have from the beginning been implicated in the ideal of democracy as rule by the people, and continue to be entailed by the public aspirations of democratic and democratizing societies.

The contrastingly broad identification of democracy with the complete human good is similarly unhelpful in presuming away increasingly important problems that have long animated advocates of democracy and their critics: for example, whether the people should be permitted to rule on complicated matters even when they lack the knowledge of experts or whether the freedom of a few should be limited for the sake of authorizing the many to shape social policy. A democratic ideal, no matter how inclusive, cannot credibly lay claim to maximizing all the human goods at issue in such political choices.

What does democracy aspire to achieve? Although answers vary according to the types of democracy discussed below, several general justifications for democratic rule can be identified. All types of democracy presume that people who live together in a society need a process for arriving at binding decisions that takes everybody’s interests into account. One common justification for democratic rule allies the premiss that people are generally the best judge of their own interests with the argument that equal citizenship rights are necessary to protect those interests. There is no better way to minimize the abuse of political power, democrats claim, than to distribute it equally. Another common, and complementary, justification is that popular rule expresses and encourages the autonomy, or self-determination, of individuals under conditions of social interdependence, where many important matters must be decided collectively (Dahl, 1989, chs 6 and 7).

Many democratic theorists also argue that democracy is instrumental to human development insofar as it encourages people to take responsibility for their political lives. Others argue that democracy represents fair terms of a social contract among people who share a territory but do not agree upon a single conception of the good. On this common contractarian view, democracy consists of a fair moral compromise, although the precise terms of that compromise vary with different democratic conceptions. Democratic theorists argue that even if democracy cannot live up to its aspirations, its promise on each of these counts is greater than that of any non-democratic government. The strongest if not most inspiring justification of democracy, well expressed by Winston Churchill, is that it is the worst form of government except all the others.

But what form of government is democracy? Is it only a form of government? The five types of democracy considered below, each more complex than majority rule without claiming to be all inclusive, offer theoretically and practically influential answers. After briefly examining Schumpeterian democracy, populist democracy, liberal democracy, participatory democracy, social democracy and deliberative democracy, we evaluate two famous paradoxes that are said to apply to all forms of democracy, and conclude by discussing an inescapable disharmony of democracy.

Schumpeterian Democracy

Among the least inclusive, and least inspiring, conceptions of democracy that have gained currency in contemporary political theory is Joseph Schumpeter's understanding of democracy as 'that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for people's vote' (Schumpeter, 1943, p. 269). At the same time as this understanding recognizes the centrality of political competition in democracy, it denies that the democratic process of competing for people's vote has any substantive value. And no wonder, since by Schumpeter's understanding, South Africa in 1992 (with an exclusively white electorate) is democratic and Stalinist Russia would have been if only members of the Communist Party could vote.

Insisting on procedural minimalism entails forsaking democracy as an ideal. As Robert Dahl points out, Schumpeter's understanding 'leaves us with no particular reason for wanting to know whether a system is "democratic" or not. Indeed, if a demos can be a tiny group that exercises a brutal despotism over a vast subject population, then "democracy" is conceptually, morally, and empirically indistinguishable from autocracy' (Dahl, 1989, pp. 121-2).

It is a small step from Schumpeter's understanding to the conclusion that only a fool or a fanatic would sacrifice any significant values to democracy. But this conclusion says less about the limited value of democracy than about the importance of understanding democracy as more than a mere political procedure. The value of democracy is limited, but its limits can be understood only in light of a more robust and substantive conception than Schumpeter's.

Populist Democracy

Many contemporary political theorists who consider democracy first and foremost a political procedure nonetheless reject Schumpeter's conclusion in favour of the view that there is something especially valuable about democratic procedures, the value of popular as contrasted with unpopular rule. The inspiration of populist democracy is the idea of the people ruling themselves as free and equal beings rather than being ruled by an external power or by a self-selected minority among themselves. Recognizing the value of popular rule is consistent with – indeed requires – putting some significant constraints on popular will in the name of democracy. The constraints nonetheless leave a wide range of legitimate decisions open to popular decision making.

The constraints that are typically built into populist democracy to ensure that democratic decisions reflect the popular will are:

- free speech, press and association necessary for political freedom;
- the rule of law, as contrasted to the arbitrary will of public officials;
- formal voting equality, but not equality of actual influence on outcomes, freely formed (rather than manipulated), not arbitrary, and inclusive of all adult members of a society (Barry, 1979, pp. 156–7); and
- enfranchisement of 'all adult members of the association except transients and persons proved to be mentally defective' (Dahl, 1989, p. 129).

