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THE UNDEMOCRATIC DILEMMA

Yascha Mounk

Yascha Mounk is a lecturer on government at Harvard University and a senior fellow in the Political Reform program at New America. His book *The People vs. Democracy: Why Our Freedom is in Danger and How to Save It* was released by Harvard University Press in March 2018. He is also the author of *The Age of Responsibility: Luck, Choice, and the Welfare State* (2017).

For decades, developed democracies in North America, Western Europe, and beyond appeared to be remarkably stable. Moderate parties and politicians were dominant. Independent institutions were strong. A broad political consensus created a sense that the future was highly predictable. This seeming stability shaped the theories of most political scientists. They believed that in countries that were affluent and in which the government had repeatedly changed hands through free and fair elections, democracy had “consolidated.” Unless these countries suffered some unexpected calamity, such as a major war, it was safe to assume that their political systems would remain stable for the foreseeable future.

The past few years have called these supposed certainties into doubt. Many developed democracies are experiencing the most rapid political change they have seen in decades: Citizens are becoming increasingly angry. Party systems that had long been stable are disintegrating. Most strikingly, in a wide swath of countries across Europe and North America, a new crop of populists has entered parliament or even ascended to executive power.

While academics are sometimes slow to adjust their long-held theories, these events have already triggered a much-needed set of challenges to the prevailing scholarly consensus. Erstwhile optimists from Adam Przeworski to Francis Fukuyama have publicly expressed their concerns for the stability of liberal democracy. Leading comparativists such as Steven Levitsky and Daniel Ziblatt are examining the circumstances in which supposedly consolidated democracies might die. Others are mounting a

major effort to monitor whether the “bright lines” that need to remain inviolate for the liberal-democratic system to endure are now being crossed in the United States.

These challenges to the older scholarly consensus have, in turn, stimulated a set of important debates, many of which have been playing out in the pages of the *Journal of Democracy* over the past two years: Are citizens merely disappointed with existing political elites, or are they actually becoming open to authoritarian alternatives to democracy? Are the causes of the populist rise primarily cultural, or are they economic? And what might the answers to these questions imply about potential remedies?

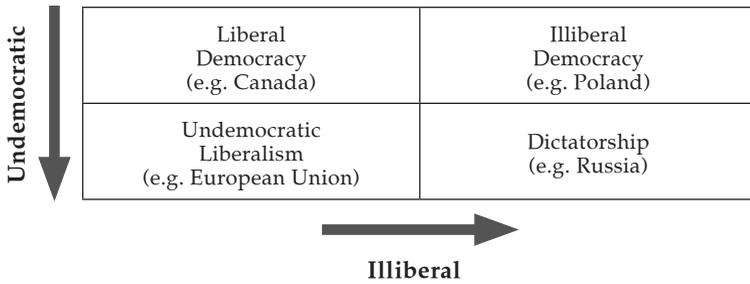
One key set of questions centers on the nature of the new class of political challengers, which includes such populist politicians as France’s Marine Le Pen, Hungary’s Viktor Orbán, and Donald Trump in the United States. Some scholars have argued that today’s populists, having shed the outright preference for authoritarian systems shown by older movements on the far left and far right, should be understood as deeply democratic, since they channel the views of the majority. Others, pointing to the worrisome political goals and strategies favored by populists, have responded that they are in fact antidemocratic (or at least dangerously illiberal).

Some of this debate can be settled by distinguishing between the *form* and the *effect* of the current wave of populist politics. When it comes to form, Fareed Zakaria’s term “illiberal democracy” offers an apt description. Most populists are democratic in that they do actually seek to translate popular views on issues such as migration into public policy. At the same time, they are illiberal in their readiness, once in power, to attack independent institutions, undermine the rule of law, and violate the rights of minorities.

The illiberal nature of the regimes that populists erect is in itself a good reason to oppose them. But even people who care only about the democratic component of liberal-democratic systems have reason for concern: While the form populism takes may initially be democratic, its long-term effect is to undermine not only liberalism, but democracy as well. As we have seen in countries from Venezuela to Hungary, attacks by populists on independent institutions and the rule of law ultimately erode the conditions for free and fair elections to such an extent that populist leaders cease to be effectively constrained by the will of the people.

