

Because we are taught to believe in the necessity of constitutional checks and balances, we place little faith in social checks and balances. [But] . . . in the absence of certain social prerequisites, no constitutional arrangements can produce a non-tyrannical republic. The history of numerous Latin-American states is, I think, sufficient evidence. . . . Whether we are concerned with tyranny by a minority or tyranny by a majority, the theory of polyarchy suggests that the first and crucial variables to which political scientists must direct their attention are social and not constitutional. (83)

Social prerequisites may take a variety of forms, economic, cultural, and political, among them;<sup>3</sup> but at least since Tocqueville wrote *Democracy in America*, the most notable has been consensus, that is, general agreement on what may be done politically and how it may be done.

Or so thoughtful observers of American politics, whether American or not, supposed for roughly the century between the American Civil War and the Second World War. Exactly what had been agreed on and precisely how much agreement it took to achieve societal consensus were left implicit. The heart of the matter seemed intuitively obvious. Two dangers stood out: tyranny of the majority (in the form of a numerically dominant group) exercised against a minority and tyranny of the minority (in the form of political leaders) exercised against the majority. And the primary safeguard against both was the same: the commitment of most citizens to democratic principles and practices.

Just so long as it was not possible to determine what ordinary citizens actually believed in, the sanguine assumption that they agreed on the fundamental rules of democratic politics survived. With the introduction of the modern opinion survey, the plausibility of assuming general agreement evaporated. To be sure, ordinary citizens were virtually unanimous in being willing to endorse democratic principles in the abstract. Reacting to an unpopular group or confronting an apparent threat, however, majorities of the public (often large majorities) rejected the rights of unpopular groups to express their point of view publicly and to be safeguarded by due process of law. The divergence between principle and practice, it became apparent, can be gapingly large.

In the absence of an appreciation of the gulf that can open up between democratic principle and practice even in the loneliest standing democracy

## TWO THE THESIS OF DEMOCRATIC ELITISM

the vulnerability of democratic rights is not always the dominant theme of democratic theory—a concern for justice, for example, periodically commands more attention—but it is surely the deepest and most persistent one.<sup>1</sup> And for all too obvious reasons. The twentieth century alone has had unprecedented chapters to the historical record of war, corruption, racial persecution, and genocidal annihilation. How, then, has it been possible for citizens in certain countries to enjoy fundamental democratic rights: to vote in free and fair elections, to speak their mind on public issues without fear of governmental reprisals, to be protected against unreasonable searches or seizures? What accounts for their maintaining possession of these rights over extended stretches of time and in the face of a string of crises, both internal and external?

Part of the answer, from an American perspective, lies in the formal institutions of governance. Institutional checks and balances, after all, were the central focus of the so-called Madisonian theory of democracy.<sup>2</sup> But the long run of political experience, constitutional architecture has not even to be a sufficient or even a necessary assurance of fundamental

possible let-us-suppose that his job in no way involves issues of security or indeed any political or societal harm that can rise directly from his holding of the job. The person in our illustration, then, does not at the State Department, is not in the army or indeed in any agency or government; he is a shoe salesman or perhaps a clerk in a grocery store at the checkout counter. At the height of McCarthyism, as Samuel showed in his classic study *Communism, Conformity, and Civil Liberties*, two out of every three Americans believed that an admitted communist who held a job as a clerk in a store should be fired.<sup>4</sup> That so many of the general public could openly and without comment favor so arbitrary, punitive, and unjustified an invasion of a citizen's rights surely merits attention.

One might wish to reply that this particular illustration of intolerance only that ordinary citizens were swept off their feet by the exceptional circumstances of the fifties or perhaps, in a spirit of reverse chauvinism, Americans proved to be vulnerable to hysteria over communism that citizens of ideologically more varied cultures are not. But such arguments are debatable. To an alarming extent, as a lengthier study of subsequent studies has shown,<sup>5</sup> the general public in liberal societies remains ill-informed about essential democratic practices and is too ready to applaud them as abstract principles but all too willing to condemn them in the heat of specific controversies. The difficulty goes deeper than the loss of faith in the ability of ordinary citizens either to understand or to truly value the values of democracy require of them or to be committed to them conscientiously in the heat of controversy. One aspect of a more sweeping skepticism about the competence of ordinary citizens to attend seriously to and think coherently about the world of public affairs. Ordinary citizens, to judge from several studies of public opinion research, are conspicuous for the cursorness of their attention to public issues, the shallowness of their knowledge of them, the inconsistency and capriciousness of their opinions about them, to mention the deficiency of their understanding of the larger political principles integral to them.<sup>6</sup> The consequence: all too often citizens prove themselves to be either muddleheaded, failing to put together their opinions consistently, or empty-headed, failing

part of citizens on the rules of the games is a bulwark of democratic rights. But the evaporation of confidence in the classic claim notwithstanding, faith in the fundamental intuition underlying it persisted. Surely, if democratic leaders managed to stay on the straight and narrow even in the face of political crises, it must be because restraints had been placed both on the public and themselves, and if the broader public were so fickle, then surely someone else had to be more faithful. But what form could restraint take? And how exactly could it be institutionalized?

By way of response, the concept of consensus was reworked rather than rejected. The classic studies of political tolerance had come across a striking contrast. If it was true and disheartening that the support of the general population for fundamental democratic rights was thin, it was also true and encouraging that the commitment of political elites—public officials, community leaders, legal elites, political party activists, trade union leaders, public interest group participants, in a word, people uncommonly interested in and informed about issues of public concern—was deep. And the politically informed and influential proved to be supportive not only when they spoke of democratic principles in the abstract, but also when they confronted them in controversies and proved themselves willing to defend the right of unpopular groups to express their point of view, to engage in peaceful demonstration, to enjoy the same rights of due process as other citizens, to be protected against the loss of their jobs because their point of view or life-style is at odds with the majority's.

The underpinning of fundamental democratic rights, it seemed to follow, was consensus not among ordinary citizens but rather among the politically active and aware; hence the thesis of democratic elitism.<sup>7</sup> Democratic societies like Canada and the United States are centered on core democratic norms, including (but not limited to) freedom of expression and assembly, due process and equal treatment under the law, and a universalistic right (following from citizenship itself) to vote in free and fair elections. The crucial societal location for support of democratic norms like these is the stratum of the politically influential and aware. As Herbert McClosky and Alida Brill (1983) remark,

Those who function at the center (or centers) of the political culture—who serve as the political, economic, cultural and intellectual leaders of

of their social location, their greater education, their more frequent involvement in community activities, their participation in the public colloquy on questions of the day, and their affiliation with social networks whose members often discuss and hold informed views on vital public issues, they are often exposed to [and more likely to understand and be motivated to accept] the ideas and principles which constitute the society's creed. (29)

differences observed in levels of support for central democratic values are part of citizens at large and of the politically aware and active *are* ing; indeed, so striking as to appear self-evidently to offer a key to the dilemma of political stability in liberal democracies. How can countries like Canada and the United States weather political storms without jettisoning democratic principles and practices? Because adherence to democratic values is strongest and most steadfast precisely among those with the most influence on and responsibility for public decisions. Political elites are a sure bet, mind you, to stand by democratic values: to say that their understanding of and commitment to democratic values far exceed those of average citizen is not to say that either their understanding or their commitment is perfect. But political elites are, a huge volume of research attests, a far better bet to hold their ground under pressure than is the public at large. As McClosky has written, "The evidence suggests that it is the elite classes who serve as the *major repositories of the public conscience and carriers of the Creed. Responsibility for keeping the system going, hence, falls most heavily on them*" (1964, italics added).

One contention that the politically aware and influential, by virtue of their part in politics and public affairs, acquire a distinctive commitment to democratic values and play therefore a major role in protecting democratic values has become conventional wisdom. Though challenged from time to time (Jackman 1972; Gibson 1988), the finding that the politically aware public are markedly more committed to democratic values than the general public has entered the stock of professional knowledge and is routinely and uncontroversially accepted as a matter of fact in textbooks (for example, Dye and Zeigler 1987). In turn, this empirical finding has led to a change in the normative roles assigned to the public at large and to political elites in democratic theory. Rather than citizens restraining the

general public, are likely to exercise a disproportionate influence on public policy." (434)

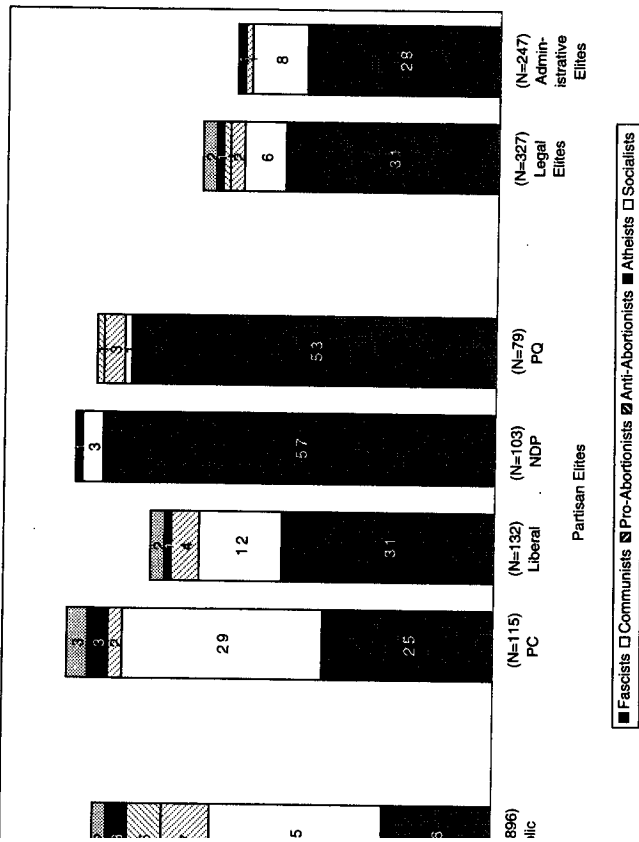
### The Mobilization of Bias: An Argument on Behalf of the Thesis of Democratic Elitism

