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Is Liberal Democracy Sliding into 'Democratic Despotism'?

ADRIAN PABST

Abstract

Post-democracy and cognate concepts suggest that the postwar period of democratisation has given way to a concentration of power in the hands of small groups that are unrepresentative and unaccountable, as exemplified by the rise of multinational corporations and their influence on democratic politics. This article goes further to argue that this does not fully capture the triple threat facing liberal democracy: first, the rise of a new oligarchy that strengthens executive power at the expense of parliament and people; second, the resurgence of populism and demagoguery linked to a backlash against technocratic rule and procedural politics; third, the emergence of anarchy associated with the atomisation of society and a weakening of social ties and civic bonds. In consequence, liberal democracy risks sliding into a form of 'democratic despotism' that maintains the illusion of free choice while instilling a sense of 'voluntary servitude' as conceptualised by Tocqueville.

Keywords: liberal democracy, oligarchy, demagoguery, anarchy, 'mixed government'

Introduction

SINCE the advent of neoliberalism in the late 1970s, Western democracies have witnessed a decline in popular political participation and the growing influence of multinational corporations. Theorists such as Colin Crouch, Sheldon Wolin and Peter Mair conceptualise this development in terms of 'post-democracy', the spectre of 'inverted totalitarianism' or the 'hollowing out' of democratic politics.¹ Connecting these concepts is the argument that the postwar period of democratisation has given way to a concentration of power in the hands of small groups that are unrepresentative and unaccountable, as exemplified by the nexus between global firms and national governments.

This article contends that the thesis of post-democracy does not fully capture the triple threat facing liberal democracy: first, the rise of a new oligarchy that strengthens executive power at the expense of parliament and people; second, the resurgence of populism and demagoguery linked to a backlash against technocratic rule and procedural politics; third, the emergence of anarchy associ-

ated with the atomisation of society and a weakening of social ties and civic bonds. In consequence, liberal democracy risks sliding into a form of 'democratic despotism' that maintains the illusion of free choice while instilling a sense of 'voluntary servitude' as conceptualised by Tocqueville.

The argument is not that democracy is becoming the same as dictatorship, but rather that liberal democracy mutates into novel forms of illiberal authoritarianism. A new oligarchy seeks to centralise power, concentrate wealth and manipulate public opinion by using media spin, closing down debate and ironing out plurality. Their aim is to entrench a system to which there is supposedly no alternative. Thus the process whereby democratic rule becomes debased and even 'despotic' encompasses a series of mutations within democracy itself. Among others, these include elected representatives and governments that act as an interested, self-serving party; a corporate capture of the state; a collective demobilisation of the citizenry; a cult of abstract equality; and empty freedom and the conceit that the West's democratic system is the only valid model.

A new oligarchy?

Established liberal democracies as diverse as the USA, the UK, Italy and France are currently characterised by a crisis of representation. Public trust in political institutions is falling sharply, especially in mainstream political parties that have morphed from mass movements into small elite-dominated organisations (as Dommett discusses elsewhere in this issue). Faced with insurgent populist movements, party establishments are perceived to defend their own self-interest and the interests of their donors rather than their voters. The collapse in party membership, coupled with a long-term decline in voter turnout, suggests that between elections, popular influence on governing elites is minimal.² Moreover, growing numbers of elected representatives are professional politicians from ever narrower socio-economic backgrounds who are seen as neither connecting with ordinary voters, nor governing in the interest of the majority, nor addressing the long-term needs of society.

This suggests a drift of liberal democracy toward effective oligarchy, which is manifest in the tendency of democratic representatives to compose an interested party in itself. Typically, political parties in government tend to act on issues that concern their own factional support, or else issues that concern the factional support of their opponents, which they may address in order to outflank them. But governing parties prove relatively impotent when it comes to matters that affect the whole of national or international society, such as the migration crisis, environmental degradation, poverty, infrastructural investment or reforming cartel capitalism. This is because, even though the neglect of such issues is detrimental to each and every one, they are rarely the most immediate and pressing concern of powerful groups with a vested interest. Individually and collectively, citizens are therefore subject to 'the tyranny of small choices', as when we opt to shop in a chain store for convenience or cheapness, even though we do not really desire to lose corner shops and suffer the consequent decline of local prosperity, solidarity and community that this often entails. Paradoxically, the sustaining of a balance of oligarchic interests by representative government for ostensibly

democratic reasons renders increasingly difficult the active representation of the manifest consensual 'general will' of the people as a whole.

The rise of a new oligarchy is not confined to ruling parties but extends to the entire executive. Liberal democracy is characterised by the exponential growth of executive legislation (often rubber-stamped by a parliamentary majority beholden to executive writ) and the growing power of the judiciary relative to the legislature. Moreover, a new supranational class of judges seems unable to resist the temptation either to aggrandise its jurisdictional power or to assist the executive in imposing uniform laws. And where the action of judges provides a check on inflated governmental power, it can unwittingly foster a litigious culture that privileges the powerful and wealthy while undermining equal access to justice.