This is why we can see the danger posed by the current political moment with greater clarity if we adopt a “thin” definition of democracy which recognizes that liberal-democratic systems are the sum of two core components, democracy *and* liberalism, rather than a “thick” definition of democracy that includes all desirable characteristics under this single heading. Once populists gain control, they turn liberal democracies into illiberal democracies by attacking independent institutions, un-

FIGURE—THE LIBERALISM-DEMOCRACY MATRIX



dermining the rule of law, and violating the rights of minorities. Illiberal democracies are thus a distinctive regime type in their own right—they may not prove to be a stable one. Evidence from countries including Hungary, Turkey, and Venezuela suggests that illiberal democracies are always in danger of degenerating into electoral dictatorships.

The rise of populists who champion illiberal democracy may, in turn, reflect popular dissatisfaction with preexisting systems that suffered from the inverse defect: *undemocratic liberalism*. Such systems are liberal, yet fail to live up to democracy's promise to let the people rule. Although they (mostly) respect the rule of law and (largely) protect the rights of minorities, they fail to translate popular preferences into public policy. Over the past decades, many countries in North America and Western Europe have, in effect, unwittingly adopted undemocratic liberal regimes.

This poses a deep “antidemocratic dilemma.” On the one hand, the people's dispossession is troubling for both normative and prudential reasons. It betrays one of the core promises of liberal democracy and inspires a deep distrust in the political system that grows more corrosive with each passing year. The stability of the system may thus depend on finding ways to make ordinary citizens feel that they are in charge again. On the other hand, the technocratic institutions that have been a major factor in the rise of undemocratic liberalism are doing important work that is necessary for democratic governments to deliver on key issues such as public safety and economic growth: Abolishing these institutions would likely make the lives of many citizens worse, and erode the performance legitimacy on which democracies have always, to some extent, relied. Precisely because it cannot be overcome simply by returning power to the people, the decomposition of liberal democracy into its constituent parts will be one of the defining challenges of the coming decades.

The Rise of Technocratic Institutions

Since the end of World War II, the complexity of the regulatory tasks facing the state has vastly increased. Technology has advanced, and economic processes have become more intricate. Monetary policy has

evolved into a core tool for stabilizing the economy. Even more important, some of the most pressing political challenges now facing mankind, from climate change to growing inequality, are global in origin and seemingly outstrip the ability of individual nation-states to find an adequate response.

Each of these changes has prompted a shift of power away from national parliaments. To deal with the need for regulation in highly technical fields, bureaucratic agencies staffed with subject-matter experts began to take on a quasi-legislative role. To make increasingly complicated decisions about monetary policy while resisting political pressure to create artificial booms, more and more central banks became independent. Finally, to develop rules, plans, and standards on issues ranging from trade to climate change, an array of international treaties and organizations were founded.

This transformation is not the result of an elite conspiracy. On the contrary, it has occurred gradually, and often imperceptibly, in response to real policy challenges. But the cumulative result has been a creeping erosion of democracy: As more and more areas of public policy have been walled off from the fray of democratic politics, the people's ability to influence their government has been drastically curtailed.

Bureaucracy. One crucial factor narrowing the sphere of democratic contestation has been the growing role of state bureaucracies, which have taken ever more issues under their jurisdiction. Indeed, government agencies have not only grown more influential in designing the laws passed by parliaments over the past decades; at the same time, they themselves have also increasingly assumed the role of quasi-legislators.

A traditional bureaucratic body is charged with implementing legislation drawn up by the legislature and is led by a politician—often an elected member of parliament—who has been appointed by the president or prime minister. But in a growing number of policy areas, elected legislators have been supplanted as the key decision makers by “independent agencies” with the authority to formulate policy, entities that are remarkably free from oversight either by the legislature or by the elected head of government. Once established, these bodies take on a life of their own, gaining the authority to design, implement, and at times even enforce broad rules in such key areas as finance and environmental protection.