Legally, rights are claims of entitlement to courses of action, and in the case of fundamental rights, claims treated as universal entitlements. It is not argued, and it would be taken as foolish on its face to argue, that some citizens but not others are entitled to freedom of expression under the Canadian Charter of Rights or virtually any other Bill of Rights. Instructively, it is not argued even that citizens are entitled to freedom of expression but other residents of Canada are not. Rather, it is stipulated that everyone or at any rate every legal adult by virtue of residence alone is entitled to exactly the same right of free expression. But if rights are legally universalistic, politically they are susceptible to particularism. They are susceptible because, politically, rights are and are understood to be two-pronged claims. A right that has become the subject of political debate represents a claim *to* particular entitlement and simultaneously a claim made *on behalf of* particular agents. This dual aspect of political rights is a key to their dynamics, for the very same claim to entitlement may be perceived as legitimate—that is, taken to be a right—if made in the name of one group but not if asserted in the name of another. To say that there is, in this sense, a politics of rights is to say that claims to rights are not merely act-sensitive—that is, contingent on what one wishes to do or how one wants to be treated—but also agent-sensitive, that is, contingent on *who* is to receive a public entitlement or benefit.

Our concern, to borrow a classic phrase, is with the mobilization of bias against the poles of political argument and thought.<sup>8</sup> To what extent, we want to know, is the political landscape tilted against those at the ideological extremes? Does the far right, even though located as much out of the mainstream as the far left, enjoy a comparative advantage over the far left?

It is not difficult to imagine that the left and right are differentially disadvantaged. Particularly among the public at large, the overwhelming focus of concern in the last generation was on communist subversion. But it is far from obvious that the politically aware and sophisticated now believe that

Figure 2.1. Most-Disliked Groups (excluding racists)



ance of comparisons\*:  
as a whole: p < .01; political elites by party: p < .01

tests for the non-probability elite samples are provided as general guides only.

nsensus, whether among the public at large or among political, legal, administrative elites, on which ideological pole is the more abhorrent. determine whether such a consensus exists, respondents were read a list ven groups and asked which of them they dislike the most.<sup>9</sup> The list was gned to include groups across the political spectrum and includes ng others)<sup>10</sup> communists, socialists, atheists, fascists, and pro- and an- ortionists. The percentage of the general public and of elites who dislike ular groups is set out in figure 2.1.

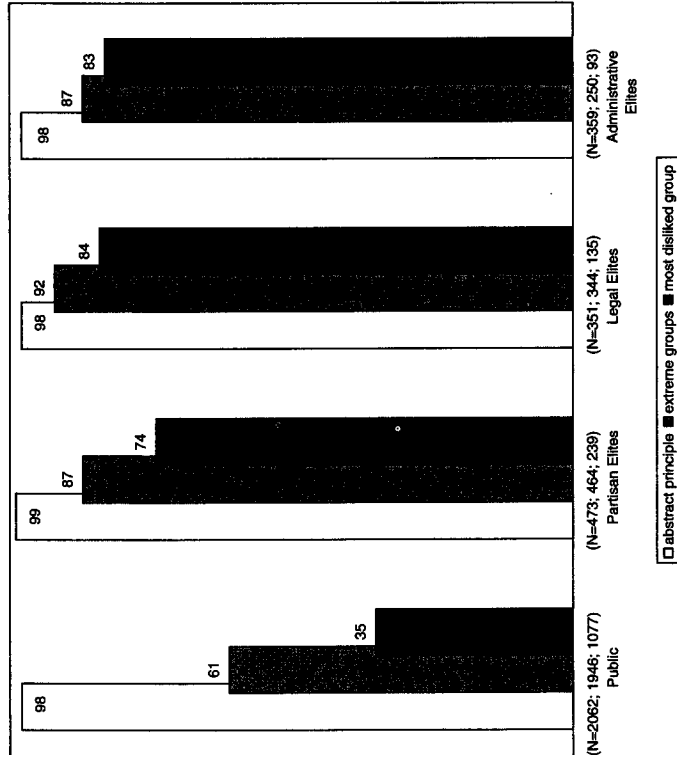
hich is the more unpopular, the extreme left or the extreme right? ding at the general public, one can see at once that the extreme left in

contrast, just the reverse is true for political elites: except for Progressive Conservatives (PC), elite groups are far more likely to select a group from the extreme right than from the extreme left as the group they dislike the most. In reviewing the reactions of elites, one cannot, of course, be surprised that New Democrats and Parti Québécois (PQ) nearly unanimously pick fascists as the group they most dislike, virtually none of them selecting communists.<sup>11</sup> But it cannot be suggested that the ideological outlook of senior lawyers, for example, at all resembles that of New Democrats; and they, too, are much more likely to pick fascists than communists as the group they dislike the most, as are administrative elites. In short, the horizons of concern of the public at large and of elites of diverse stripes sharply contrast. The central tendency of the general public, so far as the focus of their concern is one or the other ideological extreme, is to dislike the left; that of elites generally, to dislike the right.

But does it really matter which extreme these two groups most dislike? Consider arguably the most fundamental of political rights, freedom of expression. The trademark finding for the thesis of democratic elitism is slippage between principle and practice: both ordinary citizens and political elites endorse democratic principles stated in the abstract unanimously or nearly so; however, when they are caught up in a specific controversy, support slips noticeably more in the general public than among the politically sophisticated and active. Accordingly, the Charter Study assessed support for freedom of expression in three different ways: as a measure of support for the principle in the abstract, everyone was asked whether they agreed or disagreed with the statement, "No matter what a person's political beliefs are, he or she is entitled to the same legal rights and protections as everyone else"; as a measure of support for free expression in practice, everyone was asked, first, whether members of extreme political groups should be allowed to hold a public rally,<sup>12</sup> and then (after a suitable interval of time) whether the group they dislike the most should be allowed to do the same.<sup>13</sup>

Stated in the abstract, the principle of freedom of expression is endorsed virtually without dissent, and this is as true of the public at large as of elites (fig. 2.2). As expected, there is obvious slippage in practice, as is evident if one examines judgments about whether members of extreme political

2.2. Levels of Support for Freedom of Expression in the Abstract and Rights of "Extreme" Groups and Most-Disliked Group (excluding racists) to Hold Public Rallies



significance of comparisons groups, public vs. elites as a whole: p ≤ .01; most-disliked groups, public vs. elites as a whole: p ≤ .01

very much lower than among elites, of whom at least eight and more nine in every ten believe that even members of an extreme group should be allowed to hold a public rally (fig. 2.2). Finally, to complete the argument, it is necessary only to notice reactions when respondents are asked to support the rights not of a group vaguely described as racist but rather of one he or she definitely dislikes. Support for freedom of expression plummets still further. In the public at large, instead of two in three citizens affirming that a group should be allowed to hold a public rally roughly two in every three take the position that it should not be allowed to do so. To be sure, slippage is apparent among elites also, support for freedom of expression being significantly lower when it is the group they

Rights are, these results make plain, agent-sensitive: how much support there is for a fundamental right depends in a significant measure on who wishes to exercise the right, and this is true not only for the public at large but also for the politically sophisticated and aware. These results also suggest, however, that rights are agent-sensitive to a far more marked degree for ordinary citizens than for elites. The general public, so far as it focuses its concern on an ideological extreme, is more likely to fix on the far left than on the far right, while elites, so far as they focus their concern on an ideological extreme, are far more likely to do the reverse. Still more important, ordinary citizens translate their dislikes into opposition to fundamental democratic rights with far less restraint than do elites. Thus, citizens are most likely to pick a group on the ideological left as the group they most dislike, and just over one in every three believes that the group they most dislike should be allowed to hold a public rally. By contrast, although elites have the opposite ideological bias, they are far less likely to act on it: only about one in every five who pick fascists as the group they dislike the most opposes their right to hold a public rally. In the Charter Study, elites and the public thus seem to differ twice over: elites are, compared to ordinary citizens, more likely to focus on the extreme right rather than the extreme left as their primary source of concern; and they are also less likely to translate their concerns and dislikes into restrictive political judgments. The initial results of the Charter Study therefore match those of previous studies: fundamental democratic rights appear to be far safer when put in the hands of political and legal elites than when entrusted to the erratic judgment of the ordinary citizen.

This match between previous results and ours shows that our findings cannot be explained away by alleging peculiarities in either the political context in Canada or the sample or survey design of the Charter Study. And this matters because we show now that our study, so far from corroborating the consensus of political elites in favor of democratic rights, contradicts it.

### Two Counterconsiderations: Value Pluralism and Electoral Competition

Our object is to pursue a pair of arguments. The first concerns the irreducible pluralism of values in a democratic political culture; the second, the basic architectonics of electoral competition in democratic polities.

