

In The Margin of an Ideal: Direct Democracy versus Representative Democracy

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ABSTRACT

The division between direct democracy and indirect (representative) democracy is one of the most popular divisions in social sciences. Many scholars have been thinking about democracy for centuries so that they have been also thinking about the division. Which of them is more desirable, more democratic, more feasible, has more merits? Asking questions or having them is one thing but answering them is another. This paper's aim is not to find the perfect answers for the questions; but it is, if possible, to find plausible ones.

Key words: Democracy, direct democracy, representative democracy, *democratic* democracy

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In The Margin of an Ideal: Direct Democracy versus Representative Democracy

INTRODUCTION

In 2008, as a freshman in the university, our professor asked us two interrelated questions. I was eighteen years old, so most of my classmates, according to the law in our country, was able to vote in elections and the next election was not too far. The questions were straightforward ones. The professor showed our mobile phones and asked; (1) if we had had an opportunity to vote directly, via our mobile phones for example, for the matters discussed in the parliament; would we have needed to elect a representative, who would discuss the matters in the parliament absence of us for our sake, in the coming election. (2) Would it be more democratic? At that day, I was not able to answer the questions properly. I could only mumble. When he asked the questions he referred to one of the most controversial matters in social sciences. According to the question, ‘we’ represented the people; ‘direct participation of us to the process’ represented direct democracy; ‘our potential attendance to the coming election as constituents’ represented representative democracy; and finally ‘our mobile phones’ represented technology which might or might not reduce necessity of representative democracy.

In this paper, what I attempt to do is, basically, not so different from trying to answer the same questions which I was asked years ago. Without understanding what is X and/or what is Y, what are their virtues and what are their vulnerable points, it is meaningless to claim: X is better/more plausible/more desirable than Y or vice versa. Thus, the work is divided into three main parts. The first part focuses on direct democracy. “What is it, where it started, what are the critics of it” are the questions for which I seek answers in that part. The second part focuses on representative democracy. Here again I seek answers for the same questions (but here the questions are asked for representative democracy): “What is it, where it started, what are the critics of it”. The third part is the part where I try to find out some answers/explanations for the topic question. I investigate them via answering another question: “What makes a rule, a rule of the people.” It might be better to allocate a separate part for the history of democracy, because, as we all know, today’s democracy is not the democracy of Greeks’ or Romans’ or some ancient tribes’ democracy or not even classic American style of it. Answering the question: “How it evolved?” in separate part might be better. But answering this question is too complex and the history of democracy or even the *brief* version of it goes beyond to our main aim. But we can, briefly, talk about milestones of the journey of democracy. I take two such milestones- Athens style of democracy and the American style (in the eyes of the people who establish the United States) - one for direct democracy and the other for representative democracy, and discuss them in their separate parts.

1. DIRECT DEMOCRACY AS AN IDEAL(?)

There may have been some sort of democracy in some ancient tribes or some kind of primitive democracy could have been invented before the Greeks (Schemel 2000, 99). But

the Greeks' democracy, mostly Athenians' which had the most sophisticated method of direct democracy system of ancient times (Kyriaziset *al* 2012, 571) or not (Rousseau 1994[1755], 8), is taken as the first historical example of democracy (Dahl 2000, 7). So it would be helpful to assume that the ancient Greece was the place where everything started.

The journey started in ancient Greece, with people but without representatives. As it is known the beginning of democracy means is the beginning of direct democracy at the same time. There was direct version of democracy before the indirect version of it. In the centre of the government there was an assembly in which all citizens were entitled to participate (Dahl 2000, 12). An ordinary citizen had a say in the process. He attended meetings, in Athenian *agora* for example (Graeber 2013, 155), talked about the issues of state, voted for laws, and governed himself. This was the so called "pure" direct democracy.

