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University of Ottawa

IN DEFENSE
OF DEMOCRACY

A thesis submitted to
the School of Graduate Studies and Research
of the University of Ottawa
in partial fulfillment for the requirements of
the Degree of Master in Philosophy

By

Agúst Hjörtur Ingbórsson

© Agust Hjortur Ingthorsson, Ottawa, Canada, 1988.

Ottawa

April 1988

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Abstract

This thesis concerns the justification of democracy. It is argued that in the tradition of democratic theory there are two main arguments for democracy: one is called the protective argument, the other is called the developmental argument. The protective argument can be roughly identified with liberal democratic theory and does advocate representation as the proper form of democracy. The developmental argument on the other hand, advocates direct participation and public involvement and can roughly be identified with social democratic theory.

Representatives of the protective argument in this thesis are John Locke and Joseph Schumpeter. Representatives of the developmental argument are Jean-Jacques Rousseau and Benjamin R. Barber. John Stuart Mill's arguments for democracy are presented as an attempt to synthesise these two arguments.

The hypothesis put forward in this thesis is that any good defense and justification of democracy needs to employ both the protective and the developmental argument and subsequently to allow room for both representation and participation. It is argued that these two arguments are not as irreconcilable as they are most often portrayed to be. Instead it is argued that they can be complementary to each other. The problem the protective argument faces is that if it is taken to be the only argument for democracy its end result will be a stagnated democratic society. The problem with the developmental argument is that it risks overemphasising development at the expense of fundamental protection and security of the individuals who form the democratic society.

The arguments for this hypothesis are based on both practical and theoretical criticism of the traditional outlook and arrangement of democratic theory. The theoretical concerns are that the initial assumptions about human nature and human society of both rival traditions in democratic theory are too narrow and therefore that their justifications of democracy are insufficient. The solution offered is to enlarge our conception of human nature and human society, especially with regard to the potentialities of the human race. The practical concerns are that our present

democratic practices - decision-making structures and institutional arrangements - do not seem to be able to deal with many of the problems we face today. It is even suggested that these practices create, rather than solve, some of our most serious problems.

The practical conclusion reached is that we need to increase public participation on all possible levels of decision-making in our society. Yet no blueprint is offered for action, for the simple reason that such a prescription for participation would contradict the principle of autonomy and self-rule which is taken to be the main principle and connotation of democracy.

Aðfararorð.

Ritgerð þessi er afrakstur langrar leitar. Ekki endilega að sannleika í hversdagslegum skilningi, heldur leitar að vissu eða sannfæringu um gildi lýðræðisins. Margir hafa stutt mig í þessar leit, flestir án þess að láta sig nokkru varða hver ég var að leita eða hversvegna. Og kannski er slíkur stuðningur sá verðmætasti þegar upp er staðið; að hafa frelsi til að flakka ótruflaður um viðáttur hugsunarinnar án nokkurar skuldbindingar um útkomuna.

Sérstakar þakkir fær faðir minn, Ingbór Hallberg Guðnason, en án hans aðstoðar og hæglátu hvatningar, hefði mér verið nær ógerlegt að leggja út í framhaldsnám í svo óhagnýtu námi sem heimspekin óneitanlega er.

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Sambyliskona mín, hún Guðrún Hjartardóttir, á sérstakt lof skilið fyrir þolinmæði sína gagnvart ónáttúrulegum vökuháttum mínum og eins fyrir það að hafa aldrei síðust fimm árin amast yfir því fræðasviði sem ég hef kjörið mér.

Að loknum þakka ég Hirti syni mínum fyrir hans takmörkuðu þolinmæði gagnvart skriftum mínum og fyrir takmarkaðan skilning hans á mikilvægi þessa verks. En þegar maður er bara fjögurra ára hefur maður aldrei heyrt minnst á svartsýna spekinga og trúir því ekki öðru en að framtíðin verði jafn björt og nútíðin. Sem þakklætisvott fyrir að halda bjartsýni minni lifandi tileinka ég honum og framtíðinni þessa varnarræðu mína fyrir lýðræðinu.

Agúst Hjörtur Ingbórsson

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April 1988.

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Agúst Hjörtur Ingbórsson

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Introduction

I believe that democracy can be justified. This belief I share with millions of people all over the world. Yet despite the almost universal agreement that democracy is desirable, exactly what democracy is and how we can justify it, has been the subject of intense disputes in political philosophy during past decades. And much longer for that matter because democratic theories of all kinds have been very much centre stage in political philosophy and in political struggle since the latter part of the eighteenth century.

There are two main clusters of theories and arguments which have emerged in the past two hundred years as the basic alternatives in democratic theory and which should be identified here at the beginning. On one hand there is liberal democratic theory; it is based on individualist assumptions, views liberty as prior to equality and advocates representation. On the other hand there is social democratic theory; it is based on collectivist assumptions, views truly effective equality as prior to liberty and advocates direct participation.¹²

In this thesis I want to examine the debate about the justifications of democracy, focusing primarily on the rivalry between representative and participatory theories of

democracy. Respectively there are two different arguments provided by each theory in defense of democracy. The representative view of democracy is based on what can be called a protective argument, because it sees protection of individual interests as the primary function of democracy. This argument is traditionally one part of the liberal democratic theory. The participatory view of democracy is based on what can be called a developmental argument for democracy, because it emphasizes the role participation plays in individual education, development and growth. This argument is then part of the social democratic theory.

The hypothesis I will try to substantiate is, that in order to make a good, coherent, and undogmatic case for democracy, one has to employ both the protective and the developmental argument and hence allow room for both representation and participation. The protective argument is an argument against non-democracy, but if it is taken to be the only argument for democracy, its application results in a stagnated democratic society. To bring life to democracy we need to give it a purpose which exceeds the mere protective function. The developmental argument does that, because it is an argument for a developing and progressing democracy which honors, and tries to find ways to enhance, the very values that are at the base of the democratic tradition. The basic claim in this thesis is that these two arguments are not opposite, and hence that representation and participation are not irreconcilable;

rather they are complementary to each other.

The underlying concern in this thesis is that there is something fundamentally wrong with placing liberal and social democratic theories as being fundamentally opposite to each other. It may be understandable because it makes the political and theoretical picture more simple once it has been painted in black and white colors only. It reflects a desire to provide clear, simple and, in some cases, scientific explanations and justifications. But it is a bad representation of reality. It will be argued that this either/or mode of thinking is one of the main reasons why most earlier attempts to justify democracy have been insufficient and therefore unsuccessful.

This new approach to the justification of democracy I want to offer, rejects the ideas that there is one "true" justification of democracy or that an eloquent philosophical proof can be constructed. The defense of democracy has to be coherent and based on various considerations and relevant arguments. By the same token, I reject John Dunn's proposition that "Today, in politics, democracy is the *name* for what we cannot have - yet cannot cease to want."²

Democracy - a better democracy than we practice today - is within the realm of the possible. What we need in order to move towards it is a change in attitude towards the potentials of democracy. Ultimately, that will rest on a new, enlarged, and richer conception of what human beings are and can

possibly be.

The organization of the thesis is as follows. In Chapter 1, I try to establish that there is a significant diversity of views in modern democratic theory and to explain how this diversity came about. In Chapter 2, I look at the origins of the two main arguments; the protective argument as found in John Locke and the developmental argument as found in Jean-Jacques Rousseau. In Chapter 3, I examine a possible synthesis of these two arguments as proposed by John Stuart Mill. Chapter 4 deals with contemporary versions of both arguments; Joseph Schumpeter's economical model is justified by the protective argument while Benjamin R. Barber's "strong democracy" is primarily justified by the developmental argument. The final Chapter sketches my own alternative approach to the justification of democracy and the implications that approach has.

Chapter 1:

EIGHTEENTH CENTURY

TRANSVALUATION

The purpose of this chapter is to set the stage for the subsequent discussion of democratic theories. It should establish two things. First, that today we have many different definitions of democracy and hence, theories and justifications of democracy. Despite this diversity, we can be roughly split all these different theories up into two main trends; one emphasizing representation and protection; the other participation and human development and growth. Secondly, this chapter should explain what triggered the growth of democracy and how this diversity arose. We will examine how democracy changed from being a negative term peculiar to political theory, into being a positive term applicable in actual politics. That change will be attributed to a twofold change in the connotation of "democracy"; from meaning rule of the poor to meaning middle class rule and from meaning direct participation to meaning representation.

1. Modern diversity

On the surface, democracy can easily be defined as "popular rule," meaning "rule of the people." This stems from the Greek origin of the English word "democracy"; *demos* - people, *kratein* - (to) rule. Most people will agree with this definition but it seems to be too broad to have any specific meaning. Each and every political theorist has interpreted this vague definition in his own way. Thus, we have a multitude of definitions to choose from. A few illustrations will suffice to establish this diversity.²⁹

Webster's dictionary defines democracy in this way: "government by the people, either directly or through elected representatives; rule by the ruled." Here the distinction between participatory and representative governments is taken to be the main dividing line in democratic theory and practice.³⁰

A contemporary theorist, Robert A. Dahl, claims that we can properly talk about democracy in practice if the societies in question fulfill two conditions: They allow for "continuous political competition among individuals, parties, or both," and they not only allow but maintain regular election processes. According to this definition, democracy is merely an institutional arrangement at the political level, involving representation, where all real powers are in the hands of a

political élite. The purpose of democracy, i.e. elections, becomes to "produce government" on one hand, and to insure minimum accountability or protection for the people, i.e. voters, on the other. The only general participation is when people form special-interest groups to protect or promote their particular interests.^{3>}

A very different definition of democracy is this one, adapted from Louis Wesserman:

In its broadest sense, democracy is a social philosophy governing the whole of human relations, personal and collective. It is dynamic in character and responsive to changing demands. Democracy must not be thought of as a completed pattern of society, of government, or of an economic system. It does not become static at any point of its development. The institutions it brings into being are tentative and flexible, and they are likely to differ among different peoples at different stages.^{4>}

Here democracy is not limited to election processes, as in Dahl's case, instead the emphasis is on the richness and flexibility of democracy. Moreover, democracy is not restricted to national politics but is defined as a certain way of life, or a certain way of dealing with life.

These quotations present the two main trends in democratic theory. One of them advocates representation, gives narrow procedural definitions of democracy, and rests on individualistic assumptions and economical, or "market-model," conceptions of politics. The other advocates participation, provides a broad "way-of-life" definition of democracy, and is sometimes based on collectivist assumptions and social

conceptions of politics.

The existence of this split is well recognized in contemporary political theory, as we can see from this observation:

So we have really two distinct and developed democratic theories loose in the world today - one dismally ideological and the other fairly blatantly Utopian. In the first, democracy is the name of a distinct and very palpable form of modern state, at the most optimistic, simply the least bad mechanism for securing some measure of responsibility of the governors to the governed within modern states. In the second, democracy (or as it is sometimes called participatory democracy) is close to meaning simply the good society in operation, a society in which we produce as profusely as we do today, if less wastefully and with better taste - and in which all social arrangements authentically represent the interest of all persons, in which all live actively in and for their society and yet all remain as free as before.⁵²

But this diversity has not always been the case. The word "democracy", for one thing, did not enter the English language until the sixteenth century. And two more centuries were to pass before it entered popular speech.

The absence of the term "democracy" from the English vocabulary does not mean that democratic practices were totally absent from western civilization. In ancient Athens there existed a society which can be called democratic and the same can be said about various city-states in Italy and Switzerland during the middle ages. One could even claim, as Jean-Jacques Rousseau did, that the Roman Republic was in some sense democratic. Athenian democracy is of some relevance because most democratic theories evaluate it to some extent:

either they oppose it, and subsequently argue for representation, or they derive inspiration from it, and argue for direct participation. The difference in evaluation, reflects different views of what Athenian democracy actually was. Those favorable to it sometimes seem to rely more on a myth about the virtuous and harmonic life in ancient Athens, than on historical facts. Those opposed to it, emphasize the darker aspects of Athenian democracy, perhaps forgetting the values it undeniably had. To the extent Athenian democracy is relevant as a background for modern democratic theory and practices, it will be referred to later in the thesis.⁴²

However, discussing Athenian democracy will not help us understand contemporary democratic theory. Our topic is restricted to what may be called modern democracy to separate it from those earlier versions. Therefore, in order to fully understand what the current diversity in democratic theory involves, we must explore how this diversity came about. That will take us back to the late eighteenth century where the roots of the modern conceptions of democracy lie.

2. From the negative to the positive meaning of democracy.

The first thing to be noted is that before the latter part of the eighteenth century "democracy" was only known to political thinkers and scholars. For them the word was only part of the conceptual inheritance from Aristotle which, along with the words "aristocracy" and "monarchy", were only "tools of analysis, closely defined, dry in connotation and without emotional impact."

Not only was the word dry in connotation, democracy was thought of as the least desirable, or possibly the most dangerous, of these three forms of government. This can be explained in many ways, among others by reference to the sad end of the ancient Greek experiment with democracy. But all that is needed here is to note that for the medieval scholars it had a negative connotation insofar as it related to real politics at all.

Around the middle of the eighteenth century there is a slight change noticeable in the more "enlightened" circles of Europe. M. le Chevalier de Jaucourt's essay on democracy, published in Diderot's *Encyclopaedia* in 1754, provides a good example of the new view, that democracy is "admirable," yet its application to any real circumstances will prove disastrous.

It would be a happy thing if popular government could conserve the love of virtue, the execution of the laws, mores and frugality; if it could avoid the excesses, namely the spirit of inequality that leads to aristocracy, and the spirit of extreme equality that leads to despotism alone: but it is indeed rare that *democracy* may preserve itself from these two dangers for long. It is the fate of this government, admirable in principle, to become almost infallibly the prey for the ambition of some citizens, or of a foreigner, and thus to pass from a precious freedom to the greatest slavery.⁸⁷

This quotation represents both the feudal view of the late middle ages, i.e. democracy is the worst form of government, and the view of a new era in politics and political theory, i.e. democracy is "admirable" in principle. This new era gradually began to take shape in Europe and North America in the last decades of the eighteenth century, though the roots of this change stretch at least as far back as the English Civil War in the seventeenth century.

Such a reading of history has been stressed by, among others, R.R. Palmer who has argued that the whole Western (or Atlantic) civilization

was swept in the last four decades of the eighteenth century by a single revolutionary movement, which manifested itself in different ways and with varying success in different countries, yet in all of them showed similar objectives and principles. It is held that this forty-year movement was essentially "democratic," and that these years are in fact the Age of the Democratic Revolution.⁸⁸

Two characteristics are essential regarding this "democratic revolution." The first concerns the relationship between the prevalent political situation in the eighteenth century and

the "democratic movement" that was opposed to that situation.

The essence of this relationship is summed up in the following way by Palmer:

Politically, the eighteenth-century movement was against the possession of government, or any public power, by any established, privileged, closed, or self-recruiting groups of men. It denied that any person could exercise coercive authority simply by his own right, or by right of his status, or by right of "history," either in the old-fashioned sense of custom and inheritance, or in any newer dialectical sense . . . The "democratic revolution" emphasized the delegation of authority and the removability of officials, precisely because, . . . neither delegation nor removability were much recognized in actual institutions.¹⁰

The important thing here is *opposition* to what might be called the political establishment, the "established, privileged, closed and self-recruiting groups" who controlled all public power in the middle ages. This was true, more or less, all over Europe, regardless of the specific circumstances in each place. These were "revolutions" on the practical level with certain common goals and should be referred to as such.¹¹

The second characteristic of this "democratic revolution" is on the theoretical level, where political theories play a major role. The meaning of the word "democracy" changed, including its connotation and the emotional impact it carried. No longer was it only an analytical tool for political theorists, it entered the field of actual politics; it ceased to be a word for a political ideal which could never be

realized and became an ideal which could and *should* be achieved in the near future. James Miller, a Rousseau scholar, has made the same point:

In the last half of the eighteenth century, the world of politics underwent a series of revolutions. In the course of these revolutions, democracy was transformed, fitfully at first, from a term of opprobrium into a word of praise, a designation for the most desirable form of government. For this transformation to occur, it was as necessary for someone to transvalue the idea of democracy as it was for this transvaluation to be appreciated in practice.¹²

Miller argues that this transvaluation was caused solely by Rousseau and put into practice in the French Revolution, but that is probably an overstatement. During this last half of the eighteenth century there were "revolutions" or unrest in Ireland, Scotland, Holland, Geneva, Italy, Poland, Hungary, Sweden and of course in France and North America. So it seems more realistic to say that this transvaluation of the term "democracy" was caused simultaneously by many different theorists and politicians and done in many different ways. The total result was an old word with a new meaning, or rather new meanings, ready to be applied in the turmoil of political reality.¹³

Put simply, "democracy" and especially "democrat" came to mean the opposite to "aristocracy" and "aristocrat." Aristocracy meant in popular language (and this may perhaps be more true for France than other countries) the prevalent political and more generally social structure of society.

Democracy as its converse stood for the hopes of a new society where oppression, tyranny and privileges would be eliminated. It is important to observe that this democratic movement occurred simultaneously at both the practical and theoretical level. Practical concerns pressed for the transvaluation of the term "democracy" and that transvaluation in turn created a new political culture.

This short historical account is obviously a simplification, but it serves to emphasise the importance of opposition to the political establishments in the spread of democracy. In actual circumstances people were always opposing something specific: In France the revolution started with the desire of the Third Estate to become equal to the other Estates and with the attempt by the peasants to eliminate feudal privileges and gain back property which they felt had been stolen from them by members of the aristocracy. In Geneva it was the General Council's opposition to the Small Council's monopolization of all real political power. And so on and so forth. In each case, people adopted a conception of democracy which suited their specific circumstances and was based on their particular history.

The challenge to the establishment was by no means confined to the political arena; it was part of a much more general trend which cut through the whole society. If the eighteenth century was "The Age of the Democratic Revolution", it was

even more "The Age of the Enlightenment". The Enlightenment will not be a special topic here, but it is important to mention it because some characteristics of the Enlightenment played a crucial role in shaping and formulating this democratic revolution. One such characteristic was the application of "Reason" against traditions, dogmas, and indeed, the whole social establishment. This new reason, which included the Cartesian mechanical interpretation of Nature, Newtonian physics and Hobbes' and Locke's application of the scientific method to the human and social spectrum, was a major weapon used to demolish the old feudal system and gradually the tool with which a new liberal democratic society was built.