The populist ideal therefore requires certain substantive outcomes – unmanipulated political preferences, the rule of law, formal voting equality and inclusive citizenship – that can, and sometimes do, conflict with the actual popular will as revealed by any procedure designed for the sake of popular rule.

In cases of conflict, some democrats say that the popular will is not a democratic will, even by populist standards, because it does not either reflect the popular will or uphold the conditions necessary for maintaining a truly popular will over time. In these cases, populist democrats can draw attention to the substantive content of the populist democratic ideal, and they are strictly speaking correct to do so. But this way of speaking may also be misleading. In light of the populist ideal of the people ruling themselves as free and equal beings, any constraints on popular rule are undemocratic even if, all things considered, the constraints are justified. In light of the conflict, democrats must concede either that some degree of unpopular rule, such as judicial review, is justified for the sake of achieving outcomes unsupported by popular will, or that a truly democratic will, i.e., a popular will that supports the outcomes that make it democratic, is unlikely to be fully realized, or both.

Liberal Democracy

In partial contrast to populist democracy, liberal democracy denies that popular rule is the ultimate political value. Liberal democrats qualify the value of popular rule by

recognizing a set of basic liberties that take priority over popular rule and its conditions. The basic liberties typically include those that John Rawls in *A Theory of Justice* (1971, p. 61) identifies as basic to the ideal of free and equal human beings: freedoms of thought, speech, press, association and religion, the right to hold personal property, the freedom to vote and hold public office, and freedom from arbitrary arrest and seizure as defined by the concept of the rule of law. By giving priority to these basic liberties over democratic decision making and thereby qualifying the value of populist democracy, liberal democracy makes more principled room for judicial review, checks and balances, separation of powers, and other means of tempering popular will that are quite common in Western constitutional democracies.

Any institutional constraints on popular will may be used to preserve or further the unjust advantages of entrenched minorities, against the spirit of liberal as well as populist democracy. Some contemporary democrats, invoking John Stuart Mill, emphasize the possibility of educating public opinion to respect individual liberty, a possibility which if realized would permit democracy to do without any constraints on popular rule (Waldron, 1990, p. 56). But no society has yet succeeded in educating public opinion continually to respect the conditions of liberal democracy, and it is hard to imagine success in the foreseeable future.

To recognize the risks that popular rule poses for personal freedom does not entail recommending institutional constraints on popular will unless the minority in control of the constraining institutions is predictably more reliable than the majority of the people, or their elected representatives. Liberal democrats can consistently support judicial review if but only if the judiciary can predictably be relied upon to protect individual rights better than more majoritarian institutions. The historical record of judicial review in the United States remains open to interpretation in this regard.

The contrast between populist democracy and liberal democracy is greater in principle than in practice. Populist democracy is committed not only to processes that reflect popular will but also to outcomes that secure popular will over time (Ely, 1980; Walzer, 1981). Those outcomes – including freedoms of speech, press and association necessary for the formation, expression and aggregation of political preferences – are also among the basic liberties that liberal democracy is committed to protecting against popular rule (Gutmann, 1983).

Populist democracy and liberal democracy diverge only when confronted with a conflict between popular rule and those basic liberties that are not conditions of democracy. A paradigm case is hard-core pornography that intends no political message. The particular liberty at issue is, at least arguably, unnecessary for the formation, expression or aggregation of political preferences. Populist democrats have a principled reason to defend popularly sanctioned restrictions on hard-core pornography that liberal democrats have a principled reason to oppose. Populist democrats may oppose such restrictions on grounds that restrictive legislation gives government an opening to regulate pornographic speech that is part of political freedom. But the slippery slope argument will not always apply or suffice as a reason to restrict popular will. In cases where the government can be trusted to respect the democratically mandated line or where the risk of over-reach is small, populist and liberal democrats will be at loggerheads, disputing the value of community standards versus free speech, where community standards

are articulated by a democratic decision that finds the speech in question harmful to the interests of members of the community.

