

CHAPTER 9

Conclusions: Political Equality and the Beauty of Cycling

I have argued that it is necessary to bring together the three literatures—social choice theory, normative political philosophy, and the empirical study of democratic institutions—that study democracy. When we do political philosophy, it is necessary to take heed of the analytic results derived by social choice theory. These lay out the logical consequences of the values we advocate—for example, the fact that political equality implies majority rule and proportional representation. Social choice theory also set limits on what is logically possible; it is pointless to argue that something should be the case when it logically cannot be. When we use social choice theory, on the other hand, we start from axioms. For our results to have any normative force or relevance, it is necessary to justify these axioms normatively, which involves us in political philosophy. Finally, in order to be relevant to practical politics, it is necessary to combine the insights of both literatures with the empirical literature on political institutions. This allows us to argue about what is desirable, what is possible, and how it might be achieved.

Unfortunately, the three literatures have been largely disconnected from one another, if not overtly hostile. I have argued that a great deal of the difficulty in translating across these literatures comes from the interpretation (and misinterpretation) of the phenomenon of cycling (the fact that whatever is chosen by majority rule, it is possible to find another alternative that a majority prefers). Generally, social choice theory has treated majority-rule cycling as a problem to be overcome, or even as a problem that is fatal for the theory of democracy. As a result, political philosophers with a normative commitment to democracy argued that social choice theory was wrong, while empirical researchers (not observing cycles) often ignored it altogether. Miller's (1983) "Social Choice and Pluralism," however, argues that cyclical social preferences are likely to be pervasive but are actually an important part of the normal working of democracy. Building on this insight, it is possible to bring the three literatures back together. This forces us to reevaluate the assumptions of all three literatures, and it changes how we think about democracy. In par-

ticular, it allows us to simultaneously satisfy the demands of political equality—which implies majority rule—and other democratic values such as minority protection and reasonable deliberation.

Combining the three approaches, we get the following results.

1. *Political equality implies majority rule and proportional representation. All other institutions privilege some citizens over others.* Following Dahl (1956) we can understand democracy as a system of government that satisfies popular sovereignty and political equality. Popular sovereignty simply means that the political process has the final say over all issues. Political equality means that all citizens are treated equally. Dahl argues that this axiomatically implies majority rule, but that this is of little relevance to modern democracies, because these are representative, not direct. Contrary to this, I have argued that political equality does imply a very specific set of institutions. Representative democracy consists of two stages: In the first representatives are chosen by elections, while in the second these representatives make decisions using a voting rule. Political equality implies specific institutions for both stages.

- (a) At the electoral stage, political equality axiomatically implies proportionality. That is to say, any electoral system that does not satisfy proportionality violates political equality. National list proportional representation is the most obvious system that satisfies proportionality (ignoring rounding error). However, many other systems are also possible (mixed-member systems, small district proportional representation with national compensation seats, etc.).
- (b) At the decision-making stage, political equality implies majority rule. That is to say, majority rule is the only binary decision-making rule that satisfies political equality. It should be noted that to satisfy political equality it is not sufficient that majority rule be used as part of the process; rather the process has to satisfy majority rule. Procedures that are effectively supermajoritarian—which includes most institutional features we refer as checks and balances (bicameralism, presidentialism, federalism, division of power)—violate political equality just as much as explicitly supermajoritarian rules.

2. *Majority rule is the decision rule offering most protection to minorities. The standard defense of liberal constitutionalism on the grounds that it offers more protection to minorities in general is not logically tenable—it is not possible to protect every minority more than every other minority.* Chapter 5 argues that majority rule provides the greatest possible

protection to the worst-off minority. This is because majority rule is the decision rule that makes it easiest to form an alliance to overturn an unfavorable outcome. Any supermajoritarian decision rule has the effect of locking in the status quo to some extent. If the status quo turns out to be oppressive (and we do not know what conditions will be like in the future), it will be harder to change. Empirically, in terms of basic liberal rights, there is no evidence that there is any difference between countries with simple majority rule and countries with checks and balances, at least among advanced industrial democracies. Countries with simple majority rule, however, do provide more protection for social rights.

