

Democracy and Freedom:

The Dangers of Conflation

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Summary

Today in the West, most people think of democracy as synonymous with freedom. They see freedom as an end brought about by the means of democracy. While democracy may be necessary for a free society, it is by no means sufficient. Since the advent of the Enlightenment thinkers, political theorists in the West have made the distinction between “liberal” and “illiberal” democracy. This distinction is crucial for our precision of thought, yet even it does not appropriately emphasize the inherent tension between democratic processes and liberal ideals. In many ways, it will be shown, the rule of the majority is in direct opposition to the rights of the individual. Due to a conflation of democracy with freedom, we have become complacent and have largely failed to design and maintain institutions that constrain the devil in all of us; the will to oppress one another. Democracy, while it can be a great equalizer between the people and their rulers, is also a potent vehicle through which the public can exercise their oppressive nature on mass. Thus, it is imperative that we recognize this and urgently take up the craft of reshaping our political institutions so as to ensure that we restore liberalism to our democracies.

Introduction

This paper will be presented in three broad sections, each investigating the dangers of conflating democracy with freedom. The first section of the paper will examine the historical terminology around this topic and will attempt to avoid semantic confusion later on in the argument by defining the usage of terms throughout. The paper will take definitions of terms that are closest to the colloquial use of language today, as it is the consequences of these terms that we should be concerned with. The tension between democratic processes and liberal ideals will be further expanded on in the second section. Both political theory and historical empiricism will be employed to make clear the significance of this tension and to elucidate its exact nature. In the final substantive section of the paper, current and future implications of the failure of our institutions to address this tension will be explored. Potential solutions will be introduced, although a full exposition and evaluation of said solutions should be the subject of another paper.

1. Semantics

In a paper such as this that is concerned with precisely how we organize our thoughts about politics, it is crucial that the use of terminology be explored and well-defined. The Western conception of democracy today is very different than that of the Ancient Greek philosophers, and it is important to establish the implications of this. The Enlightenment was an integral period of the history of political thought, and the liberal ideals of the time are important to define. Finally, the conception of “liberal democracy” implies a conception of “illiberal democracy”, and the two must be carefully distinguished from one another.

Many of the writings we have of the Ancient Greeks come from Plato and Aristotle. Through the works of these philosophers, we may gain insight into how the West’s use of language around political theory has changed. In his *Republic*, Plato provides us with six

categories of government, ranging from aristocracy to tyranny – from best to worst.¹ Democracy finds itself second to tyranny in Plato’s worst regimes. In his *Politics* Aristotle provides us with a similar six categories and is more partial to democracy than his counterpart.² However, each of them makes consistent references to democratic processes that we would not find relatable today. The most striking of these is the Greeks’ assertion that lottery is the process by which rulers are selected in a democracy. Furthermore, they saw election as an oligarchical process. For the Greeks, democracy meant giving all citizens an equal chance (and obligation) of holding office in government, and thus the lottery system was espoused. They saw election as an oligarchical process because it is fundamentally based on merit, popularity, and often wealth. Indeed, this reflection is still pertinent today; money plays an enormous role in modern politics, and it is virtually impossible to become a high-level representative without significant socio-economic status. Whether or not we should thus refer to our modern societies as polities as opposed to democracies à la Aristotle is the subject of another discussion. For the purposes of this paper we will take the modern colloquial definition of democracy; that is, a system of elections. For Plato and Aristotle, the relatively modern distinction between liberal and illiberal democracy is a nonsensical one. Aristotle claimed that a state could only be a democracy if it allowed for personal freedoms such as the freedom of speech and freedom of association. He claimed this, because without said personal freedoms a society could not be said to afford everyone the equal right to rule in the way they see fit. However, it should be noticed that the Greeks’ definition of democracy is integral to their claim. For them, a democracy is a state that promotes equal right to rule in office, whereas today a democracy simply promotes the right to elect our representatives in a majority. Thus, while the claim of Plato and Aristotle may be sound within their own conception of democracy, it is certainly not sound within ours: Neither freedom of speech nor freedom of association, nor any other personal freedoms except the right to vote are technically essential to a regime founded on representative elections. Indeed, there are countless current examples of representative democracies that are aggressively illiberal in the Middle East and Eastern Europe. Since, as stated above, the process of election is crucial to the modern colloquial conception of democracy, it is the consequences of the thought that stems from this

¹ Plato, *Plato’s Republic*, Trans. Francis MacDonald Cornford (New York, New York: Oxford University Press, 1970), 265-287.