3. In what ways the term "democracy" changed.

If we now turn our attention to the theoretical level, there are two main points to be observed regarding how, or in what sense, the meaning of "democracy" changed: Firstly, there was a shift from meaning the rule of the poor to meaning the rule of the middle class, and secondly from implying direct participation to advocating representation.

The core of Aristotle's definition of democracy was his association between democracy and the poor (and it follows, between oligarchy or aristocracy and the rich): "Wherever men rule by reason of their wealth, whether they be few or many,

that is an oligarchy, and where the poor rule, that is a democracy."¹⁴

The "democratic revolution" of the eighteenth century was, on the other hand, not a revolution of the poor, at least not of the *poorest*. To the extent they participated, their primary objective was bread; a larger share in economic goods. Palmer has noted that the attitudes of the Natives in Geneva in the 1760s and 1770s towards the revolutions of 1768 shows a pattern "that was to be repeated many times later in many countries, of a lower class more interested in its economic welfare than in constitutional forms, and likely to support either Liberal or Conservative, Whig or Tory, revolution or counterrevolution as might seem best."¹⁵

Based on this it is commonly said that the revolutions of this period were essentially bourgeois in contrast to the proletarian revolutions of the twentieth century. Further we may note that the democratic societies which later grew out of this transition cannot be defined in terms of "rule of the poor". So if democracy meant rule by the poor in ancient Athens or during the middle ages, it did not do so at the end of the eighteenth century and it most certainly does not today.

However, the ties between economic status and democracy were not entirely broken. One important factor which contributed to the revolt against the aristocratic establishment was the economic interests of the "middle class." But economic

interests were only one of many important factors and by no means *the* single factor explaining why the middle class did finally revolt. The rebellion did not aim at furthering any specific interests, economic or otherwise; what the bourgeois class longed for were opportunities and liberties, not special privileges. They sought *equal* chances and *full* citizenship in society which they had been denied. The bourgeois class was already fairly well off (as compared to the peasants), a fact they owed to changes in the economic sphere, especially in commerce, not to constitutional reforms.

The explanation for how it could come about that democracy ceased to mean solely "government in the interest of the poor", we find in the second shift of meaning: from direct participation to representation.

In ancient Greek practice, the people ruled directly through general assemblies where all, or a substantial number, of the citizens were assembled at the same place. This we call, in contemporary theory, direct democracy, participatory democracy or even pure democracy. Accordingly, direct participation by those who qualified as citizens was the established understanding of democracy during the middle ages.

This understanding changed. Gradually people came to associate democracy with representation, delegation of power and election of representatives to the assemblies. And *gradually* has to be emphasized here. The general assemblies

in Greek city-states, as well as regional assemblies later on in Europe, were seasonal, not continually assembled, and they always involved a certain degree of delegation or representation. Institutions like parliaments, which are the cornerstones of modern representative democracies, date as far back as 930 A.D., the most influential, the British parliament, being founded in 1265. So the idea of representation was not new, only its association with democracy.¹⁴

Two examples ought to suffice to support this claim. In 1787, Benjamin Rush stated this new representative definition of democracy clearly when he said: "[I]t is often said that 'the sovereign and all other power is seated in the people'. This idea is unhappily expressed. It should be - 'all power is derived from the people'. They possess it only on the days of their elections. After this, it is the property of their rulers."¹⁷

This was just before the French Revolution, but the *locus classicus*, as R.R. Palmer calls it, for the word "democracy" in the representative meaning we find during the French Revolution in a speech of Robespierre on February 5, 1794:

Democracy is not a state in which the people, continually assembled, itself directs public affairs; still less is it a state in which a hundred thousand fragments of the people, by contradictory, hasty and isolated measures, should decide on the destiny of society as a whole; such a government has never existed, and if it did could do nothing but throw the people back into despotism. . . .

Democracy is a state in which the people, as sovereign, guided by laws of its own making, does for itself all that it can do well, and by its delegates

what it cannot.¹⁴⁰

A reservation has to be made here. These definitions should be read within the context of the struggle which was going on in France at this time. Robespierre, for example, was not only criticizing direct democracy in general but more particularly the local assemblies which formed during the French Revolution all over France. He felt these were too powerful to be properly controlled by the central government.

From one point of view, this new notion of representative democracy can be seen as a compromise between oligarchy (rule by few) and direct democracy (rule by many/all); in fact only few continued to have actual power but the "many" safeguarded themselves by insuring the removability of the rulers. That is a major point in both Locke's and Rousseau's theories, as we will see in next chapter. Yet compromise is not the best of words here. Not only were the "many" safeguarding themselves from arbitrary action by the "few"; the middle class was establishing itself as a leading force in society by preventing arbitrary action from both above and below.

That the middle class should become the leading force in society has many explanations which lie outside the scope of this thesis. We can note, though, that at the same time as "the Democratic Revolution" was going on, the Industrial Revolution was beginning and would "in due course dramatically change the economical and social structure of Europe and North

America. More and more people belonged to the middle class, or at least felt that was their proper place in society. So at the beginning of this century, when democracy had finally been established in most of Europe and in North America, the majority of the population could be called "middle class."

In practice it is unquestionable that it was representative democracy and not direct participation that prevailed. We might thus suppose that on the theoretical level this new idea of representative democracy replaced the older idea of direct participation. But things are not so simple. Out of this transvaluation there grew two, rather distinct, conceptions of democracy, both of which were different from the old one. And each conception includes a different approach to the justification of democracy.

It is in the transitional period of the late eighteenth century that we find the source of this split in democratic theory and of many other tensions we today recognize to exist within each trend in democratic theory.

Chapter 2:

REPRESENTATIVE VERSUS PARTICIPATORY DEMOCRACY

If there are "two distinct and developed democratic theories loose in the world today", they had to begin somewhere. And luckily enough these starting points are well established within contemporary theory: The liberal democratic theory, which is recognized to dominate current democratic practice, and whose essence is the idea of representation, has its origin in John Locke's theory. The theory of social democracy, which is said to be the eventual ideal of participatory Utopias, is derived from and inspired by Jean-Jacques Rousseau. So that is where we begin the specific elaboration of the two main alternatives in democratic theory. First we will consider Locke's argument for representative democracy and then Rousseau's argument for participatory democracy.

1. John Locke's perfect democracy.²³

Three elements of Locke's theory will be considered here: His theory of sovereignty, his notion of the supreme power of the representative legislature, and his concept of trust.

Locke's crucial argument against authoritarianism in general, and Sir Robert Filmer's argument for divine authority of kings in particular, rests on his theory of sovereignty. That theory states that all political power is vested in, or at least originated in, each and every individual. Hence the idea of "popular sovereignty," which later became one of the cornerstones of actual democratic constitutions. Popular sovereignty is argued for by Locke on the basis of an abstract state of nature which

all Men are naturally in, and that is, a *State of perfect Freedom* to order their Actions, and dispose of their Possessions, and Persons as they think fit, within the bounds of the Law of Nature, without asking leave, or depending upon the Will of any other Man. A *State also of Equality*, wherein all the Power and Jurisdiction is reciprocal, no one having more than another: there being nothing more evident, than that Creatures of the same species and rank promiscuously born to all the same advantages of Nature, and the use of the same faculties, should also be equal one amongst another without Subordination or Subjection, . . .²⁴

The central idea here is that every individual is free "within the bounds of the Law of Nature." It is the Law of Nature which governs this State of Nature. In other words; in

the State of Nature, the individual is not subordinate to any other individual(s), only to the Law of Nature. This law prescribes the natural rights men have, but these are the rights to life, liberty, preservation and property. And a further important right everyone has equally, is to be "Executioner of the Law of Nature."³

The *State of Nature* has a Law of Nature to govern it, which obliges every one: And Reason, which is that Law, teaches all Mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his Life, Health, Liberty, or Possessions.⁴

This State of Nature, with its natural rights as prescribed by the Natural Law, is intuitively "true" for Locke. Just as Descartes taught us that the natural light of reason showed us that we exist because we think, so does Locke's Reason teach us that all men are naturally free and equal. We should note right now, that these "rights" - freedom and equality - are the basic tenets and values of democratic theory from Locke to the present day. We should also note that Locke's State of Nature is not a reconstruction of actual conditions before human beings entered into Civic Society. The State of Nature is supposed to be (logically) prior to Civic Society because it is based on a theory of human nature; if human beings are thus-and-so it must follow that their circumstances were thus-and-so before they entered Civic Society.

Locke's theory of human nature is only implicit in his *Two Treatises of Government*, but it is explicitly stated in his

Essay Concerning Human Understanding. His fundamental postulates there are that human beings have innate inclinations which are "a desire of happiness, and an aversion to misery". But if these "principles of action", which are "lodged in men's appetites . . . were left to their full swing, they would carry men to the overturning of all morality", and hence, the destruction of society.⁵⁷

It is on these postulates that Locke based The State of Nature we have been talking about up to now. He characterises it as "a State of Peace, Good Will, Mutual Assistance and Preservation". This peaceful State of Nature is then contrasted with the State of War, which is "a State of Enmity, Malice, Violence and Mutual Destruction".⁵⁸

Locke needs the State of War in order to explain why men would leave his peaceful State of Nature, where all are free and have equal powers, and enter into Civic Society where they have to give up equality and (to some extent) their freedom. Locke recognizes this problem himself and provides this answer:

If Man in the State of Nature be so free, as has been said; If he be absolute Lord of his own Person and Possessions, equal to the greatest, and subject to no Body, why will he part with his Freedom? Why will he give up his Empire, and subject himself to the Dominion and Controul of any other Power? To which 'tis obvious to Answer, that though in the state of Nature he hath such a right, yet the Enjoyment of it is very uncertain, and constantly exposed to the Invasion of others. For all being Kings as much as he, every Man his Equal, and the greater part no strict Observers of Equity and Justice, the enjoyment of the property he has in this

state is very unsafe, very unsecure. This makes him willing to quit a Condition, which however free, is full of fears and continual dangers [emphasis added]: And 'tis not without reason, that he seeks out, and is willing to join in Society with others who are already united, or have a mind to unite for the mutual Preservation of their Lives, Liberties and Estates, which I call by the general Name, *Property*.⁷²

So the State of Nature is after all a State of War, or rather it is both; a State of War and a State of Peace.

This summary, of Locke's theory of the State of Nature, is collateral to C.B. Macpherson's interpretation of Locke. He offers an explanation of the apparent dilemma between the two States of Nature, which is worth quoting at some length:

This ambiguity about the state of nature simply reflects Locke's fundamental ambiguity about human nature. In the first picture men generally are naturally reasonable enough to impose on themselves individually the moral rules needed to curb their contentious appetites. In the second picture they are not: the greater part are "no strict observers of equity and justice", and none can secure themselves individually. Locke needed both these inconsistent assumptions about human nature in order to make his case, which was that individuals must be understood to have agreed to give up their natural rights and powers to an all-powerful civil society, but that the civil society (themselves when so united) could not conceivably have delegated absolute or arbitrary power to any government, but must be understood to have retained the right to alter the frame of government whenever they (acting by a majority of themselves) so desired.

The assumption that men were too avaricious to secure themselves individually was needed to explain why men who were created free and equal would submit their natural rights to any authority. The assumption that, on the contrary, they naturally acknowledged a law of nature and would claim only the limited power needed to restrain occasional transgressors, not an absolute or arbitrary power over others, was needed to show that they could not hand over, and hence that no government could be given, absolute or arbitrary

power.⁶³

Macpherson sees this ambiguity as a weakness, both in Locke and also in contemporary liberal theory. He is right to do so to some extent, but at the same time one must remember the reasons for this ambivalence. Human nature is ambivalent and any justification of democracy has to take adequate account of that. Whether this "schizophrenia of liberalism," as Benjamin R. Barber has called this, is entirely a bad thing, as implied by Barber, remains to be seen.⁶⁴

From natural freedom, Locke moves to civic freedom which he defines in this way:

Freedom of Men under Government, is, to have a standing Rule to live by, common to every one of that Society, and made by the Legislative Power erected in it; A Liberty to follow my own Will in all things, where the Rule prescribes not; and not to be subjected to the inconstant, uncertain, unknown, Arbitrary Will of another Man.⁶⁵

Locke is not only defining Civic freedom here, but also assigning the superior power to the legislative assembly (the English Parliament in his particular case). He does so on the basis that it is, at least partially, representative of the whole body of the people. The sovereignty remained vested in the people, but the people could and did delegate, even submit, that power to their legislative assembly. This was done in order to secure equal freedom of everyone, because everyone was to be equal under the Civic laws, just as everyone was equal under natural laws. That laws should be

superior to any particular individuals is essential in order to secure each and every individual from arbitrariness at the hands of other individuals: "This *Freedom* from Absolute, Arbitrary Power, is so necessary to, and closely joyned with a Man's Preservation, that he cannot part with it, but by what forfeits his Preservation and Life together."¹¹

The idea, of laws being placed above men which in turn were all supposed to be equal under them, reflects the State of Nature where all were equally obliged by the Law of Nature. But Civic equality is very different from Natural equality. Civic equality is a formal equality aimed at securing people from arbitrariness through explicit laws which are executed by a force (the government) which alone has the executive power. Natural equality is informal and, while assigning the executive power equally to all individuals, it does not offer any security from arbitrariness because there is no supreme force to execute the natural laws.

This notion, of laws being superior to men, has a long history. Some date it back as far as sixth century B.C. when Solon is supposed to have said: "It is the essence of Democracy . . . to obey no master but the law."¹²

This was especially true in England where a strong tradition of Common Law goes all the way back to the thirteenth century when Magna Carta was written. What was new in Locke's theory was the association of this old tradition with his new theory of popular sovereignty which was represented in this supream

law-making institution.

The idea of representation and equality under Common Law leads to Locke's concept of trust. He claimed that there was a fiduciary relationship between the government and the people it represented. Trust was to be the criterion upon which the people judged their representatives and consensus thus came to be the practical justification for any particular regime. This was not a strictly contractual relationship where the representatives were bound to do certain things in the name of the people they represented. Rather, people were supposed to place their trust in their representatives, trusting that they would act in their interests. It followed, that if there were a breach of trust, the representatives could and should be replaced, because the sovereignty remained vested at all times in the people. We may recall that the basic argument of Locke for the overthrow of Charles II and later James II was that they had forsaken the trust that the people had placed in them.

Now what does all this add up to? A perfect democracy, Locke claims.

The Majority having, as has been shew'd, upon Mens first uniting into Society, the whole power of the Community, naturally in them, may imploy all that power in making Laws for the Community from time to time, and Executing those Laws by Officers of their own appointing; and then the *Form* of the Government is a perfect *Democracy*:¹²³

The justification of this "perfect democracy" is the natural

rights people have in the State of Nature. Natural rights cannot be alienated and therefore people do not lose them when they enter Civic Society. This argument is usually classified as the "natural rights" justification of democracy. The essence of it is, that since people - each and every human being - has certain unalienable rights, people must rule in the last resort. People can delegate power, but never absolutely or finally; no one should be able to trample on their rights. Thus, concludes Locke,

the *Community* perpetually retains a *Supream Power* of saving themselves from the attempts and designs of any Body, even of their Legislators, whenever they shall be so foolish, or so wicked, as to lay and carry on designs against the Liberties and Properties of the Subject.¹⁴⁰

The importance of Locke's argument against any absolute power has to be viewed in its proper perspective. His *Two Treatises of Government* were a reaction to his particular circumstances. He devoted the *First Treatise* to arguing against Sir Robert Filmer's *Patriarcha; or the Natural Power of Kings*, where the divine and absolute authority of kings was defended and all rights of popular resistance were denied. Locke's *Second Treatise* contains his theory of resistance, which he hoped would justify the Glorious Revolution of 1688. In a sense, the *Second Treatise* is a reaction to the whole sequence of events which lead to that Revolution, which he happened to be involved in. Thus, as claimed in Chapter 1 of this thesis, practical concerns pressed for the transvaluation

of the democratic term which in turn created a new political culture.^{13>}

If we keep firmly in mind what Locke was arguing *against* we will better understand what he was arguing for. C.B.

Macpherson has offered this explanation of the strong appeal of Locke's theory:

Composed initially to justify resistance to Charles II over the right of succession to the throne, it became when published a justification of the Whig Revolution of 1688-89 by which James II was dethroned and replaced by William and Mary, on terms which reduced the power of the crown and increased that of Parliament. It supported the resulting Whig state, which was controlled by the propertied class. A century later the doctrine, backed by all Locke's prestige, was neatly and quite properly turned against the British state by the American colonists. And ever since, although it has needed some supplementing and revising, it has been an invaluable ideological support for the liberal constitutional state and the market society on which the liberal state has been built.^{14>}

The closeness between Locke's theory and the historical circumstances which created it may be attacked as a defect. But the attack would be fair only if his theory were intended, or conceived, to be *the* theory of politics proper. Such a misconception seems to be one of the reasons why Macpherson rejects Locke's theory and the whole doctrine of individualism. More strangely though, the self-evident "truths" supposedly contained in Locke's theory seem to be the reason for its strong appeal. Probably one of the best recapitulations of his theory is to be found in the United States of America Declaration of Independence from 1776:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.¹⁷

If we take care in avoiding such "ultimate conceptions" and keep the historical perspective firmly in place we can offer a more fundamental interpretation of Locke's justification of democracy. It has been well captured by J. Roland Pennock:

If we were to ask Locke why all men should be equally entitled to a natural right to liberty in accordance with which no man could be placed under the dominion of any other man save by his own consent, his answer would be not unlike one we shall encounter when we come to consider contemporary theories. In essence, it is *Why not?* [emphasis added] Why should it be assumed that some men were born to rule over others, since all had been given by their Creator the use of the same senses and the same rational capacity. He did not argue that men were all alike or deny that their reasoning powers differed; but he did contend that all men shared a kind of reason enabling them to see, for instance, that they should not harm one another and that unless their own preservation were endangered, they should seek the welfare of others along with their own.¹⁸

This is a fair interpretation of Locke, yet we should note that his intentions were, after all, *not* to justify democracy in the sense of "popular rule" where all adult citizens have equal political power. He was justifying, what today would be called, "class-élitism" where the deciding factor was social

status which in turn was determined by property or wealth. "Popular rule", for Locke, meant only the right of the people to resist any wicked designs of the political élite. The people had the right to protect themselves, but that was not to mean that they should rule themselves.