In order to understand what direct democracy means, one of the reasonable ways (I suppose) to look at Budge's (1996, 35) definition: "direct democracy in the abstract as a regime in which the adult citizens as a whole debate and vote on the most important political decisions, and where their vote determines the action to be taken." Here it is better remarking that first version (classic) of direct democracy and modern version of it are not the same. On the one hand, in the classic one, process eventuates, more or less, like these: citizens, -the people included only males and not all males (Dahl 2000, 90)-, (1) assemble somewhere in their city-state, (2) discuss about matters in that assembly, -everybody in that assembly has right to speak-, (3) come to a decision or decisions about matter(s), (4) the decision(s) that they take is binding for the city-state. So, fundamentally, the classic direct democracy was based on *unmediated popular voting* (Budge 1996, 37). In this kind of direct democracy proximity is vital as people have to assemble somewhere to discuss matters. On the other hand, in modern direct democracy, it is not vital for people to assemble in somewhere to discuss and come to a decision. Instead, now they have initiatives, referendums and recalls. Actually, one of the arguments against direct democracy in modern state fails here. It is often said that direct democracy requires proximity and small societies to facilitate face-to-face meetings. As it is mentioned above, it is true for historical examples of direct democracy. Yet, town meetings or face-to-face decision making processes are not the only form of direct democracy. There are referendums, recalls, initiatives which facilitate modern direct democracy and which do not require proximity (Saward 1998, 85). Now, in a modern state, in modern direct democracy, all the people have to do, basically, is vote for or against the subject as they vote in elections.

1.1. The critics of direct democracy

As it is known, direct democracy is the first form of democracy, but not the only one. So not being the only one implies something. It implies it is not sole because it is not perfect, it is not sole because it is not feasible in everywhere in every time. It has limits as much as merits.

The first problem is about participation. The both version of direct democracy requires participation. In the historical/classic one this participation comes into existence via meetings. Although town meetings perpetuate (Salvinoet *al.* 2012, 2393), beyond them there

In The Margin of an Ideal: Direct Democracy versus Representative Democracy

are referendums/initiatives etc. One of the limits of direct democracy shows itself in participation issue. As Dahl points out (2000, 111), people tend to join the meetings [or the other devices] when they see the topic controversial or when they are concerned about it. If it is not they tend to stay home.

The second problem is related with the first one. Even if people do participate, generally they do not give enough attention on issues. Direct democracy requires, in a way, deliberation (not necessarily with others but with self). It is presumed that people, who decide, are concerned about issues, well informed and willing. However, most of the voters make their decisions on issues just before they vote (Cronin 1989, 198). Many of them do not think on matters enough or even if they want they cannot. The language used in the process might be too technical or ambiguous for some people therefore it causes confusion. People actually do not understand whole the points (Cronin 1989, 198).

The third problem is of the character of modern direct democracy devices. Referendums, for instance, ask questions whose answers have to be yes-or-no. But the issue might be complicated and simple yes-or-no votes might not be suitable for these kinds of issues (Cronin 1989, 210).

The fourth problem is about economic concerns. In order to hold a direct democracy process; facilities, manpower, technologic appliances are needed and these make modern direct democracy devices -initiative, referendum, recall- expensive (Cronin 1989, 204). Although representative democracy has also cost, direct democracy - if they take place more frequently- would require more money vis-à-vis representative one. Another concern about money is that it is an effective tool to win a direct democracy election. A side in referendum with more money has more chance to win the referendum (Cronin 1989, 215).

The fifth problem is about the structures of modern legislation. Modern direct democracy devices might damage to the governmental decision making structure (Cronin 1989, 204). If they are used regularly they might emaciate legislatures (Cronin 1989, 211).

The sixth problem is more about us than direct democracy. Modern direct democracy is not the only way that we govern ourselves. If it would be one day we do not know how it would work (Budge 1999, 57) because we have not had it before. This critic is much more similar to the critics in late 19th century in the US which claimed that the devices of modern direct democracy could not have worked. At that time for the proponents of direct democracy, there was just one way to cope with the problem that to practice it (Cronin 1989, 46). History has showed us that practicing direct democracy had some merits.

The seventh problem of direct democracy is that it is often for the sake of organized groups rather than individuals. In this process individuals cannot get as much benefit as organized groups get, as an organized group could be more effective rendering their ideas to the public but this is a very hard task for an individual (Cronin 1989, 207).

