THE CURRENT SITUATION AND TRANSFORMATIONS OF DEMOCRACY

# The state of democracy

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Outside the US Capitol during the assault on 6 January 2021, in which radical supporters of Donald Trump attempted to prevent the inauguration of Joe Biden. Photo: Tyler Merbler/Wikimedia Commons

## Obituaries of democracy

People have been talking about the life and death of democracy for many years and its death has been announced almost as many times as that of God or man. And in recent years, an increasing number of books have been published warning us of its demise: the languishing state of democracies is blamed variously on the voters, on the people who are elected, on new technologies, or on inefficiency or lack of rationality, among other reasons.

Democracy is not immutable and some of its versions (the Athenian democracy, the Roman Empire or the Republic of Venice) disappeared after a long life. It would be a good thing if we, its beneficiaries, remembered that democracy is fragile and were aware that history is full of people who never thought that the stability they enjoyed could come to an end, for instance, pagan priests, French aristocrats, Russian farmers or German Jews. The world is full of places where people live on the ruins of past civilisations that, in their day, were far more competent than those of today. If what John Adams, the great fighter for American independence and the second president of the United States, said is true, all democracies have committed suicide [1]. Having accepted their mortality, the question is to determine what and how they are endangered, how we can characterise our present situation and, above all, to explore whether there is any procedure that we can apply to ensure the

survival of democracy.

## The nature of the crisis

When explaining how democracies disappear, our favourite analogy for describing the disaster are the 1930s. We are all familiar with the parallels that are drawn to make this comparison plausible, but perhaps what is most worrying about our present situation is that the end of democracy could come in a way that has no historical precedent. [2] It is especially unsettling to think that there may be ways in which democracies weaken and disappear that are not familiar to us, for which we have no examples in the past and, therefore, are difficult to prevent. And what if our main threats cannot be likened to the past experiences of democratic breakdown that we remember with fascism or communism, but follow other subtle forms of degradation that were unknown until now? We are not in an epic age of conquest and suppression of democracies, such as the Revolution of 25 April in Portugal (in the former case) or the military coups that suppressed democracies in the various military dictatorships of Latin America (in the latter case).

The current democratic crises, despite the impression they have made on us, such as the assaults on the Capitol in Washington or on government institutions in Brasilia, have a different origin and require a different interpretation. This is not a second wave of pre-fascism; our societies are more developed and more interdependent. Thinking in terms of recidivism implies accepting that there is too much continuity in history and that failures are a repetition.

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The first thing that we must rethink is how democracies weaken. We tend to think that democracies die at the hands of men with guns. [3] However, like power, political violence is not what it used to be. We must think outside the mental framework of coup d’état or insurrection, and approach the subject more in terms of maladjustment, inefficiency, degradation or imbalance. Some propose talking in terms of a “deconsolidation” of democracy, [4] a modest term intended to appraise the situation without excessive drama and which seems to be satisfied if it awakens in us an awareness that democracy is more vulnerable than we originally thought, and more unstable than its institutions promised. Instead of conspiracies against democracy, what we have is political weakness, lack of trust and negativism among voters, opportunism among political actors, or a displacement of decision-making centres to places that are not democratically controllable.

## Democracy under threat

Theories of the current threats to democracy are divided between those who see it as challenged because people do not have the power they should have and those who think that they have too much power; too much or too little, in short, as a consequence of elites' incompetence or voters' irrationality. If we take this rough and ready typology at face value, it is clear that what we are complaining about is technocracy in the first case and populism in the second case, while the solutions would be to limit the power of the *demos* or increase it.

The diagnoses based on the former case usually consist of a detailed description of the processes of popular disenfranchisement, attributed to the power of the elites, capitalism incompatible with democracy or algorithms. It may be that the complaint is about governments having too much power (threatening human rights, for example) or too little power to counteract the perversity of certain external agents (for example, when we see how difficult it is to get large corporations to pay taxes). Logical proposals in this field are often aimed at increasing participation along the lines of a more direct deliberative democracy.

On the other hand, those who complain that democracy is too direct criticise the myth of the rational voter, [5] [6] and assert voters' incompetence and irresponsibility [7] or simply the fact that the average voter does not have the necessary education and information. As Brennan says, [8] they are either hobbits (citizens with little information, little interest and little desire to participate) or hooligans (too much information and strong opinions with many prejudices). According to the *folk theory of democracy*, [9] all legitimacy arises from consent and not from representation, which presupposes a citizenry capable of understanding, judging and controlling the political system. There are even epistocratic proposals, with varying degrees of radicalness, that argue that democracy should be implemented with less participation.