It is interesting to note that his argument "Why not democracy?" is the most common argument one encounters for democracy today. At the same time, "elitism" is what we have today according to contemporary liberal theorists and political scientists.

The name "the protective argument" for democracy seems to capture well the essential characteristics of the liberal case for democracy. The argument has basically two sides: one moral, the other practical. The moral side refutes all claims of superiority, all claims of special entitlement to political power by any individual or group of individuals. All human beings are equally human beings and all citizens are equally much citizens. The practical side simply states that democracy is our best defence against tyranny, or in Locke's terminology, it secures individuals from arbitrariness of the hands of other individuals. Today this claim can be supported by many historical examples.

Presented in this way, the protective argument for democracy is a forceful argument on all levels of government, in all kinds of societies and in different authority-structures. But two bad things have happened to it during the past three

hundred years. First of all, its moral side has been lost and that opens the way for political inequality which gives special power or superiority to groups of individuals which today are called political élites. All that now prevails of the protective argument is the negative state of nature which is based on a negative conception of human beings and their capacities. The state of war is not confined any more to pre-civic societies, it is the lot of man at all times:

Democracy after all is a mimic warfare, conducted by votes rather than by guns, in which the defeated minority accepts the majority verdict with good humour. But such a form of government fails when the divisions become too deep: ballots give way to guns and tanks, and the entire democratic fabric is torn apart.¹⁹

Of course it makes all the difference in the world whether we conduct our warfare by votes or guns. The practical argument derived from this negative definition of democracy has been eloquently put by Walter Lippman. Referring to the fun that is often made of parliaments as "talk-shops", he said: "deride the talk as much as you like; it is the civilized substitute for street brawls, gangs, conspiracies, assassinations, private armies. No other substitute has yet been discovered."²⁰

But is it true that politics, and the whole human life, is but a "mimic warfare"? Is this *all* there is to democracy? That these questions have been answered time and a time again with "yes", is the second bad thing that has happened to the

protective argument. It means that the only purpose of democracy is to offer security from tyranny and a civilized way of settling disputes between free but isolated individuals. While individuals have become free from all but the most necessary restraints, their only sense of direction comes from "natural desires." Once democracy has been achieved, there is nothing more to strive for. All we have to worry about is the stability of the system. Indeed, that is precisely what has happened; a great portion of democratic theory, especially the part dressed up in the garb of political science, evolves around defining the conditions for insuring the stability and securing the prevalence of democracy. Democratic theory has been reduced from political theory to political engineering. Yet, the practical force of the protective argument only makes sense in the context of a moral theory which values liberty and equality above other things. If that context is neglected, the protective argument is gravely insufficient to make a good case for democracy.

The implications of Locke's peaceful State of Nature have been lost in the evolution of the liberal tradition. It was left to Jean-Jacques Rousseau and others to develop these implications. It is time, therefore, to turn to Rousseau and explore the origins of the developmental argument for democracy.

2. Jean-Jacques Rousseau's government and sovereignty.

Rousseau's theory involves some very difficult problems of interpretation. For one thing, his theory does not always appear to be consistent and that has caused some radically different interpretations. Most of these cannot preoccupy us here because our subject is limited to the tension between representation and participation.²¹

However, there is one confusion in Rousseau's theory which bears directly upon that subject. According to James Miller, this confusion derives from Rousseau's use of two diverse definitions of democracy:

One of them is explicit and traditional, the other implicit and unusual. On the one hand, democracy is defined as a form of government, and this is the way he uses the term throughout most of the *Social Contract*. On the other hand, democracy is defined as a form of sovereignty, and this is the way he seems to use the term most of the time in most of his other political writings.²²

Miller is quite right in distinguishing these two definitions from each other, even though he is wrong with regard to the *Social Contract*, where both definitions are present. In a word, these two definitions are the key to making full sense of Rousseau's theory of democracy. What that key will unlock is a theory that proposes direct participation in the legislative process but representation in the executive to enforce the laws that are the result of the participative

legislative process.^{23>}

These two definitions of democracy derive from Rousseau's distinction between two kinds of political power which he explains in the following way:

Every free action has two causes which concur to produce it, one moral - the will which determines the act, the other physical - the strength which executes it. When I walk towards an object, it is necessary first that I should resolve to go that way and secondly that my feet should carry me. When a paralytic resolves to run and when a fit man resolves not to move, both stay where they are. The body politic has the same two motive powers - and we can make the same distinction between will and strength, the former is *legislative power* and the latter *executive power*. Nothing can be, or should be, done in the body politic without the concurrence of both.^{24>}

We should first turn our attention to Rousseau's notion of sovereignty because it is more fundamental than his notion of government. There are two related things to be noted. First, he defined sovereignty in terms of free will, not force as ^{25>} it was more traditional to do. Secondly, the sovereignty of the people could not be represented. Democracy had to be direct democracy if it was to be worthy of the name.

James Miller has stated the first point clearly:

At the heart of Rousseau's state stood not force, but freedom; not commands, but reciprocity. The personalized and unbounded power of a king disappeared before the impersonal power of a people - a power limited by the extent of their shared interests and by the strength of their mutual respect. In Rousseau's hands, sovereignty became a moral ideal, a psychological reality, a way of developing the free will inherent in every man.^{26>}

On the second point Rousseau himself is very articulate:

My argument, then, is that sovereignty, being nothing other than the exercise of the general will, can never be alienated; and that the sovereign, which is simply a collective being, cannot be represented by anyone but itself - power may be delegated, but the will cannot be. . . . Sovereignty cannot be represented, for the same reason that it cannot be alienated; its essence is the general will, and will cannot be represented - either it is the general will or it is something else; there is no intermediate possibility.²⁷

By definition, the sovereign is that which issues laws. Thus the sovereign holds the legislative power. Since the sovereign cannot be represented it follows that the legislation of laws must be directly devised and enacted by the people. If the legislation is not direct, the people is not free and the legislation is not legitimize because it is not an expression of the general will. Rousseau's comment on the English representative democracy confirms this: "The English people believes itself to be free; it is gravely mistaken; it is free only during the election of Members of Parliament; as soon as the Members are elected, the people is enslaved; it is nothing."²⁸

Leaving aside for a moment the justification Rousseau provides for popular sovereignty, let us turn our attention to the government. For Rousseau, government can be one of three things - and this applies to sovereignty as well: Monarchy, Aristocracy or Democracy. The criterion of difference between them is numerical: democracy is distinguished from aristocracy

and monarchy by the number of people who actually form the government. Therefore, it is a democratic form of government when the sovereign puts "the government in the hands of the whole people, or of the greater part of the people, so that there are more citizen-magistrates than there are ordinary private citizens."²⁹

Rousseau offers no simple answer to the question of what is the best form of government. His conclusion is that different forms suit different circumstances and that in reality these forms are most often combined or mixed. But as a general rule, "democratic governments suits small states, aristocratic government suits states of intermediate size and monarchy suits large states."³⁰

Yet, despite all his reservations, Rousseau seems to prefer *elective aristocracy* to the other forms of government. Elective aristocracy should be distinguished from both natural and hereditary aristocracy.³¹

The argument against democracy - as a form of government, not sovereignty - is, first, that it is only suited for very small and simple states: "One can hardly imagine that all the people would sit permanently in an assembly to deal with public affairs;" and, second, "that there is no government so liable to civil war and internecine strife".³²

The main arguments against monarchy are that it poses a threat to the sovereignty of the people, because of problems of succession, and that it tends to be badly governed.

Rousseau points out that monarchs have a tendency to want to become absolute monarchs, that is, to become in effect sovereigns.

There are quite pragmatic reasons for Rousseau to prefer elective aristocracy rather than democracy or monarchy as the proper form of government. First, "it is the best and most natural arrangement for the wisest to govern the multitude, if we are sure that they will govern for its advantage and not for their own." That they will govern society in the interest of the people is secured by their removability, that is, by the sovereignty of the people. A second reason why Rousseau prefers elective aristocracy is that with it the administration and application of general laws to particular cases will be more stable and impartial, which is essential for internal peace to thrive and for external affairs to be balanced.==>

The word aristocracy may seem out of place here to the modern reader because members of this aristocracy are to be elected by the people, are to carry out the general will, and are part of the government's "aristocracy" only as long as it pleases the people. But we must remember the forms of government are judged only in *conjunction* with popular sovereignty. The sovereignty of the people is a *prerequisite* for elective aristocracy being judged as the best form of government. We must constantly keep the distinction between the sovereign and the government in mind and their proper relations: "Thus, although the government may regulate its

interior discipline as it pleases, it can never speak to the people except in the name of the sovereign, that is, in the name of the people itself - *something that must never be forgotten* [Emphasis added]."³⁴

We should not let the terminology confuse us here. Elective aristocracy simply means representative executive power which is subjected to the ultimate control of the legislative assembly, in which all (males) participate. And popular sovereignty simply means that it is the people as a whole who have the ultimate power, not the government or any other fraction of the people.

Now, when this distinction has been made clear, we can turn to Rousseau's justification for popular sovereignty, that is, for participatory democracy. Freedom is the key concept here. For Rousseau, freedom comprises the essence of our nature: "To renounce freedom is to renounce one's humanity, one's rights as a man and equally one's duties. There is no possible *quid pro quo* for one who renounces everything; indeed such renunciation is contrary to man's very nature; . . ."³⁵

The freedom Rousseau is here talking about is not natural freedom - even though men were free in the true state of nature - but freedom in the context of society. That is the only freedom which has any meaning or bearing because man lives in society with other men. Freedom, we must remember, means the exercise of the free will and as such it originates

in individual self-consciousness. Freedom and hence self-consciousness can only come about by the development of individual characteristics through social relationships. For that reason the word "freedom" can only be meaningful in the context of society not in a pre-social context or in a theoretical vacuum.³⁶

Along with Locke, Rousseau believed that popular sovereignty offers a safety net against the abuse of executive power and protects private interests. But for Rousseau that was just the beginning. "Whereas according to Locke and Pufendorf, the State has fulfilled its mission when it assures the protection of its citizens and sees to their security, for Rousseau it becomes the essential condition for the intellectual and moral development of man."³⁷

The ultimate aim of society is to foster the development of *citizens* (not merely individuals) who are autonomous because they exercise their free will and do so in a morally responsible way. Therefore they are able to truly control their own fate. This requires education, in the widest sense of that word. People will never be able to control their own fate unless they learn how to do so. And active political participation is an indispensable part of that education. Therefore, as Carole Pateman has noted, "The human results that accrue through the participatory process provide an important justification for a participatory system."³⁸

From the fact that Rousseau's system is designed to shape

certain characteristics in individuals and enhance particular moral values, some have drawn the conclusion that Rousseau's democracy is, or leans towards, a totalitarian democracy. Such an interpretation misses the fundamental axiom of freedom, the exercise of the free will, and its relationship to participation in Rousseau's theory. For Rousseau, as for all theorists of democracy - regardless of whether they advocate representation or participation - individual freedom is an important, perhaps *the most* important, element of their theories. Freedom is what prevents totalitarianism for Rousseau, as for his critics. Thus it seems that the more secure and meaningful the freedom is the better.

But what does this freedom consist in? Does it only mean maximum freedom from confinement? No, says Rousseau. In order to have any meaning it must also be freedom to do something; it must be more than a mere potential as natural freedom is; it has to have some purpose and direction. An individual who is free to the maximum extent from all external restraints but has nothing to do with his freedom is not free. He is alone, alienated, homeless.²⁹

To secure individual freedom from external restraints or the arbitrariness of other individuals is important for Rousseau, but more important is the constructive use of that freedom. Securing and constructively using freedom requires direct democracy. Pateman has made precisely this point.

The individual's actual, as well as his sense of,

freedom is increased through participation in decision making because it gives him a very real degree of *control* over the course of his life and the structure of his environment. Rousseau also argues that freedom requires that he should exercise a fair measure of control over those that execute the laws and over representatives if an indirect system is necessary. . . .

Rousseau also sees participation as increasing the value of his freedom to the individual by enabling him to be (and remain) his own master.⁴⁰

We cannot clearly distinguish here the argument for freedom and the argument for human development, claiming for instance that freedom justifies democracy (either representative or participatory) and that human development justifies participatory democracy. Freedom is for Rousseau not real unless it is a continual expression of the free will. The English people were thus not free, according to Rousseau, because they did not have any "*control* over the course of their life." True enough, they are free on election days. But that is all their political freedom involves. As a result, their sole security against arbitrariness at the hands of their own representatives lies in their power to refuse to reelect them. From Rousseau's point of view, participatory democracy offers more security and more real freedom. But even more fundamentally, freedom is essential in order for human beings to develop their full potentialities.

Such, then, are the reasons why Rousseau's case for participatory democracy is called a developmental argument: First of all, Rousseau's case is based on a positive⁴¹

conception of human nature. Secondly, it makes it the aim of society to promote freedom, to foster education, personal development and growth, which in turn can lead to a morally good society. Thirdly, while insisting on protecting individuals from each other insofar as necessary, it also emphasizes something liberal theory does not: bringing people together through common rights and responsibilities.

But what does the account which has been given of Rousseau here mean in practical terms? It means a state where all the adult males take direct part in making all legislation for their society. These laws - which are the general will of the people - are then enforced and carried out by a group of people (the aristocracy) which is elected by all the participants.

3. A Comparison.

The purpose of presenting Locke and Rousseau has been to explain and argue for what was asserted in Part I, namely that the concept of democracy was transformed: (1) from meaning "rule of the poor" to meaning "rule of the middle class", (2) from implying direct rule to implying representative rule and (3) from being a negative term into being a positive one.

Locke served as an example of (1) and (2). Rousseau's place here is more uncertain and needs further explanation. With

regard to the shift from supporting rule of the poor to supporting rule of the middle class, we should note that Rousseau's citizens were all middle class, almost by definition. In his ideal city-state all the citizens were heads of families and households, owned land, and were roughly equal in possessions ("no citizen shall be rich enough to buy another and none so poor as to be forced to sell himself").⁴²

This meant that they were all economically independent. The question whether this was a pre-requisite for democracy to exist or whether those who did not qualify (according to the criteria) were just excluded, will not be tackled here. The middle class assumed independence was a criterion for citizenship and hence for suffrage and equal political influence. The peasants interpreted the requirement of independence as meaning that economic equality had to be established before democracy could exist.

In any even, democracy was something positive which both the middle class and the peasants were advocating. This change, from a negative to a positive meaning of democracy, was one of Rousseau's major achievements. To quote Miller again on this point:

In a sense, it is one mark of [Rousseau's] triumph that the images he fashioned, the ideas he labored to make clear, may lead us to conclusions that strike the modern reader as truisms, an unsurprising confirmation of what we today think we have known all along: for example, that freedom justifies democracy. . . . Before Rousseau, democracy was, at best, an admirable but obsolete pure form of government, generally of interest only to students of jurisprudence. After

him, it became a name for popular sovereignty, extending to all the promise of a personally fulfilling freedom, exercised in cooperation with others. Once a broad audience had identified its political hopes in Rousseau's terms, the meaning and appeal of self-rule would never be quite the same.⁴³

The title of Miller's book captures well the essence of Rousseau's influence: *Rousseau. Dreamer of Democracy*.

Rousseau did not face the tension we now recognize to exist between dream and reality, ideal and practice, in democratic theory. He helped create that tension, because in an important sense he created "a dream" of democracy.

Rousseau's role in the transvaluation from a negative to a positive meaning of democracy is important not only because of the novelty of his theory, but also because of his wide audience. His essay *On the Origin and Foundation of Inequality* (published 1755) is in part his critique of Lockean possessive individualism. *The Social Contract* (1762) is his reply: direct democracy, justified by freedom and human development. The specifics of his educational principles, as well as his political Utopia, are laid down in *Emile* (1762). Then his whole theory is put to an imaginary test in his novel *La nouvelle Héloïse* (1761), which was immensely popular.⁴⁴

Another reason for Rousseau's influence on this transvaluation is the confusion, or ambiguity, between representative and direct democracy. If his distinction between government and sovereignty is not kept constantly in mind, as has been emphasized here, his theory is liable to be wrongly

interpreted - as it has been - as advocating either representative democracy, without participation, or participatory democracy, without representation, depending on what part of his works are used. During the French Revolution he was looked upon by the popular cult as a martyr pursuing the truth about the malaise of the aristocratic world and portraying how the just society ought to be. Because of this popularity, it was prudent for everyone, especially in France, to be on his side, or at least to pretend to be so.⁴⁵

Rousseau's theory incorporates to some extent the main concerns of Locke and the whole liberal tradition. In both Locke and Rousseau, abuse of executive power is avoided through popular sovereignty. In both theories the importance of freedom is affirmed as forming the basis of political right. And the separation of powers is important for both Locke and Rousseau. But there are great differences: The approach is different, the starting point for analysis and argumentation is different, and the conclusions, with regard to the political organization they advocate, are very different.

Locke, we may remember, provided arguments against despotic tendencies of the Stuarts and for a constitutional republic, which we might call pre-democratic (in the representative meaning of democracy). In this way Locke was not arguing for any drastic changes; not for the demolition of the monarchy or

the aristocracy, and not for general manhood suffrage. He was basically arguing for a more tolerable *status quo*. His arguments *grew out* of his particular circumstances and were *intended for* them.

The same is not true of Rousseau's dream of democracy, which grew out of a self-conscious myth, or romanticism, about his native city of Geneva. He preferred the framework of a simple agrarian city-state for his political theory, the kind of society which was rapidly disappearing during the eighteenth century and is virtually non-existent today. Therefore, to apply his theory and arguments to today's nation-states, it must be moved out of its limited context. Such a transformation we find in John Stuart Mill's political theory and we would therefore do well to examine next his synthesis of utilitarianism and "educationalism", or developmentalism.