The eighth problem is about signature collecting. For modern direct democracy collecting signatures are crucial. Theoretically, many matters could be a direct democracy's subject. And without finding out about what people are concerned, it is not reasonable to make an issue the issue of a referendum. Most of states have legal arrangements which specify minimum number of signatures to make an issue a subject of referendum. For instance, 100,000 signatures are required for a constitutional initiative in Switzerland or almost 400,000 signatures are required for a successful petition in California (Smith 2009, 113, 116). It seems reasonable, but signature collectors use a language that ordinary people cannot understand. They actually do not want their statements to be read and fully understood by potential signers (Cronin 1989, 208). The reason of this is simple. If potential signers fully understand the statement they may not sign it.

Nonetheless, these problems or critics about direct democracy are not the most frightening ones. The biggest fear of direct democracy is of minority rights. It is claimed that direct democracy has potential to become *tyranny of majorities* (Cronin 1989, 54). However, this assumption or its adverse has not been proven yet. Even if there are examples for or against we do not have a unique result which shows whether it certainly causes *the tyranny of majorities* or not. One example against the argument is that of a proposition (firing homosexual teachers) which might have damaged minority rights. The result of the proposition was for the minority not the majority (Cronin 1989, 212). Although it is fair and suitable example, the opponents of direct democracy have also examples. For instance, the findings of Denial C. Lewis (2011, 364) shows something different. He evaluates same-sex marriage bans in the U.S. and finds that the rights of minority groups are in danger under the system of states with modern democratic devices (p.376). But another study (Frey & Goette 1998, 1346), which investigates the effects of referendums on civil rights in Switzerland, shows that popular votes do not suppress civil rights. This difference between two contexts reveals the educative and self-improving effects of debates and decision-makings that may in the long term lead to majorities setting limits for their actions (Budge 1996, 38). Swiss system allows more deliberation so this might filter undesired results. Necessity of democratic tradition also matters for usage or results of direct democracy devices. For example, a study (Brunner 2001, 225), which focuses on eastern experiences of direct democracy, reveals that in regions where there is no democratic tradition, authoritarian dictatorships might use direct democracy forms as a camouflage or weapons in political struggles.

There is also another critic that says racial minorities tend to stand losing side of the arguments (Moore & Ravishankar 2012). The writers observed some datum and found out that ethnic minorities have more unlikely to be on the bright side of ballot propositions which do not target them directly (648).

As it is seen direct democracy has limits, Achilles heels, vulnerable points, and problems. Especially when we think of (1) modern society -where people have more interest for other things rather than governing- (2) complexity of life (3) apathy, ignorance of people (4) time limitations (5) money issues, it seems much more impossible thus undesirable. However,

In The Margin of an Ideal: Direct Democracy versus Representative Democracy

these are the problems which could be solved to some extent. Although there are many problems, there is one basic fact about direct democracy, we keep in mind. There are not any democratic arguments opposite of direct democracy (Saward 1998, 82).

2. REPRESENTATIVE DEMOCRACY AS REALITY(?)

Representative democracy in very general sense is the democracy where people govern themselves via representatives. In this system, people choose an individual who stands for, acts for, and speaks for, them (Saward 2010, 36) in a legislative assembly that is formed by the representatives (Budge 1996, 46).

Until 1700s, when someone had spoken about democracy he had spoken about town meeting democracy; the standard view of republican or democratic government had been a government where people assembled somewhere and vote for policies/laws directly (Dahl 2000, 94). Representative democracy had been seen as a contradiction. So in the beginning, representation was seen as a nondemocratic institution later gains democratic character (Dahl 2000, 103). The US is not the place where the world's first representative democratic system was seen. However, it was in the US where the system advanced. It would be proper to take the US as a milestone for representative democracy as it issued that the people who found the US was also the people who redound democratic character to representation. They knew that they could not achieve the democracy of ancient Greece. In fact, for them, direct democracy was neither possible nor desirable. The new world was too big and too crowded for direct democracy (Dahl 2000, 105) therefore it was not possible; direct democracy would cause undesirable outcomes for minority (Cronin 1989, 22) so it was not desirable. The majority of the US would use the power to smash the minority groups. But the people who led the American Revolution should not have led a tyranny of some groups over the whole of *the people of the United States*. This was a big concern but it could be overcome.