In the face of reasonable disagreement over the value of personal freedom relative to other social goods, populist democrats say that majorities rather than minorities should decide for their communities. Liberal democrats wonder why populists place so much value on popular rule when in practice each of us has so little chance of affecting the outcome of any decision. Would reasonable people not choose an expanded realm of personal freedom instead of one mere voice, or vote, among so many in making decisions (Berlin, 1969)? At most, only a small minority of people relishes political activity; many people choose not even to vote. In practice, for a majority of people, the democratic choice constitutes a loss of personal freedom with no corresponding gain – indeed, perhaps, yet another loss in the unwelcome pressure to engage in politics for the sake of protecting one's personal freedom.

Participatory Democracy

Participatory democracy challenges the relative emphasis liberal democracy places on protecting personal freedom compared to participating in politics. Participatory democrats argue that political participation is undervalued by democratic citizens today because contemporary democracies offer such limited opportunities for meaningful participation, especially compared to ancient Greek democracy. Were democratic societies to offer citizens greater opportunities to voice their political views, citizens would take advantage of those opportunities to voice their political views and make collective decisions that they now delegate to their representatives (Barber, 1984).

Participatory democrats frequently invoke the more extensive and richer political life of Athenian citizens and the corresponding ancient Greek disdain for a purely private life in support of recommendations to reconstruct democratic life today so that it offers greater opportunities for citizens to participate directly in politics, rather than indirectly through periodic elections for representatives. But participatory democrats are not primarily animated by nostalgia for ancient Greek democracy, which they, along with other modern democrats, criticize for justifying slavery and excluding women and the majority of working people from citizenship and public life. Participatory democracy is better understood as an attempt to respond to the widespread recognition that many representative democracies today face serious problems stemming from inadequate political understanding and information among the electorate, increasingly low levels of voter turnout, corruption and other violations of democratic accountability by public officials, all of which can be attributed to the non-participatory nature of large-scale representative democracies.

To the extent that ordinary citizens are limited in their political interest and understanding, the liberal democratic search for institutional mechanisms to prevent the abuse of power by public officials is also limited in its promise. Participatory democracy holds out the hope that inviting citizens to participate directly in political decision making will increase their understanding of, and interest in, politics. Participatory democrats count upon citizens to participate in politics instead of pursuing more private

pleasures when offered the choice. While Rousseau expected democratic citizens to fly to the political assemblies (*The Social Contract* [1762], Book 3, ch. 15), some contemporary participatory democrats scale down their expectations to popular use of interactive cable television for making informed decisions on political referenda (Barber, 1984). Both sets of expectations may be unrealistic. One might say about participatory democracy what Oscar Wilde is reputed to have said about socialism, that it would take too many evenings.

Participatory democrats offer two arguments, reminiscent of Rousseau, in response to such scepticism. The first is that political participation is a central part of the good life for human beings, and will be recognized as such under the right social conditions. The second is that widespread participation is necessary to prevent the abuse of power by public officials. Participation, on this view, is at the same time a necessary means to a good society, and an essential part of the good life.

Social Democracy

Social democracy extends the logic of liberal democracy to realms that traditional liberals considered private and therefore not subject to democratic principles. Economic enterprises and, more recently, the family are the primary realms that social democrats seek to democratize, at least in part. The principled basis for democratization is typically not the intrinsic value of participation but rather avoidance of the tyrannical threat over individual lives that accompanies concentrations of power (Dahl, 1970; Walzer, 1983).

In the case of economic enterprises, the threat takes the form of the unequal power of owners and managers of large corporations to determine workplace conditions as well as the income and even the general welfare of their employees. Although some liberals oppose any mandatory form of economic democracy on grounds that only the owners have a right to govern, most liberal democrats recognize that various principled bases of the right to own personal property, such as securing the conditions for personal autonomy, rule out the more far-ranging right to control large-scale economic enterprises at any cost to the freedom of the employees. Even the Lockean principle that people are entitled to the fruits of their labour does not entail that 'investors are entitled to govern the firms in which they invest' (Dahl, 1989, p. 330). Securing the conditions for autonomy for all members of a society requires some degree of democratic control either over or within large-scale economic enterprises.

The most common objection to democratizing industry from within is that ordinary workers are not competent to make the range of decisions necessary for profitable and efficient management of an economic enterprise. The same objection can be directed against democratic state control over industry, along with the argument that too much state control threatens state tyranny, which is potentially far worse than the tyranny any economic enterprise can exert over its employees or a democratic state. These objections do not devastate the case for some form and degree of economic democracy, but they challenge social democrats to unpack the bundle of property rights to determine which are best exercised democratically by workers within firms, which by publicly accountable officials over firms, and which best ceded to owners and managers on

the basis of competence, efficiency or the need to secure strong bulwarks against potentially tyrannical state power.