Chapter 3:

A SYNTHESIS ?

The question of whether or not John Stuart Mill's theory offers a synthesis of the seemingly opposite elements of representative and participatory theories of democracy is asked here because Mill employs both the protective and the developmental argument for democracy. But contrary to Rousseau, Mill's "ideally best polity" is representative democracy. The problem has been neatly put by Alan Ryan who has pointed out how "awkwardly" Mill fits into contemporary democratic theory:

If élitism implies an acceptance of the need to appease the masses by symbolic and emotional gestures, Mill is no élitist; if élitism implies that the opportunities for popular participation are to be minimized, Mill is an out-and-out participatory democrat. But if being a participatory democrat implies an acceptance of unequivocal political equality, Mill is an élitist.¹²

This "awkwardness" may not be so much in Mill's theory, as in the conceptual framework of contemporary democratic theory. In order to find out how ambiguous Mill's theory really is, we must reconstruct the two main arguments as they appear in his writings. The problem of interpretation, which is considerable, will be partially sidestepped by emphasizing *On Liberty*

and *Considerations on Representative Government* and omitting all his lesser and more topical writings.²⁹

1. John Stuart Mill's representative government.

Let us first contrast Mill's theory with that of his father, James Mill, and of Jeremy Bentham. According to these two, the utilitarian argument for democracy - representative democracy - was that when the people at large had the sovereign power in their hands, they could be counted on to look after their own interests, simply because people tend to be self-interested and hence, protective of their interests.. Representative democracy is, therefore the best means towards the general end of government, which is to protect and provide for individual interests. Or, in the utilitarian language, representative democracy is the most efficient form of government in maximizing happiness, happiness being, of course, the satisfaction of desires and prevention of harm. Long gone were all references to natural rights, which Bentham had denied flat out; "Natural rights is simple nonsense - natural and imprescriptible rights, rhetorical nonsense - nonsense upon stilts."³⁰

Natural rights were simply not needed any more. Hobbes, Locke, and the whole camp of British empiricists from there on, had reached the unquestionable conclusion that what life

was all about was satisfaction of individual desires and the avoidance of harm. Since that was the case, all that was needed was to find the best, i.e. the most efficient, form of government to further this goal. But just as with Rousseau, this protective role of popular sovereignty was not enough for Mill. As Ryan points out; "To be a citizen was something more than merely being able to stop the government trampling on your rights."⁴⁰

Nevertheless, Mill never stopped believing that representative democracy achieves the maximization of happiness. What distinguishes him from the rest of the utilitarians is, among other things, that he points out that we should talk about - and evaluate - desires not only quantitatively but also qualitatively. Therefore, the "ideally best polity" should promote and enhance certain values, of which human development and self-realization were the most important ones. Education achieved through political participation is an important means toward that end. So the question becomes: why not participatory democracy instead of representative democracy?

Mill summed up his argument for representative democracy in this way:

From these accumulated considerations it is evident that the only government which can fully satisfy all the exigencies of the social state is one in which the whole people participate; that any participation, even in the smallest public function, is useful; that the participation should everywhere be as great as the general degree of improvement of the community will allow; and that nothing less can be ultimately desirable than the admission of all to a share in the

sovereign power of the state. But since all cannot, in a community exceeding a single small town, participate personally in any but some very minor portions of the public business, it follows that the ideal type of a perfect government must be representative.^{3>}

This is an ambiguous passage: the ideally best state is one in which "the whole people participated", yet, due to the mere size and complexity of modern nation-states, such participation could not be achieved. So, representative government is ideally best only because we happen to live in a world which is not fit for participatory democracy. The harsh reality prevents the full satisfaction of "all the exigencies of the social state."

This is the fundamental challenge of Mill's political theory: to reconcile the principles of liberty, self-rule and education with the requirements of managing big nation-states. In broader terms, this is the challenge of reconciling the danger of democracy with its benefits, or rather, of avoiding the dangers while enjoying the benefits.

Mill answers these challenges through his model of representation which he defines in this way:

The meaning of representative government is, that the whole people, or some numerous portion of them, exercise through deputies periodically elected by themselves the ultimate controlling power, which, in every constitution, must reside somewhere. This ultimate power they must possess in all its completeness.^{4>}

But who ought the "deputies" to represent and what is the

actual function of the representative assembly?

The answer to the latter question is clearer than the answer to the former one. Parliaments should be "talk-shops", assemblies of deliberation where all opinions could and should be heard. Parliament was not to be a government, in the executive sense: it was not even to propose legislation. Its only role was to discuss and accept or reject legislative proposals from the government experts.

Instead of the function of governing, for which it is radically unfit, the proper office of a representative assembly is to watch and control the government: to throw the light of publicity on its acts: to compel a full exposition and justification of all of them which any one considers questionable; to censure them if found condemnable, and, if the men who compose the government abuse their trust, or fulfil it in a manner which conflicts with the deliberate sense of the nation, to expel them from office, and either expressly or virtually appoint their successors.⁷²

This representative assembly holds "the ultimate controlling power," and can as such discharge of persons from the government. But the government and the Civil Service are to be institutions of expertise and considerable independence from political patronage. The proper, and the most important, function of Parliament is "to be at once the nation's Committee of Grievances, and its Congress of Opinions; an arena in which not only the general opinion of the nation, but that of every section of it . . ." is heard; "where every person in the country may count upon finding somebody who speaks his mind".⁷³

Mill's concerns that every view should have a spokesman in the representative assembly is what guides him with regard to whom, or what, the deputies of the representative assembly should represent. Its task is to represent all legitimate opinions, so what has to be insured is that all opinions get represented. Which is by no means a simple task.

That the voice of the majority will be spoken loudly is most certain; the danger is that it could be the only voice heard. Which could in turn result in a majority tyranny and what Mill feared would turn out to be class tyranny.⁹²

To avoid this, Mill proposed complicated measures of proportional and plural voting. The proportional vote was to insure that minorities would actually get represented. But even with minorities represented, Mill admitted that "in the last resort the majority must get its own way, but . . . it ought not to do so without a struggle."¹⁰³

The plural voting scheme was designed to insure that those with better education (and, it could be hoped, those who were more intelligent, public-spirited and in general more virtuous) had a stronger voice in the representative assembly than the rest of the population. Here we come to a crucial point in Mill's theory, which explains one of the things he was trying to achieve by attempting to resolve the differences between the protective argument and the developmental argument. In a striking sentence, he claims that even "though every one ought to have a voice [i.e. one vote] - that every

one should have an equal voice is a totally different proposition."¹¹

The actual scheme he proposed is, to say the least, controversial. To determine, in a neutral and objective way, who should have a stronger voice, and thus, more votes, is almost an impossible task. In practical terms it means that some consensus has to be reached on this matter, which seems improbable if we keep the essence of the initial argument for democracy in mind; why should it be assumed that someone is superior and hence deserving of more political power? Since Mill accepted the fundamental equality of all men and women, it seems odd to propose a scheme of unequal political power to protect the principle of equality.

The idea underlying his proposals is more novel: voting is, and should be, more than a mere self-defence. One vote is necessary for everyone to protect themselves from arbitrariness by the government, and that is what the protective argument tries to establish. Yet politics involve more than particular self-interests; they also involve the interests of everyone else. Voting should therefore not only be an act of self-regard, but also an act out of regard for others. That is what citizenship consists of; taking a responsible stand on issues which affect other people as well as one self. To develop such citizens was the aim of democracy as Mill saw it, and that is where education enters the picture.¹²

It should be noted here, that if the aim of society is to

develop responsible individuals who in turn are supposed to have stronger voice in shaping the policies of that same society, then Mill is implicitly refuting Adam Smith's idea of the "invisible hand." Smith's idea was, in short, that if individuals were just left alone to mind their own business everything would turn out for the best. From that idea the theory of "Laisser-faire" or minimal governmental interference was derived. In *Principles of Political Economy*, Mill rejects the laissez-faire argument that the role of government should be restricted to the mere "protection of person and property against force and fraud". Not only is the laissez-faire theory out of place in politics, according to Mill, but also in economics because it excludes "some of the most indispensable and unanimously recognized, of the duties of government."¹³

2. Synthesizing development and representation.

Since full participation is practically unattainable in large scale politics, civic education must be sought elsewhere. Mill found the proper place for real and effective participation to be the local level of government.

[F]or Mill, it is at [the] local level where the real educative effect of participation occurs, where not only do the issues dealt with directly affect the individual and his everyday life but where he also stands a good chance of, himself, being elected to

serve on a local body. It is by participating at the local level that the individual 'learns democracy'. 'We do not learn to read or write, to ride or swim, by being merely told how to do it, but by doing it, so it is only by practicing popular government on a limited scale, that the people will ever learn how to exercise it on a larger.'¹⁴

The implications here are very important, especially if we keep in mind that representative democracy was the "ideally best polity" only because circumstances were not favorable to direct participation. And when we add to this Mill's suggestions about possible participation at the workplace, these implications become even more far-reaching. Carole Pateman has emphasized this, concluding that "Mill's argument about the educative effect of participation in local government and in the workplace could be generalised to cover the effect of participation in all 'lower level' authority structures, or political systems."¹⁵

The question becomes: will this not, over some period of time, and given that people will actually learn democracy - i.e. self-rule - lead to participatory democracy? Even to socialism, as some aspects of Mill's theory might seem to suggest? Most of Mill's interpreters, both those favorable to his theory, such as Pateman, and those who opposed to it, such as Joseph Schumpeter, answer this positively.

These interpretations are based on some apparent implications in Mill's theory which seem to imply that participatory democracy is inevitable in the end. But Mill's whole view on

history and inevitability is rather hard to tackle. On one hand he leaned a bit toward historicism, or positivism à la Comte, but on the other hand he always remained fiercely libertarian. For instance, he believed that more democracy, meaning extension of the franchise, was inevitable; his complicated electoral machinery is partly designed to eliminate the resulting dangers. People had to be ready, they needed more education, before democracy could be extended; just as the Indian "barbarians" needed the education provided by the non-accountable bureaucracy of the East India Company before they were capable of self-government. But in the final analysis, he was far more of a libertarian than a determinist. That is why freedom of opinion and expression is so important: "opinion is itself one of the greatest active social forces. One person with a belief is a social power equal to ninety-nine who have only interests."¹⁴

Now the question remains; does all this add up to a synthesis? The answer, but not without hesitation, is no. Mill's representative democracy is firmly based in the liberal tradition and its underlying protective argument. The developmental argument he incorporates is an *extension* of equal importance to him, even though it is firmly based on utilitarian doctrine. He never abandons the ideal that government's main goal is to assure favorable conditions for the individual's pursuit of happiness. Only this time around

the happiness is qualified. It is connected to the old ideal of self-rule based on self-restraint and self-realization, via education. Self-rule and self-realization are values in themselves, not merely devices of self-protection.

That Mill never ceases to be an enthusiastic advocate of liberty we can best see from his defence of completely unrestricted freedom of thought and expression. Freedom of any action, he claims, can only be legitimately restricted if it is proven to be harmful to others. The burden of proof of what is harmful always remains with society. Restrictions on thought and expression, Mill claims, can never be argued for successfully because "no one can legitimately claim infallibility, and hence no one can legitimately claim the right to suppress any opinion." And further, the usefulness of all opinions being heard far exceeds their possible harmfulness.¹⁷

With this argument Mill shifts the burden of proof to the other side and proves his case to be more prudent. But the argument also relies on the Lockean principle of self-possession; if I own myself, nobody can ever legitimately intrude upon my personal "sovereignty", so long as my acts do not intrude upon others.

Yet, while affirming his commitment to liberty, Mill never abandons the principle expressed in his motto to *On Liberty*: "The grand, leading principle, towards which every argument unfolded in these pages directly converges, is the absolute

and essential importance of human development in its richest diversity."¹²

Mill did not resolve the tension between representation and participation: it most probably cannot be resolved or synthesised fully. To repeat, what was quoted earlier (pp. 51-52): On one hand is the ideal; "the only government which can *fully* satisfy *all* the exigencies of the social state is one in which the whole people participate. [Emphasis added]" On the other hand is the reality; "But since all cannot . . . participate personally . . . it follows that the ideal best type of a perfect government must be representative."

This is a tension between what we want and what we realistically can get, between our dreams of democracy and our political reality. The extent to which this tension can be eased is, as a matter of fact, suggested in this same passage; "that any participation, even in the smallest public function, is useful; that the participation should everywhere be as great as the general degree of improvement of the community will allow." There is no magic solution to this tension, we must progress slowly and carefully towards full participation which is the ultimate aim of democracy.

It should be noted right now that it is very much along these lines that the final argument of this thesis will run with regard to the tension between of representative and participative democracy.

Chapter 4:

CONTEMPORARY TRENDS

This chapter focuses on contemporary theories of democracy. Only two theorists will be considered. First is Joseph Schumpeter's economic model of democracy, which represents what has been called the "revision" of the "classical theory" of democracy. Among other things, this "revised" theory of democracy rejects the claim that participation plays any special role in modern politics. The second theory to be discussed is Benjamin R. Barber's. His theory represents the growing dissatisfaction with the liberal theory as well as profound disappointment with liberal democracy as it has turned out in practice. Barber claims that representation is at fault and advocates participation.

These two theorists also represent two very different ways of reacting to the tension between theory and practice, dream and reality, and hence, the relationship between participation and representation. As well, they demonstrate the modern versions of the protective and the developmental arguments for democracy.

1. An economic model of democracy.

Joseph Schumpeter's book, *Capitalism, Socialism and Democracy*, has been extraordinarily influential since it was first published in 1943. Carole Pateman has noted that Schumpeter's "notion of a "classical theory", his characterization of the "democratic method" and the role of participation in it have all become almost universally accepted in recent writing on democratic theory."¹

But first, what does Schumpeter mean by the "classical theory"? Nobody knows exactly what it is or whose it is. It appears to be Schumpeter's own construction, not based on any particular authors, but rather on some general trend he thought existed within democratic theory in the eighteenth and nineteenth centuries. For the sake of the argument we can take it seriously as a real theory.²

The definition embodied in the "classical theory" of democracy is, according to Schumpeter, this: "the democratic method is that institutional arrangement for arriving at political decisions which realizes the common good by making the people itself decide issues through the election of individuals who are to assemble in order to carry out its will."³

The stumbling blocks for Schumpeter are the Common Good and the Common Will: "There is, first, no such thing as a uniquely determined common good that all people could agree on or be

made to agree on by the force of rational argument." And secondly, the "concept of the will of the people or the *volonté générale* . . . vanishes into thin air . . . [because] that concept presupposes the existence of a uniquely determined common good discernible to all." Thus, "both the pillars of the classical doctrine inevitably crumble into dust."⁴

In other words, Schumpeter wants to abolish the whole notion of the common good, simply because we cannot define it adequately enough in order to reach a consensus. By the same token, we presumably ought to abandon the notion of mind, or atom, or universe, because these cannot be "uniquely" determined or defined.

According to Schumpeter the "classical theory" demands unrealistic rationality and altruism of people, something which there is very little of, least of all in politics:

Thus the typical citizen drops down to a lower level of mental performance [than in his dealings with every-day matters] as soon as he enters the political field. He argues and analyzes in a way which he would readily recognize as infantile within the sphere of his real interests. He becomes a primitive again.⁵

This of course implies that direct participation of ordinary citizens is at best harmless, at worst devastating. The following quotation captures well the essence of Schumpeter's argument against any common will and against the possibility of ordinary people having any business in politics, except as

voters:

One has one's phrases, of course, and one's wishes and daydreams and grumbles; especially, one has one's likes and dislikes. But ordinarily they do not amount to what we call a will - the psychic counterpart of purposeful responsible action. In fact, for the private citizen musing over national affairs there is no scope for such a will and no task at which it could develop. He is a member of an unworkable committee, the committee of the whole nation, and this is why he expends less disciplined effort on mastering a political problem than he expends on a game of bridge.⁶

Since people in general cannot learn politics, Schumpeter's conclusion becomes inevitable: We must leave it to the leaders - an élite of political experts - to govern.

Faced with all the difficulties of the "classical theory" of democracy, what Schumpeter wants to do is to reduce democratic theory to procedures we can easily define and which everyone can identify as in accord with political reality. His revised theory of democracy was to be purely descriptive, a cure to the hopeless optimism and outright utopianism of the "classical theory". Thus he says; "the democratic method is that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people's vote."⁷

We must object to Schumpeter's claim that his theory is purely descriptive. Implicit in his definition of democracy is exclusion of different kind of regimes which potentially could be called democratic. Ancient Athens comes to mind as

an historical example and all kinds of direct participatory democracies (not necessarily at the national level) come to mind as future possibilities. Therefore, Schumpeter has to provide a justification for his particular definition. If he does so, he is in fact providing a justification for a particular kind of democracy, which in turn renders the claim to pure description void. If he does not provide such a justification then there is no good reason to take his "description" seriously, because what he is describing is arbitrarily defined. In the end this means that there can be no such thing as a purely descriptive definition of democracy. Some definition has to be used and the connotation of that definition can only be argued for on the basis of values and beliefs external to that definition.

Indeed, Schumpeter offers a "defence and explanation" for employing this particular definition, which consists of seven explicitly stated reasons. But implicit in that defence and explanation is a particular kind of justification of democracy which shows many family resemblances to the protective argument of Locke.

The first reason Schumpeter gives, is that his theory provides us "with a reasonably efficient criterion by which to distinguish democratic governments from others." The main merit here, for Schumpeter, is that this solves an old problem for the "classical theory". Which was, that if the aim of

democratic government was to carry out "the will and the good of the people . . . [that aim could be] served just as well or better by governments that cannot be described as democratic."²⁰ This might be true if, and only if, we take the "common will and the common good" to consist only of material desires. In that case the end of society would probably best be served by political arrangements similar to those described in Aldous Huxley's *Brave New World* which carry the "greatest happiness principle" of utilitarianism to its logical conclusion. But even for the author of the "greatest happiness principle," J.S. Mill, material goods were not the top priority. An essential argument in Mill's theory is that liberty and (formal) equality are the fundamental values of democracy and that these cannot be sacrificed, no matter what might be gained in their place.