In the United States, independent agencies of this kind include the Federal Communications Commission (FCC), the Securities and Exchange Commission (SEC), the Environmental Protection Agency (EPA), and the Consumer Financial Protection Bureau (CFPB). Collectively, these bodies make key decisions in a wide range of crucial policy areas. The United States is not alone: Equivalents to these independent agencies exist in a variety of countries. In Britain in 2010, there were

more than nine-hundred quasi-autonomous nongovernmental organizations (QUANGOs)—governmental bodies that are funded by taxpayer money yet have little or no democratic oversight. While some are performing essential tasks, the rapid increase in their number and in the breadth of their mandates has worried the public. In 2010, Parliament listened to the critics, promising to cut or merge about a third of existing QUANGOs. But in the event, most QUANGOs survived the cull, and many changes turned out to be cosmetic, with authorities resorting to “bureau-shuffling” rather than eliminating agency functions.¹

Perhaps the most powerful “independent agency” in the world is the European Commission. In most countries, the bureaucracy’s power is at least somewhat limited by a strong head of government and a legislature with real backing from ordinary citizens. By contrast, the European Union has its broad policy priorities set by a summit of the heads of government of individual member states that meets only a few times a year. The European Parliament, meanwhile, wields little real power, and its members are chosen in low-turnout elections that voters treat chiefly as an opportunity to protest against unpopular national governments. As a result, the European Commission, an organization of career bureaucrats, has historically been the motor of most EU activities, initiating, writing, and implementing much of EU law.

Banks. After World War II, many Germans blamed the collapse of the Weimar Republic on hyperinflation spurred by political meddling with the money supply. To avoid a slide back into chaos or even fascism, they concluded, the new Bundesbank would have to be as independent as possible. This entailed more than just a ban on elected politicians interfering with the bank’s day-to-day operations or freely choosing its governors. In stark contrast to other central banks around the world, the Bundesbank also gained the right to determine its own policy objectives, deciding on its own whether to prioritize low inflation or low unemployment.

Germany’s postwar economic success and the stability of the deutschmark soon became objects of national pride. So when European political elites decided to embark on the process of monetary union in the course of the 1980s, German leaders insisted that the new European Central Bank (ECB) follow the model of the Bundesbank. That is exactly what came to pass: “The ECB,” according to Daniel Gros, “was the Bundesbank 2.0, but even a bit stronger in terms of its independence.”² Its institutional design, writes Christopher Alessi, was geared toward ensuring that it would be “governed by unelected technocrats who fell outside the purview of political accountability.”³

Over the course of the 1970s and 1980s, economists began to make more far-reaching arguments for central-bank independence on the German model. Since politicians have a strong incentive to create short-

term booms when they are coming up for reelection, leading scholars argued, central banks subject to political influence would boost inflation in the short-run without sustainably decreasing unemployment in the long-run.⁴ Making central banks independent would insulate them from such short-term incentives and thereby boost long-term economic performance. And so over the course of the 1990s more than fifty countries moved toward increased independence for their central banks.⁵

For most of the history of liberal democracy, central banks had only limited tools at their disposal. For much of the nineteenth and early twentieth centuries, most currencies had their value tied to the state's gold reserves. In the Bretton Woods system that prevailed in the wake of World War II, exchange rates were largely fixed, and on the relatively rare occasions when they had to be adjusted, elected politicians rather than unelected bureaucrats usually made this call. During this period, Simone Pollilo and Mauro Guillén write, central banks “played a relatively limited and quiet role in economic and financial policy making.”⁶

Only after the demise of the Bretton Woods currency controls in the early 1970s did central banks gain the leeway to set interest rates in keeping with their policy objectives. Long consigned to keeping stable a system designed by elected politicians, they have today become the key institutions deciding whether to focus on minimizing inflation or unemployment. As a result, technocrats now make some of the most important economic decisions facing countries around the world.

Courts. The rise of judicial review is yet another way in which important issues have been taken out of democratic contestation. Historically, judges have used their authority to check whether legislative acts might violate a written constitution or time-honored legal principles for some extraordinarily noble purposes. Many of the most important advances in the rights of U.S. citizens, for example, were handed down from a judicial bench. There can also be no doubt, however, that the nine unelected justices who sit on the U.S. Supreme Court now hold a vast amount of power—and a case can be made that they grew more willing to exercise that power over the course of the twentieth century.