The challenge of democratizing the family is similarly significant and complex, although for different reasons. The relation between parents and children presents the paradigm case for justified paternalism, but the justification does not extend to exclusive parental authority over education, or other powers claimed by parents who interfere with the freedom and equality of future citizens (Gutmann, 1987). Social democracy also highlights the undemocratic consequences of gender inequality. By virtue of unequal economic, social and sexual power, men are able to exert tyrannical power over women. Democrats argue for a range of reforms (such as legislation against sexual harassment and subsidized childcare) that respect the rights and equalize the opportunities of women, but they also rightly worry about intrusions of the state into family matters as basic as the internal division of labour over childcare or the discretionary use of family income. Yet these traditionally private matters profoundly and differentially influence the personal freedom and political equality of democratic citizens.

Deliberative Democracy

Why, a critic might ask, do populists place so much value on popular rule and liberals so much on personal freedom? Deliberative democracy offers an answer that integrates the populist and liberal ideals. Personal freedom and political equality are valuable to the extent that they express or support individual autonomy – the willingness and ability of persons to shape their lives through rational deliberation (Cohen and Rogers, 1983; Hurley, 1989). Deliberative democracy employs popular rule to express and support the autonomy of all persons.

Whereas populist democracy assumes that the expression of popular will is an overriding good, deliberative democracy values popular rule as a means of encouraging public deliberation on issues that are best understood through open, deliberative processes. Accompanying the ideal of autonomous persons is an ideal of politics where people routinely relate to one another not merely by asserting their wills or fighting for their predetermined interests, but by influencing each other through the publicly valued use of reasoned argument, evidence, evaluation and persuasion that enlists reasons in its cause. In a deliberative democracy people collectively shape their own politics through persuasive argument (Walzer, 1983, p. 304; Fishkin, 1991, pp. 1–13). Deliberative democrats defend persuasion as the most justifiable form of political power because it is the most consistent with respecting the autonomy of persons, their capacity for self-government.

Granted that democracy can express popular will and prevent minority tyranny, how can any form of democracy claim to express and support the autonomy of persons? Some critics suspect that calling democracy deliberative is a verbal smokescreen for restricting individual freedom. Democracy limits the opportunity of all of us to live under laws of our own individual choosing. In this sense, democracy seems to undermine rather than express or support autonomy. If autonomy is understood individualistically, as all individuals legislating by themselves for themselves, then democracy's relation to autonomy is at best instrumental. The most limited form of

government, one that maximized the number of decisions left to individual choice, might do better.

Deliberative democrats respond that autonomy has a broader, more political dimension that is lost by taking the social context of individual choice for granted, and focusing only on the control individuals have over those life choices that they can make by themselves for themselves, free from interference. Many important life choices are influenced and constrained by social context, over which political authority has the greatest human control. To the extent that individuals are excluded from that authority, they lack autonomy over an important dimension of their lives.

Autonomy requires a distinctive kind of democracy, a system of popular rule that encourages citizens to deliberate over political decisions. Ongoing accountability, not direct political participation, is the key to deliberative democracy. Accountability is a form of active political engagement, but it does not require continual and direct involvement in politics; it is compatible with the division of labour between professional politicians and citizens that is characteristic of representative democracy. Whereas participatory democracy strives for a polity in which all citizens actively participate in making decisions that affect their lives, deliberative democracy takes account of the burden of political action and the advantages of a political division of labour.

Theorists of deliberative democracy believe that institutions of public accountability can encourage deliberation about public issues that affect people's lives. If this belief is false, there may be no prospect that deliberative democracy can make good on its promise of supporting autonomy through democracy. If true, then the ideal of deliberative democracy may be more compelling than that of other forms of democracy.

Two Paradoxes of Democracy

Whether any form of democracy can be compelling partly depends on an assessment of two paradoxes that are said to be endemic to all forms of democracy. One paradox of democracy was discovered by Richard Wolheim (1984, pp. 153–67), and can be briefly described as follows. A voter believes, and has good reason to believe, that a ban on deer hunting is the right policy, and therefore votes for the ban. The majority votes against the ban. The voter, being a reasonable person and a democrat, must now believe contradictory things: that the ban is justified (by the best reasons) and that it is not justified (because the majority opposed it). The voter is caught in a clear paradox, according to Wolheim's view.