The second argument states that "the theory embodied in this definition leaves all the room we may wish to have for a proper recognition of the vital fact of leadership." However, the conclusion that leadership is the key to democracy becomes inevitable only once it is assumed that the masses are too ignorant and self-centered to be trusted with governing themselves.

Empirical studies, especially in the United States, in the last four decades, suggest that voters - i.e. ordinary people - are generally ignorant about, and uninterested in, national politics. These findings ought therefore to support

Schumpeter's model of democracy. But what has not been explained is why voters are ignorant and apathetic and whether something can be done about it. It is simply assumed that since people have been stupid in the past, they will always remain so, and that we should design our political institutions in accord with that "truth." As a matter of fact, the revisionists seem to suggest that considerable apathy is good, perhaps necessary, for the stability of democracy where political élites perform the most important functions. It seems more plausible - at least if one believes that human stupidity is not completely incurable - to design political institutions to minimize this ignorance instead of taking advantage of it.⁹

A further explanation Schumpeter gives is that his theory

is of course no more definite than is the concept of competition for leadership. This concept presents similar difficulties as the concept of competition in the economic sphere, *with which it may be usefully compared* [emphasis added]. In economic life competition is never completely lacking, but hardly ever is it perfect.

Here, then, is the reason for calling Schumpeter's theory an economic model.

For some reason or other the analogy between the political process and the market process has become extraordinarily widespread and dominant. This is by no means only due to Schumpeter. Anthony Downs' *An Economic Theory of Democracy* and a host of political science studies have all emphasized

this perspective. The analogy is the more extraordinary when one considers what it really entails: a secular mysticism or religion where God has been replaced by the invisible hand of the free market. The problem - as admitted by all economists - is that the fully free market is only an abstraction which nowhere has, nor ever will, exist. It is abstraction in the same sense as Locke's State of Nature and the contract men make when they enter Civic Society; it is abstract in the same sense as John Rawls' Original Position with in which his principles of justice are agreed upon. What these abstractions do is to express the hope, or faith, that there is some rationale behind the apparent chaos.¹⁰⁰

As an example of the insufficiency of this analogy Schumpeter declares that the competition for leadership is restricted to "a free competition for a free vote." But further;

The justification for this is that democracy seems to imply a recognized method by which to conduct the competitive struggle, and that the electoral method is practically the only one available for communities of any size. But even though this excludes many ways of securing leadership . . . it does not exclude the cases that are strikingly analogous to the economic phenomena we label "unfair" or "fraudulent" competition or restraint of competition. And we cannot exclude them because if we did we should be left with a completely unrealistic ideal. [Added in a footnote: "As in the economic field, *some* restrictions are implicit in the legal and moral principles of the community."]!!

But where do these legal and moral principles arrive from? From the community it seems. But what does that imply? Simply

that there is a democratic society with a moral and legal framework already in place. It looks as if Schumpeter's theory, then, is only a theory about certain procedures within an already established democracy. But then Schumpeter goes on: "our theory seems to clarify the relation that subsists between democracy and individual freedom." Everyone is "in principle" free "to compete for political leadership," that is, Schumpeter adds in a footnote; free "in the same sense in which everyone is free to start another textile mill."

If this is all there is to freedom, it renders the political freedom of ordinary citizens almost void because only a limited number of people, an élite with sufficient capital and other necessary means, can "start another textile mill." The function of the electorate is reduced to producing a government which includes "the function of evicting it." That is the only sense in which Schumpeter seems to be talking about democracy as determined by the vague definition: "rule by the people." His economic model prescribes not "rule by the people", but "rule by the leaders of the people." The most people can do is to defend themselves from their own leaders. Therefore, as Pateman has remarked,

the function of participation in the theory [of revisionists - or contemporary democratic theorists] is solely a protective one; the protection of the individual from arbitrary decisions by elected leaders and the protection of his private interests. It is in its achievement of this aim that the justification for the democratic method lies.¹¹

The similarities to Locke's theory are obvious. At the bottom of this supposedly purely descriptive and "realistic" model of democracy lurks the protective argument with its underlying negative portrait of human society: life is a "mimic warfare", a fierce competition between isolated individuals who are too stupid to collectively protect themselves. The only political participation they are capable of is to select the right leaders, just as they are capable of selecting the right brand of cereals.

2. Strong democracy.

When it comes to contemporary theories of participatory democracy we are faced with a special problem, namely that constructive theories of participation are hard to come by. Those who oppose liberalism, its representative élitism and the whole approach to politics it involves, have spent most of their energy, wit and writings in criticizing instead of formulating their own alternatives. This is quite understandable, since the prevalent political practices are based on liberal doctrine and the bulk of contemporary liberalism is intended to explain and justify the prevailing political practices. We have, for example, seen that both Locke and Schumpeter tended to support the status quo.

Benjamin R. Barber's *Strong Democracy* is taken up here

because, in addition to a well substantiated criticism of liberalism, it presents a vision and a justification of "strong democracy" - "in the participatory mode." And it also offers some practical proposals for the real present. Yet Barber's theory can only be fully appreciated through the spectacles of his criticism of liberal democratic theory.

Barber starts with the belief that there is a real crisis facing liberal democracy, which is "very much a crisis in language and theory." These crises signal the bankruptcy of democracy, at least in North America. There is evidence, Barber claims, "that the party system is breaking down or breaking up, and that representative party democracy may be being replaced by dangerous new variants of neodemocracy - the politics of special interests, the politics of neopopulist fascism, the politics of image (via television and advertising), or the politics of mass society."¹²

There are many reasons for this degeneration of democracy,¹³ but the main reason is representation which destroys participation and citizenship, thus undermining human autonomy and freedom. It is freedom, real meaningful freedom in the form of control, self-rule and autonomy of individuals which preoccupies Barber, both in his criticism and in his own alternative which he calls "strong democracy."

Reading the end of the preface to his book, one might be tempted to classify Barber as a liberal: "There is one road to

freedom: it lies through democracy. The last best hope now, as two hundred years ago, is that America can be America: truly self-governing and democratic, thus truly free."

However, to do so would be to turn the customary meaning of liberalism, as it has developed over the past three centuries, upside down.^{14>}

The goal is clear: to make America - and hopefully the rest of the world also - free again, via Strong, or participatory, democracy. But what is this "Strong democracy" and what justifies it? Barber defines his Strong democracy as:

politics in the participatory mode where conflict is resolved in the absence of an independent ground through a participatory process of ongoing, proximate self-legislation and the creation of a political community capable of transforming dependent, private individuals into free citizens and partial and private interests into public goods.^{15>}

This definition is formulated in contrast to three versions of liberal democracy: Authoritative, Juridical and Pluralist, and one collectivist version called Unitary democracy. All of which Barber opposes.^{14>}

What distinguishes these versions is how they deal with, or resolve, conflict "in the absence of an independent ground." The two basic assumption are, that the main task of politics is to resolve conflict and that there is no independent ground to do so. That the main function of politics is resolution of conflicts over goals, values, and so forth, is fully compatible with the liberal approach to politics. For example,

Robert A. Dahl simply asserts that "A fundamental characteristic of human societies is conflict over goals."¹⁷

What is radically different from liberal theory, Barber claims, is the full recognition that there is no independent ground to solve these conflicts. This approach to politics is radically different when we keep in mind the quest for certainty which, according to Barber, characterises liberal theory.¹⁸

To understand politics [for liberal theory] is therefore always, necessarily, to deconstruct and depoliticize it: that is to say, to decontaminate it of those exotic and unmanageable elements that resist assimilation by the mind in quest of certainty. This is precisely the program of Hobbes's *Leviathan*: politics is to be refashioned as morals, morals remade as psychology, psychology recast as mechanics, and mechanics recreated as particle physics. From such elemental (and elementary) building blocks as these can be constructed the entire political cosmos: the ends of political action and the norms of political decision as well as the standards of political understanding and the measures of political science. Not even Descartes could have dreamed of so complete a recomposition of the world by minds set on certainty.¹⁹

We may recall Schumpeter's first argument for his definition of representative democracy (see pp. 65-66 above) where he argued that his definition provided "a reasonably efficient criterion by which to distinguish democratic government from others." His definition was better than the "classical" one because it stressed a *modus procedendi* which could easily be verified. It is striking to note that it is precisely the *modus procedendi* which Barber takes to be the distinguishing

criterion between his "mode" of conflict resolution and the other modes. What explains why the status of the *modus procedendi* is not the same in Barber as in liberal theory is the difference between recognition of uncertainty and a quest for certainty.

But what does this have to do with the justification of democracy? A great deal because if it is true, as Barber asserts, that "democracy begins where truth and certitude and final solutions disappear into the murky uncertainties of the human condition", then a new approach to the justification of democracy is needed.²⁰

This new approach should have a lot to say about "the human condition", that is to say, about human nature. For Barber, the basic truth about human beings is that "We are above all creatures of time, defined by a history that we make together." This truism is in sharp contrast to "The radical individualism of liberal democracy [which] denies this immersion in time and thus denies the possibility of change or growth in human nature."²¹

What is being asserted here, is the "grand, leading principle" of Wilhelm von Humbolt and John Stuart Mill, about "the absolute and essential importance of human development in its richest diversity." It is Barber's argument, that this principle can only be served by participatory democracy. Thus one might conclude that democracy is a means toward the ends this principle entails. But that would not be an entirely

fair conclusion, since all we are left with - once we admit that there are not independent grounds to solve conflict - is the process of participation. Activity becomes the chief virtue of Barber's democracy, because it is through political action that political knowledge is acquired; it is through political action that the fundamental questions of politics are answered.

[Q]uestions as "What shall we do?" and "How shall we reconcile our differences?" and "How can we conduct ourselves as a just community? To such questions there are no "true" or "false" answers, no correct or incorrect positions. There are only alternative visions that compete for communal acceptance."

There are thus three basic assumptions on which Barber rests his case for democracy: (1) That there is no philosophical lexicon to look to for resolving conflict, no independent ground; (2) That man "knows he must act even while he knows how little he knows" and; (3) To understand human beings we need an affirmative theory of human nature which emphasizes the diverse potentialities of human beings. It is on the basis of the third assumption that we can call his argument developmental or progressive. Yet it still remains to be seen how, based on these assumptions, participatory democracy is justified.

For Barber, participatory democracy is justified by the very "fact" that representation has failed to realize what democracy set out to achieve: liberty, equality, self-rule, and human dignity. It has secured private rights and minimum

accountability of the political élites, but not more. The failure in theory has had pretty bleak consequences in American society: "High crime rates, public lying, private and public fraud, systemic inegalitarianism, economic chaos, exploitation, mean-spiritedness, commercialism, privatism, persistent racism, and the atrophying of public life in the neighborhoods as well as in the central government" Barber admits that liberalism is not the sole cause of this, rather modernity itself is, but then again the liberal spirit is very much part of that modernity.²³³

In contrast, strong democracy in the participatory mode promises to revitalize real, purposeful freedom, real, as compared to formal equality, and human dignity based on autonomy and self-rule. Barber's either/or reasoning is in this sense of the same nature as Schumpeter's; either representation or participation. Representation has been shown to have failed, *ergo* participation.

Barber presents his central criticism of the liberal tradition this way:

[I]t is not enough for us to be democrats solely that we might be free; despotism may also offer a certain freedom, as Voltaire and Frederick the Great tried to prove. It is not enough for us to be democrats solely to secure our interests today; tomorrow our interests may be better served by oligarchy or tyranny or aristocracy or by no government at all. It is not enough for us to be democrats this year because we do not believe in anything strongly enough to impose our beliefs on others; next year we may uncover foundations for those beliefs that destroy our self-restraint. Every prudential argument for democracy is an argument for its thinness; every defense of

democracy in lieu of something better invites one to search for the missing "something better"; every attempt to cut man down to fit the demands of hedonism and economics makes him too small for civic affiliation and too meanspirited for communal participation.²⁴²

Does this mean that we accept participation as *the* alternative to the liberal tradition? Not *the* alternative, but it is part of the solution to the insufficiency of the protective liberal argument for democracy. But before we deal with that, we must address two problems posed by the argument for participation which have not been adequately dealt with yet.

The first problem is that of "forced to be free" in Rousseau's theory, or as Barber points out in the quotation above: "It is not enough for us to be democrats this year because we do not believe in anything strongly enough to impose our beliefs on others; next year we may uncover foundations for those beliefs that destroy our self-restraint." We can approach this problem in many different ways, but most commonly it takes the form of majority-tyranny.

For liberal theory, majority-tyranny is a problem since the interests of the majority may be imposed on the minority. For participatory theories, the problem is the enforcement of certain values (e.g. equality, liberty and citizenship). And in Rousseau's case, one might ask whether his idea of forcing people to be free by breaking the chains of inequality would not liberate some potentialities but only be suppressing

others?

The answer is "yes it could." But it is legitimate to ask whether this is in any way a more serious problem for participatory democracy than for representative democracy. Every society - be it big or small - has its moral hierarchy, its ethical codes and norms of behaviour. These are enforced through education, persuasion, et cetera; social training as R.A. Dahl calls it.²⁶

One purpose of the protective argument, in all its variants, is to argue for a political arrangement that secures that "social training" does not become tyranny, literal enforcement. The basic sense of liberty as "noninterference" goes some way in drawing the line between education or persuasion and enforcement. It is often said that the people in democracies have the right to be wrong. The people have this "right" because we do not recognize the right of anybody to enforce the truth up on anybody. Why? Because, the protective argument answers, no one has the right to enforce the right opinions upon anybody because everyone is fundamentally equally free. This equal freedom can then be argued for from natural rights (Locke), social contract (Rousseau) or utility (Mill).

There is another angle to this problem, which usually is associated with liberalism, namely that of the "free-rider". If we look at Barber's account of this problem, we see how his

solution can potentially become a problem in itself:

Free-riders are self-interested individuals who do not care to comply with public policies and common decisions in the absence of careful policing and external coercion. Since they act exclusively out of self-interest and obey regulations only as the necessary price for winning the compliance of others, they are content to ride for nothing on the back of the "public" as long as they can get away with it. . . . [F]ree riders can exist only in a thin [read; liberal] democracy where obligation is the provision~~al~~ consequence of a bargain. Citizens do not and cannot ride for free, because they understand that their freedom is a consequence of their participation in the making and acting out of common decisions. To ride for free is to betray not others or an abstract promise but themselves.²⁴

Do they understand? And even if they do understand, does that secure that they will not continue to ride free? The underlying problem here is essentially that of enforcement. Those who will not participate and do not want to be "educated" or "liberated" will not understand this and according to the basic canons of democracy, citizens cannot be forced to participate. So either the solution is no solution after all, or it is based on enforcement which Barber himself rejects.

The second problem also concerns those who will not - for whatever reasons - participate in the "all important" political process. And realistically, there will always be a considerable number of "eccentric" individuals who refuse to participate and want to keep to themselves. What does participatory theory do about them? More generally, one can ask: do politics "in the participatory mode" imply that every-

one should have an opinion on any given conflict? If so, then participatory theory is overly optimistic and utopian, but if not, the question arises of who actually solves any given conflict. On one hand this may seem to prescribe a new kind of élitism where those who are politically active become the new élite. On the other hand this may seem to give way to enforcement if that will be the only way to ensure the participation of everyone.

We must realize that there is no final solution to these problems. Everything depends on the practical application of the principles proposed. Barber's practical proposals for the real present entail a "program for the revitalization of citizenship." The central point of his program is increased participation and involvement on all levels of society where neighborhood assemblies play a crucial role, as well as increased utilization of modern technology for discussion and information access. We need not to go into the full details of his program, the spirit of its application unfolds from the cautious words that follows it:²⁷

[The student democrat reforms by adding participatory ingredients to the constitutional formula, not by removing representative ingredients.) The objective is to reorient liberal democracy toward civic engagement and political community, not to raze it - destroying its virtues along with its defects. . . . The American system (like entrenched democratic constitutions everywhere) survives by evolving and evolves by accreting new institutional layers that conform to the contours of a historically tested practice even as they alter the system's dimensions and centre of gravity. . . . Strong democracy is a complementary strategy that adds without removing and

that reorients without distorting. There is no other way.^{28>}

This cautious approach, where gradual development is taken to be the only possible way, is reasonable and represents a fundamental need for security which should not be ignored; we cannot let go of all we have - bad as it may be - for something which yet is only a possibility.^{29>}

In this sense, Barber's reasoning is not of the "either/or" nature. He does not completely reject the protective argument as provided by liberal theory or the kind of society we call liberal democracies. Rather he tries to reorient the protective argument by emphasizing human development as acquired through participation. Quite appropriately he closes his book by reminding us that the case for democracy has two advocates: one who argues from human weakness and calls for limits, restrictions and balances; one who argues from human strength and calls for improved conditions of human development. It is in admitting this duality of human nature that Barber's strength rests.^{30>}

Chapter 5:

ALTERNATIVES

We have now critically examined five democratic theorists and their arguments for democracy. It has been claimed - in varying degrees - that their arguments are insufficient but not fundamentally wrong. The basic problem is always a singleminded approach to politics, which in turn seems to result from a one-dimensional conception of human nature.

What remains to be done is to sketch an alternative approach which does not fall prey to the same shortcomings. The proposed alternative is dialectical in the sense that it emphasizes seemingly contradictory perspectives. To bring this forward we shall look at two examples of the singleminded approach; the tension between individualism and collectivism and C.B. Macpherson's criticism of utilitarianism. Once the alternative is clear, we can apply it to our main topic: the protective argument for representation versus the developmental argument for participation. In doing so, we will arrive at the conclusion that what is needed is a new and enlarged conception of democracy based on expanded conception of human nature.

1. An alternative approach.

The cautious words of Benjamin R. Barber, that his theory provides "a complementary strategy that adds without removing and that reorients without distorting" is cause for some optimism about the future of democratic theory, and suggests the direction to head in. It also tells us something about the project of justifying democracy which may be disturbing to some, namely that the justification of democracy can at best be probable, never certain or final.