² Aristotle, *Aristotle’s Politics*, Trans. Carnes Lord 2nd ed. (Chicago, Illinois: The University of Chicago Press, 2013), 173-174.

definition that we should be concerned with. Therefore, there is significant value in distinguishing between liberal and illiberal democracy today.

John Locke, the Enlightenment philosopher, is often credited with founding liberalism.³ However, there is no doubt that his contemporaries (Rousseau⁴, Hobbes⁵, and others) also provided crucial additions to liberal theory. Fortunately, the Enlightenment thinkers were fairly uniform in their description of liberalism, and thus it is not difficult to provide a concise definition for the purposes of this paper: Liberalism is the political philosophy that places the rights of the individual above the will of the majority or the authority of the state, and asserts that it is the state's primary role to protect these rights. These rights are taken to be prohibitive rather than prescriptive; they limit those actions that we may take on one another, but they do not dictate any positive actions that we are required to take. These rights are commonly held to be the right of bodily autonomy and the right to private property. That is, that any human has the right to use their body and justly acquired property in the way that they see fit so long as that use does not infringe on the rights of others to do the same.

Thus, liberalism claims that the character of state involvement in people's lives should be only to enforce and protect these natural rights. Therefore, a liberal democracy will be one in which the state protects these rights and does not infringe upon them itself, whereas an illiberal democracy will be one in which the state fails to protect these rights and consistently infringes upon them.

Throughout the remainder of this paper it will be shown that there is an inherent tension between liberalism as defined above and democracy as colloquially defined today (not as defined by the Greeks). The consequences of our failure to recognize the severity of this inherent tension, both in the past and the future, will also be explored.

³ Locke, John, *Two Treatises on Civil Government*, (London: Routledge and Sons, 1887).

⁴ Rousseau, Jean-Jacques, *Basic Political Writings*, 2nd 3d. (Indianapolis, Indiana: Hackett Publishing Company, 2011).

⁵ Hobbes, Thomas, *Leviathan*, (Baltimore, Maryland: Penguin Books, 1968).

2. Inherent Tension Between Liberalism and Democracy

Within all liberal democracies, there is an inherent tension between the democratic process of the state and its liberal ideals. This is primarily because the majority of societal populations are not, in fact, liberal. Most people today have various concerns that they wish the state to address through the use of governmental force; they want to restrict what can or cannot be sold and consumed, what is an appropriate price for labour or housing, and who should be allowed to enter an industry or develop a business. There are countless infringements on individual rights that the average person advocates for, and they look to the state to execute these measures. The primary interest of democratic representatives is to represent the desires of their constituencies and be re-elected. Thus, they advocate for these infringements upon civil liberties within all arenas of government. A democracy that has no limits on the extent or character of state power is entirely at the whim of its people, and the minorities at the whim of the various majorities. Even Western constitutions, modeled on the liberal American constitution, have proven largely unable to resist the force of public pressure. Throughout history, we have seen how the innate human desire to force one's will on another has manifested over time; today our "liberal" democracies infringe on liberal rights of the individual in nearly every way conceivable. In other words, the forces of democracy have overpowered the defenses of liberalism, and freedom has therefore waned away.

The founding fathers of the United States recognized this threat, and it is out of fear of both a tyrannical minority as well as a tyrannical majority that the constitution was drafted, and the independent institutions of the American government were established. The distinction between democracy and democratic republic was formed. However, even the founding fathers underestimated the allure of democratic power to the common man; their best efforts were not enough to resist the growth of state power and influence in the United States, a government today that has become the imperialist nanny-state it fought a war of independence to escape from. How is this possible? What has caused citizens of Western democracies to become so prone to enslaving themselves, despite the best efforts of their ancestors?

It is precisely because democracy, in modern times, has become conflated with freedom. The crucial distinction between the two has been ignored. The freedom that democracy provides

is the freedom to dictate how one another live, which is not a freedom at all but a privilege. What is more, it is a privilege that no one has the right to. True freedom is liberal freedom; the freedom to live as one chooses. The conflation of democracy and freedom in modern times represents a complete bastardization of the concept of freedom and liberalism.