“The smaller the society, the fewer probably will be the distinct parties and interests composing it; the fewer the distinct parties and interests, the more frequently will a majority be found of the same party; and the smaller the number of individuals composing a majority, and the smaller the compass within which they are placed, the more easily will they concert and execute their plans of oppression. Extend the sphere, and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens.” James Madison (2009[1787], 53).

The merits of representative democracy could let the people to establish these institutions. In fact, Republican Party established by Jefferson, Madison and their proponents became the first *popularly based electoral party* in the world (Dahl 2000, 88).

In sum, the merits of representative democracy are: first, it embraces large societies; second, it could annihilate a threat to minorities; third, it provides stability (Cronin 1989, 37). But for

the people in the US representative democracy alone would not be sufficient. They demanded more say in government via direct democracy devices in late 1800s. After fighting seven years those who demanded more say in government got their rights (Cronin 1989, 50).

2.1. Critics of Representative Democracy

Representative democracy, at first, was seen as a remedy for limits or undesirable effects of direct democracy. It was considered the best way for the people (Mill 1972, 218), but then was discerned that it had also limits.

The first problem of representative democracy is about authority. The election of a representative implies that the representative is given authority, but in this system, not only the representative who is given authority.

”[U]nder a representative government, citizens often delegate enormous discretionary authority over decisions of extraordinary importance. They delegate authority not only to their elected representatives but, by an even more indirect and circuitous route, they delegate authority to administrators, bureaucrats, civil servants, judges, and a still further remove to international organizations” (Dahl, 2000, 113) .

The Second problem of representative democracy is about obligations of representatives. People choose a representative who can act on their behalf thus it carries an obligation. Therefore, representatives are obliged to their constituents. But they may forget their obligations; they may go astray (Madison/Hamilton, 2009[1788],161).

The third problem is similar to one of the problems of direct democracy. In a very general sense, majority versus minority problem in direct democracy is valid for representative democracy as well. The basic device of representative democracy is election and in some electoral systems whilst some groups are overrepresented, some others are underrepresented (Saward 2010, 44).

The most important vulnerable point of representative democracy, I think, is of the idea of *representation*. The term is not clear and representing someone is problematic. How or to what extend can one represent my views or my interests without my absence as if I am there (Cronin 1989, 26; Saward 2010, 54). A representative supposed to internalise the interests of the other(s). However, “No would-be representative, including an elected one, can fully achieve ‘representation,’ or be fully representative.” (Saward 2010, 45) It is also related with ignorance of representatives. Representatives often have no idea about what are the opinions of represented persons on issues which the representatives decide for represented persons. This ignorance is reciprocal. “[R]epresentatives often do not know what constituents’ opinions are on most issues, and constituents are often ignorant of what their representative is doing on the vast bulk of matters which do not receive great publicity” (Budge 1996, 49).

In The Margin of an Ideal: Direct Democracy versus Representative Democracy

3. WHAT MAKES A RULE, A RULE OF THE PEOPLE?

“[W]e are all equally qualified we should govern ourselves democratically.” says the main speaker of Dahl in his book: *On Democracy* (2000, 36). Here we need some principles to evaluate or name a process *democratic*. A democracy for Christiano (1996, 2) is a society where the people rule. But, what specifically makes the peoples’ governing process democratic? According to Christiano (1996, 3) the answer is *popular sovereignty, political equality and fair discussion*. For Dahl (2000, 37-38) *effective participation, voting equality, enlightened understanding, control of agenda and inclusion of adults* is the answer. So people live under a democratic context, if they: First, are able to equally and effectively express themselves to other members of society; second, when it comes to vote, they vote for or against the policy, law, etc. equally, and their votes are counted as equal; third, have equal opportunities to understand or learn about what they are doing; fourth, can control the agenda; fifth, as adults, they have full right to participate.