J. Roland Pennock's valuable analysis of democratic theory suggests this same cautious approach. For instance, he notes that the tensions between liberty and equality and between individualism and collectivism have no final solution because they reflect tensions that are inherent in human beings and human society. These are tensions

between desire or interest on the one hand and duty or obligation on the other; between belief in equality and the demand for differential reward, status, and prestige; between the liking for privacy and the enjoyment of collective activity; between autonomous man and heteronomous man; and between selfishness and altruism.¹³

To make this clear, we can use the tension between individualism and collectivism as an example. This tension exists both on a descriptive and a prescriptive level. The question on the descriptive level is "what is the starting

point for social or political analysis and explanation"? Once one has reached a conclusion, the prescriptive implications are easily drawn. It seems more natural - at least for someone reared in the individualistic tradition - to say that the starting point of description is "the individual". But what is an individual *per se*, when deprived of all social relations and of all community with others? We have not the slightest idea. All one could speculate about are the potentialities such a person has. What makes a person an individual is the human society which shapes him or her. Yet there is something essential to each and every individual person, something which distinguishes that person from everyone else and has nothing to do with "social training." Everyone who has brought up a child, not to mention more than one, knows that there is something unique about every person, some essence, some individual core. We know that children brought up by the very same people in the same manner turn out to be very different individuals. Still, we cannot pin down what this essence is or how to distinguish it from the social conditioning we also know that shapes every person.


The point is, that we cannot tear the two dimensions of human personality apart; it will be of limited help in understanding and it will do harm if we try to draw prescriptive conclusions from either one of these without keeping the other dimension in mind. What is suggested is that the tension between individualism and collectivism is, for our

purpose, essentially the same as the tension between the protective argument and the developmental argument and hence between representation and participation.

The liberal approach is individualistic for the most part. Its basic conception of human nature asserts that man is seeking to maximize his desires which are supposed to be limitless. But what are these individual desires, stripped of their social context? Raw physical desires for food, sleep, sex, and shelter. In reality these raw desires are always circumscribed or specified by the social circumstances of the individual who has them. Liberalism is right in saying that what the individuals seek is what they value: freedom, equality, wealth, and so forth. But what liberalism ignores is that all of these are given content by social and historical circumstances. This one-dimensional conception of human nature does not explain or define the individual in actual society. Nor does it justify democracy.

At the other end, the social approach, when it is collectivist, sees society and its arrangements as the sole source for explanation and justification. By rejecting individual autonomy, the road is cleared for oppression of individuals in the name of collective interests or values.

Both these approaches are wrong. Persons are never fully free to do what they like, but neither are their values, wants and acts fully determined by society. Persons are neither fully autonomous nor heteronomous.



As our second example, we can look at the whole question of human nature which is at the very heart of our approach to politics. Pennock has argued that,

[Man] is not only ambivalent, . . . he is highly pluralistic. And while he is malleable to an important degree, he remains incorrigibly manifold in his motivations and pursuits. A political theory based upon the assumption that man's nature is in any sense monistic - or that it can be made so - does violence to the facts and must suffer the consequences. The same is true, I believe, of a theory that assumes man is completely malleable, overlooking the competing tendencies that seem always, though in variant degrees, to be present.²³

A relevant instance of this monistic - or singleminded - approach can be found in C.B. Macpherson's criticism of utilitarianism. Macpherson argues that there are two main elements in the justification liberal democratic theory offers for democracy.

The first claim is that the liberal-democratic society, by instituting a wider freedom of individual choice than does any non-liberal society, maximizes individual satisfactions or utilities. . . . This claim implies a particular concept of man's essence. . . . [It views] man as essentially a consumer of utilities. . . .

The second claim is that the liberal-democratic society maximizes men's human powers, that is, their potential for using and developing their uniquely human capacities. This claim is based on a view of man's essence not as a consumer of utilities but as a doer, a creator, an enjoyer of his human attributes.²⁴

Macpherson claims that these two views of human nature are in fact incompatible and that the result of their incompatibility "can be seen in John Stuart Mill and T.H. Green and the whole subsequent liberal-democratic tradition: an uneasy compromise

between the two views of man's essence, and, correspondingly, an unsure mixture of the two maximizing claims made for the liberal-democratic society."⁴

It may be an uneasy compromise, but can we afford to give up one part of human nature just for the sake of clarity in political theory? To quote Pennock again; "Man's nature is to want *both* to consume *and* to create. To build a theory on a contrary assumption would be to build upon a false foundation."⁵

On the basis of this it follows that the proper approach to politics in general and to the justification of democracy in particular, must be dialectical, meaning that in dealing with each problem, contrary perspectives must be kept in mind at the same time. The justification of democracy has to be dialectical, in this sense, on many levels: it has to take account of the basic paradoxes in human nature; of both the individual and social perspective; it has to be both general and specific; it has to include, or build on, ideal theory but at the same time be conscious of the necessary conditions for democracy and; it has to employ both the protective and the developmental argument. Such an approach is historical or cultural. How it is so we need now to see.

2. An alternative justification.

We should keep in mind that this is an *alternative* to the justifications of democracy so far considered. Roughly speaking, what will be attempted here is to combine the core of the protective argument as provided by the liberal tradition with the core of the developmental argument. Therefore some of the things said earlier will have to be repeated here, but the result will further tie together the various arguments of this thesis.

The focal point here - as it has been all along - is the conflict between the protective argument and the developmental argument, which for all practical purposes is a conflict between representation and participation.

Recalling the essence of the argument in Chapter 1, democracy arose in opposition to what came to be conceived as oppression; democracy thus took the form of a demand for basic rights: equality of treatment, freedom from arbitrary confinement, freedom of speech, association, and so forth.

As such, democracy was transformed from meaning direct rule of the poor to meaning representative rule of the middle class. Democracy was - as James Miller said about Tocqueville's influence - "made safe for liberalism."⁴⁰

We can therefore say that in the beginning modern democratic

theory rejected the ancient Greek idea of direct participation in politics. The arguments against direct participation were perhaps sound in the eighteenth, nineteenth and early twentieth century. Representative democracy was necessary, due to the special circumstances in Europe and North America at that time. But what about now in 1988? Are there still any good arguments *against* increased participation?

What determines that is whether the idea of expanded participation does threaten the basic rights and security that representative democracy has established and legitimized. It does not appear to do so. Not as long as the principle of effective equal opportunity to influence decisions is tempered by safeguards which secure that the majority is not caught off guard (resulting in minority-tyranny) and that the minority has a fair chance of using the opportunities everyone has to influence communal decisions (to prevent majority-tyranny).⁷²

This means that the argument for participation is sound insofar as it does not abandon the protective argument and the basic rights that argument entails. It also means that we accept that different forms of democracy can be justifiable under different circumstances.

But it is not enough to show that the arguments against participation are not as sound as they perhaps used to be. We must also ask whether there are any good reasons *for* increased participation and involvement.

It has been commonplace in the past twenty years or so, to talk about the "crisis" of democratic theory and of modern liberal democracies. People have pointed out that there is an increasing gap between *formally* equal opportunities to influence decisions that concern them and *effectively* equal opportunities to influence decisions. There are signs, as Barber pointed out, that the representative party system is breaking up or breaking down. What ought to replace it must be based on the principle of more involvement and more participation, that is on increased demand for truly effective equal opportunities to affect decisions. Such development should not be surprising. Once some basic human rights have been established and are secured, the demand for their enhancement quite naturally arises. This is a direct result of human nature, once it is seen in developmental terms.

Winston Churchill once remarked that democracy is "the worst form of government in the world, except for all the other forms." This remark manifests the lack of an affirmative theory of democracy which can generate a belief in its positive possibilities. We know what is bad about most forms of government, yet we do not know what is good about the form we recognize and praise as the best one. It is easy to see how this lack of faith in democracy goes hand in hand with the pessimistic conception of human nature which has been the foundation of liberal democratic theory. As a result of that pessimism we have to some extent lost hope in our future, and

that, to some, is "The greatest crime: the death of hope, the death of all of the rights we all have, especially that of the young of believing in a future, the hope for a normal life, a difficult life but something that appears as a challenge to live it the best we can. We have a right to this chance."⁹

Andrew Gamble gives an interesting explanation for this pessimism in contemporary theory:

[W]hat is most remarkable about modern Western thought is the extent to which it has stayed chained to its nineteenth century ideological formulations and how that has caused it to become increasingly pessimistic and uncertain because the ideology as a moral doctrine is more and more incapable of dealing with so many events and aspects of the modern world. Despite ideology being pronounced finished so often, the concepts and images it fashioned remain the universe of modern thought.¹⁰

If this is true - which no doubt it is to great extent - then it further supports our claim that democratic theory has to move forward, it has to go beyond the protective argument which became dominant in the eighteenth century and still is paramount.

But probably the most important reason for the "crisis" of democracy today is the inability of modern democracies to deal with large communal problems. Serious problems like resource control and pollution. In 1987 The World Commission on Environment and Development published its report, *Our Common Future*. Its message is alarming but clear:

The next few decades are crucial. The time has come to break out of past patterns. Attempts to maintain social and ecological stability through old

approaches to development and environmental protection will increase instability. Security must be sought through change. The Commission has noted a number of actions that must be taken to reduce risks to survival and to put future development *on paths that are sustainable. Yet we are aware that such a reorientation on a continuing basis is simply beyond the reach of present decision-making structures and institutional arrangements, both national and international.* [Emphasis added]. . .

We are unanimous in our conviction that the security, well-being, and very survival of the planet depend on such changes, now.¹¹

Of course there are problems concerning what exactly collective affairs or common goods involve and who should decide these things. If we take the course Schumpeter and his followers have taken and simply concede that we cannot define any collective goods and hence that we should give up on the whole enterprise, then there will be no future, common or otherwise. But we cannot just stick our heads in the sand and pretend everything will turn out in the best of ways.

The point is that the protective argument, which has been the main justification for democracy, and certainly the most generally accepted justification, is too limited. It neglects, in its basic assumption, important facts about human nature, and that neglect translates into a political practice which causes disappointment and cynicism about democracy.

We can therefore conclude that there are indeed good reasons for advocating increased participation and involvement. One reason is that representative democracy as practiced today

creates rather than solves collective problems. A second reason lies at the core of the developmental argument, that political participation is an essential form of self-realization. But what do we mean here by participation - what is it that is missing from both theory and practice?

One thing sometimes advocated is to increase the influence people have by more frequent elections and referenda on important issues. This is an important step towards increased participation and involvement and will probably be tried in the near future. But such measures will not change much unless they are accompanied by a change in attitude. As long as we conceive voting to be a mere agglomeration of individual interest, more frequent elections and referenda will not do much good.

What should be sought is discussion - where those who want can effectively participate - which leads to an agreement. Such discussions may be difficult and may be tiring, even boring, but active participation is not only our best defence against tyranny - as has been repeated throughout - it is our best hope for finding acceptable solutions to our common problems.

Yet there is no blueprint available for participation because it is not possible to make one. Each place has its special circumstances, history and traditions which have to be taken into consideration. More importantly though, a blueprint for participatory democracy would contradict the

very principle of participatory co-operation. If participation is to be successful and meaningful, people themselves have to decide how, where and when to participate. We cannot have conscriptive participation without contradicting the principle of human autonomy - which is the very thing we wish to enhance.

All this may seem but wishful thinking and in little connection to the rest of the thesis. But it leads to the final answer to our problem - the rivalry between participation and representation. Here John Stuart Mill's "synthesis" lights the road; "any participation, even in the smallest public function, is useful; . . . participation should everywhere be as great as the general degree of improvement of the community will allow; and that nothing less can be ultimately desirable than the admission of all to a share in the sovereign power of the state."¹²

According to this view, political participation begins at home, at the workplace, in the local community, in the school and progresses from there to larger levels. Social responsibility - which is the other side of freedom - has to be learned, it is not natural, and the best place to learn it is where one is familiar with the issues and the consequences of one's decisions. We should not do away with representation and delegation, but we can strive for much more participation than we practice today.¹³

We cannot abandon the protective argument for democracy; it remains the foundation of democratic theory and the protective function representation serves is still a central function of democracy. What is needed is to supplement the protective argument with the developmental argument; representation has to be supplemented with increased participation.

Today, conditions for involvement and participation are perhaps more favorable than they were even few decades ago. This makes the claim for effective equal opportunity to participate more plausible and more legitimate. But more favorable conditions will not do us any good unless there is a change in our conceptions of what democracy is and what it can be.^{14>}

Part of our conception of democracy is our definition of it. The initial definition was "rule by the people." Perhaps this is what we have to settle for. Most specifications of this vague definition reduce "rule" to voting and "the people" to the citizens of modern nation-states. But democracy as self-rule of the people should not be restricted to the national government and ruling can be more than just voting: it can also mean more intimate involvement and participation. We must reject the idea that there is only one "true" version of democracy and to allow for different interpretations of the vague definition "rule by the people."^{15>}

But the issue here is not so much the definition of democracy. Expanded definition must rest on an expanded

conception of the potentials of democracy. That in turn rests on a new and enlarged conception of human nature. The history of democratic theory tells us that conceptions of human nature, of its possibilities and potentialities, form the foundation for the defence and justification of democracy - and dictate what kind of democracy is advocated.

Throughout this thesis the negative conception of human nature and the pessimistic view of human potentialities that follow have been criticised. One example of that view is in the following: "The real world of politics is not the realm of fulfilling oneself in and through co-operative endeavours, but of confrontations with others, of wielding power and of being subject to it, of uneasy compromises and distasteful alliances, of frustrations and occasional triumphs." The validity of this as a description of how things are is not questioned, but we must not accept it as the final word on what politics can be.¹⁴²

The protective argument has been more heavily criticised, than has the developmental argument. The reason is not that the protective argument is in some way inferior, or less important, than the developmental. Both are essential to democratic theory. But the protective argument has been overemphasised up to now by most democratic theorists and therefore there is more need today to emphasise the developmental argument which amends the insufficiency of the protective argument.

To sum up the crucial point of this thesis: There are two theories of democracy loose in the world today: one argues for representation via the protective argument, the other for participation via the developmental argument. We need both: what I have called the "alternative justification". for democracy takes account of both these arguments, because they emphasize two different aspects of human nature, both of which are essential.

If there is one single lesson to be learned from this thesis it is that the limitations of democracy and of democratic theory are only those set by ourselves, and by the limited conceptions we have of our own nature. If we believe that people are capable of development, of overcoming their limitations as they have in the past, there seems to be good reason to believe that democratic theory and democratic practices will continue to grow in the future.

Notes:

Introduction

- 1) The label "social democracy" does not - at least not necessarily - refer to any form of socialism, communism or marxism in the conventional meaning of those words. Marxism and all derived theories of "peoples democracies" are deliberately excluded from this thesis for the following two reasons:

I was born, raised, and educated in the "Western" democratic tradition. Since I can remember, the values and the worldview of that tradition have been praised around me. Which probably goes a long way in explaining why I instinctively believe in democracy. Still, all this praise has seemed suspicious to me, as if its purpose was to cover up for something which was missing. As well, democracy did not seem to fully live up to its good reputation. I therefore started asking myself seriously what was so good about democracy and how it could be made even better. Marxism did not provide me with any answers, only more questions.

Secondly it is especially important for me - in light of the alternative approach to the justification of democracy I am proposing - to stay firmly within the tradition I am trying to explain and justify. Marxism is not part of that tradition, even though its illegitimate child, communism, has been very influential in sustaining the "either-representative democracy-or-authoritarianism" approach to democratic theory.

- 2) John Dunn, *Western Political Theory in the Face of the Future*, p. 27.

Chapter 1:

Eighteenth century transvaluation.

- 1) Much more detailed examples of this diversity can be found in Arne Naess et al, *Democracy, Ideology and Objectivity*, Appendix I, pp. 276-329, where there is a chronological list of 311 definitions of democracy. Also worth mentioning here is Jens A. Christophersen, *The Meaning of "Democracy"*; which is an extensive analytical and historical research into the different meanings of the term "democracy".
- 2) *Webster's New Twentieth Century Dictionary*, Second ed. (New York: Simon and Schuster, 1983), p. 483.
- 3) Robert A. Dahl, *A Preface to Democratic Theory*, pp. 131-132.
- 4) Louis Wasserman, *Modern Political Philosophies*, p. 12. Cited in A. Naess et al., *Democracy, Ideology and Objectivity*, p. 313.
- 5) J. Dunn, *Western Political Theory in Face of the Future*, pp. 26-27.
- 6) For a short but good account of democracy in ancient Greece, see Dorothy Pickles, *Democracy*, pp. 29-42. For Rousseau's view on Rome, see *The Social Contract*, Book III, ch. 12, pp. 136-137 and Book IV, ch. 4, pp. 157-168.
- 7) R.R. Palmer, "Notes On The Use Of The Word "Democracy" 1789-1799", p. 204. It should be added that not only were these three words the established trinity in political theory, they

were so in political reality. Thus we find Charles I, King of England, saying, in reply to the nineteen propositions of Parliament in 1642: "There being three kinds of government among men, absolute monarchy, aristocracy, and democracy; and all these having their particular conveniences and inconveniences; the experience and wisdom of your ancestors, hath so molded this out of a mixture of these, as to give to this kingdom (as far a humane prudence can provide) the conveniences of all three, without the inconveniences of any one, as long as the balance hangs even between the three estates, and they run jointly on in their proper channel (begetting vertue and fertility in the meadows on both sides), and the overflowing of either on either side, raise no deluge or inundation." (John Rushworth, *Historical Collections*, IV (London, 1692), p. 731. [Cited in J.H. Franklin, *John Locke and the Theory of Sovereignty*, p. 24-25.])