The thesis of democratic elitism holds that the political culture...

of their political culture. Where the political culture is democratic, it is to follow, they will acquire "democratic values." It is thus tacitly understood that whatever lessons they learn from the political culture favor democratic values. But a political culture, above all, a democratic political culture, is not all of one piece. It is pluralistic. In addition to liberty there is a respect for other values, including respect for authority, the assurance of order in public life, and the importance of community and conformity. And because a society places a high value on order, for example, it does not follow that it places a low value on liberty. Political societies, most especially industrial democracies, and part of the socialization of members of a society accordingly stress the importance of a mix of values, if only because each citizen is necessary if the politics of the country is to remain democratic. The consequence is critical. The thesis of democratic elitism presupposes that political elites, by offering a special measure of support for individuals and groups, supply a special bulwark protecting democratic politics. In fact, as we shall see, on a wide array of issues requiring political elites to balance competing considerations of individual rights and social order, their preferences are indistinguishable from those of the public at large. Second, equally fundamental consideration is electoral competition. Schumpeter famously equated the democratic method with the struggle between political parties, defining democracy itself as "that institutional arrangement for arriving at political decisions in which individuals exercise the power to decide by means of a competitive struggle for the support in open elections, has come to define the democratic method." <sup>14</sup> Electoral competition, the fight among political parties for support in open elections, has come to define the democratic method. Political parties compete for people's votes by distinguishing themselves along a number of fronts, including from time to time issues bearing directly on conditions under which democratic rights should properly be exercised. And they do so for at least two reasons. First, issues bearing on democratic rights periodically and unavoidably become entangled with other public concerns, public safety and national security among them; and so far as the two become entangled, one political party can gain an overall advantage over another. Second, political parties are not simply vote maximizers. They are also, in a celebrated phrase, communities of

members like equality, to competing resolutions of the tension between the rights of citizens and the common good. It is not necessary to exaggerate the ideological cohesiveness of parties' bodies of belief to recognize that their shared convictions will, from time to time, spill over to issues in which the rights of citizens and the needs of public order and national security collide. In short, political parties divide on issues of citizens' rights in part because of electoral competition, in part from political conviction, and over the medium run the one motive tends to reinforce the other.

Divergence in the ideological commitments of political parties, whether driven by electoral strategy or ideological conviction, is the second source of difficulty for the thesis of democratic elitism. The thesis holds that the politically active and aware adhere more closely to democratic values because they have been more thoroughly socialized into the norms of the larger political culture. People do learn as a consequence of political involvement, but what they learn depends very much on the company they keep. To take an empirically extreme, but therefore conceptually vivid example, people who immerse themselves politically in the Heritage Front or the John Birch Society may well be altered by the experience, but this transformation is unlikely to take the form of a special devotion to civil liberties and democratic rights. Political socialization, at the level of the politically active, involves exposure not simply to the values of the larger culture but also to the norms of particular political groups; and in the case of those who strive for direct political power, the primary political group is the political party. Adherents accordingly tend to be socialized into the norms of their party even when they did not initially select the party because of the attractiveness of its norms. Notwithstanding the inevitable heterogeneity of complex organizations, then, competing political parties can and frequently will diverge over claims to individual rights. Republican and Democratic activists in the United States, for example, often balance conflicts between claims to individual rights and concerns over order and security in distinctly different ways, just as do PC and NDP activists in Canada. As we shall make plain, however, the thesis of democratic elitism owes much of its plausibility to the pooling of political activists without regard to their partisan affiliations. It accordingly loses much of its persuasiveness once it is recognized that these

zen and elites taken as a whole; by contrast, we shall highlight the differences in point of view between competing groups of partisan elites, demonstrating that elite-mass differences on a variety of issues of democratic rights tend to be eclipsed, both in size and in political significance, by differences in commitment to basic rights that divide competing groups of partisan elites.

### Wiretapping

Questions occur over what the public should be allowed to do as a matter of fact and what government is empowered and, indeed, obliged to do to secure the public's safety. They are inevitable partly because balancing the interests of citizens and the responsibilities of government entails weighing competing values; inevitable, still more fundamentally, because balancing values weighing competing conjectures about conceivable consequences and alternative policies. In turn, the values to be weighed and the conjectures to be evaluated play against one another as the questions of public action to be answered slide from the present to the future tense. The question is thus merely whether citizens' freedom of action should be curtailed so that the state can deal responsibly with a crime that has been committed; it is not, and more opaquely, whether government encroachments on citizens' freedoms are in order because there is a risk that a crime threatening national security or public safety is about to be committed.

How do elites respond to threats to national security or public safety? Are they, as the thesis of democratic elitism implies, more scrupulous than the public at large in safeguarding individual freedoms? Elites are more supportive than ordinary citizens of fundamental rights such as freedom of expression and assembly, as we have seen. But does it follow that they will show a comparable solicitude for the freedom of citizens when coping with threats to national security and public safety?

Clashes over rights take place not in the abstract but in the crucible of policy choices. A classic example is the controversy over secret surveillance, as it is popularly (if increasingly anachronistically) called, wiretapping. Wiretapping offers a textbook example of intrusive governmental action that is clearly defensible in many circumstances but at least potentially injurious in nearly all.

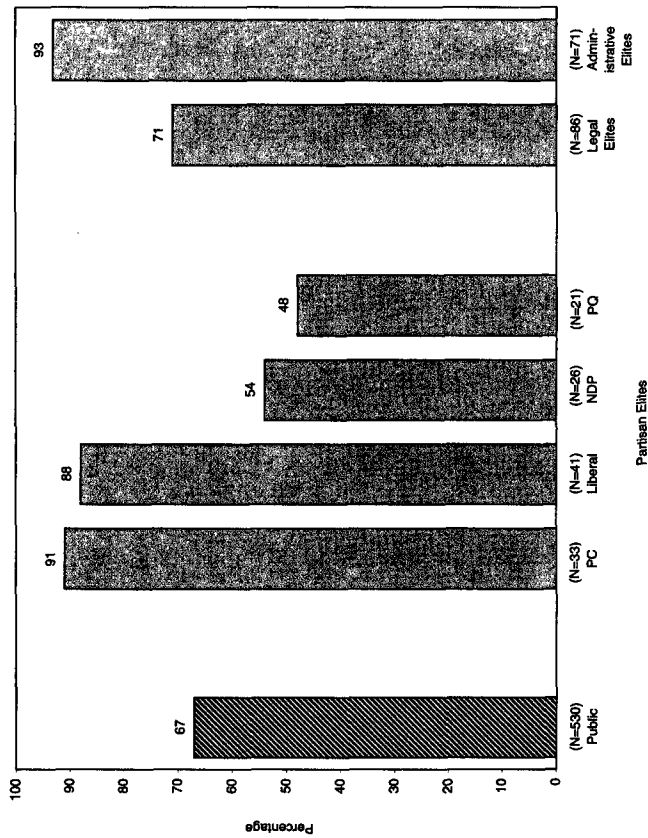
overlooked. The obvious reason is that the need for care in authorizing secret surveillance is plain: every liberal democracy of which we are aware has been rocked by abuses of government surveillance powers. The overlooked reason is that the very studies that have become pillars of the argument for democratic elitism contain a number of instances dealing with concerns for order and safety, of which wiretapping is a striking example, in which the elite sample affords no more protection for individual rights than the general population sample.<sup>15</sup> These apparently anomalous results have gone unremarked, and it is surely worth determining whether the anomaly is genuine or not. Finally, the issue of secret surveillance can throw a searching light on the extent to which the politically active and aware truly learn from past abuse of governmental power and take into account the manifest risks bound up in authorizing wiretaps. If governmental abuse of secret surveillance has occurred in every liberal democracy, such abuses have received special notoriety in Canada. Indeed, a Royal Commission was specifically established not only to hold public hearings but to investigate illegal surveillance and related abuses committed by the Royal Canadian Mounted Police, including illegal break-ins, unauthorized opening of mail, and obtaining of improper access to tax data, all actions originally justified by considerations of public safety or national security.<sup>16</sup> Given both the notoriety and the recency of wiretapping abuses, our samples of elites must have been familiar (indeed, some on a firsthand basis) with the potential for harm in the government's police and security powers<sup>17</sup> and should, on any reasonable expectation, have carried away a clear understanding of the need for care and attention to circumstance in justifying an invasive practice.

Not that the issue can be reduced to either-or terms, with approval of wiretapping equated with violation of democratic rights. The question is not whether wiretapping may be legitimate—an abundance of legal decisions and police experience testify both to its legality and efficacy—but the standards of care that people must exercise in authorizing it. Much depends on circumstance: exactly who, why, and where. But how is it possible to determine if people, whether elites or ordinary citizens, exercise care in weighing the propriety of government surveillance and, in particular, whether they are attentive to the different justifications and circumstances involved?



first if they approved of wiretapping in this circumstance, then in that, then in still another. They could not fail to see what was. Accordingly, we took advantage of computer-assisted interviewing to conduct the wiretapping justification experiment. Our aim in the experiment was to explore a variety of justifications for surveillance, but in order to conditions in which a question about one might bias an answer to answer, we asked each person about only one particular situation, the one put to them being chosen at random. Thus, everyone, elites as well as ordinary citizens, was asked whether Canada's security service should be permitted to tap peoples' telephones in one of four circumstances: (1) when they are suspected of terrorism; (2) when they are suspected of being spies; (3) when they hold ideas that may lead to the overthrow of Canada's democratic system; or (4) when they are agents of a foreign government.<sup>18</sup> We begin with the case in which justification for secret government surveillance is most compelling: when people are suspected of terrorism. In the experiment when terrorism has become a day-to-day risk that responsible authorities must be prepared to cope with in the regular course of their duties, it is easy to understand why many people, elites and ordinary citizens alike, approve of the security service tapping the telephones of people suspected of plotting to put a bomb on an airplane or blow up a world trade center. The linchpin contention of the thesis of democratic elitism is that it never happens with ordinary citizens, elites, by forming a consensus in support of individual rights, supply a bulwark in support of democratic politics. The solid majority of the general public, not surprisingly considering the history given to terrorist bombings, supports secret surveillance of terrorism. More exactly, two in every three citizens agree that "the security service should be able to wiretap the telephones of people who are suspected of terrorism" (fig. 2.3). More surprising, to borrow from the Sherlock Holmes tradition, of the dog that did not bark, is what did not happen. The thesis of democratic elitism is organized around contrasting images: that of the public, susceptible to sudden gusts of political passion, and that of elites, especially political elites, anchored securely by democratic convictions. The contrasting images lead to a prediction: although the general public may be ready to approve secret surveillance, the politically aware and sophisticated should show considerably more restraint. But this is exactly what does