The geographical spread of judicial review has been even more clear-cut: Only eight of the twenty-two countries that could be classified as democracies in 1930 had judicial review at that time. Today, twenty-one of these countries do, with the Netherlands as the only (partial) exception.⁷

Even in countries where the constitution does not explicitly grant the power of judicial review to the courts, they have to all intents and purposes started to exercise this power. The United Kingdom had long prided itself on parliamentary sovereignty, but as Britain became a member of the European Community, incorporated the European Convention of Human Rights into domestic law, and established a new Supreme Court

of the United Kingdom to take on functions previously handled in the House of Lords, its judges gradually gained de facto powers of judicial review. A similar story could be told about other countries. With the 1982 Charter of Rights and Freedoms, Canada effectively moved from parliamentary to constitutional sovereignty. In France, the powers of the Conseil d'État, the land's highest court with regard to administrative matters, have gradually expanded, with its judges now making roughly ten-thousand rulings every year. Even in the Netherlands, where Article 120 of the Constitution makes clear that no court can review the constitutionality of parliamentary acts, the introduction of international human-rights treaties has amplified the powers of unelected judges.

There is a direct democratic cost to the rise of judicial review: Decisions are taken out of the hands of the people and turned over to unelected technocrats. Francis Fukuyama has argued that there may also be a more indirect cost. Together with the influence of other entrenched interests, he suggests, the U.S. judiciary's assumption of tasks properly belonging to other institutions is fueling a process of "political decay" that has rendered certain parts of the political system "dysfunctional"—and has made it difficult even to imagine how to go about fixing them.⁸

Trade treaties. The point of an international agreement is to coordinate the actions of participating states, thereby setting stable expectations and helping these countries to achieve a common goal. So the loss of national control over certain matters is not a bug of such agreements; it is their primary feature. This is as true of treaties regulating the emission of noxious gases as it is of those establishing organizations such as the World Bank or the United Nations.

Trade treaties are a key case in point. Free trade offers big benefits to all countries that enjoy it. But to enter into free-trade agreements, a state needs to abdicate some of its power to make independent decisions: If signatory states could reintroduce import tariffs at will, for instance, the agreements would fail to set the stable expectations that account for much of their economic benefit.

As a result, the limitations imposed by free-trade treaties restrict signatories' freedom of maneuver in important ways. In the past, many developing countries managed to foster high-level domestic industries by temporarily shielding them from competition. The United States did this for steel in the nineteenth century, just as Japan and Taiwan did it for cars and electronics in the twentieth century. Today, developing countries subject to the rules of the World Trade Organization or to even more onerous regional trade agreements are effectively barred from employing the same strategy.

The surrender of control that modern trade deals require goes well beyond decisions about tariffs. Prohibitions on protecting domestic industries from foreign takeover make it harder for governments to slow

the job loss from globalization or to cushion its social effects. Measures aimed at eliminating hidden barriers to trade, including divergent regulatory and technical standards, can limit governments' ability to pass new environmental protections. More ambitious agreements such as NAFTA also include provisions for short-term work visas, lessening participating countries' control over the inflow of immigrants. Finally, the rise of "investor-state dispute settlements" is giving corporations far-reaching powers to demand compensation for local regulations that might dampen their profits before international tribunals.

Free-trade treaties constitute only a small subset of the agreements and organizations that now structure the international system. These international arrangements offer immense benefits to the world, but this normative fact should not blind us to an even simpler empirical fact: As these treaties proliferate, they increasingly restrict the extent to which legislators within nation-states can make autonomous decisions or react to shifts in popular preferences.

The Cooptation of Electoral Institutions

Whether due to the expanding authority of bureaucrats, the independence of central banks, the rise of judicial review, or the growth of international treaties and organizations, the withdrawal of important topics from domestic political contestation is one major reason why political systems throughout Western Europe and North America have become less democratic. This might imply that we face a straightforward problem of legislatures hamstrung in their ability to enact the wishes of the people. But there is also another big piece of the undemocratic puzzle: Even in areas where parliaments retain real power, they do a poor job of translating the views of the people into public policy.

Although elected by the people to represent their views, legislators have become increasingly insulated from the popular will. The role of money in the political process has grown, with ever larger sums needed to be competitive in elections and lobbying expenditures increasing by an order of magnitude. At the same time, the personal and professional experiences of legislators, as well as their levels of wealth and education, increasingly place them in a class apart from most of their constituents.