- 8) "Démocratie" in Dederot's *Encyclopedia*, Vol. IV, pp. 316-18. Cited in (and trans. by) J. Miller, *Rousseau. Dreamer of Democracy*, p. 115.
- 9) R.R. Palmer, *The Age of the Democratic Revolution*, p. 4.
- 10) Ibid, pp. 4-5.
- 11) On this Palmer has noted that "There have always been British and European observers who have maintained that the agitation for parliamentary reform in England or Ireland, or the political overturns of the Dutch, Swiss, or Italians, were not truly revolutionary in any meaningful or modern sense. It is admittedly the purpose of this book to persuade to a contrary opinion. It is not necessary, however, to reject such ideas as simply mistaken, or to insist upon similarities where none exist. All that is necessary, or even desirable,

is to set up a larger framework, or conceptual structure, in which phenomena that are admittedly different, and even different in very significant ways, may yet be seen as related products of a common impulse, or different ways of achieving, under different circumstances and against different degrees of opposition, certain recognizably common goals." (Ibid, p. 9)

To quote an eighteenth century observer for the revolutionary spirit which characterised this period: "In Ireland a revolution is going on without civil war and even without causing astonishment. In France, I am assured, there is much agitation. The Germans bear the yoke of an arrogant nobility with impatience. In the United Provinces power is taken from the hands to which it was entrusted. A British vessel, stopping on the way back from India at the Comoro Islands in the Mozambique Channel, finds the native inhabitants in revolt against their Arab masters; and when they ask why they have taken arms, are told: 'America is free. Could not we be?'" ("Considérations sur la Révolution de l'Amérique" in G.K. van Hogendorp, *Brieven en Gedenkschriften* (The Hague, 1866), I, p. 407. [Cited in (and trans. by) Palmer, *ibid*, p. 258.])

- 12) James Miller, *Rousseau. Dreamer of Democracy*, pp. 158-59.
- 13) See *ibid*, pp. 158-62. For details on unrest and revolutions in Europe see R.R. Palmer, *The Age of the Democratic Revolution*. To emphasize the eighteenth century as the age of the democratic revolutions does not mean that the historical perspective is lost. Feudalism served as an important prelude to democracy. As the historian Francis Oakley has noted: "[T]he initial impact of feudalism everywhere was to fragment political authority and to undermine the possibility of maintaining strong central monarchies." (*The Medieval Experience*, p. 31.)

- 14) Aristotle, *Politica*, Book III, ch. 8, 1280a, line 1-7. *The Basic Works of Aristotle*, p. 1187.
- 15) R.R. Palmer, *The Age of the Democratic Revolution*, p. 138.
- 16) The "Althing" in Iceland is generally considered to be the oldest parliament in Europe. For a short history of the Icelandic Althing in English see Sigurð A. Magnússon, *Northern Sphinx*, pp. 9-29. For more detailed reference see Einar Ol. Sveinsson, *The Age of the Sturlungs. Icelandic Civilization in the Thirteenth Century* and James Bryce, *Studies in History and Jurisprudence*, pp. 263-300. For a history of local communities in the middle ages in Europe see, D.J.A. Matthew, *The Medieval European Community* or Susan Reynolds, *Kingdoms and Communities in Western Europe, 900 - 1300*.
- 17) Benjamin Rush, "Defects of the Confederation." Cited in James Miller, *Rousseau. Dreamer of Democracy*, p. 159, see n. 78, p. 245.
- 18) Printed in *Moniteur*, February 7, 1794. Cited in (and trans. by) R.R. Palmer, "Notes On The Use Of The Word "Democracy" 1789-1799", p. 214 & 215.

Chapter 2:

Representative Versus Participatory Democracy.

- 1) One might wonder why Locke is included here and not earlier authors, who were perhaps more openly "democratic" than he was. Authors such as George Lawson, who wrote *Politica sacra et civilis*, or William Pryme, the author of *The Sovereign Power of Parliament in Kingdoms*. The answer is simply that Locke's theory was (and still is) far more influential than that of any of his predecessors or contemporaries. On this both C.B. Macpherson (in his "Introduction" to John Locke's *Second Treatise of Government*) and Julian H. Franklin (in *John Locke and the Theory of Sovereignty*) agree, though they otherwise offer rather different interpretations of Locke's theory.
- 2) John Locke, *Second Treatise of Government*, ch. II, # 4, p. 287.
- 3) Ibid, ch. II, # 8, p. 290.
- 4) Ibid, ch. II, # 6, p. 289.
- 5) J. Locke, *Essay Concerning Human Understanding*, Book I, ch. 3, sections 3 and 13.
- 6) J. Locke, *Second Treatise of Government*, ch. III, # 19, p. 298.
- 7) Ibid, ch. IX, # 123, p. 368.

- 8) C.B. Macpherson, "Introduction" to John Locke's *Second Treatise of Government*, p. xiv-xv. In addition to this "Introduction", see his "Natural Rights in Hobbes and Locke," in *Democratic Theory. Essays in Retrieval*, pp. 224 - 235. More generally for Macpherson's interpretation of Locke's theory see *The Political Theory of Possessive Individualism*.
- 9) B.R. Barber, *Strong Democracy*, pp. 14 & 101, n. 17.
- 10) J. Locke, *Second Treatise of Government*, ch. IV, # 22, p. 302.
- 11) Ibid, ch. IV, # 23, p. 302.
- 12) The source of this quote is Lord Acton's *The History of Freedom and other Essays*, (1907. London: Books for Libraries Press, Reprinted 1967), p. 7.

As noted in chapter 1, feudalism served as a prelude to democracy, especially with regard to the development of customary laws which later developed into democratic constitutions. As Francis Oakley has remarked (*The Medieval Experience*, p. 126): "feudalism added the precise legal conviction that the king was bound by the laws and customs of his kingdom. . . . In the thirteenth and fourteenth centuries it was, above all, their [i.e. the king's] need to acquire that consent [for taxation powers] that led rulers everywhere in Europe to create representative assemblies, and it was those assemblies that were ultimately to provide the means whereby the theoretical limitations on executive power that most accepted might be enforced without recourse to the armed violence that most apparently deplored."
- 13) J. Locke, *Second Treatise of Government*, ch. X, # 132, p. 372.

- 14) Ibid, ch. XIII, # 149, p. 385.
- 15) The precise nature of Locke's involvement in the Glorious Revolution is uncertain and perhaps not important. What we do know is that Locke was Lord Ashley's adviser and friend, living in his house from 1667 to 1673. Lord Ashley, it can safely be said, was one of the leading early Whigs. We also know, that Locke fled to Holland in 1683 where he stayed in exile for five years, and there he most likely was in close contact with other exiled Whigs who engineered the Glorious Revolution and the return of William and Mary.
- 16) C.B. Macpherson "Introduction" to John Locke's *Second Treatise of Government*, pp. xx-xxi.
- 17) Quoted from *Webster's New Twentieth Century Dictionary*, Second ed. (New York: Simon and Schuster, 1983), Appendix, p. 135.
- 18) J. Roland Pennock, *Democratic Political Theory*, p. 126.
- 19) David McCord Wright, *Democracy and Progress*, p. xvii.
- 20) *The Essential Lippman*, Clinton Rossiter and James Lare (eds.), (New York: Random House, 1963) p. 229. Cited in J.R. Pennock, *Democratic Political Theory*, p. 153.
- 21) We may note that Rousseau himself claimed that even though he wrote on diverse subjects, he always wrote "on the same principles, always the same morals, the same beliefs, the same maxims, and if you will, the same opinions." (Cited in Peter Gay, "Introduction" to J.-J. Rousseau, *The Basic Political Writings*, p. vii. Gay does not cite the text this quote originates in.) See also this remark in the *Social Contract* (Book II, ch. 5, p. 79): "All my ideas hold

together, but I cannot elaborate them all at once."

Peter Gay argues that many of the divergent interpretations of Rousseau's theory are wrong because many modern readers "recalling one phrase or one sentence; . . . projected their own wishes or anxieties into the text before them and found in it what they had placed there." ("Introduction" to J.-J. Rousseau, *The Basic Political Writings*, p. vii.) And Allan Bloom gives this reason for all the different interpretations: "Rousseau's thought has an externally paradoxical character, seeming at the same time to desire contradictories - virtue and soft sentiment, political society and the state of nature, philosophy and ignorance - but it is remarkably consistent, the contradictions reflecting contradictions in the nature of things." ("Jean-Jacques Rousseau," L. Strauss and J. Cropsey (eds.), *History of Political Philosophy*, 2nd ed. p. 532.) A further support to the view that Rousseau's theory forms a single whole, can be found in Roger D. Masters, "Nothing Fails Like Success," in *Trent Rousseau Papers*, pp. 99-118, esp. pp. 101-107.

Whether these three commentators are right will not be determined here. But their interpretations suggest that perhaps there is less substance to the whole question of "proper" interpretation than is sometimes thought. In any event, we can bypass this controversy except when it directly relates to our subject.

22) J. Miller, *Rousseau. Dreamer of Democracy*, p. 105.

23) For the importance of the distinction between sovereignty and government, see (in addition to James Miller) Maurice Cranston, "Introduction," Rousseau, *The Social Contract*, pp. 30-31 and Allan Bloom, "Jean-Jacques Rousseau," L. Strauss and J. Cropsey, (eds.), *History of Political Philosophy*, 2nd ed. pp. 542-543. Further, both Andrew Levine's *The Politics of Autonomy* and Hilail Gildin's

Rousseau's Social Contract emphasize this difference and deal with many of the problems this distinction entails.

24) J.-J. Rousseau, *The Social Contract*, Book III, ch. 1, p. 101.

25) See for instance this quotation from Burlamaqui's, *Principles of Right*, Vol. I, p. 80 (Cited in (and trans. by) James Miller, *Rousseau. Dreamer of Democracy*, p. 119): "The relation there is between a Sovereign and subjects forms a sort of society between them; but of a particular kind, which we may call a *society of inequality*: the Sovereign commands, and the subjects obey. **THE SOVEREIGN** is therefore *he who has the right to command in the last resort.*"

26) J. Miller, *ibid.* p. 120.

27) J.-J. Rousseau, *The Social Contract*, Book II, ch. 1, p. 69 and Book III, ch. 15, p. 141. Also see James Miller, *Rousseau. Dreamer of Democracy*, p. 120f and Andrew Levine, *The Politics of Autonomy*, pp. 45ff.

28) J.-J. Rousseau, *The Social Contract*, Book III, ch. 15, p. 141.

29) *Ibid.*, Book III, ch. 3, p. 110. Cf. Andrew Levine, *The Politics of Autonomy*, pp. 130-138.

30) J.-J. Rousseau, *The Social Contract*, Book III, ch. 3, p. 111.

31) See *ibid.*, Book III, ch. 6, pp. 116-122. Hilail Gildin supports this interpretation, noting (in *Rousseau's Social Contract*, p. 128.) that "In the first half [of Book III of *The Social Contract*] democracy has been declared to be too high for man, monarchy was tacitly shown to be unacceptable, while aristocracy, if only of a certain kind, was pronounced

the best form of government." Gildin then goes on to discuss how this appears to contradict Rousseau's account of how governments tends to degenerate (See J.-J. Rousseau, *The Social Contract*, Book III, ch. 10, pp. 131-134).

32) Ibid, Book III, ch. 4, pp. 112-113. Rousseau even claims that in this pure sense "there has never been a true democracy, and there never will." Which should explain his famous and often-quoted sentence: "If there were a nation of Gods, it would govern itself democratically. A *government* [emphasis added] so perfect is not suited to men." (Book III, ch 4, pp. 112 & 114.)

33) See J.-J. Rousseau, *The Social Contract*, Book III, ch. 5, p. 115.

34) Ibid, Book III, ch. 5, p. 114.

35) Ibid, Book I, ch. 4, p. 55.

36) Andrew Levine, in *The Politics of Autonomy*, distinguishes between three kinds of freedom, or liberty, "in Rousseau's theory: (1) Natural liberty, which is that of man in the state of nature; "liberty as the absence of coercive restraint, of (deliberate) restrictions." (2) Civil liberty, which "is the right to do whatever [civil] laws do not forbid." Finally, there is (3) moral liberty. It is in this last sense that man is born free. This liberty, Levine says, "is only potential in the state of nature, but becomes actual by means of the social contract." (pp. 57-58)

Levine is quite right in calling moral liberty autonomy, because for Rousseau to be free is always to obey no one but oneself. (See J.-J. Rousseau, *The Social Contract*, Book I, ch. 6, p. 60.) It is in this sense that we will talk about freedom in the following discussion; freedom which aims at

full autonomy of the individual in human society.

For an excellent reconstruction and interpretation of Rousseau's state of nature and the rôle freedom plays there, see Carole Pateman, *The Problem of Political Obligation. A Critique of Liberal Theory*, pp. 142-150. Also useful are Allan Bloom, "Jean-Jacques Rousseau," L. Strauss and J. Cropsey (eds.), *History of Political Philosophy*, 2nd ed. pp. 535-542 and Roger D. Masters, "Nothing Fails Like Success", *Trent Rousseau Papers*, pp. 99-118.

37) Robert Derathé, *Jean-Jacques Rousseau et la science politique de son temps* (Paris: Presses Universitaires de France, 1950), p. 377. Cited in (and trans. by) James Miller, *Rousseau. Dreamer of Democracy*, p. 165.

38) Carol Pateman, *Participation and Democratic Theory*, p. 25.

39) Cf. n. 36 above. The phrase "homeless" in this connection is B.R. Barber's. It is tempting to quote here the essence of his criticism of the liberal notion of freedom (from *Strong Democracy*, p. 100):

The trouble, clearly, is that the liberal notion of freedom was designed to answer a set of philosophical questions but has been put to work as a starting point for solving practical political questions. What was a useful fiction in formal argument has become a dangerous illusion in a real world where the rules of formal argument are beside the point. We need not succumb to Erich Fromm's vision of liberty as self-realization [or Rousseau's vision for that matter] to understand that freedom is a social construct based on a rare and fragile form of human mutualism that grants space to individuals who otherwise would have none at all. Nor need we be Kantians to perceive that the will unimpeded by external obstacles is not free in any recognizable human sense until it is informed by

purpose, meaning, context, and history. Solitude, when it is not simply an illusion, is not freedom but misanthropy. Self-direction brings freedom only when the self is emancipated from mere impulse and appetite, when it is associated with intention and purposes that by their nature can only arise within the guiding limits of a society and a culture. To be unimpeded and infinitely mobile is not freedom but deracination, unless by *free* we mean only "homeless." "

- 40) C. Pateman, *Participation and Democratic Theory*, p. 26.
- 41) The reason for calling Rousseau's conception of human nature positive - as opposed to Locke's negative conception - is that in the true state of nature human beings are not in constant war and fear of their lives. (It is perhaps misleading to talk about humans here. It is more appropriate to call the being in the state of nature a "free animal" as Allan Bloom does. [See "Jean-Jacques Rousseau," L. Strauss and J. Cropsey (eds.), *History of Political Philosophy*, 2nd ed. p. 537].) More importantly though, the second characteristic (freedom being the first one) Rousseau ascribes to human beings is perfectibility. "Man is the only being which can gradually improve its faculties and pass this improvement on to the whole species." (Allan Bloom, *ibid.*) In this sense it seems proper to call Rousseau's conception positive.
- 42) J.-J. Rousseau, *The Social Contract*, Book II, ch. 11, p. 96.
- 43) J. Miller, *Rousseau. Dreamer of Democracy*, pp. 200-201 and p. 202. This can be looked at from a slightly different point of view, as it is by R.R. Palmer when he claims that what Rousseau did "was to undermine the faith of many people in the justice of the society in which they lived. In a

neurotic and exaggerated way, because he felt it more keenly, he expressed the malaise that many people of the middle class came to feel in an aristocratically oriented world." (*The Age of the Democratic Revolution*, p. 114-5.)

44) For figures of editions and distribution see Miller, *ibid.*, pp. 134-36.

45) See *ibid.*, ch. 6. For example: "Anyone interested could [during the French Revolution] read or hear about a monarchical Rousseau, a Girondist Rousseau, a Montagnard Rousseau, a sans-cullottes Rousseau, even eventually a Thermidorian Rousseau." (p. 146). Outside France Rousseau's influence is not as obvious, but it is generally held to be not as extensive. Still we find Americans like John Adams saying about the Massachusetts constitution which was in major parts his work: "It is Locke, Sidney, Rousseau, and de Mably reduced to practice." (John Adams, *Works* (1851. New York: Books for Libraries Press, Reprinted 1969), Vol. IV, p. 216. [Cited in R.R. Palmer, *The Age of the Democratic Revolution*, p. 223.])

46) See J. Miller, *ibid.*, pp. 8, 43 & 101-102.

Chapter 3:

A Synthesis?

- 1) Alan Ryan, *J.S. Mill*, p. 217. Cf. Carole Pateman, *Participation and Democratic Theory*, (p. 28) where she argues that Mill never "managed satisfactorily to synthesise" the inheritance from his father and from Bentham with his criticism (which included the demand for more participation in democracy) of their theories. She then goes on to say: "the task is probably an impossible one - and this means that there is a profound ambiguity between the participatory foundations of his theory and some of his more practical proposals for the establishment of his 'ideally best polity.'"
- 2) There are four reasons for choosing this way. Firstly, the extent of Mill's writing makes a selection inevitable in a short thesis like this one. Secondly, even though the development of Mill's views on democracy, and the question of whether he can maintain his utilitarian inheritance and his educational ideals, are interesting matters they should not preoccupy us here. Thirdly, these two books were published rather late in his career, *On Liberty* in 1859 and *Representative Government* in 1861. And fourthly, *On Liberty*, which is his most carefully constructed work, contains his full fledged liberalism, whereas *Representative Government* is more cautious and practical; so together they provide a good balance.
- 3) Jeremy Bentham, "Anarchical Fallacies being an Examination of the Declarations of Rights issued during the French Revolution." *The Works of Jeremy Bentham*, J. Browning (ed.),

(Edinburgh, 1843) Vol. 2, p. 501. Cited in John Dunn, *Western Political Theory in the Face of the Future*, p. 53, n. 58.