Figure 2.3. Levels of Support for Wiretapping Suspected Terrorists



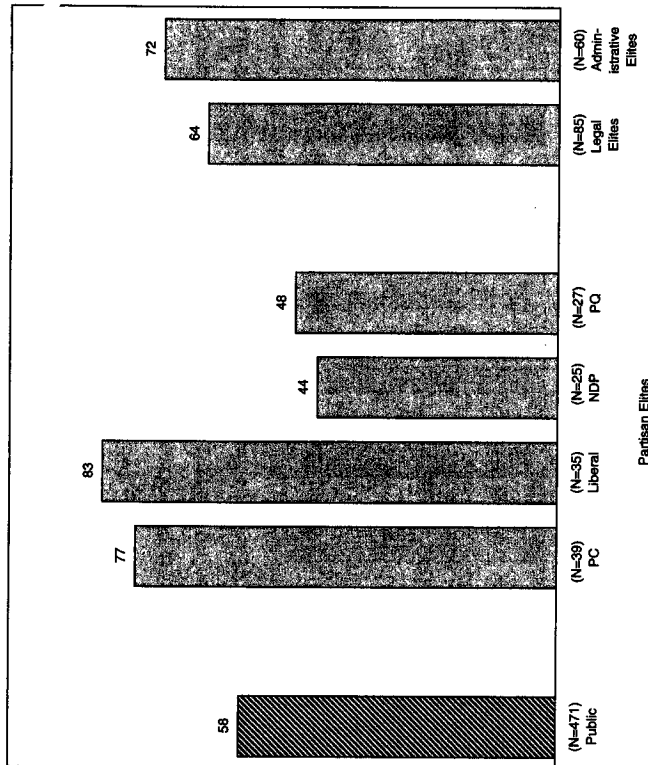
statistical significance of comparisons public vs. elites as a whole:  $p < .01$ ; political elites by party:  $p < .01$ ; elite groups by sector:  $p < .01$

It is not true that legislative elites are equally likely to approve of the secret service wiretapping suspected terrorists—the historically dominant parties at the national level are more likely to favor it—but it is true that no party does more than a bare majority object. Of course, a reasonable rejoinder is that terrorism is a problem of special urgency, one that puts a liberal democratic society at risk, and that there is, therefore, no inherent conflict between approving wiretapping to combat terrorists and standing by individual rights.

Just because arguments for surveillance can be made on an ad hoc basis, the proper standard for evaluating the special scrupulousness that elites are said to exercise in balancing claims of public welfare and individual rights is whether they discriminate, approving it in some instances, rejecting it in



Figure 2.4. Levels of Support for Wiretapping Suspected Spies



significance of comparisons  
 elites as a whole;  $p < .05$ ; political elites by party;  $p < .01$ ; elite groups by sector; not significant

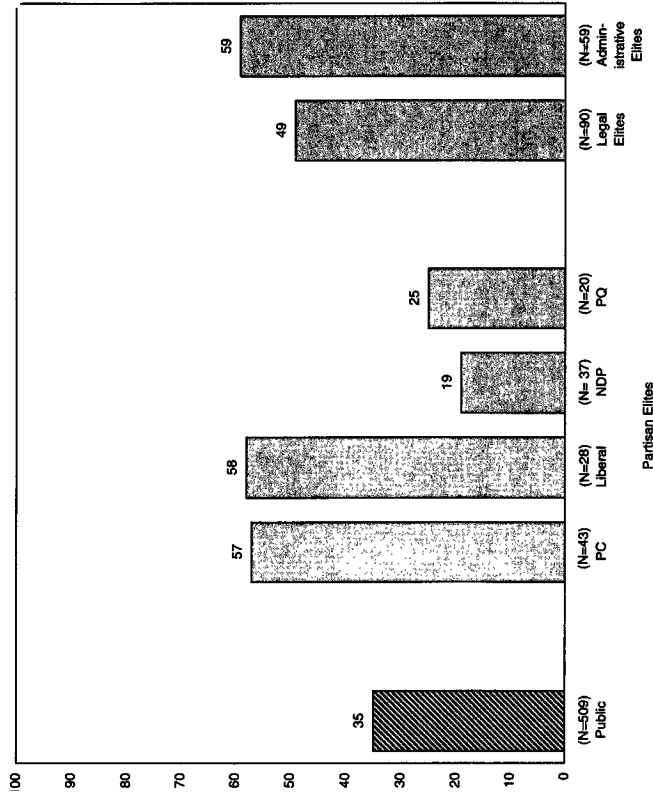
tially intrusive governmental actions will lose much of its plausibility. For this reason, we show figure 2.4, which summarizes citizens' and judgments about whether "the security service should be able to tap the telephones of people who are suspected of being spies." Notice that the issue is defined as what is proper not in the case of individuals known to be spies, but rather in the case of those merely suspected of spying. Notice also that no justification for the suspicion is given. Suspected by whom? And on the basis of what evidence? To the politically sophisticated, well placed to know of past abuses, the fact that neither questioned; addressed might in itself be a ground for reservation. But the elites, than being more cautious and therefore less likely to approve of secret surveillance in this circumstance, are if anything more likely to ratify it (fig.

ation is that in no party does more than a bare majority stand against the use of wiretapping on the grounds of an unstipulated suspicion.

Still, as regards either terrorism or espionage, the argument for surveillance has a natural force. Accordingly, it seemed to us essential to take account of a wider range of circumstances in which there was either no illegal conduct or an easily rebuttable presumption of illegal conduct. A paradigmatic case, for this purpose, is the "objectionable ideas" argument: secret surveillance of some group of people is necessary, it is argued from time to time, not because of any illegal acts they have committed, but because of objectionable ideas they hold. For the purposes of this test, we wanted to ensure that the ideas were indeed objectionable, and so we asked whether "the security service should be able to wiretap the telephones of people who hold ideas that may lead to the overthrow of our democratic system."

Think about what is at stake here. There is no allegation of illegal conduct; no suggestion that the people under suspicion have committed any illegal acts whatever, let alone made an effort to overthrow the government; there is merely the assertion that they "hold ideas" and that these ideas, for some unspecified reason, may jeopardize Canada's democratic system. The question thus serves as a classic test of what the government is or is not justified in doing to check allegedly dangerous ideas. How far may it use its intrusive power and invade the privacy of citizens to spy on their conversations and personal lives, not because of anything they have actually done but merely because of what they think? Here, surely, if elites are indeed "repositories of the public conscience and . . . carriers of the Creed," they should form a distinctive bulwark, protecting the privacy of citizens and their freedom to think as they wish, opposing government wiretapping justified by reference merely to dangerous ideas. In contrast, if the public at large is indeed the point of vulnerability, as the thesis of democratic elitism posits, then ordinary citizens should be markedly more likely to support surveillance on the same grounds. In fact, far from being more likely than the ordinary citizen to oppose wiretapping in the case of dangerous ideas, politicians taken as a whole are just as likely to support it as ordinary citizens, while legal and governmental elites are, if anything, even more likely to support it (fig. 2.5). Equally important, as figure 2.5 also makes plain, the divisions between

Figure 2.5. Levels of Support for Wiretapping People with Anti-Democratic Ideas

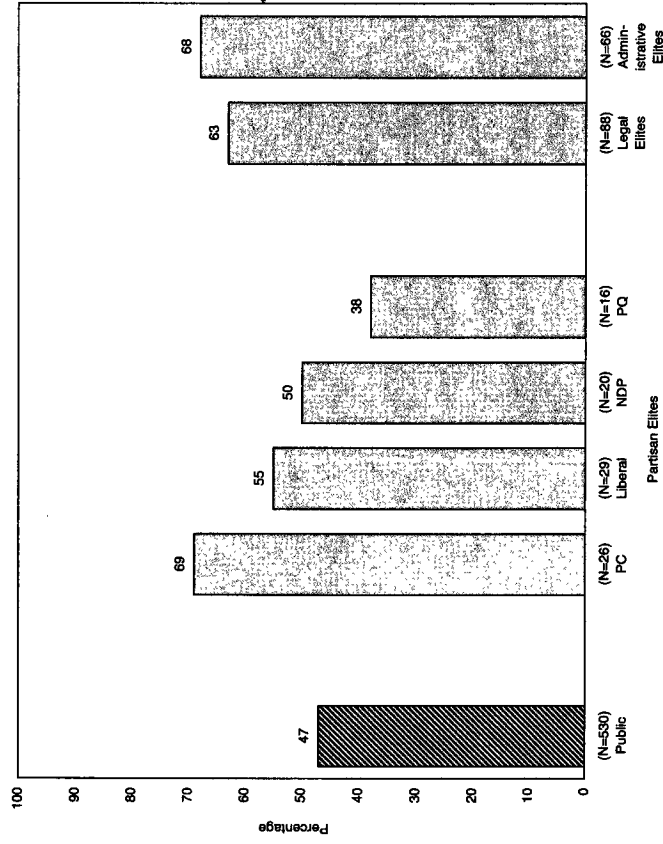


tical significance of comparisons public vs. elites as a whole: p < .01; political elites by party: p < .01; elite groups by sector: not significant

and, New Democrats and PQ are overwhelmingly arrayed in opposition to wiretapping on this ground. One cannot suppose that party commitments translate perfectly into government decisions, but these results make plain that debates over wiretapping can start from radically different premises depending on which party forms the government.

