

Documents From the Front Line

This section is intended to include material of a non academic, practical and immediate nature, representing ongoing psycho-political process – including manifestos, course hand outs, leaflets, petitions, round-robins and ephemera of all kinds. All contributions will be gratefully received.

“Post-Truth” Politics and Illusory Democracy

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Recent developments in international politics have highlighted the uneasy attitude that politicians are beginning to develop towards information, truth, evidence and expert opinion. In the United Kingdom, where the “Brexit” referendum has now concluded, we not only found members of the “Leave” campaign claiming that the British people “have had enough of experts”, they also made a number of promises – that a post-EU UK would save £350 M per week that could be spent on the NHS, and that immigration would be reduced in the event of a leave vote – that were speedily dropped after the votes were counted. The “Remain” camp were also guilty, however: in the event of a leave vote they threatened both the immediate triggering of Article 50 and a “punishment budget”, neither of which ultimately transpired.

In the United States of America, where the presidential election is still to come, we find Donald Trump, who is notorious for making claims that not only contradict one another, but actually turn out to be false, with PolitiFact suggesting that 76% of the 77 Trump statements they checked were to some degree false. It has even been alleged that he has pretended to be his own spokesman. Whilst things haven’t yet reached such dire straits here in New Zealand, journalists have complained that over the past decade or so, access to accurate information has become more difficult, and successive Prime Ministers have shown signs of playing “fast and loose with the truth”.

These attitudes – towards expert opinion, towards truth, towards evidence – characterise what is beginning to be called “post-truth” politics: a form of politics where there is a willingness to issue warnings regardless of whether there is any real sense of the events being likely to come about, or make promises that there is no real commitment to keeping, or make claims that there is no real reason to believe are true, all for the purpose of gaining an electoral advantage – and, as the Brexit case and the Trump campaign both demonstrate, this has significant consequences for international as well as national politics.

It may seem, however, that this is just how politics has to be: you do whatever it takes to be elected or gain a political advantage, because once the votes are in, there’s no going back. The problem is, this way of “winning” a vote is anathema to the underlying principles of democratic

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governance. In place of concerns about illiberal democracy, we find ourselves threatened by the rise of illusory democracy.

When we step back to consider the role of voting in a democracy, it is the means by which the bulk of the population take part in the government of their country: “directly or through freely chosen representatives” (the United Nations’ 1948 *Universal Declaration of Human Rights*, Article 41). Through engaging in the political process in this way, governments are created that “deriv[e] their just powers from the consent of the governed” (the US *Declaration of Independence*, paragraph 2). These notions – freedom and consent – are fundamental to the process of democratic decision-making: the powers of a government are justly exercised because they derive from the free exercise of their citizens’ autonomy.

The attitude towards information that characterises “post-truth” politics is in direct conflict with this feature of democratic decision-making. In other areas of life, such as medical treatment, where notions such as free choice and consent are important, we find that consenting to something – freely choosing it – is something that can only occur when certain conditions are met. New Zealand’s Health and Disability Services Consumers’ 2014 *Code of Rights* stipulates that healthcare services may only be provided to a patient if that patient gives informed consent, which places a duty on healthcare providers to not only provide patients with an explanation of their condition and the options available to them, including a balanced assessment of the expected risks and side effects of the different options, but also to ensure that this information is presented to the patient in such a way that the patient can adequately understand what they are being told. If these duties are not met, then the patient is not deemed to have given consent, regardless of whether they have signed the relevant documents. Similarly, in commerce, the *Fair Trading Act 1986* extends similar responsibilities to sellers, by making it illegal for them to deceive or mislead customers.

We place these duties on healthcare providers/sellers because we recognise that people cannot fully exercise their freedom to choose – that is, cannot truly consent to a course of action – in situations in which they are either provided with false or misleading information, or in which accurate information relevant to their decision is withheld. In politics, consent is critical: the consent of the governed is the cornerstone of legitimate democratic government. So as long as politicians – or other interested parties – either make misleading claims or withhold relevant information, then voters will not meet the condition of being informed, and if voters do not count as being adequately informed, then they cannot give their consent to a representative or a course of action. The attitudes that characterise post-truth politics, then, will create situations in which what appear to be consensual free choices – the marking of particular options on ballot papers, for example – do not in fact count as free choices after all. The appearance of democratic consent is simply illusory.

In light of the inability of post-truth politics to provide anything other than illusory democracy, what should we do? Well, as we’ve seen, in other areas where the making of free choices is deemed important, legal and ethical frameworks have been devised and implemented to try and make sure that the underlying requirements for consent will be met. Perhaps it’s time we started to look at something similar for politics.

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