If we take these criteria as indispensable for democracy it could be said that there is no democracy currently, since people are not equal in any political context. There are people rich and poor, elites and ordinary, capable and incapable, literate and illiterate, coherent and incoherent, etc. These divisions may affect their effects on democratic process. Dahl (2000, 93) and Christiano (1996, 5), also remark that achieving these ideals in maximum level is difficult or even impossible as people are widely dispersed, our society is excessively complex, our social/political life is so sophisticated, ordinary citizens have more concerns, they have different tasks to fulfil rather than making law or policy.

What type of democracy approximate people to the ideals of democracy? The answer of this question requires a presumption that the two types are different. But are they?

3.1.A different aspect on the division: Are they really different?

Above, two different ways of democracy are discussed as if they are different from each other. *Prima facie*, maybe, it is thought that they are different. The paper’s aim is to discuss democratic merits of representative democracy and direct democracy and to decide, if possible, which is more democratic. Yet, in order to answer the question, we must broaden our minds in the light of (potential) fallaciousness of the difference. What if they are not as different as it is thought? Some scholars allege that the distinction between direct and indirect democracy is senseless, as they are not very different (Budge 1996, 56; Saward 2010, 160-162). It is valid especially for modern direct democracy. There are three basic characteristics of the two types of democracy which are in common.

Here I stimulate you to think about referendum. First, as Saward (2010, 161) points out, in anywhere referendum takes place; there are lobby groups and/or individuals that represents one side of the debate. As they do under representative democracy. From this perspective he claims that “This is ‘representative politics’, and because it is democratic politics it is also a version of ‘representative democracy’” (2010, 161). He (2010, 162) also alleges that even in

“pure” version of direct democracy, indirect institutions would be crucial to make the democracy working. Second, referendum or initiative may be a device for “self-representation” (Saward 2010, 165). Third feature in common is about the role of parties. They play a vital role for representative democracy. Actually, in a way, many times parties themselves are our representatives rather than individuals. They make the system running but their role in representative democracy does not imply that they could not take part in direct democracy (Budge 1996, 40).

In the light of the similarities, Saward (2010, 167,168) defines representative democracy in six steps: (1) not the opposite of direct democracy but incorporating it. (2) not democratic option but a democratic necessity (3) not only a set of institutions but also an open set of relationships (4) not so much given set of institutions as a design challenge (5) less a fixed quality of state than a dynamic quality of society (6) “representative” as less a job title and more a diffuse, aesthetic potentiality.

3.2. Seeking the answer

Both Dahl (2000, 37-38) and Christiano (1996, 3) emphasise equality when they define the ideals of democracy. For *equality* issue, I suppose, Patrick Flavin’s work (2014, 11-14) has some merits as well for others. In this work he seeks a relation with direct democracy and political equality in the US and finds out that there is no direct effect of direct democracy on political equality in the US, but also finds out states with frequent ballot initiatives tend to measure the public opinions more equally. Yet, the findings are not enough to say X is more equal than Y.

On the contrary of early eras, in a democratic modern state, people are ruled by representatives that they choose. Representatives make laws, policies for people. Some of the people also have the right to join the governing process directly via direct democracy devices, particularly in Switzerland, where they happen in 2-4 times in a year (Lutz 2007, 625), and three fourths of the world’s referendum take place (Lewis 2011, 366-367). Yet, these two types of democracy have a core dilemma. When the main aim is to give maximum opportunities for people to get involved- this involvement does not only imply to show up in a referendum or an initiative processes it also implies deliberation/consideration- in political decisions, direct democracy has the advantage considering representative system. However, it is not plausible for all national level decisions.

“The smaller a democratic unit, the greater its potential for citizen participation and the less the need for citizens to delegate government decisions to representatives. The larger the unit, the greater its capacity for dealing with problems important to its citizens and the greater the need for citizens to delegate decisions to representatives” (Dahl 2000, 110).