Given the importance of the issues under consideration here, we proposed for a final test, now framing the question in terms of whether "the security service should be able to wiretap the telephones of people who are agents of a foreign government." The ambiguity of this expression, "agents of a foreign government," is worth remarking. The phrase has a slightly menacing aspect, but in truth, there is nothing illegal or threatening in

Figure 2.6. Levels of Support for Wiretapping Agents of a Foreign Government



statistical significance of comparisons public vs. elites as a whole: p < .01; political elites by party: not significant; elite groups by sector: not significant

ment" is just the sort of empty, if menacing, verbiage that one should surely expect elites to see through if elites really do form a protective bulwark of individual rights. But, again, so far as there is any difference between the responses of ordinary citizens and of elites, it is just the opposite of what the thesis of democratic elitism predicts: elites are at least as likely as, and in the case of legal and governmental elites in particular even more likely than, the average citizen to approve of wiretapping telephones in this circumstance (fig. 2.6).

Because the results of the wiretapping justification experiment run counter to the conventional wisdom, they deserve closer examination. In presenting the results, we have followed the standard practice in public opinion

erely knowing a person votes yea or nay is insufficient. When it comes to balancing complex and conflicting considerations of public safety and individual liberty, what matters is not just which side of the fence they may wind upon, but also the conditions, reservations, and qualifications they may attach to their position.<sup>19</sup> It is, after all, not hard to imagine that a politically sophisticated person may approve of an operation like wiretapping but only in the explicit understanding that crucial conditions (for example, probable cause) have been met.

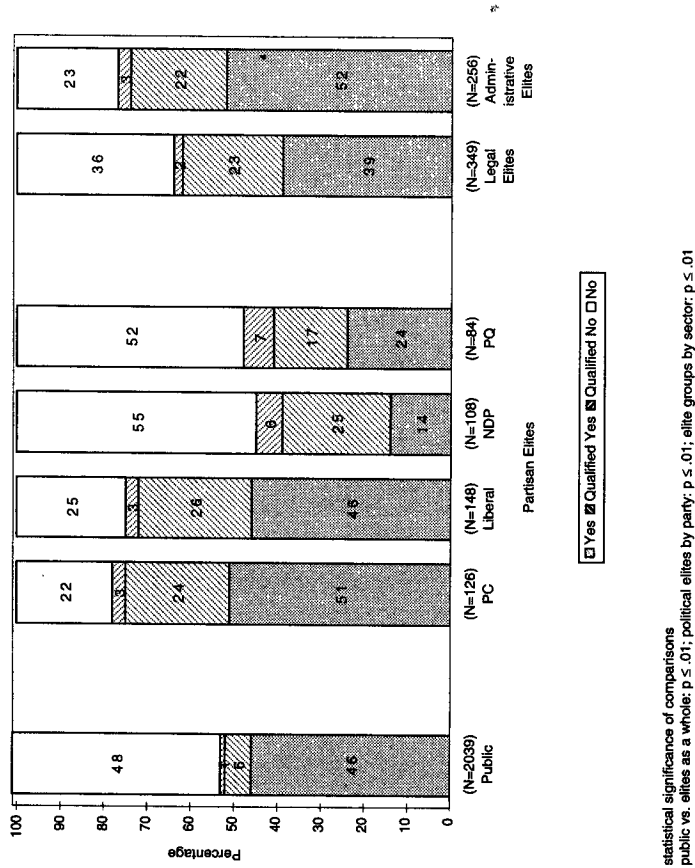
It is thus worth determining if people, whether in the general public or among the more politically aware and active, attach explicit reservations and conditions as part and parcel of giving approval. Just for this reason, interviewers were trained to note not only if respondents approved or disapproved of wiretapping, but also whether they spontaneously attached qualifications or reservations to their approval or disapproval. When we solicited opinions about wiretapping, we systematically flagged all responses, whether of approval or disapproval of secret surveillance, to which substantial qualifications were attached (fig. 2.7).

The intuition, of course, is that the more sophisticated and aware, by virtue of their sophistication and knowledge, will be more likely to qualify positions they take than will the average citizen. And as one can see in figure 2.7, obviously elites, whether legislative, legal, or governmental, are indeed more likely than the ordinary citizen to qualify their positions on wiretapping. To summarize across experimental treatments, one out of every four spontaneously qualify their approval; the equivalent figure for ordinary citizens is less than one out of every ten.

Two quite different but by no means mutually exclusive interpretations can be given to this result: first, that elites, even if protesting, nonetheless approve, and in the play of politics this is what counts; and second, that their greater willingness to approve of wiretapping is an approval granted to the government on condition that the necessary and appropriate legal proprieties are complied with.

As for the first interpretation—"protesting, they nonetheless consent"—the best approach is to consider whether, as the thesis of democratic elitism requires, elites do offer a distinctive measure of support for individual rights on issues other than wiretapping. We shall shortly review a number of such

Figure 2.7. Qualified and Unqualified Judgments about Wiretapping (all four experimental variations combined)



statistical significance of comparisons public vs. elites as a whole:  $p \leq .01$ ; political elites by party:  $p \leq .01$ ; elite groups by sector:  $p \leq .01$

because of their association with and hence trust in government. They are being asked to have confidence in the probity and judgment not of a mysterious "they," but of people who have been their colleagues in the past and might be again in the future or, if they are not personally known to them, of people very much like others they have known long and well. Lacking direct measures, we do not claim dogmatically that this is so. The process of socialization at the heart of the thesis of democratic elitism can cut two ways, however. It can increase adherence to democratic norms. But it can also bolster confidence in the trustworthiness of public officials—indeed, just because they often *are* deserving of trust—and hence instill a readiness on the part of elites to go along with potentially dangerous intrusions of governmental power.

blems. First, even if, by setting aside all elites who approve of wiretapping qualify their approval, it can be argued that they are no more likely than ordinary citizens to do so, the thesis is still sunk. For it requires that elites be less likely than the average citizen to approve of government acts that put individual rights at risk. Second, the role of political elites in sustaining democratic norms becomes problematic in a new and deeper way. Consider the reactions of the different political parties to wiretapping, setting to one side all who, whatever their party, give a qualified approval.

The effect is to accentuate the differences between political parties and to increase the similarity between the historically dominant parties and the public at large (fig. 2.7). Thus, even setting aside those who approve of it only with qualifications, Conservatives, who previously made up the federal government, and Liberals, who make up the current one, are as likely as ordinary citizens to approve of wiretapping. Contrary to the thesis of democratic elitism, then, so far as secret surveillance is concerned, it cannot be said that two recent governing parties offer a superior measure of security for individual rights than the general public. On the other side, if it is not true that political elites, qua political elites, strike a distinctive stance in protecting individual rights, it is true that organized groups of them do. The course of action that the NDP and PQ endorse contrasts dramatically with the one that the Liberals and Conservatives wish to chart. Whereas roughly one-half of the latter approve of wiretapping without qualification, only about one in four or five of the former does likewise. Our point, in underlining this sharp divide within political elites, is not to suggest from the perspective of democratic theory that one camp is right and the other wrong, as though there were always right to oppose wiretapping, even if the documented record of official abuse counsels caution in its use. Our point is rather that sharp disagreement exists among partisan elites over what is right, and it makes a correspondingly consequential difference which of them wins the election.

Whether one focuses on the convergence between elites and the public or the divergence between elites as a function of party, it is difficult to interpret the findings as vindicating the claim that citizens' exercise of democratic rights is safeguarded because decisions about these rights are not in their hands but are instead vouchsafed to the politically influential and

### Suspension of Civil Liberties: The War Measures Act

We want to put the thesis of democratic elitism to a still more severe test by exploring issues raised in the aftermath of an actual episode in modern Canadian political history, the imposition of the War Measures Act. In 1970, following the kidnapping of a British trade commissioner and a minister of the Quebec government, the prime minister of Canada, Pierre Trudeau, suspended certain civil liberties, initially across the whole of Canada, subsequently in Quebec only, taking as his authority for the suspension of civil liberties the War Measures Act. The police, pursuant to regulations passed under the act, were authorized to search and hold suspects for questioning without warrant or bail, and they did so; they were empowered to search and seize without customary legal constraints, and they exercised these powers; they were authorized to arrest people merely for being members of a legal political organization, the Front de Libération du Québec (FLQ), or indeed merely for publicly agreeing with the goals of the FLQ, and they acted on this authority.<sup>20</sup>

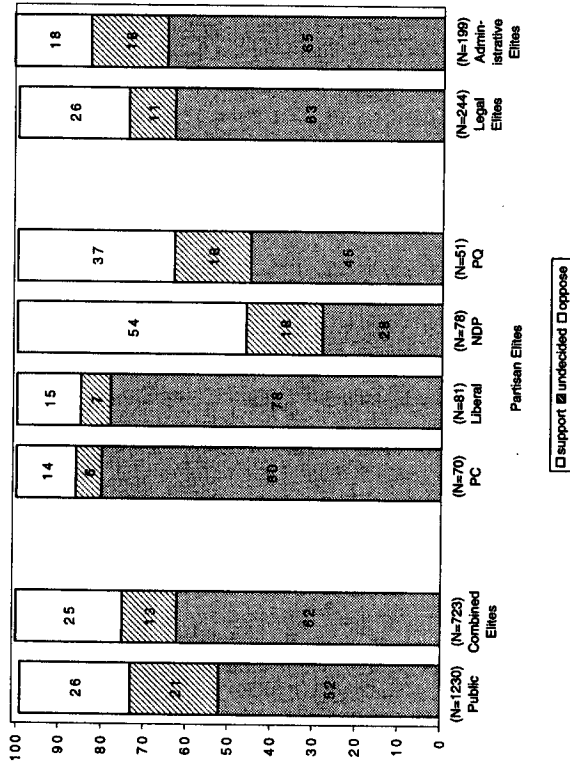
The immediate reactions to the imposition of the War Measures Act were heavily positive. The prime minister not only enjoyed popular support in the public opinion polls, but also won a near-unanimous parliamentary vote in which only NDP members dissented. In the heat of a crisis a rally-around-the-flag response is to be expected. But have political leaders, a measure of time having passed, availed themselves, as Stouffer put it, of "sober, second thought"?