The paradox disappears on a more defensible understanding of the nature of the democrat's beliefs (Honderich, 1973, pp. 221–6; Pennock, 1974, pp. 88–93). I vote against deer hunting because I think a hunting ban is the best policy alternative available, but I accept deer hunting as the policy that should be implemented once a majority chooses it, using legitimate democratic procedures. I still believe that the majority is wrong, but I also believe that they have a right to implement the wrong policy so long as it does not violate the conditions of democracy that are necessary for maintaining popular rule over time. There is no paradox here – just a difference between what a voter believes constitutes a correct policy on its merits, and what she believes constitutes a legitimate one for a democratic community to implement in light of the results of democratic procedures.

A second paradox, first influentially elaborated by Anthony Downs (1957, ch. 14), takes the form of a collective goods problem flowing from the fact that no citizen is excluded from the benefits of election results or from the more general benefits of continuing the democratic system itself. Voting is irrational from the point of view of the cost-benefit calculation of an individual in a large electorate, yet not voting also leads to undesirable results. Because no individual voter can expect to have more than a miniscule effect upon the outcome of a large-scale election, even the smallest costs of voting are likely to outweigh the benefits to the individual voter. It is therefore irrational for any individual citizen to vote. Yet the consequences of our not voting would be disastrous both for a democratic society as a whole and for any individual citizens who want the benefits that democracy has to offer.

If most people are cost-benefit calculators, then democracies are doomed to collapse under the weight of all the rational free riders on the system. If most people are not cost-benefit calculators, by the terms of this analysis, then democracies depend on the irrationality of citizens. In either case, democracy appears to be less defensible than democratic theorists have claimed.

Some rational choice theorists, most notably William Riker and Peter Ordeshook (1968, pp. 36-40), reconcile a utilitarian account of human beings as cost-benefit calculators with the incongruous evidence of widespread voting by assuming that citizens obtain benefits from voting, which can be formally expressed in utiles or informally as a satisfaction gained in living up to the democratic ethic of voting. The satisfaction we gain from living up to our moral duty is then factored into the equation of costs and benefits that determines whether it is rational for us to vote in any given election.

This way of explaining when and why citizens vote is *ad hoc* and misleading. If we vote because we recognize an obligation to do so, then 'we do not simply accord it [the obligation] greater weight in an ordinary decision calculus. Rather, we formally set it apart' (Goodin, 1982, pp. 101, 115-16). The utilitarian account not only fails to provide a satisfactory explanation of why people vote, it also misrepresents the way in which many people treat moral obligations and the way they can rationally understand their electoral choices. Electoral choice need not be just another component of a self-interested calculus, but rather a product of moral understanding and dedication to furthering social justice. To the extent that citizens do not live up to this moral ideal, democratic societies face not a paradox but a challenge: to design institutions that encourage moral deliberation, rather than self-interested calculation. Self-interested calculators create a paradox for democracy. Moral deliberators do not.

The Disharmony of Democracy

Democracy is not paradoxical, but it is disharmonious. In politics, as in personal life, autonomy requires choice among conflicting and incommensurable values. Even the most thorough deliberation does not guarantee that any single deliberator or a community of deliberators will converge upon a singularly correct resolution to a difficult social problem, especially in cases where there are several attractive alternatives each of which entails the sacrifice of some important value.

Democracy does not offer a calculus of choice. It is compatible with the belief that rational deliberation can, at least in theory, yield uniquely correct answers to all political questions, but it does not presuppose this belief. In practice, under conditions of imperfect information and understanding, public deliberation (like private deliberation) often does not yield knowledge of uniquely correct resolutions to political controversies. Democracy is therefore bound to be disharmonious both because individual citizens face hard political choices without any assurance of finding clear-cut resolutions, and because the conclusions of a community of deliberators are likely to differ when confronted with a difficult issue like abortion. The more political life encourages autonomy, the more agonizing decisions may become. But the level of political acrimony and violence may decrease as citizens learn to respect each other as deliberative, rather than merely wilful or self-interested, beings (Gutmann and Thompson, 1990). And greater public deliberation may also lead to more justifiable public policies. These are among the most inspiring prospects democracy has to offer.

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