So if one concerns a lot of effectivity (in the sense of modern states) then representative system wins against direct democracy, if they are different.

In The Margin of an Ideal: Direct Democracy versus Representative Democracy

Democracy is not voting procedures (Saward 1998, 75) but voting is important for our modern democratic systems. Both in direct democracy and in indirect democracy all citizens, able to vote, have equal votes no matter how rich or poor the people, how elite or ordinary, etc. But, as Hall and Wayman (1990, 809,814), discuss *moneyed interest* affects enacting processes in the US. In the absence of direct democracy institutions, people with money might have more power on policy decisions via lobbying and effecting government officials.

As it is shown both systems have limits and merits and they are both problematic for the ideals of democracy. In the light of our discussion, saying “direct democracy is more democratic than representative democracy” is not possible. In addition, naming anyone, between two of them, as more democratic would be nonsense. From my point of view, none have superiority to another in any political context because of two simple reasons. First, they are not that different from each other. Second, their Achilles heels cause their deaths as Achilles were. But we should not sink into despair. When we defined direct democracy, we availed of Budge’s definition. For this definition, the essential characteristic of direct democracy is that citizens directly participate or vote on the most important issues. This characteristic makes direct democracy compatible with representative democracy (Budge 1996, 36). It shows that the two types can live in harmony. According to Dahl (2000, 85-86) modern representative democracy has six political institutions which are; (1) *elected officials*, (2) *free, fair, and frequent elections*, (3) *freedom of expression*, (4) *access to alternative sources of information*, (5) *associational autonomy*, and (6) *inclusive citizenship*. These institutions must be seen as *sine qua non* institutions. Yet, none implies that they are incompatible with modern direct democracy devices.

If we want more democratic context we must keep in mind that their unique merits could be a remedy some of one another problems. It could not necessarily be a situation where one of the sides fails or wins. It could be a win-win process. When it is, the people also stand on the winners’ side. But the way of making a political context more democratic also passes through education. Education could be a remedy for problems which the two systems cannot.

“The foundation for democracy is education. A democratic society is more than just the institution of government. It is a way of living together, of learning to cooperatively agree and disagree non-violently, a social contract that supports and appreciation of diversity and of coming to support one another for the good of the whole. In this sense, democracy demands of its people the social, emotional, and civic skills and ethical dispositions as well as cognitive capacities to constructively participate in a democratic society” (Cohen 2014,43).

Or maybe, just maybe, direct democracy or representative democracy is more democratic as the people will. If, in any political context, when the people see one of them more democratic than the other so it becomes. If they feel that they do govern themselves no matter what the way is-direct, indirect, and participatory or vice versa- they actually govern themselves democratically. This point, I think, also deserves consideration.

CONCLUSION

The journey started in ancient Greece, advanced in the new world splashed to the old world again but it does not end. It took form as the people willed. One of the forms, and the first one, was direct democracy. It showed itself first in ancient Greece. The other one was representative democracy; it got its democratic meaning after the American Revolution in the United States. The two forms have been changed/evolved/advanced in time because humanity and the social structures have needed these changes/evolutions/advances. History shows us representative democracy has not been a remedy alone for the problems of political life; as direct democracy has not been (Cronin 1989, 222). From my perspective they cannot be remedies for problems by themselves. They are able to cooperate; they do not exclude one another. This character of them could be use in a more suitable way than it is used now. Even if, in general, most people prefer representative governments (Cronin 1989, 222), it does not imply that it would continue to be as it is now for all time. With effective usage of the devices of both types in a political context in the same time and contribution of proper education, a more democratic political context could be engendered. One day, representative democracy devices only might not meet the demands of public. That day the actual usage of referendums, initiatives or recalls also might not meet the demands. It is better to think that what we could do right now when the time comes; rather than doing it at the time when it happens. To reach more democratic systems, all we have to do is to think about more using both devices of two types of democracy in more coherent and feasible way than that we use now, and educate the new generations due to the ideals of democracy.

In The Margin of an Ideal: Direct Democracy versus Representative Democracy

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