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## **Democracy May Be Breaking Out, But Is Freedom?**

**by Sheldon Richman**

Virtually everyone from President Bush to the *New York Times* sees democracy on a roll. Afghanistan, Iraq, the Palestinians, and Saudi Arabia (men, not women) have had elections. Egypt could be next. Is something really happening in that part of the world?

Perhaps. The real question is, *what* is happening? People are indeed going to the polls to elect parliaments and presidents, and are doing so under risky conditions. One should admire their willingness to defy murderers in order to have a say in who will govern them. After many years of living as subjects under repressive regimes, those populations apparently and correctly believe they deserve no less.

But it would be a mistake to equate democratic procedures with freedom, which the Bush administration and many others are eager to do. There is a big difference between democracy and freedom. In fact, democracy can be, and has been, the engine of freedom's destruction.

Definitions matter. What is democracy? Literally, it means that the people rule. But what does that mean? The 19th-century French political philosopher Benjamin Constant identified two notions of liberty, one ancient, one modern. The ancient notion held that liberty lay in the right to participate in the democratic process, to cast one's vote. In this way the polity freely carried out its will, regardless of the impositions on individuals. The majority could even determine the society's religious practices. Ultimately, this is a collectivist version of liberty. The freedom of the individual may not thwart the "will" of the group.

In contrast, Constant wrote, the modern notion of liberty is individualistic. It denotes the right to conduct one's own affairs, to control one's property, to practice whatever religion one wishes (or none at all), and so on. Participation in the political process is one — rather minor — aspect of this liberty; after all, what means more in the everyday lives of most people: voting or controlling their own persons and property?

These two notions are in irreconcilable conflict. We often hear democracy described as a system in which the majority rules, but the rights of the minority are protected. But this is glib. If the rights of the minority are truly protected, does the majority truly rule?

The key word is “rule.” In the United States, the majority wasn’t supposed to rule except in the highly restricted sense of choosing who holds office. But what officeholders could do was not up to the majority. An overarching set of rules set limits. That set of rules was the Constitution, which is nothing if not a constraint on the majority.

Today the Constitution has lost its force, and democracy, consequently, has gained ground. Elected officials have a virtual free hand, leaving large groups of citizens vulnerable to the pillage of the working majority or a well-organized minority. In other words, democracy unlimited by a constitution is the enemy of freedom.

This is a long-recognized problem. As Aristotle wrote in his *Politics*, “Where laws are not sovereign ... since the many are sovereign not as individuals but collectively ... such a democracy is not a constitution at all.”

The upshot is this: if people in the Middle East see in voting a way to throw off authoritarianism and establish the modern, individualistic idea of freedom, then this is indeed a happy development. (One can acknowledge this without sanctioning the Bush administration’s imperial foreign policy.)

But if they see in voting a way to impose the “collective will” on individuals, then they will be trading one form of repression for another. The incantations of democracy cannot turn slavery into freedom.

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