The lack of accountability and popular participation is compounded by a process of 'self-corruption' whereby an elected executive claims the legitimate authority to exceed its own mandate in the face of circumstances which could not be anticipated by that mandate and which the electorate cannot vote on. Recent examples include counter-terrorist legislation after 9/11 and the bailout of both banks and states. In each case governments act predominantly in the interest of small groups, such as the security services, institutional investors and global bond markets. Arguably, this represents an oligarchic defence of the bases of oligarchic control—whether an emergency response to a threat or an opportunity to extend power (or both at once). Either way, liberal democracy is compatible with an oligarchy that goes well beyond the power of global firms—the focus of the post-democracy thesis.

This oligarchy takes the form of 'old elites' and 'new classes'.³ The former include political dynasties and captains of industry, while the latter encompass networks such as the 'tech oligarchy' in Silicon Valley, the advocates of 'capitalist philanthropy' and an array of technocrats in governments—including a new managerial armada of accountants and auditors. Both 'old elites' and 'new classes' use the procedures of representative democracy to increase their power, wealth and social status. In this process, an unrepresentative

sentative executive—together with a growing moneyed plutocracy and an overweening judiciary—often disregard the more informal manifestations of citizens’ interests.

A new demagogy?

Democracies face the permanent threat of illiberal, populist forces that seek to destroy individual liberties paradoxically in the name of free speech (as in the case of far-right racist groups or religious fundamentalists). However, liberal democracy itself can be a catalyst for populism and demagogy. First of all, there is the tension between substantive values and procedural standards. A key dilemma facing any democratic system is that it constantly needs to balance two competing demands: respecting majority will and commanding popular assent on the one hand, while protecting individuals and minorities from oppression on the other. To do so, democracies have historically tended to combine certain foundational values (such as liberty, equality and fraternity in France, or life, liberty and the pursuit of happiness in the US) with formal rules and procedures. The problem is that when rival values clash (say individual freedom and equality for all), contemporary liberalism suggests that people can only ‘agree to disagree’ and settle for abstract, formal standards such as ‘negative liberty’ (the absence of constraints on the individual except the law and private conscience).⁴ Taken to its logical conclusion, the principle of ‘negative liberty’ implies that liberal democracy should promote maximal freedom of choice over any shared substantive ends such as the common good. This occurs regardless of whether such a conception of liberty undermines Orwell’s ‘common decency’, that is to say, the quest for mutual recognition more than for total equality or emancipation. In this manner, the liberal privileging of impartial standards may amount to the imposition of preferences that do not command popular consent and thus cannot be described as genuinely democratic.

Second, the relative liberal indifference to substantive values can lead to a situation where the tendency to exploit fear and manipulate opinion becomes an endemic feature of representative democracy. Liberal politics often revolves around supposedly

guarding against alien elements: the terrorist, the refugee, the foreigner, the welfare-scrounger and those deemed deficient in ‘entrepreneurship’. In consequence, a purported defence of democracy is itself deployed to justify the suspending of democratic decision-making and civil liberties, as with post-9/11 counter-terrorist legislation that suspended core constitutional provisions and values of liberality: fair detention, fair trial, right to a defence, assumed innocence, *habeas corpus*, good treatment of the convicted, and a measure of free speech and free enquiry.⁵ Declaring a state of emergency is a constitutive characteristic of modern states, and liberal democracies are no different when it comes to making exceptional powers permanent.

Democracies can also manipulate opinion, and populism seems to be an inevitable consequence of the democratic primacy of procedure over substance. Ever greater use of techniques derived from PR and the advertising industry reinforces democracy’s tendency towards demagogy. The ‘culture’ of spin, media stunts, focus groups and seemingly endless electoral campaigns has turned politics into a spectacle of general mass opinion that can be described as a form of manipulative populism, promising ever greater freedom of choice, but ‘the conditions under which choices are made are not themselves a matter of choice’.⁶ In response to the manipulative populism of the ruling elites, Western democracies witness the periodic emergence of anti-elite populism by insurgent movements such as the Tea Party in the US, Front National in France, or the UK Independence Party in Britain.

Nor can this simply be dismissed as a new, temporary and ephemeral threat to democracy. In the 1830s, Alexis de Tocqueville warned that America was the freest society on earth, where, paradoxically, there was least of all public debate and most of all a new form of ‘tyranny’ of social conformism to majority tastes and preferences. In Western democracies today, apparently everything can be debated publicly (including the personal, private sphere) except the potential dangers of liberal democracy itself. Here it could be validly objected that there are numerous safeguards, including a more effective separation of powers, firmly entrenched rule of law, greater individual

rights and freedoms as well as more equality. However, contemporary democracy is often prone to deploying spectacle and subtle forms of propaganda. Of course, this is not the same as in dictatorial regimes. Compared with twentieth-century totalitarian rule, democratic politics wields more indirect power, working through influence on people's minds and more effectively securing control via uniform tastes and opinions than does an extrinsic imposition of force.