The criticism of political incompetence may also be based on democratic grounds. There is such a thing as the right to have a competent government [10] and what we often have is an irrational, ignorant electorate that imposes its incompetent decisions on innocent people. If our political systems prove incapable of solving problems linked to inequality, guaranteeing security without compromising human rights or fostering economic growth, placing trust in anyone who promises these results, even if they bypass democratic formalisms in the process, is becoming an irresistible temptation in many parts of the world. Hence some authors' insistence on lauding the competence of the political system, on formulating more or less radical versions of epistocracy and on limiting democracy for democratic reasons. For them, democracy would be instrumental; rather than having an intrinsic worth, its value would depend on its efficiency in producing results aligned with principles of justice. The proceduralists, on the other hand, would rely on idealised deliberative processes and would be more interested in how decisions are made and not so much in *what* decisions are made. As we can see, the reasons for limiting or increasing people's immediate power invariably invoke people's power (what the people wants as an

immediate aggregate or what it truly wants in the indirect construction of its political will).

We are witnessing the consolidation of a major rift, with consequences that can only have harmful effects for a balanced, inclusive concept of democracy. Problems whose solution requires expert knowledge will incline us towards a technical government; the demands for recognition, which are expressed in the language of personal identity, will evolve towards something akin to anarchism. The result is a profound rupture between reason and expression. Today, we can see that, from the perspective of democratic legitimacy, both *solutionism* and *expressionism* are overburdened. The ability of democratic systems will be judged by whether or not they are able to find solutions to these problems simultaneously, without declaring a voluntarist victory over the principle of reality or repeating that identity problems are a thing of the past. A new synthesis is needed that combines effectiveness and recognition in a manner that is democratically satisfactory.

So what diagnosis of the crisis of democracy would be more accurate and give us a better idea as to its survival? My interpretation of the current crisis of democracy is that some of its values are no longer functioning in a balanced manner; in this case, the reality principle and the pleasure principle have become dissociated: competence is constrained by the limitations within which politics must develop, and the expectations of participation are not compatible with the complexity of the issues. The articulation of these dimensions is no longer intelligible or readily exercised once a certain threshold of complexity has been crossed.

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In order to overcome this rupture, the first necessary step is an exercise in conceptual renewal. The reason why the debate is dominated by the naïve and the cynical is because things do not work according to our simplistic definition of democracy; in fact, it is not so much a crisis of democracy that we are having as a crisis of the theory of democracy. [11] Democracy has lived most of its history from past glories; now it must survive by reformulating its role in today’s world and in the future.

## How democracies survive

In the many analyses of democratic malaise, there are more obituaries than proposals for what should be done to ensure the survival of democracy. I will propose three resuscitation exercises that may seem counterintuitive because they invite us to add complexity to democracy to counteract its usual simplification, to protect it from itself and to view it more as a system than as the action of individual subjects.

*a) A complete democracy*

Democracy must fear its false friends more than its true enemies. Anything that it is wished to defend politically will be justified more convincingly if it is done for the sake of democracy than against it. One of the great ironies of how democracies die is that democracy itself is used as a pretext to subvert it; democracy's prestige is so great that we call democracy anything that appeals to us. [12]The worst political perversions are usually done in the name of a democracy from which a moment, a value or a dimension has been isolated. This is what happened with fascism and communism, which invoked it and sought to revitalise it. Wendy Brown [13] coined the term de-democratisation to describe that very contemporary form of corruption of politics that threatens democracy without attacking its principles, and even purports to defend them: liberalism invokes freedom, populism rejects institutional mediation to find the unity of the "true" people… It is this disturbing tribute to the principles of democracy that characterises this new perversion in preference to the openly anti-democratic, classic totalitarianism..

Any element of democracy taken in isolation ends up producing something that is far removed from what we would expect from democracy. The current crisis of democracy is, in my view, a crisis of unilateralisation of some of its elements. This is the direction in which one could contemplate the possibility of democracy failing, even if it remains intact. It could happen that the fundamental elements of democracy continue to operate, but not in a way that is coordinated and balanced. [14] The greatest contributor to increasing the fragility of our democratic institutions is their mutilation or reductionism, their simplification. Democracy is a body of values and procedures that must be orchestrated and balanced (citizen participation, free elections, expert judgement, national sovereignty, protection of minorities, primacy of law, independent authorities, accountability, deliberation, representation…).

We must work toward a more complex and nuanced political culture. One of our biggest problems stems precisely from the fact that when societies are polarised around simple counterstances, they do not give rise to quality democratic processes. How can we promote a political culture in which complex, nuanced approaches are not systematically chastised with neglect and even contempt? How can we prevent simplicity and mere repudiation from producing such high returns in electoral terms? More values, agents and authorities should be involved in the democratic process; a more sophisticated equilibrium should be considered between all these elements; by doing this, we will have laid the foundations for the survival of democracy in the 21st century. Only a complex democracy is a complete democracy.