Campaign contributions are an especially large problem in countries where existing limits on political spending are weak. In the United States, total spending on elections has grown rapidly over the past few decades, with federal campaign expenditures in 2012 reportedly amounting to nearly US\$6.3 billion⁹—more than twice the annual GDP of Burundi. The amount of money spent on lobbying in the United States has also grown rapidly, doubling in the first fifteen years of the twenty-first century alone (from slightly less than \$1.6 billion in 2000 to slightly

more than \$3.2 billion in 2015).¹⁰ And as Lee Drutman has carefully chronicled, the vast majority of that money is spent by large corporations rather than by trade unions or mass-based interest groups.¹¹

One of the most insidious ways in which lobbying and campaign finance distort the political system is by helping to shape the worldview of politicians, who must spend a large chunk of their time interacting with donors and lobbyists. While nobody has yet studied the magnitude of this effect in a systematic manner, anecdotal evidence suggests that members of Congress now spend up to half their working hours on fundraising activities. A similar shift has occurred in the executive: Jimmy Carter and Ronald Reagan went to a fundraiser about once every twenty days during their first terms in office. Unlike Reagan, Barack Obama reportedly hated fundraisers. Even so, he remained captive to the exigencies of his political age, and put in an appearance at a presidential fundraiser roughly once every five days.¹²

Many Europeans like to think that things are much better on the Continent than in the United States, where democracy, they assert, was long ago captured by a hypercapitalist mindset and the corporations it emboldens. These claims contain a grain of truth. In most European countries, limits on campaign contributions are more stringent. Although payments to lobbyists have skyrocketed, political expenditures remain much lower.¹³ Yet estrangement between voters and legislators is pervasive in Europe as well. Indeed, while restrictions on campaign finance are real, this setup may be giving incumbents who favor special interests an advantage that is just as big—and even more difficult to track.

For one thing, the difficulty of raising campaign contributions legally also makes it much more tempting for politicians to raise them illegally, a temptation to which prominent officeholders in Germany, France, and other European democracies have repeatedly succumbed in the past decades. In addition, when politicians find it harder to control their own message through ad buys, the relative importance of their portrayal in major media outlets grows. This effectively allows an individual owner who controls vast swaths of a country's media landscape—as do media tycoons in places from Italy to Great Britain—to become a political kingmaker.

The fact that the people or corporations who put their cash into politics may enjoy “influence over or access to elected officials,” Justice Anthony Kennedy wrote in the 2010 U.S. Supreme Court case *Citizens United*, “does not mean that these officials are corrupt.”¹⁴ This is true. It does not constitute bribery for lobbyists to write legislation on behalf of elected representatives and for the companies the lobbyists serve to send lavish campaign donations a few weeks later. Yet these accepted practices may cumulatively add up to what Lawrence Lessig has called “dependence corruption.”¹⁵

Kennedy is right to point out that there is an important legal—and

probably even moral—distinction between dependence corruption and cases of actual bribery. Yet at the end of the day, both work in similar ways to undermine the health of democratic institutions: Thanks to the spending of private money, the powerful profit and public policy changes course. Legislators are, to a disheartening degree, captured by special interests and diverted from the task of translating popular views into public policy.

To be sure, the reasons for the cooptation of electoral institutions go beyond the rising role of money in politics. As Christopher Achen and Larry Bartels have shown, most U.S. voters barely pay attention to politics. Even insofar as they have political preferences, these seem to be incoherent.¹⁶ It is tempting to use such findings to excuse unresponsive political systems: Perhaps voters just do not put much store in exercising effective control over their government.

But this line of defense overlooks two important problems. First, voters may be disengaged partly because they believe that the system would not be very responsive even if they did pay attention. Second, in the absence of an engaged citizenry that strongly defends its own interests, the growing influence of money may lead to such skewed economic outcomes that support for democracy will gradually erode. Even if the blame partly lies with a people who fail to live up to their duties as citizens, a political system in which money talks while the people tune out the noise fails to live up to the double promise of liberal democracy.

The Wages of Discontent

Democracy has nearly as many definitions as there are political thinkers. But one need not pull the old scoundrel's trick of reaching for a dictionary to call into doubt whether the United States—or France, or the United Kingdom—is fully democratic today.

At a minimum, I suggest, any democracy should have in place a set of effective institutional mechanisms for translating popular views into public policy. In many developed democracies, these mechanisms have become significantly impaired over the past decades. These states' commitment to liberal rights has, until recently, remained deeply ingrained, but their liberalism has taken an increasingly undemocratic form. From lobbying to campaign donations to bureaucratic institutions to international treaties, the forces insulating the system from the popular will have grown—and with them the gulf that separates political elites from the people they are supposed to represent.

