



Democracy or Liberty

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Does democracy really deserve the praise it receives? According to Webster's Dictionary, democracy is defined as "government by the people; especially: rule of the majority." What's so great about majority rule? Let's look at majority rule, as a decision-making tool, and ask how many of our choices we would like settled by what a majority likes.

Would you want the kind of car that you own to be decided through a democratic process, or would you prefer purchasing any car you please? Ask that same question about decisions such as where you live, what clothes you purchase, what food you eat, what entertainment you enjoy and what wines you drink. I'm sure that if anyone suggested that these choices be subject to a democratic process, you'd deem it tyranny.

I'm not alone in seeing democracy as a variant of tyranny. James Madison, the father of our Constitution, said that in a pure democracy, "there is nothing to check the inducement to sacrifice the weaker party or the obnoxious individual." At the 1787 Constitutional Convention, Edmund Randolph said, ". . . that in tracing these evils to their origin every man had found it in the turbulence and follies of democracy." John Adams said, "Remember, democracy never lasts long. It soon wastes, exhausts, and murders itself. There was never a democracy yet that did not commit suicide." Chief Justice John Marshall observed, "Between a balanced republic and a democracy, the difference is like that between order and chaos."

Our founders intended for us to have a limited republican form of

government where rights precede government and there is rule of law. Citizens, as well as government officials, are accountable to the same laws.

Government intervenes in civil society only to protect its citizens against force and fraud but does not intervene in the cases of peaceable, voluntary exchange. By contrast, in a democracy, the majority rules either directly or through its elected representatives. The law is whatever the government deems it to be. Rights may be granted or taken away.

Clearly, we need government, and that means there must be collective decision-making. Alert to the dangers of majority rule, the Constitution's framers inserted several anti-majority rules. In order to amend the Constitution, it requires a two-thirds vote of both Houses, or two-thirds of state legislatures, to propose an amendment, and requires three-fourths of state legislatures for ratification. Election of the president

is not done by a majority popular vote but by the Electoral College.

Part of the reason for having two houses of Congress is that it places an obstacle to majority rule. Fifty-one senators can block the wishes of 435 representatives and 49 senators. The Constitution gives the president a veto to thwart the power of 535 members of Congress. It takes two-thirds of both houses of Congress to override the president's veto.

In Federalist Paper No. 10, James Madison wrote, "Measures are too often decided, not according to the rules of justice and the rights of the minor party, but by the superior force of an interested and overbearing majority." That's another way of saying that one of the primary dangers of majority rule is that it confers an aura of legitimacy and respectability on acts that would otherwise be deemed tyrannical. Liberty and democracy are not synonymous and could actually be opposites.

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