3. *Majority rule and proportional representation are the institutions that most promote democratic deliberation. The idea of unforced consensus (which underlies much of the deliberative democracy literature, as well as social contract theory) is logically flawed.* We would expect majority rule to be the decision rule best suited to produce rational deliberation because majority rule maximizes the number of people that need to be persuaded to pass a decision. (With supermajority rule a minority may prevail if it is defending the status quo.) By forcing people to seek allies and making it impossible for narrow alliances to prevail, majority rule creates an incentive to argue reasonably. This conclusion is in line with a considerable amount of existing work on deliberative democracy based on majority rule (Dewey 1927/1946; Knight and Johnson 1994, 1996, 1999; Barry 1995; Nino 1996). Similarly it can be argued that proportional representation (especially national list proportional representation) creates an incentive to frame arguments broadly. However, there is to date no comparative empirical study on the degree to which different systems produce rational deliberation, due presumably to the fact that no one has found a convincing way to measure it.

Rae (1975) shows that unforced consensus when there is initial disagreement and an outcome has to come about is logically impossible. If an outcome has to happen (which is always the case in politics, as a non-decision is a decision to do nothing, at least for the time being), then some outcome has to be imposed in the event no agreement is reached. This implicit threat hangs over the deliberation, and thus even if agreement is reached, it is not free but conditional on the threat of the imposed outcome. This undermines the logic of both classic social contract theory and modern discourse theory. In particular, it shows that Habermas's ideal speech situation, which logically underlies much of the deliberative democracy literature, is a logical impossibility and therefore cannot even serve as a counterfactual ideal.

4. *There is no evidence of a trade-off between political equality and the values of political stability, economic efficiency, and economic equality.*

- (a) *Stability.* Whether we consider regime stability, policy stability, or cabinet stability, there is no evidence that countries with proportional representation and simple majority rule are more unstable than other countries. (Countries with PR do have slightly shorter cabinet duration on average, but this is most accounted for by a small number of cases such as Italy and Israel, where special conditions apply.) Indeed in terms of regime stability, countries with PR and parliamentarianism may actually be more stable.
- (b) *Economic Equality and Performance.* This book takes no position on whether economic equality (or its opposite) is intrinsically desirable or not. However, if the political system is egalitarian, we would expect this to lead to greater economic equality. If a valuable asset (political power) is distributed equally in an otherwise unequal society, we would expect this asset to be traded to some extent for greater equality in other spheres. Empirically this appears to be the case. Countries with egalitarian political systems (proportional representation and majority rule) have higher levels of economic equality than other countries. Therefore the argument that reducing economic inequality can justify political inequality has little empirical basis. In terms of economic performance, the degree of political equality seems to make no difference at all.

5. *There will be a trade-off between the values of deliberation and direct participation.* Deliberation requires small group interaction, where people can persuade, be persuaded, and negotiate. The value of direct participation requires that as many people as possible take part in the process as completely as possible. There is an obvious conflict between these two values, which is intensified if we insist on political equality (which requires that everyone counts equally). This will manifest itself in:

- (a) *The Decision Rule.* A representative system can be highly deliberative and satisfy political equality but still limit direct participation. Most people can only vote or participate indirectly by lobbying their representative or arguing in civil society. A plebiscitarian system can be egalitarian and participatory (everyone votes on all the main issues), but it does not allow for reasonable deliberation, as decisions are taken by mass publics that cannot

meet to deliberate. A “participatory” system where anyone who wants may participate directly may be deliberative and participatory but will violate political equality, as some are more able to participate than others. Thus it is impossible to maximize all three values simultaneously.

- (b) *Representation.* There will be a similar trade-off in the choice of electoral system. If we wish to promote deliberation, we will choose an electoral system that allows representatives sufficient freedom from their immediate constituents, so they can listen to arguments and be persuaded. However, if we value participation more, we will want representatives to be more directly controlled by their (active) constituents. Similarly, if we value deliberation, we will want representatives to have to persuade as broad an audience as possible and will prefer national list systems; whereas if we value direct participation we may prefer systems with small district magnitudes so that local activists can have an impact on the behavior of representatives.

6. *The consensual democracies of western Europe typically have the institutions required for political equality (proportional representation and majority rule), not a system of minority vetoes, as previously theorized.* The consensual democracies of Western Europe (Denmark, the Netherlands, Norway, Sweden, and to a lesser extent Austria and Belgium) combine proportional representation with majority-rule parliaments that have very few checks and balance. Thus they are characterized by almost precisely the institutions that are required to satisfy political equality. (The only country generally characterized as consensual that is strongly supermajoritarian is Switzerland.) The politics of consensus and accommodation in these countries does not result from minority vetoes but from agreement reached with the framework of majority-rule bargaining. Far from the stasis or gridlock we would expect from political systems with many veto points, these countries have been extremely adaptable in terms of policy, which is important as they are all small, open economies.