Under the mistaken assumption that democracy leads to freedom, the democratization of more and more aspects of personal and economic life has spread across the West. Very few, if any, truly liberal democracies exist today. Socialists are now once again pushing for the complete democratization of the economy, a rhetoric that is very appealing to those who believe democracy to be synonymous with freedom. Yet, again and again, we have seen that nearly the opposite is true: Those aspects of citizenship that are democratized inevitably become choked with red-tape, corrupted with rent-seeking, and sow the seeds of societal and cultural polarization.

Fundamentally, any political discussion is a discussion about when it is morally justifiable to use force. Liberalism claims that force is only justifiable in the protection of individual natural rights. The modern democratic process, however, seems to claim that force is justifiable whenever the majority of individuals presume it to be justifiable. Therefore, it is clear that an unlimited democracy can only be liberal if the majority of its population is liberal. If a citizenry begins to conflate democracy with freedom, they will become decreasingly liberal and increasingly democratic. As a consequence, they will actually become less free.

Thus, the importance of liberal institutions that truly limit the regressive power of democracy becomes clear: Not only will these institutions provide a safeguard against an increasingly illiberal culture, they will also serve to emphasize the distinction between democracy and freedom and may therefore inspire the growth of a more liberal culture.

In the remainder of this paper, the implications of a failure to address this inherent tension between democracy and freedom will be explored. Furthermore, potential methods of making liberal institutions more robust will be considered.

3. Implications and Potential Solutions

The current implications of the public's conflation between democracy and freedom are clear: Most Western states are now more intrusive into the affairs of their citizens than they have ever been, whether in regard to economic, personal, or even political freedoms. The continuation of this trend towards more pervasive democracy and away from liberalist ideals will have significant consequences for our societies. While there may be some concrete ways in which we can bolster our liberal institutions and limit the will of the majority, each of them begins with recognizing the important distinction and inherent tension between democracy and freedom.

Political theorists of all traditions are now establishing a growing consensus on one topic; that our modern democracies seem to be failing. The current turbulence of our "liberal" democracies is becoming apparent with the extreme polarization of American politics following the 2016 election⁶, the conflict between English representatives and citizens over Brexit⁷, the increasingly ethno-nationalist populist movements in Eastern Europe⁸, and even Canada's recent and extremely divisive federal election⁹. In fact, democracies are not failing, they are simply showing their true colours. When a system is institutionalized in which the majority has the power to restrict the freedoms of the minority, this is the natural result. The illiberal majority inevitably begins to force its will on others, and out of this arises a reactionary movement that wishes to apply force in the opposite direction. The nation becomes increasingly polarized and while the balance of power swings back and forth between two major parties one thing remains constant; the state intrudes more and more upon the rights of individuals. Everywhere in the West we are seeing a rise of populism (effectively democracy in its purest form) and politicians

⁶ Greater Good Magazine, "What is the True Cost of Polarization in America?" Accessed November 15, 2019. https://greatergood.berkeley.edu/article/item/what_is_the_true_cost_of_polarization_in_america.

⁷ The New York Times, "'We're in the Last Hour': Democracy Itself is on Trial in Brexit, Britons Say," Accessed November 15, 2019. <https://www.nytimes.com/2019/03/30/world/europe/uk-brexit-democracy-may.html>

⁸ Nation Thailand, "EU Shaken by Rising Nationalism in Eastern Europe," Accessed November 15, 2019. <https://www.nationthailand.com/opinion/30344413>.

⁹ CityNews Edmonton, "Polarized Like Never Before: Hard Work Ahead to Bring Canada Together, Expert Says," Accessed November 15, 2019. <https://edmonton.citynews.ca/2019/10/22/polarized-canada-expert/>.

who are appealing to this public appetite¹⁰. The populism of the right sees its call for true democracy as a rebellion against the elitist left, whereas the populism of the left sees its call for true democracy as a rebellion against the oligarchical right. The irony that neither one of them is truly calling for freedom should be apparent. They take issue only with the fact that they are not the oppressors, they have no issue with oppression in itself. Until the false conflation between democracy and freedom and the implicit tension between them is recognized, people will become more divided and states will become more oppressive.

