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## Liberty vs. democracy

By Richard W. Rahn

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Would you prefer to live in a country that has:

(1) The rule of law with an honest civil service, strong protection of private property and minority rights, free trade, free markets, very low taxes, and full freedom of the speech, press and religion, but not a democracy?

(2) Democracy and a corrupt court and civil service, many restrictions on economic freedom, including very high taxes, with limited rights for minority religions, peoples and speech?

The first example describes Hong Kong under the British, which had full civil liberties, little corruption and the world's freest economy. The Chinese took over Hong Kong in 1997 and have allowed it to continue as the freest economy in the world. As a result of the British being benevolent dictators and the Chinese largely continuing economic noninterference, with a number of restrictions on freedom of speech and the press, Hong Kong has achieved a per capita income close to that of the United States and higher than almost all democracies.

Many mistakenly believe democracy means liberty, but a quick review of world democracies show that is not true. Almost all democracies restrict economic liberties more than necessary. Many have corrupt court and civil service systems, inhibit women's rights, constrain press freedom and do not protect minority rights and views. Iran, though a very restrictive theocracy, calls itself a democracy and holds elections.

The American Founding Fathers were concerned with liberty, so they set up a Republic to protect individual liberties from the passions of the majority at the moment. They worried about the excesses of democracy.

James Madison, the primary Framers of the U.S. Constitution, noted: "Democracies have been spectacles of turbulence and conflict." His views were shared by the other Founders. That is why the U.S. Constitution was designed to restrict a democratic majority from limiting freedom of speech, press, religion and so forth. It is a document of liberty, not of democracy.

The Bush administration has placed itself in a difficult position by advocating democracy rather than liberty as its global mission. The democratic elections in Iraq and Palestine

may well result in subjugation of women, containment of basic freedoms of speech and the press, and support for terrorist activities.

We, the victors in Iraq, had a perfect right -- in fact, a responsibility -- to insist any new constitution protect individual liberties, including full rights for women, property rights and the right to follow one's own religious beliefs and not be forced to wear the majority's religious garb.

Remember, Gen. Douglas MacArthur and his fellow American officials virtually dictated the constitution of Japan after World War II, which abolished the emperor's role as a deity. That constitution served the Japanese well.

The Allies would have not accepted a German constitution that restricted minority rights, for good reason. Standards of tolerance and civil liberties should not have been lowered for majority Muslim nations. By doing so, we may end with hollow victories. Religious Muslims can do perfectly well under regimes that protect the liberties of all citizens, as demonstrated by successful Muslim communities in the U.S. and elsewhere.

It is argued you cannot have sustained periods of liberty without democracy, and that argument does have merit. Those economic/political units today that have liberty without democracy are almost all colonies or territories of large democracies (the notable exception is Hong Kong, which remains largely free because of the treaty).

England enjoyed several centuries of substantial liberty without being a real democracy. However, such cases were rare: Even the most liberal (in the original sense) monarchies and oligarchies most often ended up restricting liberties.

The Bush administration needs to revise its rhetoric and actions to put advancement of human liberty, including economic freedom, in the forefront of its global agenda. This does mean support for democratic governments and institutions within countries that help preserve liberty. Democracy should not be seen as the end goal in itself, but only as a mechanism, if properly constructed, to help create, preserve and enhance liberty.

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