*b) Protect democracy from itself*

Today, representative democracies have two enemies: the hectic pace of the modern world, the predominance of globalised markets, on the one hand, and citizen hubris on the other, that is, the ambivalence of a society which politics is bound to obey, of course, but whose demands are poorly articulated in political terms, often giving rise to contradictions, inconsistencies and dysfunctionalities. To talk about this second threat is to break a taboo,

as a large part of our political class, and those who write about politics, tend to portray the people in adulatory terms, without attributing to them any form of responsibility. Few talk of the “democratic” threats to democracy, those that arise from the rule of demoscopy, participation without effective equality, exaggerated expectations or absolutised transparency. By pointing to this shortcoming, my intention is not to invalidate the principle that in a democracy only the people are sovereign; I am merely highlighting that the representative democracy is the best invention we have been able to come up with to reconcile this principle – not without tensions – with the complexity of political affairs, the contraposition between efficiency and sovereignty that I mentioned when describing the threats to democracy. And what if democracy were a system with an intelligence that, deep down, consists of creating the necessary conditions for combining, at institutional level, popular sovereignty with mistrust of that same sovereignty?

So it can be said without exaggerating that, from the most modest technology to the most sophisticated political procedures, the intelligence of governance systems increases in proportion to their ability to counter the single-mindedness of those who govern (whether they be the sovereign people or their possible representatives). The progress of humanity as a whole is at stake in this difficult balance between allowing human will to govern events while preventing arbitrariness.

To put it another way, an intelligent system is one that not only protects us from others but also from ourselves. It takes shape after experiencing the dangers that we are capable of generating and faced with the atavism of thinking that our worst enemy is always someone other than ourselves.

> A society is well governed when it is able to outlast bad rulers. Democracy only survives if the system’s intelligence makes up for its agents’ mediocrity

In order to be able to act with this kind of counterintuitive intelligence, we must have understood, for example, that it is not so much the nuclear weapons held by our enemy that threatens our society but our own nuclear power stations; that our enemy’s biological weapons pose less of a threat than certain experiments performed by our own scientific system; that the threat is not to be found so much in an invasion by foreign soldiers as by our own organised crime and the demand from our own drug addicts; it is not the famine and death caused by war but the invalidity and death caused by our traffic accidents. In other words, what most prevents plural societies from freely deciding their fate is not so much the existence of external obstacles as the lack of concord within its own ranks. The solution does not lie with people, may I conclude, but through improving the systems that protect us from people, from our errors, our insanity or our evilness.

*c) Overcome bad rulers*

To help us understand what a collective intelligence system is – as politics in a democratic society is supposed to be – the thought experiment proposed by Robert Geyer and Samir Rihani [15] may be illustrative: what would happen if the governors of the Bank of England were to be replaced by a room full of monkeys? If we had to give a quick answer to this question, our immediate thought would be that the British economy would collapse. However, if we are given just a little more time to reflect and go beyond the gut answer, if we look at things from the perspective of the systems' complexity, the answer would be very different: the rule of monkeys would show the extent to which we are governed more by systems than by people, with automatic checks, balances and corrections. Consequently, the monkeys would not do as much damage as one might think.

This experiment is interesting because our initial automatic response shows just how much we are influenced by a way of thinking focussed on individuals and leaders, on the short term, and on a lack of awareness of the systemic conditions in which our actions take place. We continue to think that government is a heroic action by individuals rather than understanding that the goal is to form intelligent systems. This is why we speak of leadership with such personalised connotations and why public attention focusses primarily on the personal qualities of those who govern us; we are more interested in finding out who to blame than in correcting faulty structural designs.

Anything that puts the spotlight on human beings as the source of our problems – the theory is that human beings are the key factor, whether from the perspective of the personal features of the leader or the motivations of the individual voter in terms of rational choice – inevitably underrates the systemic properties of social complexity.

The main problems facing humanity today are problems posed by an interdependent, interlinked reality to which the individual components are blind: unsustainability, financial risks and, in general, problems caused by a long chain of individual conducts which perhaps are not bad in themselves but have harmful consequences when aggregated in a disorderly manner. So the issue is not so much to modify individual conducts as to structure their interaction properly, and this is precisely the task that we can refer to as collective intelligence. There is much more to be gained by improving procedures than by improving the people who run them. We would not expect so much from the virtues of those who make up a complex system nor would we be particularly afraid of their vices; what should really concern us is whether their interconnection is well organised and the nature of the rules, processes and structures that conform this interdependence.

Societies are well governed when they are ruled by systems in which a collective intelligence (rules, norms and procedures) is synthesised, and not when they are led by highly gifted people. We can live without intelligent people but not without intelligent systems, or, to put it another way: a society is well governed when it is able to outlast bad rulers. These 200 years of democracy have shaped an institutional constellation in which a series of experiences have crystallised in structures, processes and rules (especially constitutions) that endow democracy with a high degree of systemic intelligence, an intelligence that lies not in people but in the system's constituent components. Somehow, this enables the democratic regime to be independent of the specific people who take part

in it, and even from the people who run it, and also enables it to withstand the errors and weaknesses of individual agents. Thus, democracy must be thought of as something that works with average voters and average politicians; it only survives if the system's intelligence makes up for its agents' mediocrity, even if from time to time it is run by monkeys.

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