Canadian political elites presumably should have given serious thought to the lessons of the October Crisis of 1970 and come away with a deeper appreciation of the enormity of the risks in suspending civil liberties so precipitously and so sweepingly. Hence we asked,

"If the cabinet says there is a national emergency, and a majority in Parliament agrees, is it all right to suspend the usual civil rights?"

Given the mechanics of parliamentary government, to say that the cabinet and a majority in Parliament must approve is, of course, to say that the government can suspend civil liberties whenever the party in control of government wishes to do so.<sup>21</sup> If the thesis of democratic elitism is correct in holding that political elites protect democratic rights, then we should expect

Figure 2.8. Attitudes toward Suspension of Civil Rights if the Government Declares a National Emergency



Statistical significance of comparisons: vs. elites as a whole: not significant; political elites by party:  $p \leq .05$ ; elite groups by sector:  $p \leq .01$

jecting civil rights against demagogic leaders and mass hysteria, where they choose to stand on emergency powers must be disconcerting. Taking elites all in all, they are just as likely, indeed, a shade more likely, than ordinary citizens to approve of the suspension of civil rights in these circumstances: 62 percent of elites, compared to 52 percent of the public agree that if the cabinet says there is a national emergency, and a majority in parliament agrees, it is all right to suspend the usual civil rights." No less important are marked divergence between partisan elites. The thesis of democratic elitism emphasizes the political socialization common to all political elites, whatever their partisan commitments. Yet it is the divergence, not the convergence, of their responses that stands out (fig. 2.8). On the one side, members of the two major federal parties give overwhelming support to parliamentary suspension of civil liberties "if the cabinet says there is a

elites as a whole have become more cautious about suspending civil rights. In contrast, only among the NDP did a majority of partisan elites oppose the parliamentary suspension of civil rights in emergency situations.<sup>22</sup> Ironically, a plurality of the PQ, and a clear majority of those with an opinion on the issue, favor the principle of parliamentary suspension, which suggests that even those who have been victims of this power will go along if they see themselves as being one day able to exercise it.<sup>23</sup>

### The Politics of Order

To say that an issue of democratic rights is a live issue is to say that, in order to decide it, a choice must be made between competing values, each recognized as being valid in its own right. In so characterizing judgments about rights, we do not mean to suggest that any given individual passes his or her life occupied in an endless, exhausting tug-of-war between opposing values. On the contrary, thoughtful people work to assure that the values they care most about fit with one another, precisely in order to avoid dilemmas of choice.<sup>24</sup> The point is that however much effort people put into arranging their views consistently, from time to time they will find themselves pitched into a situation in which they must choose between them. And the reason for this is the rarity of antivalues. You may value liberty more than order—value it far more, in fact—but that is not to say that order is an antivalue for you, that you are repelled by it. It may ordinarily be outranked by liberty, but in certain situations the value of order will take on a more-than-ordinary measure of importance for you, and you will, accordingly, be forced to decide the best course of action.

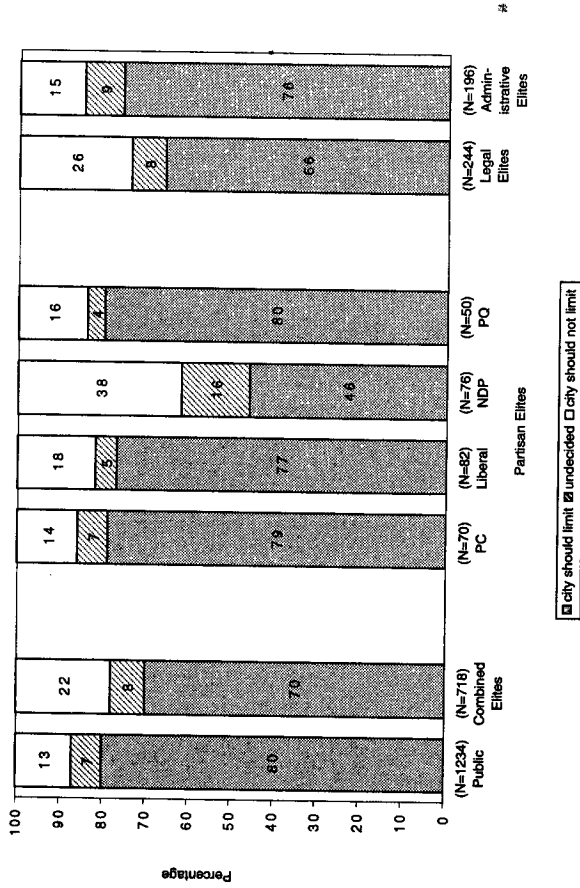
Because values come into conflict not in the abstract but in specific situations, we want to compare how elites and ordinary citizens, when confronted with definite problems, manage the trade-offs between the rights of citizens to advocate their political views and the responsibilities of authorities to ensure public order and safety. We started our examination by asking, "Should a town or city be able to limit public demonstrations that city officials think might turn violent against persons and property?"

A genuine conflict is posed here. Public officials are surely not only permitted to forestall violence but actively obliged to do so. On the other hand, the

officials? On what basis do they rest their assessment of danger? How much of an exception is being made to standing policies on this occasion, why? Just because a public official is inclined to declare that a danger exists is not to say that one in fact exists. These are the sorts of questions and complexities that political elites must cognizant of if they are to play the role assigned them by the thesis of democratic elitism. It is sobering, therefore, to inspect the reactions of citizens and elites to the question of whether local officials should be able to place limits on public demonstrations because of the risk (as they perceive it) of violence. Both groups are strongly inclined to place concerns of safety and order above those of free expression in the circumstances, and that holds for liberal and administrative elites as well as political elites. The only clearly contrasting reaction is offered by New Democrats. They are markedly less likely than other elites or ordinary citizens to approve of local officials exercising a regulative authority over public demonstrations, although even more often than not will back them.

For all practical purposes, then, it would make no difference whether a public policy decision on public demonstrations were in the hands of elites or ordinary citizens. Order can eclipse liberty among both. Consider, therefore, a choice in which freedom of speech and established authority come into conflict and collide not implicitly but explicitly. This kind of choice captures a recurrent quandary of citizens in liberal democracy: "society" have a right as a matter of principle to put the expression of certain points of view out of bounds? It would be misleading to imply that we may not ourselves have a preference between the pair of alternatives on offer,<sup>25</sup> still more so to insinuate that one or the other alternative represented the all-round objectively correct position from the point of view of democratic theory. On the other hand, the character of a liberal democracy is not unrelated to which of the two positions achieves ascendancy. Given that it makes a difference which viewpoint holds sway, it is important that elites resolve the conflict between the claims of liberty and morality differently from the average citizen. The thesis of democratic elitism implies that elites will be more sympathetic to the claims of freedom, more suspicious of the claim of established morality to censor expression. To explore this conflict, we asked,

Figure 2.9. Attitudes toward Limiting Public Demonstrations if Local Officials Are Apprehensive



statistical significance of comparisons public vs. elites as a whole: p < .01; political elites by party: p < .01; elite groups by sector: p < .05

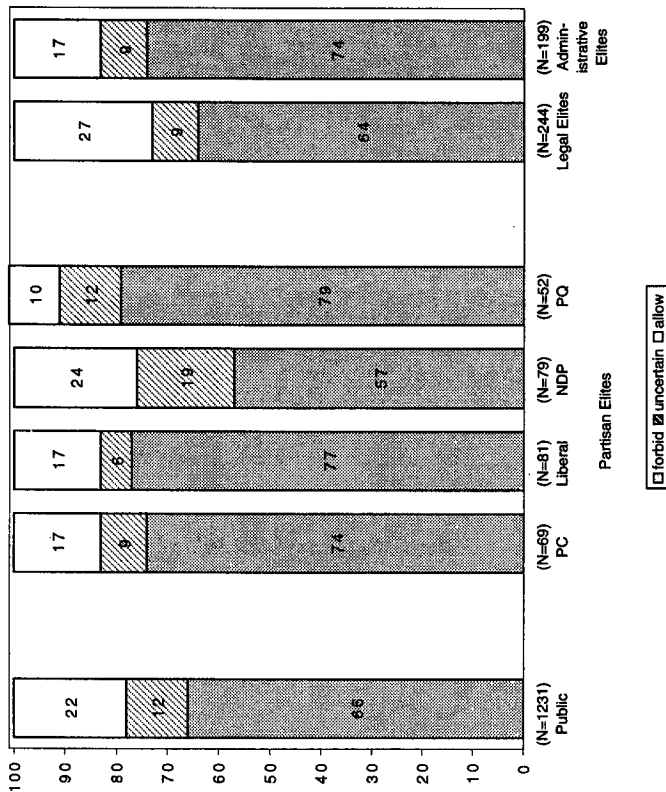
or

(2) To protect its moral values, a society sometimes has to forbid certain things from being published."

There is relatively little difference either among the views of elites, whether legislative, legal, or governmental, or between their views and those of the public at large (fig. 2.10). A clear majority of the general public (approximately two in every three) believes that society has to forbid certain things from being published in order to protect its moral values. But elites as a whole are at least as likely as the general public to favor this censorship.

