

Do the results of elections express the will of the people?

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Abstract. Elections are currently considered the most democratic method of making decisions. This article first starts from the perspective of "will of the people", and combines the advantages and disadvantages of democratic selection. From a theoretical perspective, it demonstrates the conclusion that democratic elections as a process cannot endorse any substantial justice because any endorsement of substantial justice could lead to totalitarianism (i.e., the will of the people, as explored in the second section). Therefore, democratic elections must replace substantive justice with a kind of procedural justice to overcome political totalitarianism disguised as the fictitious "will of the people".

Keywords: Elections; Will of the people; Democracy;

1. Introduction

This paper analyzes whether elections express the will of the people. When we consider this topic, we tend to assume that the "will of the people" is a positive term. However, this paper will first critically analyze this assumption. The paper will first analyze the contexts in which the will of the people is always associated with totalitarianism¹.

2. The meaning of "the will of the people" and its dangers

Jack Balkin said that "'the will of the people' is a legal and political fiction. Real people do have real desires and real values."². In other words, if Balkin's view is considered to be truly representative of the views of some scholars³, then the concept of "the will of the people" is characterized in current scholarship as follows:

(1) it is not favored, especially in constitutional democracies.

(2) it is not concrete (it does not reflect real human desires and values) and can be characterized as an "abstraction".

(3) it is not real; it is a political fiction.

But why is the concept of the "will of the people" so negative?

First of all, it is difficult to determine what the "will of the people" actually refers to, and the problem lies in its ambiguous nature. Looking back at the history of the term "will of the people," the concept that is closest to the three characteristics mentioned above and that has had a major international political impact in recent times is Rousseau's "general will"⁴. The term "general will" is mentioned in Rousseau's Social Contract. Rousseau's "general will" has the following characteristics: it is difficult to determine its meaning in realpolitik; since it has nothing to do with private interests and individual will, it cannot be used in electoral decisions based on private interests; even if a group claims to represent "general will" and is elected on that basis, such a claim is not credible⁵.

When Rousseau portrays "general will", he is portraying an ideal politics⁶. Rousseau's reason for drawing such a concept was to criticize and respond to inequality. Further, if inequality is the most important problem of society, then politics centered on "general will" is a type of political idealism.

If the will of the people is similar to the characteristics of the general will, the political effect of the term "will of the people" is to impose a political idealism in reality and to achieve an abstraction in diversity⁸. In other words, the concept of a perfect will of the people aims to achieve a pure and uncontaminated regime in a complex historical environment (including human greed, racial hatred, and gang grievances.)

What is the people must be defined by means of define its enemy because its meaning is empty⁹. That is, the determination of the enemies of the people always accompanies the determination of the meaning of the people. For example, in the French Revolution, the general will as the will of the people, especially during the Jacobin rule, became an instrument of persecution against the counter-revolution¹⁰. Such persecution could easily occur if the concept of "the will of the people" were used to achieve a political idealism that could not be attained¹¹.

3. The negative function of election

This section attempts to illustrate what elections cannot do.

The correct policies (e.g., those that lead to economic development) do not necessarily come from democracies or democratically elected governments¹². For example, democratically elected governments do not necessarily make the right decisions, such as former British Prime Minister Elizabeth Truss (when we think that Truss made decisions that harmed the British economy and finance, we should not forget that she was also legally elected and served).

Democratic elections also do not necessarily mean that people express their political opinions (and many do not have that explicit political opinions). In the economic voting model assumes that a person's vote is not so much related to partisan preferences (i.e., one's political views) as it is to economic conditions; when the economy is good, voters tend to support the ruling party and vice versa¹³. The survey conducted by the economic voting model certainly shows that not all voters have a clear political preference and vote based on that preference.

4. The positive function of the democratic election: satisfaction with democracy

Democratic elections can increase the accountability of the ruling party to national policies. In a constitutional system of clear accountability, the ruling party and the government and cabinet formed by it should or tend to be held accountable for its policies and the political and economic situation of the country while in office. Although the policy may not necessarily be related to the ideology and preferences of the ruling party¹⁴. Accountability is not based solely on the fact that it is the ruling party that causes bad situations but rather on the fact that the relationship between the ruling party and national policy is clear (and that people widely share this clarity) at the level of the political system or the constitution¹⁵. The political and economic situation of the Japan during Covid-19 pandemic is unfavorable, the Japanese cabinet was responsible for this situation, though this is not caused by the prime ministers and cabinet.

