

Democratic drift

Public accountability means more than keeping politicians honest—at least it used to



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Along the lines of Donald Whittman's 1995 book, *The Myth of Democratic Failure: Why Political Institutions are Efficient*, one of the arguments for competition between political parties is that they will compete away the personal benefits and power grabs that the political rulers are after, and supply what the majority wants at the lowest possible cost. This parallels the model

of economic competition: in trying to maximize their profits, rival firms compete them away.

The federal ethics commissioner thought he had to investigate how the new prime minister had belindastronachized David Emerson (he finally cleared both of them). In early February, the Gomery commission published its Phase II report, with 19 recommendations aimed at tying more tightly the hands of politicians and bureaucrats. Do these two events vindicate the invisible hand of democratic political competition?

I fear not. Political competition works relatively well in a small state: just look at the history of Canada before the 1960s. But it leads to very different consequences in a state that, like today's, pretends to answer any demand and solve any problem. In this kind of state, special interest groups, including the bureaucracy, become the real demanders

on the political market, and the most powerful of these groups get what they want, to the detriment of other citizens. Contra Whittman-type theories, economist Anthony de Jasay, in *The State*, argues that this system cannot remain stable for long, as the state becomes the focus of multiple contradictory demands (from business firms, trade unions, its own subsidized NGOs, this or that religion . . .), which cannot all be satisfied.

Look at the paradoxes of the system. The ruling party may not spend a couple of hundred thousand dollars on patronage (which is what the Liberals were blamed for by Gomery), but it can spend \$200 billion a year on laws that literally destroy the lifestyles of some people (gun owners, hunters, smokers, drug amateurs . . .) for the benefit of its preferred political clientele (court intellectuals, permanently assisted persons or businesses, and

other dependent and docile groups). Political competition does limit the rulers' perks, but it doesn't constrain the power of the state as an institution.

Quite the contrary. With fewer hard perks but billions of dollars to spend on their pet causes, the rulers become coercive do-gooders. Information commissioner George Radwanski, recently charged with fraud, was fired because he allegedly gave himself a few tens of thousands of dollars in perks (and probably because the political rulers didn't like him). Yet, nobody gets fired for virtuously pushing new redistribution programs, adopting new controls, or harming the dirty minority of the day.

The mutual reinforcement of state power, and democratic competition to hijack it, cannot continue forever. One of the two has to yield eventually. It is likely to be political competition. De Jasay concludes: "Thus, totalitarianism is not a matter of fanatical minds and bullying wills 'at the top,' nor of the terrifying naivety of their ideologists. . . . Having gathered all power to itself,

[the state] has become the sole focus of all conflict, and it must construct totalitarian defences to match its total exposure."

This is not just theory, the process has already started. Political campaign expenditures have been severely restricted, and lobbying is monitored. Only two words need to be added to Section 318(4) of the Criminal Code to definitively stifle political debates: add "political opinions" to the existing criteria ("colour, race, religion,

ethnic origin or sexual orientation") for the prohibition of hate propaganda. Hating some political opinions? "How offensive, my dear!"

Can we reverse the drift of the democratic state? As laws are addictive, generating their own constituencies and their own dependents, just to abolish a law looks like a Herculean task. Consider one example among many others. The Conservative party was once in favour of abolishing C-68 (the Firearms Act of 1995 and related amendments to the Criminal Code). Then, it apparently replaced this goal with abolishing "the gun registry" (which is the less dangerous part of C-68). Now, they timidly oppose "the long-gun registry." What's next?

Before political competition is further reduced, it is important to reflect on how we can push Leviathan back in its cage. **WS**

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