7. *Cycling is essential to the understanding of democracy. It should not be seen as a problem to be overcome but rather as the thing that makes democracy as we know it possible.* The presence of cyclical social preferences does not imply that we will observe instability, much less chaos. Cycling merely means that there are multiple overlapping winning coalitions. Whichever coalition is currently winning, it is possible for the losers to buy off enough of the winners to undermine the current winning coalition. This typically does not produce chaos, because the winners realize

they have to accommodate the losers sufficiently that they do not seek to undermine the winning coalition. Following Miller (1983), I argue that this leads to normatively desirable results. Cycling allows us to combine majority rule (and thus political equality) with minority protection. The minority is protected because there is no permanent winning bloc, but rather a number of potential winning coalitions, any one of which can be split. If the minority feels that its essential interests are being attacked, they can “sell” their support on issues they care less about to anyone who will agree to protect their vital interests. In a similar manner, cycling promotes deliberation. No one can get their own way without allies, and thus everyone has to make reasonable accommodations.

It is the final conclusion—that cycling is a normal part of the democratic process—that allows us to reconcile the three literatures. In particular, this allows us to get beyond the “confrontation” between social choice theory and the normative theory of democracy. It is, of course, Riker’s *Liberalism Against Populism* (1982) that most explicitly framed the relationship between the two literatures as a confrontation, arguing that the findings of social choice theory—and cycling in particular—render traditional democratic theory empty. There have been many attempts to refute Riker’s conclusions (Coleman and Ferejohn 1986; D. Miller 1992; Mackie 2003; Dryzek and List 2003). These try to minimize or overcome the effects of cycling, but they accept Riker’s key premise that the only alternative to minimal liberalism (the idea that voting has no intrinsic value except occasionally removing governments) is populism (the idea that democracy produces a single best outcome or “General Will”). While Riker’s interpretation of the social choice results is certainly questionable, the phenomenon of cycling surely does undermine the idea that democracy can produce a single best outcome, and hence populism fails. However, if we discard populism and the idea of a single best outcome—that is, if we accept cycling as a normal part of democracy—then there are still many ways to justify democracy other than minimal liberalism.

It is not necessary to resort to untenable arguments—about social choice theory being wrong or about the existence of an anthropomorphic “General Will” for the whole of society—in order to justify majority-rule democracy. Cycling does not undermine a procedural justification of majority rule on the ground of its inherent fairness. Majority rule can be seen as a fair game for producing social decisions. Majority rule does not in general produce a single determinate outcome that we can call the “Will of the People,” but neither are its results arbitrary or random. Furthermore, majority-rule bargaining typically produces reasonable outcomes—the most unreasonable outcomes have no chance of

winning over a majority. We can also justify democracy on pragmatic or deliberative grounds (democracy is justified because it facilitates rational social inquiry or reasonable deliberation). Thus without the unnecessary metaphysical weight of the “Will of the People,” it is possible to provide arguments practically identical to those sought by populist democrats—the institution of majority rule is justified, voting procedures must be fair, and democratically agreed outcomes have moral force.

The phenomenon of cycling gives us other normatively desirable results. One of the central problems for democratic theory has been the problem of the tyranny of the majority. Cycling allows us to overcome this problem without empowering a minority that may itself become tyrannical. Providing that there is not a single, permanent, cohesive majority, majority rule relies on a coalition of minorities. Any such coalition can be split. If a minority feels its vital interests are threatened, it can offer its support on all other issues at a very low price in order to obtain concessions on the one issue it views as essential. We do not get a tyrannical majority, because there are multiple, overlapping potential winning coalitions—the current majority knows that it can be divided and replaced. It was argued in chapter 5 that this is essentially the argument that James Madison made for a large republic. Furthermore, cycling is the only way to reconcile political equality and protection from majority tyranny: Any artificial check on the majority logically implies a form of minority rule, violating political equality and producing the possibility of minority tyranny. Far from cycling being a problem for democracy, we should be worried when cycling is not present. This is because the absence of cycling implies a single majority, which poses the problem of majority tyranny.