But do not the free press and the internet guard against this supposed slide into demagoguery? While the participatory potential of social media for democracy is real and significant, the expansion of new technological capabilities can exacerbate the tendency to algorithmic self-regulation and simultaneous openness to both surveillance and remote manipulation.⁷ Even more so than the real world, the virtual cyberspace lacks a robust and readily implementable ethos of self-discipline and reciprocal practice. For this reason, it tends to favour fleeting tastes and a self-referential culture that lends itself to the sort of mass surveillance illustrated by the NSA spying scandal (democracy has certainly helped to uncover the extent of systematic snooping, but is it successful in rolling it back and reinstating civil liberties?). Thus the exponential expansion of the internet within democratic discourse provides opportunities for free self-expression and greater scrutiny as well as social control and demagogic politics.

A new anarchy?

Contemporary liberal democracy has brought about greater freedoms and opportunities by extending individual rights and by replacing inherited status with natural equality before the law. There is much gain involved but also loss, notably the progressive erosion of the social bonds and civic ties on which vibrant democracies and market economies depend for trust and cooperation. Democratic politics fosters greater equality of opportunity and higher social mobility but by the same token it seems linked to fragmentation and dissolution. Paradoxically, democracy—especially under the influence of neoliberal capitalism—can engender societies that are simultaneously more atomised

and more interdependent: 'in our public life we are more entangled, but less attached, than ever before'.⁸

More fundamentally, different models of liberal democracy tend to oscillate between the sovereign power of the executive and the sovereign power of citizens *qua* freely choosing individuals who are removed from the constraints of interpersonal relations and who entertain predominantly contractual ties with one another. The problem is that this has the effect of undermining human association and the political role of voluntary, democratically self-governing intermediary institutions such as professional associations, trade unions or universities. Without the mediating function of intermediary institutions, democracy risks sliding into an anarchy of competing individuals who pursue their own self-interest without regard for reciprocal recognition and mutual benefit. The ensuing conflict is either regulated by the 'invisible hand' of the market or policed by the 'visible hand' of the state (or again both at once). The real alternative is not just greater democratic representation but also a stronger element of participatory and associative democracy at the regional and local levels.

In the final instance, the primacy of the state and the market over human association can lead to a democratic system that instils a sense of 'voluntary servitude'—a form of subtle manipulation by ostensible consent whereby people subject themselves freely to the will of the ruling oligarchy. The institutions of the central administrative state and global 'free market' regulate the 'naturally given' (but in reality merely assumed) anarchy, which is exacerbated by the lack of associative ties. Pierre Manent puts this well: 'democratic man is the freest man to have ever lived and at the same time the most domesticated [...] he can only be granted, he can only give himself, so much liberty because he is so domesticated'.⁹

As Tocqueville anticipated, liberal democracies that privilege mass opinion and self-interested representatives at the expense of education into virtue and bonds of association can produce forms of tutelary power:

[...] the supreme power then extends its arm over the whole community. It covers the sur-

face of society with a network of small complicated rules, minute and uniform, through which the most original minds and the most energetic characters cannot penetrate, to rise above the crowd. The will of man is not shattered, but softened, bent, and guided; men are seldom forced by it to act, but they are constantly restrained from acting. Such a power does not destroy, but it prevents existence; it does not tyrannise, but it compresses, enervates, extinguishes, and stupefies a people, till each nation is reduced to nothing better than a flock of timid and industrious animals, of which the government is the shepherd. [...] servitude of the regular, quiet, and gentle kind [...] might be combined more easily than is commonly believed with some of the outward forms of freedom, and that it might even establish itself under the wing of the sovereignty of the people.¹⁰

Concluding reflections

Liberal democracy has an anti-democratic dimension and thus contains the seeds of its own erosion and its slide into oligarchy, demagoguery and anarchy. If so, then democracies require not only non-democratic elements such as the rule of law (a principle on which we do not vote) but also a greater role for non-formalisable, non-legal judgement on what is good and right for society as a whole. That in turn involves a sense of shared mores and 'common decency', which is to say a shared horizon of common purpose. Ultimately, democracy needs a balance of the consent of 'the many' with the advice of 'the few' (however constituted) and the executive decisions of 'the one'. Normally, the latter has to be in some fashion embodied in one person, as it still is today throughout the world, in the mode of presidential and prime ministerial functions. More 'mixed

government', not more liberalism, is key to safeguarding and strengthening democracy.

Notes

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