We are not unmindful of instances in which elites offer markedly more support for fundamental rights of expression and assembly than does the average citizen; indeed, we presented at the outset the results on slippage between principle and practice to make this very point. But it cannot be said

Figure 2.10. Attitudes toward Forbidding Certain Things from Being Published



nce that elites are an across-the-board bulwark protecting democratic values. Apart from classic freedom of expression issues, what is striking is the divergence of views of the public at large and of elites as a whole, together with the divergence of views between legislative elites as a function of party. As a final illustration, consider a clash between public concerns for safety and individual rights given a more legal construction. On any account, along the primary burdens of the concept of rights over the long stretch of history is the presumption of protection. But protection from what? As the story of *On Liberty* understood it, from the coercive, shaping power of society, as Isaiah Berlin, speaking for an even longer trajectory of political experience, understood it, from the intrusive, coercive power of the state. Responding to the question, What would make a society free? Berlin said, "No

state to restrain, investigate, coerce, and intrude on the activities and property of citizens as part of its responsibility to assure order and safety and the rights of citizens to enjoy "frontiers, not artificially drawn, within which [they] should be inviolable." The question, accordingly, is whether in balancing these competing claims elites impose a different set of weights than does the average citizen: Do elites, confronting the intrusive powers of the state, insist on higher standards of proof before backing its right to invade the realm of private experience?

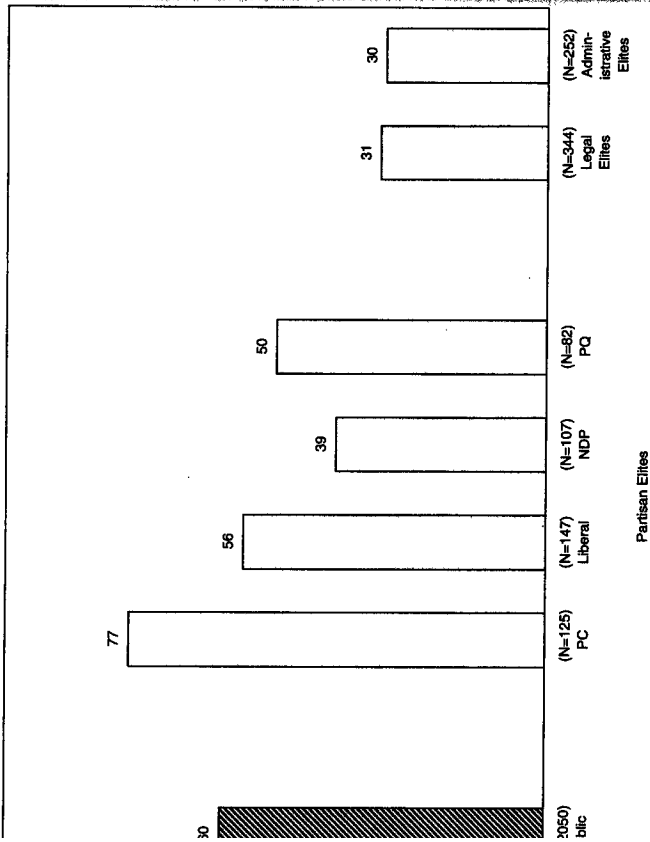
As a paradigmatic example of where the line should be drawn, we asked all respondents, elites as well as ordinary citizens,

"Consider an instance in which the police see a young man they do not recognize walking very near a house where they know drugs are being sold. They search him and find he is carrying drugs. Do you think this search is a reasonable search, or does it violate the young man's rights?"

Just because the issue of individual rights is posed here in a legal context, the contrast between the responses of political and legal elites is instructive. Arguments on behalf of the thesis of democratic elitism have not been accompanied by strict definitions of just who qualifies as an elite. Yet whoever else the concept encompasses, public officials (legislators, mayors, presidents, and prime ministers) are manifestly included. Just for this reason, the contrast between the responses of legislative and of legal elites (fig 2.11) is the more striking. A clear majority of legal elites (and also of governmental elites, who are, it will be remembered, primarily drawn from law-oriented agencies) reject police action under this description as a reasonable search. For those whose profession is the law, mere proximity to a place where drugs are sold does not constitute a defensible ground for the police to stop a person and search him, and such a search, so far from being reasonable, violates the young man's rights. Not surprisingly, a majority of ordinary citizens comes to just the opposite conclusion. What is surprising, from the point of view of the thesis of democratic elitism, is that political elites are just as likely as the average citizen to judge the police search to be reasonable. Finally, the pattern of divergence between partisan elites presents itself again. Thus, the vast majority of Conservatives say that the search is legitimate; the NDP reject the search as a violation of the young man's rights; the Liberals



Figure 2.1.1. Support for Police Search of Suspect



x of comparisons  
 whole: p < .01; political elites by party: p < .01; elite groups by sector: p < .01

officially drawn, within which men should be inviolable"—the cause of  
 erty would be better served if the average citizen made a decision on this  
 e as opposed to an elected member of the political party previously  
 erving Canada.

The overall pattern of similarity between the general public and political  
 is taken as a whole and of dissimilarity among partisan elites holds for a  
 ety of other issues that tap judgments about the proper power of the state  
 ntrude on the privacy and property of citizens. These issues include  
 whether the police should be able to search cars they have stopped for a  
 fic violation; whether the government ought to be allowed to read  
 ple's mail in order to catch a criminal; whether customs officials should  
 ble to conduct body searches without a warrant if they suspect someone

Taking all these findings into account, one finds that the evidence consis-  
 tently runs against the central claim of the thesis of democratic elitism,  
 which is that political elites, by virtue of their greater involvement in politics,  
 are distinctively more reliable guardians of civil liberties and democratic  
 rights than ordinary citizens. On the contrary, political elites respond quite  
 differently depending on which political party they adhere to. It is difficult,  
 given this systematic divergence, to "take comfort from the fact . . . that the  
 community leaders, who are more tolerant than the general public, are  
 likely to exercise a disproportionate influence on public policy."<sup>26</sup> Too much  
 depends on which group of political elites makes policy. What are the impli-  
 cations of these cross-party differences?

### Schumpeter's Argument

Democratic politics, Joseph Schumpeter insisted, hinges on electoral com-  
 petition between blocs of elites that are organized in the form of political  
 parties and are battling for control of government by winning popular sup-  
 port. The mass public plays its role not by making public policy in conformity  
 with its views but by choosing between competing groups of elites who are  
 elected to act in conformity with *theirs*. The key concepts in a Schumpeterian  
 analysis are thus *mass public* and *partisan elites*, *direct* and *indirect* influence.  
 Our results have illustrated their value in elucidating the clash of rights,  
 particularly in pointing to differences in orientation to rights between differ-  
 ent groups of partisan elites. It is not that each and every party in a multi-  
 party system necessarily develops its own distinctive orientation to ques-  
 tions of civil liberties and democratic rights. In the Canadian party system  
 the most profound differences lie between the parties who have historically  
 dominated the federal government—Conservatives and Liberals—and the  
 parties who have been challenging them, certainly on a regional level—the  
 NDP and the PQ.<sup>27</sup> Schumpeter's point is that the party *system* favors differen-  
 tiation, not that every party differs dramatically from every other.

But how far does Schumpeter's argument apply? Is it, perhaps, peculiarly  
 appropriate to the politics of Canada? Does the thesis of democratic elitism  
 possibly apply to most contemporary liberal democracies even if not to  
 Canada? Consider a strong, although indirect, test of the generalizability of

hat we shall show is that the results he has himself presented, rather than affirming his argument, support an even stronger version of ours. The direct contrast of partisan elites' views on issues of civil liberties and democratic rights in the United States is not possible,<sup>28</sup> but fortunately a tradition of research<sup>29</sup> has established the close correspondence between liberal and partisan elites in American politics. The Republican Party, at least active and politically consequential level, is overwhelmingly conservative in its convictions, and the Democratic Party, having lost its conservative southern wing, has become comparably liberal in its sentiments. To illustrate the politics of rights, we draw from McClosky and Brill to show a range of reactions to three issues: whether the government has a right to inquire what should be published; whether a person who has been arrested has a right to remain silent; and, finally, whether refusing to hire a laborer because of his political beliefs is justified. The three issues are representative of a much larger class of issues.

Figure 2.12 A. "Which of these comes closer to your own view? (1) The government has no right to decide what should or should not be published. (2) To protect its values, a society sometimes has to forbid certain things from being published."