It was argued in chapter 8 that cycling is vital to the operation of Western European consensual democracy. In these countries minorities are protected precisely by the possibility of alternative winning coalitions under majority rule. Contrary to much of the existing literature, these countries do not have institutions that force consensus by giving various groups vetoes; in fact they have very few institutional veto points. Rather they have precisely the institutions required to satisfy political equality—proportional representation elections and majority-rule parliaments with very few checks and balances. Consensual outcomes and norms in these countries are a result of majority-rule bargaining in a situation where cyclical majorities are inevitable. Reasonable accommodations are reached within the framework of majority-rule bargaining, not because of institutions that frustrate majority rule or demand consensus at the cost of producing gridlock. It is notable that when changes in the international economy have necessitated changes in policy, the con-

sensual democracies have typically made very significant policy adjustments very rapidly. Thus we can theorize consensual democracy in social choice theoretic terms.

It has been argued that majority rule is in practice a rule that defines the conditions under which people negotiate their differences. This has implications for the standards we use for judging the procedures used for making social decisions. Social choice theory has typically started with the concept of a social choice functional. This is a mapping that takes the preferences of individuals and returns a preference ordering for society. However, we do not use democratic procedures in such a mechanical manner. Rather, elections choose representatives, who then engage in negotiation and deliberation. When we judge the quality of election rules we are interested in whether they are procedurally fair and whether they create appropriate incentives for representatives when they engage in deliberation. When we consider the quality of the decision rule, we are concerned once again with procedural fairness and whether it leads to a deliberative process that produces reasonable outcomes. Thus we are interested in the deliberative games that representatives play. Of course, there is a massive literature on how we should expect rational agents to bargain. The problem is that there is typically a multiplicity of equilibria, a problem recognized at least since Schelling (1960).

In particular, the requirement of transitivity, assumed as normatively vital in much of the social choice literature, is inappropriate for a decision-making rule in a plural society. Requiring that a procedure produce a transitive ranking of all alternatives is actually equivalent to the demand in the normative literature that a procedure produce a single "Will of the People." It demands that we take all the values of every individual in society and condense them into one supervalue that can order every alternative. Given that different individuals have different preference orders, we need some way to weight these differences to come up with a single order. The problem is that how to weight the values of different people is itself a value. Different people will rank different procedures differently, which simply reproduces the original problem at a higher level. In a plural society where people have different values, a reasonable outcome will have to be a compromise between different values, not a transitive supervalue. Arrow's theorem does not show that there is no appropriate social decision rule; rather it shows that it is impossible to achieve a single, transitive ranking of values in a plural society. As a result, it is necessary to make compromises. This requires a deliberative or bargaining procedure, which implies that there will in general be a plurality of reasonable outcomes.

Thinking about democratic procedures as rules that govern deliberation forces us to rethink the way we use social choice theory; however, the results of social choice theory also force us to reconsider the normative literature on deliberative democracy. The deliberative democracy literature also holds out the hope of a single, correct solution to a social decision, based on the idea of an unforced consensus. However, as Rae (1975) demonstrates, an unforced consensus in a political matter is logically impossible. Given that a decision needs to be made, there is always the threat of the outcome to be imposed if consensus should fail, and all outcomes agreed to are conditional on this. Given that there is an element of coercion in any collective decision where there is initial disagreement, the best we can do is distribute the coercion equally. Thus majority rule is the only procedurally fair decision rule for deliberating over social decisions. Of course, majority rule does not produce a single, determinate outcome, and the outcomes will result in part from bargaining. As a result, the terms agreed upon will to some degree be a compromise, one reasonable solution among many. Even at an abstract philosophical level, it is necessary to acknowledge the plurality of social reason.

While fair and reasonable procedures will not produce a single, determinate answer but rather a reasonable compromise, it is possible to be more specific about the procedures themselves. Most of the empirical literature on political institutions has been extremely agnostic concerning what are good institutions, preferring instead to argue instrumentally about the effect of institutions. The theoretical literature, on the other hand, has rarely got down to the level of institutional details. However, combining the two approaches, it can be shown the basic value of fair democratic procedure—political equality—implies very specific institutions: proportional representation at the electoral stage and at the decision-making stage simple majority rule.