7 Unanimity, Consensus and Majority Rule

Democratic political action is collective action. This means that it is both about determining the collective conditions of a society and about making choices binding on all in connection with those conditions. However, under the circumstances of politics I identified in chapter 1 (partial cooperation and conflict in situations of confined generosity and bounded rationality), these choices will exhibit difference and diversity. Even with goodwill and social awareness, citizens are likely to disagree in their political opinions and judgements. Differences of interest as well as of perception and values will lead the citizens to divergent views about how to direct and use the organized political power of the community, in order to promote and protect common interests. If political representatives reflect this diversity, then there will be as much disagreement in the legislature as there is in the population. At both the level of citizens and of their representatives we have the problem of how disparate views are to be aggregated into the single choice that governments must make.

In standard analyses of this problem, such differences of view are often called ‘preferences’. This is an unfortunate term. It suggests that the problem of aggregation is one about how to satisfy conflicting wants. In some social situations, thinking about the problem of aggregation as one about satisfying wants makes a great deal of sense. If you and I are going out together to eat, and I know you like traditional food but hate nouvelle cuisine, whereas I am happy with either, then there is a clear case for giving you a veto on where we go, because your want satisfaction would be much lower than mine if the wrong choice is made. As Peter Jones (1988) has pointed out, however, it is a mistake to regard political choice in this way. Political choice is more like a jury deciding whether the verdict should be innocent or guilty than it is like satisfying
competing wants within a group. Certainly within a theory in which citizens are thought of as having to make decisions on matters of common interests, we are better thinking of their views or opinions as judgements rather than as the expression of their own wants (compare Sunstein, 1991, pp. 6–14).

Despite the force of this argument, the notion of preferences has found a place in the literature on aggregation, and it is difficult to avoid, particularly when we consider the possibility that people may be able to rank-order their views across a range of alternatives. In what follows, therefore, the term ‘preferences’ will sometimes be used, but it should be taken to mean the ordering of alternatives according to some standard of value that citizens or their representatives advance in the process of political choice.

The most common rule of aggregation is majority rule, which makes the collective choice depend upon the agreed view of a majority of those voting. However, many institutions of government use other rules of social choice. One modification is to have weighted majority voting, so that some voters are given more influence than others. For example, in the EU’s Council of Ministers, the votes of each minister are weighted by a formula related to the population size of each member state. Another variant is to use super-majorities, in which the criterion is not a simple majority of those voting but some specified proportion above the simple majority. The Council of Ministers also incorporates this modification by requiring a super-majority of the weighted votes to adopt a policy. Finally, among many other possibilities, one could require a rule of unanimity, so that all those affected by a policy had to agree to its implementation before it was adopted. This is the rule adopted by some religious groups in the making of decisions as well as by many radical communitarian groups. It is also, in effect, the rule at work in the standard form of international agreements. The unanimity rule is thus invoked in a variety of circumstances, and as Mansbridge (1980, pp. 252–69) has pointed out, it can thus be an expression of social unity or a device of self-protection.

The normative issues raised by the problem of aggregation are essentially concerned with assessing the merits of rules like unanimity and the majority principle. They also involve the question of whether we can meaningfully speak of a ‘popular will’. On some theories of democratic government, the function of government is to enact the popular will. In terms of the models we are discussing, this