There are many potential consequences if the West continues on its current trend. We will see both a further rise in nationalism as well as an increase in polarization within countries. These are exactly the conditions that laid fertile ground for the First World War. State encroachment into citizens' lives will become more severe, and we will see the democratization of many aspects of society. In the public conscience, the line between democracy and freedom will become increasingly blurred. Thus, we may find ourselves in a vicious cycle; the oppressed turning towards ever more democracy, oppressing others, who turn towards ever more democracy in turn. In desperation, Western countries may once again elect charismatic sophists the likes of Hitler or Mussolini. Indeed, this seemingly innocent conflation between democracy and freedom may be the catalyst of absolute political chaos in coming years.

What then, are the solutions? Most importantly, we must restore clarity to political thought and emphasize the importance of liberal ideals in liberal democracies. However, as shown above, it seems that the forces of democracy are determined to grow the state. Therefore, significant measures must be taken to re-shape our political institutions so that we may harness the value of democracy while also limiting it. The American experiment clearly did not provide a sufficient solution; a long-lasting liberal democracy will require more than a simple constitution and independent judiciary.

In his article *How Can Constitutions be Designed so that Politicians Who Seek to Serve "Public Interest" Can Survive and Prosper?* James M. Buchanan, the economist, claims that an incorruptible state requires a constitution that guarantees consistency. That is, that the constitution should allow the state to pass legislation universally, but that the state should never be permitted to introduce non-uniform tax rates, regulations, laws, or expenditures.

¹⁰ The Guardian, "Revealed: The Rise and Rise of Populist Rhetoric," Accessed November 15, 2019. <https://www.theguardian.com/world/ng-interactive/2019/mar/06/revealed-the-rise-and-rise-of-populist-rhetoric>.

This, he claims, would limit the government's ability to serve and privilege various special interest groups.¹¹ It may also limit the majority's ability to oppress the minority through the democratic process.

For other reforms, we may look to the constitution of Liberland, a country recently founded by Vit Jedlicka on unclaimed land between Serbia and Croatia. Liberland harnesses democracy's power to keep rulers in check while also restricting the peoples' ability to oppress one another through legislation: An elected assembly may legislate only on matters specifically permitted by the constitution, as enforced by the supreme court, while the people can vote to veto any decision made by the assembly.¹² This use of the voting procedure recognizes that democracy is best employed defensively, rather than offensively.

Another upcoming project that defends against the dangers of majority rule is that of the Seasteading Institute.¹³ This organization is building and selling "sea-steads" (mobile homesteads on the ocean) with the goal of eventually developing a network of private floating cities in international waters. Due to these cities simply being a collection of various homesteads that can detach at any moment, it will be very easy for citizens to "vote with their feet" and move to a different city or form a new one. This will make it very difficult for governing institutions to become oppressive, and such institutions will actually have to compete for citizen participation, driving the quality of services up. Once again, this is an example of a defensive use of democracy: Citizens can easily opt-out, limiting the state's ability to become oppressive. However, they will not be able to actively legislate against the freedoms of each other.

The ideas briefly summarized above are just a few of many potential solutions to the authoritarianism inherent in democracy. It is clear that the current political climate of the West requires us to re-shape our institutions in recognition of the distinction between democratic processes and liberal ideals. However, reformation within any already-existing state will be very difficult without a shift in public consciousness: The primary goal should be to impress upon people the distinction between democracy and freedom and to urge them not to conflate the two, lest they are left with neither.

¹¹ Buchanan, J.M., *Constit Polit Econ* (1993) 4: 1. <https://doi.org/10.1007/BF02393280>

¹² Free Republic of Liberland, "Constitution," Accessed November 15, 2019. <https://liberland.org/en/constitution>.

¹³ The Seasteading Institute, "Reimagining Civilizations with Floating Cities," Accessed November 15, 2019. <https://www.seasteading.org/>.

Conclusion

We have established that there is an inherent and pernicious tension between modern democratic processes and the liberal rights of the individual, and that even carefully limited democracy tends to infringe on these rights given enough time. Thus, it is paramount that any liberal democracy takes serious measures to either establish or reform political institutions in such a way that they can withstand illiberal tendencies of the majority. If these reforms are not pursued the current trend of state growth will continue, and the end results may be incredibly devastating for the West. However, crucial to the establishment of these reforms is a truly liberal culture, and this can only be achieved if the modern conflation of democracy with freedom is put to rest. Those who are truly invested in a free society should have the courage to resist unfettered democracy even in the height of its popularity, and the vigour to actively work towards cultural and institutional liberalism.

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