- 4) A. Ryan, *J.S. Mill*, p. 202.
- 5) John Stuart Mill, *Representative Government*, ch. III. (in *Utilitarianism, Liberty, Representative Government*, Everyman's Library. All quotations are from this edition), pp. 217-18.
- 6) *Ibid*, ch. V, p. 228. A few paragraphs later Mill tells us that "The British government is thus a representative government in the correct sense of the term". (p. 229)
- 7) *Ibid*, ch. V, p. 239.
- 8) *Ibid*. Alan Ryan has pointed out some of the difficulties that are involved here for Mill when he claims that, "Parliament should have no power to alter the measure [of laws], but solely to pass or reject it; or, if partially disapproved of, remit it to the Commission [of Codification] for reconsideration." (*Ibid*, p. 237) Ryan then asks: "But if there is a power of remission for reconsideration, is this not amendment, save that it will not be possible actually to frame amendments on the floor of the House? If a Bill can be sent back to the Commission with reasons for the rejection, this comes as near as makes no matter to leaving the amending power in the hands of the representatives, after all." (*J.S. Mill*, p. 205.) There is, however, not much difference between this proposal and contemporary practice, e.g. in Britain or Canada. The governments, which have the initiative, only draw the main lines or the framework for legislation; the details are worked out by civil servants, who today are much closer to Mill's dream of an expert-élite, than they were in his own days.

- 9) Mill's fear of class tyranny originates in his belief that people would generally tend to vote for people like themselves. Mill thought that if, "one man, one vote" were applied unrestricted in Britain, it would result in a working-class dominated Parliament. Ryan has pointed out that his fear seems to have been groundless: "it emerges that voters have a pronounced tendency to vote for people of a rather higher social class and of rather greater educational attainments than themselves; so, in retrospect, it seems that Mill was solving a problem which did not after all exist in the form he thought." (*J.S. Mill*, p 208.) Ryan cites R.T. McKenzie and A. Silver, *Angels in Marble* (London: Heineman, 1968) for empirical support that this has been the case in Britain.
- 10) A. Ryan, *J.S. Mill*, p. 191.
- 11) J.S. Mill, *Representative Government*, ch. VIII, p. 283.
- 12) A further argument Mill had for responsibility, was that voting was not - nor should it be - a private act. Voting should be done in public, not through secret ballot, one of the sacred cows of modern democracies. His arguments are interesting, but one has also to weigh the counter argument which, in present circumstances, is probably more forceful. Cf. A. Ryan, *J.S. Mill*, pp. 212-13.
- 13) J.S. Mill, *Principles of Political Economy*, Book V, ch. xi, # 1, p. 568. See also Book V, chs. i & xi.
- 14) C. Pateman, *Participation and Democratic Theory*, p. 31. The quotation is from Mill's *Essays on Politics and Culture*, p. 186.

- 15) C. Pateman, *ibid.*, p. 35. She cites Almond and Verba for empirical support to her argument (*The Civic Culture*, p. 145): "Where local government allows participation, it may foster a sense of competence that then spreads to the national level."
- 16) J.S. Mill, *Representative Government*, ch. I, p. 183. Cf. A. Ryan, *J.S. Mill*, pp. 196-99.
- 17) See Henry M. Magid, "J.S. Mill", in L. Strauss and J. Cropsey (eds.) *History of Political Philosophy*, 2nd ed., p. 751. See also J.S. Mill, *On Liberty*, ch. II, pp. 78-113.
- 18) Wilhelm von Humboldt, *On Liberty*, p. 62. Mill quotes this from *The Sphere and Duties of Government*, transl. J. Goulthard, (London, 1854), p. 65.

Chapter 4:

Contemporary trends.

- 1) C. Pateman, *Participation and Democratic Theory*, p. 5.
- 2) One of the critics of this notion of the "classical theory" is Carole Pateman: "What neither its critics or its defenders have realised is that *the notion of a 'classical theory of democracy' is a myth*. Neither side in the controversy has done the obvious, and the necessary, and looked in detail at what the earlier theorists did in fact have to say." (Ibid, p. 17) Pateman tries to show that the theorists Schumpeter seems to be reconstructing his theory from (J.-J. Rousseau, James Mill, John Stuart Mill and J. Bentham) are different enough to render Schumpeter's "classical theory" void. (See, ibid, pp. 17-21) Even Robert A. Dahl, who has been labelled as one of the revisionists, says (in *A Preface to Democratic Theory*, p. 1): "There is no democratic theory - there are only democratic theories." And John Plamenatz notes (in *Democracy and Illusion*, p. 39) that "What political scientists, especially in America but not only there, call 'the classical theory of democracy' is, I suggest, an invention, or rather construction out of bits and pieces, of the writer who attack it."
- 3) Joseph Schumpeter, *Capitalism, Socialism, and Democracy*, ch. XXI, # I, p. 250.
- 4) Ibid, ch. XXI, # I, p. 251-52.
- 5) Ibid, ch. XXI, # III, p. 262.

- 6) Ibid, ch. XXI, # III, p. 261.
- 7) Ibid, ch. XXII, # I, p. 269.
- 8) For the quotations in this and the next six paragraphs, see
ibid, ch. XXII, # I, pp. 269-73.
- 9) For example, C. Pateman says about B.R. Berelson's theory
(which she classifies as a revisionist one): "In short,
limited participation and apathy have a positive function for
the whole system by cushioning the shock of disagreement,
adjustment and change." (*Participation and Democratic Theory*,
p. 7) On the whole, Pateman argues that participation,
limited to the function of electing leaders which in turn is
supposed to secure individuals from "arbitrary decisions by
elected leaders" and to protect private interests, is the
common denominator of the revisionists (See, ibid, p. 14.).
The concern of the revisionists which underlies the strict
limits on participation is based on the fear that general
public participation in the political process will lead to
totalitarianism. It will lead to totalitarianism because, as
Schumpeter said, "the typical citizen drops to a lower level
of mental performance as soon as he enters the political
field." (see n. 5 above) Cf. B.R. Barber, *Strong Democracy*,
ch. 5, pp. 93-116 and T.W. Adorno et al., *The Authoritarian
Personality*.
- 10) For the Original Position in Rawls see his *A Theory of
Justice*, ch. I, # 4, pp. 17-22 and ch. III, pp. 118-195.
Schumpeter's analogy is subject to internal criticism as well
here; the fundamental point about the free market idea is
that the market will adapt to the desires of consumers - i.e.
to demand - which then means that it is the consumer who
controls in the end what is produced. But the consumers in
Schumpeter's political market serve only to produce

government which is not the same as to decide the agenda of that government. It looks as if the political consumers have even less influence on "production" than commercial consumers.

- 11) C. Pateman, *Participation and Democratic Theory*, p. 14.
- 12) Benjamin R. Barber, *Strong Democracy*, pp. xii & xiii. The support Barber cites for these "evidence" are Walter Dean Burnham, *The Current Crisis in American Politics* (New York: Oxford University Press, 1983) and Eric A. Nordlinger, *On the Autonomy of the Democratic State* (Cambridge, Mass.: Harvard University Press, 1983).
- 13) There is a reason for using the word degeneration here, even though Barber does not. Degeneration suggests that American democracy is not real democracy, neither in the sense intended by the "Founding Fathers" or in the old, "true" meaning which supposedly dates as far back as fourth century B.C. in Greece. The implication is that the proper meaning and function have to be revived (which is a word Barber uses a lot). Barber is by no means alone in this view; the view is characteristic of Rousseau's whole approach and also of more contemporary theorists such as Carole Pateman.
- 14) B.R. Barber, *Strong Democracy*, p. xvi.
- 15) Ibid, p. 132.
- 16) The full definitions of these versions read as follows:
Authoritative Democracy: "democracy in the authoritative mode resolves conflict in the absence of an independent ground through deferring to a representative executive elite that employs authority (power plus wisdom) in pursuit of the aggregate interests of its electoral constituency." (ibid p.

140).

Juridical Democracy: "democracy in the juridical mode resolves conflict in the absence of an independent ground through deferring to a representative judicial elite that, with the guidance of constitutional and preconstitutional norms, arbitrates differences and enforces constitutional rights and duties." (p. 142)

Pluralist Democracy: "pluralist democracy resolves public conflict in the absence of an independent ground through bargaining and exchange among free and equal individuals and groups, which pursue their private interests in a market setting governed by the social contract." (p. 143)

Unitary Democracy: "democracy in the unitary mode resolves conflict in the absence of an independent ground through community consensus as defined by the identification of individuals and their interests with a symbolic collectivity and its interests." (p. 149)

Regarding the distinction between these versions Barber notes that "All five forms [the four listed above plus his strong democracy] are ideal types in two important senses. First, they are distinguished by features that are abstract and ideal: no actual regimes correspond perfectly with the types. Second, these forms are presented separately, yet most actual regimes are composite and combine features from each type." (p. 140)

17) Robert A. Dahl, *A Preface to Democratic Theory*, p. 78, n. 15.

18) Barber is not claiming that liberal theorists do not recognize that "uncertainty and conflict are the occasion for politics," rather that "they share the human aspiration to certainty and find themselves drawn to putative absolutes of one kind or another that might facilitate "scientific" or "rational" or "natural" solutions to political questions." (B.R. Barber, *Strong Democracy*, p. 130)

- 19) Ibid, pp. 50-51. Barber refers here to Thomas Hobbes, *Elements of Law*, ed. F. Tönnies (London: Cass, 1969).
- 20) B.R. Barber, *Strong Democracy*, pp. 310-311.
- 21) Ibid, p. 90.
- 22) Ibid, p. 169. Cf. pp. 132-133 & 156-168. Barber's central claim, that democracy, or politics in general, begin where certain knowledge ends, is open to criticism here. For example: We *know* that smoking is hazardous, yet we do allow it; we *know* that the pollution our industries produce is slowly turning the earth into a lifeless desert which is undeniably against our long term interest, yet we do not act. Now these problems are of the very sort participatory democracy hopes to solve by transforming "partial and private interests into public goods". They are conflicts between short term and long term interests; between individual and public interests, and so forth. What is at stake here is not knowledge, or the lack of it, but willingness to act according to that very knowledge. In that sense democracy is just as much about conflicts over known consequences of our acts as it is about probable or unknown consequences.
- 23) Ibid, p. 110.
- 24) Ibid, p. 24.
- 25) See Dahl, *A Preface to Democratic Theory*, pp. 75-84. Dahl points out that "The relationship between social training and consensus is thus a perfect instance of the hen-and-egg problem." (p. 78) Dahl thus supports our own conclusion, that the problem of enforcement can never fully be resolved.

26) B.R. Barber, *Strong Democracy*, p. 179. For the "free-rider" problem as well as the whole question of individual preferences and actions in view of their collective consequences, see B. Barry and R. Hardin (eds.), *Rational Man and Irrational Society?*.

27) The program is as follows (ibid, p. 307):

"A STRONG DEMOCRATIC PROGRAM
FOR THE REVITALIZATION OF CITIZENSHIP:

1. A national system of NEIGHBORHOOD ASSEMBLIES of from one to five thousand citizens; these would initially have only deliberative functions but would eventually have local legislative competence as well.
2. A national CIVIC COMMUNICATIONS COOPERATIVE to regulate and oversee the civic use of new telecommunications technology and to supervise debate and discussion of referendum issues.
3. A CIVIC VIDEOTEX SERVICE and a CIVIC EDUCATION POSTAL ACT to equalize access to information and promote the full civic education of all citizens.
4. Experiments in DECRIMINALIZATION and INFORMAL LAY JUSTICE by an engaged local citizenry.
5. A national INITIATIVE AND REFERENDUM PROCESS permitting popular initiatives and referenda on congressional legislation, with a multichoice format and a two-stage voting plan.
6. Experimental ELECTRONIC BALLOTING, initially for educational and polling purposes only, under the supervision of the Civic Communications Cooperative.
7. Selective local elections to local office by LOTTERY, with pay incentives.
8. Experiments with an INTERNAL VOUCHER SYSTEM for selected schools, public housing projects, and transportation systems.
9. A program of UNIVERSAL CITIZEN SERVICE, including a military-service option for all citizens.
10. Public sponsorship of LOCAL VOLUNTEER PROGRAMS in

"common work" and "common action."

11. Public support of experiments in WORKPLACE DEMOCRACY, with public institutions as models for economic alternatives.

12. A new ARCHITECTURE OF CIVIC AND PUBLIC SPACE."

28) Ibid, pp. 308-309.

29) For example, Carole Pateman argues for participation both at the local level of government and in the workplace without refuting representation altogether (*Participation and Democratic Theory*, p. 110):

"The argument of the participatory theory of democracy is that participation in the alternative areas would enable the individual better to appreciate the connection between the public and the private spheres. The ordinary man might still be more interested in things nearer home, but the existence of a participatory society would mean that he was better able to assess the performance of representatives at the national level, better equipped to take decisions of national scope when the opportunity arose to do so, and better able to weigh up the impact of decisions taken by national representatives on his own life and immediate surroundings. In the context of a participatory society the significance of his vote to the individual would have changed; as well as being a private individual he would have multiple opportunities to become an educated, public citizen."

Also of great interest here is a small danish book, *Revolt From the Centre* by N.I. Meyer, et al., which offers a program similar to that proposed by Barber, only it is more detailed in applying the proposals to particular and practical cases.

30) See B.R. Barber, *Strong Democracy*, p. 311.

Chapter 5:

Alternatives.

- 1) J.R. Pennock, *Democratic Political Theory*, p. 59. Cf. p. 14ff. A further support to this approach can be found in *Our Common Future*, the report of The Commission on Environment and Development, which will be referred to later in this chapter.
- 2) J.R. Pennock, *ibid.* p. 120.
- 3) C.B. Macpherson, *Democratic Theory*, p. 4.
- 4) *Ibid.*, p. 5. Macpherson's conclusion is that the essential principle of democratic theory - "one man, one equal effective right to live as fully humanly as he may wish" - requires "a concept of man as at least potentially a doer, an exerter and developer and enjoyer of his human capacities, rather than merely a consumer of utilities." (p. 51) Macpherson goes here half the way in admitting that man is both a consumer and a doer, and thus that we need a conception of man which includes both. The problem being that he does not go all the way.
- 5) J.R. Pennock, *Democratic Political Theory*, p. 138-9, n. 18.
- 6) See J. Miller, *Rousseau. Dreamer of Democracy*, p. 206.
- 7) For example, B.R. Barber's program for the revitalization of citizenship (see chapter 4, n. 27 above) includes a proposal for a two-stage voting plan for referendums. He also wants to add a congressional veto which could be overridden

by the third general vote. The aim with this, Barber says, "is not to make it *easy* for the public to self-legislate but to make it *possible* and feasible for them to do so." (*Strong Democracy*, p. 288, n. 42.) This would be *one* example of how participatory democracy can be secured from majority or minority tyranny.

- 8) Cited by B.R. Barber in *Strong Democracy*, p. 4. Barber does not refer to the origin of this quote.
- 9) Cacilda Lanuza, The World Commission on Environment and Development Public Hearings in Sao Paulo, 28-29 October 1985. *Our Common Future*, p. 299.
- 10) Andrew Gamble, *An Introduction to Modern Social and Political Thought*, p. 222.
- 11) The World Commission on Environment and Development, *Our Common Future*, p. 22-23.
- 12) J.S. Mill, *Representative Government*, ch. III, pp. 217.
- 13) The feeling - that we need more participation and involvement - is nothing new, but it has become more urgent to address in the last decades. To quote one American author from 1953:
"The vitality of democracy in America cannot be measured in dollars and cents, shiny automobiles, bathtubs, machines, and libraries full of knowledge. It cannot be measured in terms of efficiency. Democracy is spiritual in nature. It is a basic process, a method of communicating, of exchanging thoughts, ideas, joys, sorrows, and human feelings. It is freedom to live, to choose, to be responsible. It is a process by which free people in a free society are in communication with one another and together mold and control their own destiny at the neighborhood or community level. It

is intangible, yet real and concrete. It cannot be sold to the rest of the world, or even to our own people, unless we can learn to practice it in a more realistic way than we are now practicing it." (R.W. Poston, *Democracy Is You*, p. 8.)

- 14) The conditions for democracy in general and for participation in particular, have not been discussed hitherto. It would have been impossible to touch on that subject in any detail, without being overwhelmed by the vast amount of empirical studies now available. A valuable summary of these studies up to 1978 can be found in J.R. Pennock, *Democratic Political Theory*, ch. VI, pp. 206-260. Among other things he discusses there is an interesting model: "urbanization increases education, that education increases communication, and that communication increases political participation." (p. 226.) All these factors have increased rapidly, except for the last one, in the last decades and appear likely to continue to do so in the near future. So there do seem to be more favorable conditions for participation today. (The empirical studies Pennock is referring to here are: Daniel Lerner, *The Passing of Traditional Society* (Glencoe, Ill.: Free Press, 1958); Gilbert R. Winham, "Political Development and Lerner's Theory: Further Test of a Causal Model," *American Political Science Review*, 64 (1970):810-818; and Donald J. McCrone and Charles F. Cnudde, "Toward a Communications Theory of Democratic Political Development: A Causal Model," *American Political Science Review*, 61 (1967): 72-80.)

- 15) For example, J. Roland Pennock has proposed this specification of the "rule by the people" definition: "A Democracy is rule by the people where "the people" includes all adult citizens [Citizenship must be open to all residents of the country, subject to reasonable requirements, Pennock adds in a footnote] not excluded by some generally agreed upon and reasonable disqualifying factor, such as

confinement to prison or to an asylum for the mentally ill, or some procedural requirement, such as residency within a particular electoral district for a reasonable length of time before the election in question. "Rule" means that public policies are determined either directly by vote of the electorate or indirectly by officials freely elected at reasonably frequent intervals and by a process in which each voter who chooses to vote counts equally ("one person, one vote") and in which a plurality is determinative."

(*Democratic Political Theory*, p. 7)

This definition is too narrow as Fennock seems to recognize when he reserves "the right to override this definition by appeal to the substantive (ideal) concept whenever a democracy as here defined fails so substantially to approach its ideals that to call it "democratic" seems farcical".

(*Ibid.*, p. 10)

- 16) Hilliard Aronovitch, "Pluralism, Participation, and Tyranny." *Pouvoir et tyrannie*, Guy LaFrance (ed.), p. 139.

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