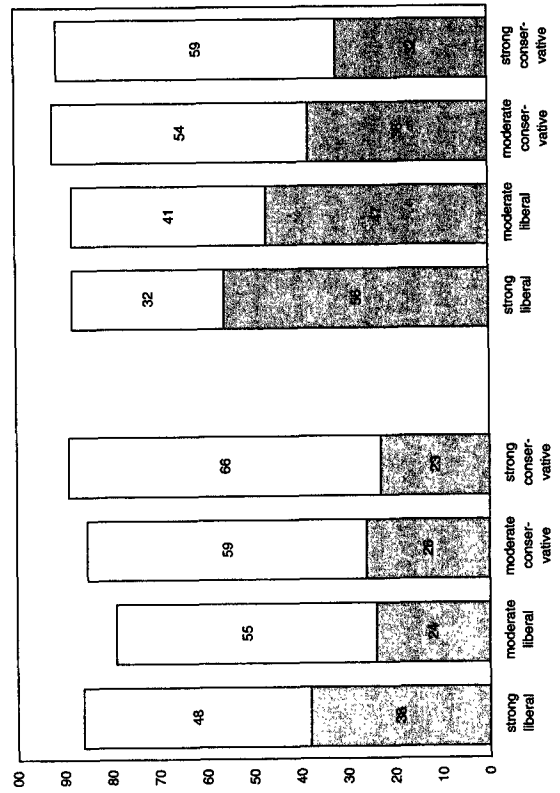
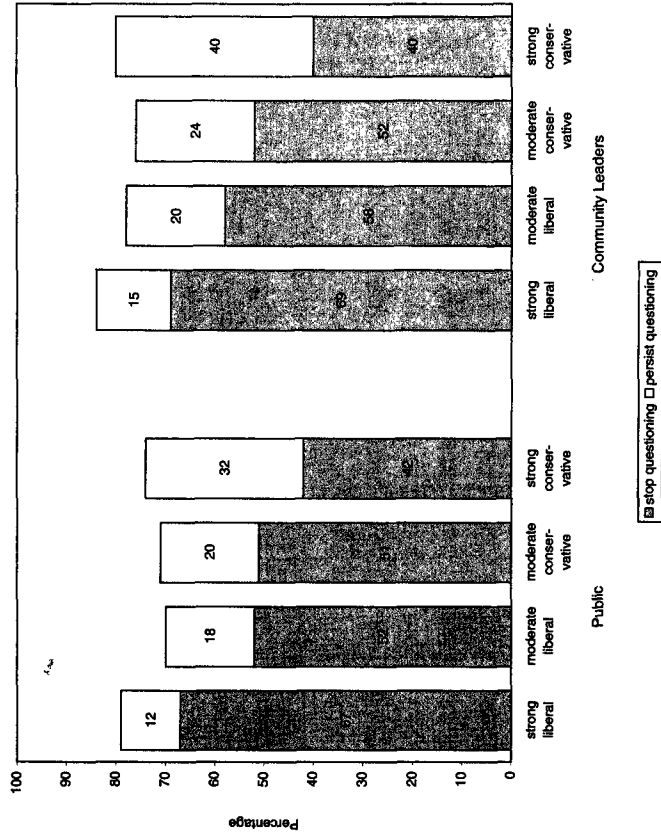


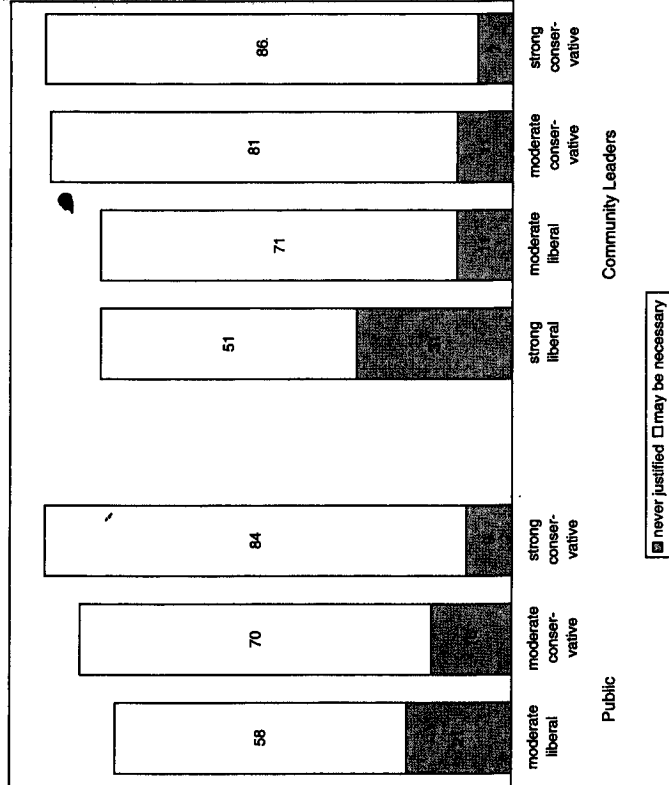
Figure 2.12 B. "Once an arrested person says he wishes to remain silent, the authorities . . . (1) should stop all further questioning at once; (2) should keep asking questions to try to get the suspect to admit his crimes."



Source: McClosky and Brill, table 7.9, p. 308.

The thesis of democratic elitism holds that political elites, by virtue of their involvement in politics, outstrip ordinary citizens in commitment to civil liberties and democratic rights. But the results shown in figure 2.12 explode this claim in two ways. Conservative elites are substantially more active, aware, and sophisticated politically than ordinary citizens who describe themselves as conservative in outlook. Yet, whatever the issue (and we again underline the diversity of issues we have canvassed), conservative elites are rarely more supportive of civil liberties and democratic rights than ordinary conservative citizens. Second, whenever the responses of conservative elites and ordinary citizens who are liberal diverge, it is usually the liberal citizens who are the more likely to protect individual rights. To cite

2.1.2 C. "Refusing to hire a professor because of his unusual political (1) is never justified; (2) may be necessary if his views are really extreme."



Mill, 1963, table 7.9, p. 307.

esis of democratic elitism counsels us that we are in better hands, so our civil liberties and democratic rights are concerned, by virtue of in the hands of political elites rather than those of our fellow citizens. light of the consistency and strength of the findings in figure 2.1.2, in hands should we prefer to entrust our rights—political elites who are vative or ordinary citizens who are liberal?

### Concluding Themes

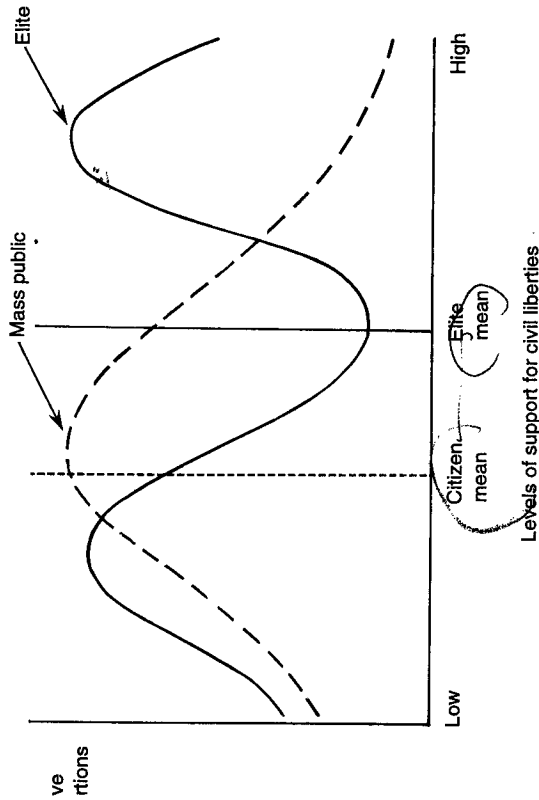
ion lies at the heart of modern empirical democratic theory. The ally active, we are told, constitute a special stratum with a distinctive

consistent, more ideological, more detailed and explicit in their political attitudes, and more completely in agreement on the norms. They are in more agreement not only on what norms are implied by the abstract democratic creed but also in supporting the norms currently operating.<sup>30</sup> Call this the consensus thesis, for it holds that the politically active, by virtue of being politically active, come to agreement, or consensus, on democratic norms and practices while the general public does not. But a second contention threads its way through modern democratic theory. It holds that the mark of democratic politics is pluralism, pluralism at different but connected levels, among them values and actors. Thus, people plunged into the whirl of politics come up against a *mixture* of values, including conceptions of citizens' rights but also considerations of order, safety, and national security, among others. What is more, they encounter the diversity of values that makes up a national political culture from a variety of perspectives and in the company of people committed to quite different points of view. It follows from this second claim—the pluralism thesis, as we shall call it—that the objectives and political convictions of competing elites can vary from one policy domain to another and from one point in time to another. Our findings have exposed the tension between the theses of consensus and of pluralism.

In figure 2.1.3 we present a stylized but essentially true-to-life illustration of how the fact of elite pluralism undercuts the claim of elite consensus on civil liberties and democratic rights. For simplicity, figure 2.1.3 maps levels of support for civil liberties and democratic rights in a two-party system (equivalent, if more complex, representations can be graphed for multiparty systems). The solid and dotted curves describe the distribution of support for civil liberties among political elites and ordinary citizens, respectively; the solid and dotted vertical lines, the average (mean) levels of support for civil liberties among elites and ordinary citizens.

The heart of the thesis of democratic elitism is the claim that political elites reach consensus on issues of civil liberties and democratic rights; and as the vertical lines in figure 2.1.3 make plain, on average political elites are more committed to democratic rights than are ordinary citizens, the solid (elite) line being significantly to the right of the dotted (citizen) line. But the test of consensus entailed by the thesis presupposes that elite responses

Figure 2.13. Stylized Comparison of Elite and Citizen Means and Modes: Commitment to Civil Liberties



in support of a narrow one. The two peaks of the elite distribution drive the graphically how misleading it can be to group political elites together. Elites with a broad conception of democratic rights do not all belong to the same party and those with a narrow conception to another. The differences among partisan elites are a matter of degree and may vary from one aspect of civil liberties to another and from one political system to another. But the main finding of our research is that partisan groupings of political elites competing for popular support differ markedly both in the orientation toward civil liberties and democratic rights that they would bring to public office and frequently in the direction of the public policies they would advocate if elected to win control of government. Politics in contemporary democracies—Canada and the United States but also Great Britain and France, among a great many others—continues to supply fresh examples of issues of civil liberties that can become a central part of the electoral contest. It is of importance, in its own right, how far citizens taken as a whole can be expected to commit themselves to democratic values and respect them not just as abstract principles but as guiding considerations. Yet as Schumpeter insisted, the

decisive clash over issues of civil liberties and democratic rights is conducted between opposing groups of elites competing for control over public policy. The thesis of democratic elitism presupposes that the decisive contrast is between elite and mass public, ignoring the party system. The electoral system, however, operates to provide a choice between, not an average across, competing sets of elites. And the fallacy of democratic elitism consists exactly in its indifference to which partisan elites prevail.