Steven Levitsky and Lucan Way argue that “unfair competition” defines “competitive authoritarian” regimes, in which elections retain some real significance but the playing field is systematically tilted in the government's favor.¹⁷ Similarly, many supposed democracies now resemble competitive oligarchies: Even though debates about proposed

laws seemingly retain significance, an unfair policy-making process gives ruling elites a huge advantage in advancing their own interests.

This claim, of course, is easily subject to political appropriation. After all, populist rhetoric centers on the premise that ordinary people have been disempowered by the establishment, together with a pledge to set things right by giving expression to the people's unadulterated voice. For too long, Donald Trump claimed in his speech accepting the party's presidential nomination at the 2016 Republican National Convention, ordinary men and women had been forgotten. They "no longer have a voice." But, Trump claimed, he would change all of that. This promise became the central theme of the speech. And though widely ridiculed in the following days, it was a brilliant distillation of the core promise populists around the globe have made to their voters all along. Marine Le Pen ran her 2017 presidential campaign "in the name of the people." "We are the people," Turkish president Recep Tayyip Erdoğan once said to his opponents, "Who are you?" Norbert Hofer, a leading member of Austria's far-right Freedom Party, made much the same point in his 2016 presidential campaign: "You have the high society behind you," he said. "I have the people with me."¹⁸

There are many reasons for the rapid rise of authoritarian populists. The stagnation of living standards for ordinary citizens has significantly undermined faith in liberal democracies. High levels of immigration and broad challenges to socially entrenched racial hierarchies have led to a potent backlash against the principles of an equal multiethnic society. Meanwhile, social media have made it much easier for radical voices—or ideologically moderate citizens alienated by the manifold disappointments of the past decades—to challenge the political establishment. If these long-term drivers are not confronted in a concerted and intelligent manner, the rise of populism is likely to continue. But in order to win the necessary public trust to carry out reforms in a way that respects and safeguards liberal-democratic norms, politicians will first have to combat the widespread sense that the government serves its own bureaucratic agenda and has stopped listening to the concerns of voters.

The Antidemocratic Dilemma

The few scholars who have written about the degree to which today's political elites are now insulated from popular preferences tend to argue that the problem's roots are as simple as its remedies are clear. Elites, on this view, have engineered the sundry institutions that keep power from the people for their own selfish ends. Rich individuals and big corporations favor trade treaties, independent central banks, and powerful bureaucratic agencies because they can capture the professionals who work for these institutions, bending their work until it furthers the interests of the wealthy and powerful. In short, most members

of the political class favor technocracy because its opaque institutional apparatus makes it easier for them to ignore the popular will.

For those who accept this reading of the origins of undemocratic liberalism, returning power to the people is both the obvious solution and a straightforward task. Experts argue that independent central banks are good for economic growth, that trade treaties drive down consumer prices, and that big bureaucratic agencies and powerful international organizations are needed to deal with issues too complicated for the common man to understand. But these claims are merely the virtuous gloss that elites have put on their self-centered schemes, tenets of a neoliberal ideology promoted by wealthy donors, by universities, and by think tanks. Once tutelary institutions are exposed as complicit in a conspiracy to disinherit the people, the remedy to the ills of undemocratic liberalism seems clear: Abolish the institutions, boot the elites out of power, and put the people back in charge.

This basic set of intellectual instincts manifests itself in debates about a large range of issues and holds significant sway on both the far left and the far right. Simplistic as it may be, it should not be dismissed too easily. After all, it does highlight the need to move forward with those reforms that would make the political system more responsive to popular preferences without undermining the rule of law or violating individual rights. There is no reason special-interest groups should continue to enjoy their disproportionate level of political influence. Reformers can make a real contribution to winning back popular trust by reducing the outsized role that money now plays in the politics of virtually all countries in North America, Western Europe, and beyond.