Democracy ultimately enhances the possibility of people's legitimate political participation, increases people's satisfaction with democracy, and minimizes the possibility of people expressing their political demands in illegal forms. People's participation in politics is not necessarily only through democratic elections. People can also participate in politics through demonstrations (which, while legal in many countries, are highly likely to become violent) or more radical means, such as revolutions. However, the role of democratic elections is to try to keep people from participating in politics in the ways described above. Some studies show that many people will participate in politics in an illegal or legally marginal way because the legal way cannot express their political demands. In other words, if legal ways (the most representative of which is elections) do not satisfy some people, they may adopt illegal ways to participate in politics. Although democratic elections may not reflect an individual's political opinions; nor may they lead to correct decisions; they can make people satisfied with the current political and economic situation through the accountability of political parties to the country, and thereby control the expression of people's political opinions within legitimate limits.

5. Conclusion

The democracy is unable to provide the so-called "right" decisions and its inability to reflect the particular political will of specific individuals, but rather its tendency to leave professional political matters in the hands of professionals (the professionalization of politics) through a representative system, is not a critique of democracy. Quite the contrary, democracy has this character precisely because it must oppose the will of the people of totalitarianism. In other words, democratic elections as a process (or as a form of procedural justice) cannot endorse any substantial justice because any endorsement of substantial justice could lead to totalitarianism (i.e., the will of the people, as explored in the second section). Therefore, democratic elections must replace substantive justice with a kind of procedural justice to overcome political totalitarianism disguised as the fictitious "will of the people".

References

- [1] Tamás Nyirkos(2018), *The Tyranny of the Majority: History, Concepts, and Challenges*, Routledge, p.6.
- [2] Ernesto Laclau(2005), *On Populist Reason*, Verso, London and New York.
- [3] Jean Jacques Rousseau(2009), Patrick Coleman, Franklin Philip, *Discourse on the Origin of Inequality*, Oxford University Press.
- [4] Edmund Burke, Marco De Boni(2016), *Reflections on the Revolution In France*, MDB Oxford Editions.
- [5] William E. Connolly(2002), *Identity Difference: Democratic Negotiations of Political Paradox*, University of Minnesota Press.
- [6] Jean-Jacques Rousseau, G D H Cole, Tony Darnell(1762), *On the Social Contract*, 12th Media Services.
- [7] David Andress(2005), *The terror: civil war in the French Revolution*, Little Brown.
- [8] William J. McGrath(1986). *Freud's Discovery of Psychoanalysis. The Politics of Hysteria*, Ithaca, New York: Cornell University Press.
- [9] Gossman, Lionel(1961), *Rousseau's Idealism*, *Romanic Review*; New York Vol. 52, Iss. 3, p.173.
- [10] Giovanni Damelecorresponding, Andre Santos Campos(2022), *Introduction. Elite Theory: Philosophical Challenges*, *Topoi (Dordr)*, 41(1),pp.1-5.
- [11] Christopher J Anderson(2000), *Economic voting and political context: a comparative perspective*, *Electoral Studies*, Volume 19, Issues 2–3, Pages 151-170.
- [12] Robert S. Erikson, Gerald C. Wright Jr, John P. McIve(1989), *Political Parties, Public Opinion, and State Policy in the United States*, *American Political Science Review*, Volume 83, Issue 3, pp.729-750.
- [13] C Kam, AM Bertelli, A Held(2020), *The Electoral System, the Party System and Accountability in Parliamentary Government*, *American Political Science Review*, Volume 114, Issue 3, pp.744-760.
- [14] Daniel Stockemer(2014), *What drives unconventional political participation? A two level study*, *The Social Science Journal*, Volume 51, Issue 2, pp.201-211.
- [15] Jack M. Balkin, *How Do We Measure the Will of the People?*, <https://jackbalkin.yale.edu/how-do-we-measure-will-people>