But while the cooptation of electoral institutions corrupts the political system without bringing any obvious compensating benefits, the rise of bureaucratic institutions is a more complicated case. The simple anti-technocratic narrative caricatures the origins, operation, and purpose of these entities. It is true that political elites are overly comfortable with technocratic institutions that happen to give them a great deal of power. It is obvious that financial elites spend considerable money and effort to mold these institutions to their own advantage. And there can be little doubt that funding streams favor some ideas over others, helping to set narrow bounds on the range of “serious” opinion. Yet technocratic institutions cannot be abolished wholesale without significantly impairing the state’s ability to deliver in core policy areas.

Indeed, the history of most institutions that constrain popular influence is much more complicated than their detractors are willing to admit. The European Union, for example, has its origins not in a conspiracy of corporations, but rather in an idealistic attempt to rebuild the continent in the aftermath of World War II. Meanwhile, technocratic entities from the EPA in the United States to the International Atomic Energy Agency were designed to respond to genuine problems—such as pollution and

nuclear proliferation—that were proving difficult for existing institutions to address.

Just as the history of technocratic institutions is rather more complicated than their critics claim, so too the solution to the problem of undemocratic liberalism is rather less clear than they posit. For while it is easy to malign imperfect institutions as useless or self-serving, they do play three important roles. The challenges faced by developed liberal democracies are very complex. To keep the economy moving and avoid major disasters, we need to regulate banks and enforce consumer-safety standards, to monitor hurricanes and inspect power plants. There are many different ways of structuring how these tasks are carried out. It makes sense to search for reforms that would give legislatures more power to set the necessary rules and hold the bureaucratic agencies that enforce them accountable. But in the end, both the design and the implementation of these regulations really do require considerable technical expertise. It really is difficult to imagine that most citizens would take an active interest in them—or that elected politicians could come to master all their intricate details. And so it remains unclear how these tasks could be accomplished if we simply abolished technocratic institutions.

The challenge is even bigger when it comes to policy areas that require extensive international cooperation. To slow climate change or contain the spread of nuclear weapons, virtually all of the world's nations have to come to an agreement about what to do. At the moment, these kinds of decisions are usually made by heads of government (or the ministers they appoint). In democratic countries, these are of course elected. But the chain of delegation is extremely long, and the ability of ordinary citizens to influence international treaties highly restricted. Agreements such as the Paris Treaty on climate change do suffer from a real democratic deficit. And yet, it is once again difficult to see what the realistic alternative might be. A true world parliament is nowhere near in sight and would, in any case, feel incredibly remote to most citizens. Conversely, allowing each country to go its own way makes it impossible to confront a whole range of global challenges, including climate change. In the end, the choice thus seems to be between achieving international cooperation on key issues by a troublingly undemocratic path—and not achieving it at all.

Finally, the relationship between liberalism and democracy is much more intricate than the opponents of technocratic institutions like to claim. For all of their shortcomings, countermajoritarian institutions such as constitutional courts do have a proud record of protecting individual rights. So their opponents should at least take seriously the possibility that the members of ethnic and religious minorities might become more vulnerable if these institutions were abolished. More broadly, independent institutions have historically proven very important in keeping democracy on an even keel. As the recent experience of countries

including Hungary and Turkey demonstrates, a system in which the will of the people can override judges and bureaucrats may appear more democratic in the short run; in the long run, however, it also makes it easier for an autocrat to extinguish democracy.

The problem of this political moment, then, is not only that populists are on the march, threatening to erect illiberal democracies in countries across North America and Western Europe. Nor is it that their rise is partly fueled by the degree to which the political systems of many of these countries have become insulated from the popular will, making them less democratic than we would like to think. It is, rather, that there is no easy way to overcome the gradual emergence of undemocratic liberalism without harming the ability of governments to solve some of the most pressing challenges of the coming decades.

This is one of the deepest—and most rarely heralded—dilemmas that developed democracies will have to face in the twenty-first century: Either they return power to the people in a manner that is liable both to violate some of the core liberal values of our political system and to lead to an even greater crisis of legitimacy when government performance suffers as a result. Or they maintain key technocratic institutions that both violate some of the core democratic values of our political system and are liable to make a populist rebellion even more likely.

Undemocratic liberalism is a type of political regime that has been woefully undertheorized; that alone makes it worthy of greater attention. But a better understanding of its nature and its remedies is of much more than academic interest. Indeed, it may hold the key to preserving the unique achievement that has historically made liberal-democratic systems so stable: the ability both to protect individual rights and to pay heed to the popular will.

NOTES

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